

Grand Isle Supervisory Union
CIUUSD Regular Meeting
School Board Regular Meeting
Tuesday, June 11, 2019, at 6:30 p.m.
Location: North Hero Education & Community Center
Agenda

Call to Order

- | | |
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| 1. Call to Order (G. Marckres) | 6:30 p.m. |
| 2. Adjust the Agenda (G. Marckres) | 6:31 p.m. |
| 3. Citizens and/or Staff to be Heard | 6:35 p.m. |
| a. Board correspondence | |
| 4. Consent Agenda (G. Marckres) (Action) | 6:40 p.m. |
| a. Approve the minutes from 5/14/2019 & 6/4/2019 | |
| b. Accept resignation | |
| i. Coori Sellers | |
| ii. Mandy Alarcon | |
| 5. Reports | 6:50 p.m. |
| a. Superintendent's | |
| b. Financial | |

Board Business.

- | | |
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| 6. School Calendar | 7:05 p.m. |
| 7. Move of Central Office (M. Clark)(Discussion) | 7:10 p.m. |
| 8. Transition Grant Funds (M. Clark)(Discussion) | 7:15 p.m. |
| 9. Update on Teacher negotiations (M. Maltais)(Discussion) | 7:25 p.m. |
| 10. Policy review (M. Clark)(Action) | 7:30 p.m. |
| 11. Vermont Municipal Retirement (M. Clark)(Action) | 7:50 p.m. |
| 12. Other | |

Closure

- | | |
|--|-----------|
| 13. Setting the next agenda (Discussion) | 8:00 p.m. |
| 14. Adjourn | |

Note: Executive Session: If discussion warrants and the Board so votes, some items may be discussed in Executive Session pursuant to VSA 1 §313(a)

Discussion Items - Issues the Board needs to discuss and deliberate, but upon which no action is taken at this meeting.

Action Items - Issues that require the Board to make a decision by vote, may have been discussed over several meetings prior to this point.

Consent Items - Routine matters that need no discussion by the Board, but require Board approval. They are grouped together as a single agenda item. Background materials are provided in the Board packet to be reviewed ahead of the meeting. If there are no concerns, they are approved with a single vote. Any member can request the Board remove an item to be discussed and voted on separately. This frees up time at meetings.

Information Items [Incidental Information] - Matters the Board needs to know about, but for which no Board action is needed. The information flow is one way, from presenter to the Board. Questions for clarification are entertained as time allows.

To Mr. Mike Clark,

Mr. Clark I understand you're likely preparing to champion and create a story line as to the amazing opportunity that lay ahead for Mr. Joseph Resteghini, our current North Hero Principal. I recognize that you have only been here for a short time, but your oversight and lack of communication to retain Mr. Resteghini will be rather significant. Some could argue disastrous next year, as North Hero School prepares for a mass exodus of staff, losing over 60% of its teachers next year. We are also all aware that the Isle La Motte administrator is leaving.

Good administrators are extremely difficult to recruit and find in our area. Having an excellent one in place that has established himself as a committed and competent leader should have earned your respect and attention. He has worked hard to get to know all of the students and will be irreplaceable in the transition next year. From what we understand the proposed responsibility and merger for a single administrator overseeing both North Hero and ILM school systems would of certainly involved the type of dedication, knowledge, and ability that characterizes Mr. Resteghini.

It's extremely disappointing to understand that our community had a chance to retain this type of leader in our schools, but for matters only known to a few you were unable to prioritize and communicate this with our appointed board members. As a parent and community member I am at a loss and disappointed. I hope you'll be around next year to see how things work out, and I hope I will have a chance to share this concern with our community members.

I'll withhold my name out of respect for all members of the current CIUUSD board at this time, but I hope there is more discussion and inquiry into this situation at our next board meeting.

C.c CIUUSD Board Members

Mr. Joseph Resteghini
Islander Editor in Chief
Island Steering Committee

Grand Isle Supervisory Union
CIUUSD Regular Meeting
School Board Regular Meeting
Minutes

Board Present: Michael Inners, Mason Maltais, Gary Marckres (via phone)

Admin Present: Joe Resteghini, Michael Clark

Public Present: Don Bartlett, Bridget Brisson, Tim Maxham

Call to Order

1. Call to Order - Gary Marckres called to order at 6:36 p.m., administration of meeting turned over to Mason Maltais.
2. Adjust the Agenda - none
3. Citizens and/or Staff to be Heard - none
4. Consent Agenda
 - a. Approve the minutes from 4/9/2019 - no objection, minutes approved
 - b. Extension Request - Michael Inners asked to take off consent agenda and review under board business
 - i. Jessica Ochs
 - ii. Alaria Lanpher
 - iii. Coori Sellers
 - iv. Megan Walker
 - v. Mandy Alarcon

5. Reports

- a. Superintendent's - written report provided in packet. Michael Clark indicated that updates have been sent regarding audit requirements and stat book. Most of the superintendent's report is that information. We are close to making the deadline, we have a copy of audit this evening- will email out this evening. Think we'll make the deadline. Integrated field review happened, draft expected soon. Gary Marckres asked about the AOE audit and findings and response- what is the timeline of release of funds? Michael Clark says he believe funds will be released immediately. Gary Marckres asked about cash flow position? Michael Clark says he thinks its ok at the moment. Working on getting AOE 3.0 for this year completed to anticipate satisfactory cash flow for the rest of the year.
- b. Financial - Michael Clark shared information that was in the packet. Michael Clark also shared the information regarding transition grant expenditures. Discussion took place regarding estimates for office space. Funds left would be looked at for the vehicle. Mason Maltais shared it may be best to hold off on moving forward with the vehicle situation and it could be funded in other ways. Gary Marckres will send Michael Clark a template for a 3 year lease purchase over 3 year option for vehicle.

Board Business.

6. Move of Central Office - Looking at estimates, total cost is looking more like \$105,000.
 - a. Fire Safety Permit (\$680)
 - i. Permit is going in tomorrow when check is cut.
 - b. Door Quote - added security by making entrance a double door.

- i. Mike Ashline worked with Kelly Brothers- has a quote for door at \$6,855.27. Gary Marckres moves to approve door quote, Mason Maltais second, Roll vote, Gary Marckres- yes, Mason Maltais- yes, Michael Inners- yes. Motion carries, 3-0.
 - c. HVAC -
 - i. Quotes came in higher than expected. Were able to send quotes electronically so board could review. Alliance Mechanical with options for zones makes the most sense. Gary Marckres moves to approve HVAC up to \$40,000, Mason Maltais second, Roll vote, Gary Marckres- yes, Mason Maltais- yes, Michael Inners- yes. Motion carries, 3-0.
 - d. Thinking about carpet and electrical, needs to have board approval for anything over \$5,000, unless you move to authorize now up to a certain amount. Gary Marckres moves to authorize going with current bid given timing, Mason Maltais second. Roll vote, Gary Marckres- yes, Mason Maltais- yes, Michael Inners- yes. Motion carries, 3-0.
 - e. Mason Maltais suggest approving up to a dollar amount for electrical. Mason Maltais moves to authorize up to \$15,000 for electrical, Michael Inners second. Roll vote, Gary Marckres- yes, Mason Maltais- yes, Michael Inners- yes. Motion carries, 3-0.
7. Extension requests revisited - each request is in board packet. By the master agreement, contracts are due back tomorrow, May 15. This is late in the hiring season. Suggest having them sign the contract and confirm what jobs they are active candidates in. Release from contract if they accept the job. Mason Maltais moves to allow those listed to sign and return his/her contract by May 15, 2019. When the contract is returned, teacher should identify what positions he/her is currently an active candidate for, in writing, to the superintendent by May 15, 2019. If by June 1, 2019, the individual notifies the superintendent, he/her has been selected to be hired by one of the positions he/her identified above as being an active candidate, the board will release him/her from his/her contract. Gary Marckres second, Roll vote, Gary Marckres- yes, Mason Maltais- yes, Michael Inners- yes. Motion carries, 3-0.
- vi. Jessica Ochs
 - vii. Alaria Lanpher
 - viii. Coori Sellers
 - ix. Megan Walker
 - x. Mandy Alarcon
8. Update on school choice requests - 6 student requests received, representing 3 families, requesting to go from Isle La Motte to North Hero. Class sizes allow for students to transfer. Drafted letter to families and will send their letter to them tomorrow.
9. Policy review - there are a number of policies ready to adopt and a number ready for a first read. In the packet, changes from board levels, including new grid for individual boards.
- 1. Final adoption of policies:
 - a. A1: Board Member Conflict of Interest: Michael Inners moves to approve, Mason Maltais second, Roll call vote, Gary Marckres- yes, Mason Maltais- yes, Michael Inners- yes. Motion carries, 3-0.
 - b. B1: Substitutes Teachers: Mason Maltais moves to approve, Michael Inners second, Roll call vote, Gary Marckres- yes, Mason Maltais- yes, Michael Inners- yes. Motion carries, 3-0.
 - c. B2: Volunteers and Work Study Students: Michael Inners moves to approve, Mason Maltais second, Roll call vote, Gary Marckres- yes, Mason Maltais- yes, Michael Inners- yes. Motion carries, 3-0.
 - d. B3: Alcohol & Drug-free Workplace: Mason Maltais moves to approve, Michael Inners second, Roll call vote, Gary Marckres- yes, Mason Maltais- yes, Michael Inners- yes. Motion carries, 3-0.

- e. B4: Drug & Alcohol Testing: Transportation Employees: Michael Inners moves to approve, Mason Maltais second, Roll call vote, Gary Marckres- yes, Mason Maltais- yes, Michael Inners- yes. Motion carries, 3-0.
- f. B6: HIPAA Compliance: Mason Maltais moves to approve, Michael Inners second, Roll call vote, Gary Marckres- yes, Mason Maltais- yes, Michael Inners- yes. Motion carries, 3-0.
- g. C2: Student Alcohol & Drugs: Michael Inners moves to approve, Mason Maltais second, Roll call vote, Gary Marckres- yes, Mason Maltais- yes, Michael Inners- yes. Motion carries, 3-0.
- h. C3: Transportation: Mason Maltais moves to approve, Michael Inners second, Roll call vote, Gary Marckres- yes, Mason Maltais- yes, Michael Inners- yes. Motion carries, 3-0.
- i. D6: Class Size Policy: Michael Inners moves to approve, Mason Maltais second, Roll call vote, Gary Marckres- yes, Mason Maltais- yes, Michael Inners- yes. Motion carries, 3-0.
- j. F1: Travel Reimbursement: Mason Maltais moves to approve, Michael Inners second, Roll call vote, Gary Marckres- yes, Mason Maltais- yes, Michael Inners- yes. Motion carries, 3-0.

2. First reads of policies:

- a. Code C1: educational records: Edit to include: "Town school districts" becomes "member districts"
- b. Code C4: no revisions suggested, just code change from F19.
- c. Code C6: adopts statutory standard.
- d. Code C8: adopts VSBA policy language.
- e. Code C9: adopt VSBA policy language - Edit to include: "K-12" becomes "all grades" Help address different quality at different schools. Choice 1 within item 4 subheading D.
- f. Code D3: no revisions suggested, just code change.
- g. Code D4: no revisions suggested, just code change.
- h. Code D5: no revisions suggested, just code change.
- i. Code E1: no revisions suggested, just code change.
- j. Head lice policy in place right now, it is from 2005 and has been updated since. The VSBA does not have a model policy now and only has a procedure. Suggest that CIUUSD does not adopt the policy that is currently at the GISU, and only adopt the procedure. Mason Maltais, Gary Marckres, and Michael Inners agree that this is best practice. What is presented is the procedure and letter to parents that is updated and submitted by our new school nurse.

10. Narcan - Opiate overdose reversal drug, nurse suggests that trained staff have access to this in the event that there is a problem. Michael Clark recommends that this be in schools and locked like all other medications and trained professionals will have access.

11. Union support staff contracts - tentative agreement with CIUUSD support staff. Michael Clark shared the process of the committee reviewing the language changes. Associate adopted all language changes. Proposal for 4% salary increase, BIs addition of steps, placing all current BIs on step 2 next year. Carry forward seniority from previous districts to new district. Michael Inners moves to approve ratification of the contracts, Mason Maltais second, Michael Inners clarified it is a one year contract. Roll call vote, Gary Marckres- yes, Mason Maltais- yes, Michael Inners- yes. Motion carries, 3-0. Gary Marckres authorized Mason Maltais to sign for Gary Marckres.

12. Non-union support staff contracts - tabled for now.

13. Principal Hiring Update - Michael Clark indicated that committee is meeting (9 Members representing parents, teachers, and community members). Interviews will be held next Thursday and Friday. Michael

Clark suggests having a special meeting Tuesday, June 4 to have candidate meet with staff, community, and board. Board agrees this would be best practice.

14. Teacher Hiring Update - Michael Clark shared that we knew we would have one opening, position posted with new job posting language. Was able to draw 41 applicants. Lauren Thomas is facilitating a committee for all CIUUSD licensed educators. They will be interviewing on May 16, 17, and the 20. Will know if there are any other positions that will need to be filled at that time as well, with the exception of the extensions that have been granted. The North Hero PE teacher has indicated he is not returning. Position posted internally. We have two applicants, one licensed and current PE teacher in Isle La Motte and the other candidate does not have a license. Would like to bring Barb Larvey in as the .4 PE teacher in North Hero building- combine position within CIUUSD to be a .8 position. This will change the staffing for the administrative assistant position. Mason Maltais motions accepting Barb Larvey as the PE teacher, Gary Marckres second, Roll call vote, Gary Marckres- yes, Mason Maltais- yes, Michael Inners- yes. Motion carries, 3-0.

15. Non-union support staff contracts - Michael Inners motions to enter executive session to discuss non union support contracts Mason Maltais second, Roll call vote, Gary Marckres- yes, Mason Maltais- yes, Michael Inners- yes. Motion carries, 3-0. Board moves into executive session at 8:06 pm. Board exits executive session at 8:10 pm. Mason Maltais motions to set increase at 4% for FY 20, Michael Inners second, Roll call vote, Gary Marckres- yes, Mason Maltais- yes, Michael Inners- yes. Motion carries, 3-0.

Closure

16. Setting the next agenda - Special meeting on June 4 for principal hiring. Regular meeting: Teacher hiring, update on teacher negotiations, GISU space move, transition grant funds.

17. Adjourn - Michael Inners motions to adjourn, Mason Maltais second, Roll call vote, Gary Marckres- yes, Mason Maltais- yes, Michael Inners- yes. Motion carries, 3-0, adjourn at 8:11 pm.

Grand Isle Supervisory Union
CIUUSD Special Meeting
School Board Special Meeting
Tuesday, June 4, 2019
Minutes

Board Present: Mason Maltais, Michael Inners, Nathan Robinson (via phone), Jane Zera (joined at 6:40 p.m.)

Admin Present: Michael Clark, Megan DeVinny

Public Present: Amanda Ellison, Bridget Brisson

Call to Order

1. Call to Order - Mason Maltais calls to order at 6:36 p.m.

2. Citizens and/or Staff to be Heard - none

Small adjustment to agenda- need to add a discussion about Exterus as well.

Board Business.

3. HVAC update -

- Michael Clark shared that the HVAC came in above the initial quote. There was an addition of a zone, which changed the equipment necessary, which added a cost. Board has approved up to \$40,000. The new quote with updates is \$45,398. Michael Clark requests authorization to spend \$46,000. Mason Maltais asked what the cost of Exterus is now. Michael Clark shared the cost will be \$53,202.92. It has been decided to not use transition grants for vehicle. At this point, there will be money in the transition grant funds. If it is not spent it, it is lost. Mason Maltais suggests approving \$47,000. Mason Maltais motions to authorize the spending of \$47,000 towards the HVAC system, Michael Inners second. Roll vote: Nathan Robinson-yes, Mason Maltais-yes, Michael Inners- yes, Jane Zera- yes. Motion passes.
- Exterus. Michael Clark shared that looking back at minutes, there was discussion in January about cost of Exterus that cost would be under \$50,000. Board never voted. Quote has come in at \$53,202.92. Mason Maltais motions to approve spending of up to \$55,000 with Exterus. Jane Zera second. Roll vote: Nathan Robinson-yes, Mason Maltais-yes, Michael Inners- yes, Jane Zera- yes. Motion passes.

4. Approve new hire contracts- teachers

- Approval for Barb of .8 PE position occurred at the last meeting. Board will need to sign at this meeting.
- Dawn Slayton- school clinician. Michael Clark shared info from packet. Jane Zera motions to approve contract, seconded Michael Inners. Roll vote: Nathan Robinson-yes, Mason Maltais-yes, Michael Inners- yes, Jane Zera- yes. Motion passes.
- Amy Racicot- french teacher. Michael Clark shared info from packet. Mason Maltais motions to approve, Jane Zera second. Roll vote: Nathan Robinson-yes, Mason Maltais-yes, Michael Inners- yes, Jane Zera- yes. Motion passes.
- Ryleigh Combs- elementary teacher, she will be in the Grand Isle School in the ½ position. Mason Maltais motions to approve, Michael Inners second. Roll vote: Nathan Robinson-yes, Mason Maltais-yes, Michael Inners- yes, Jane Zera- yes. Motion passes.

- Julia Goldman- elementary teacher, she will be in the North Hero School in the ½ classroom. Michael Inners motions to approve, Jane Zera second. Roll vote: Nathan Robinson-yes, Mason Maltais-yes, Michael Inners- yes, Jane Zera- yes. Motion passes.
 - Brian Loughlin- elementary teacher, he will be at the North Hero school in the ¾ classroom. Mason Maltais motions to approve, Jane Zera second. Roll vote: Nathan Robinson-yes, Mason Maltais-yes, Michael Inners- yes, Jane Zera- yes. Motion passes.
5. Meet and approve Principal recommendation
- Nathan Robinson left the meeting at 7:01 pm.
 - Michael Clark shared the process of the principal hiring advisory committee. The committee unanimously supported the candidate of Amanda Ellison. Amanda is here this evening if you would like to discuss with her. Suggest executive session for contract negotiation.
 - Amanda Ellison shared info about herself. Discussion took place regarding challenges Amanda Ellison could see as a new principal and her tour of the community.
 - Michael Inners moves to enter executive session, Mason Maltais second, all in favor. Board moves into session at 7:10 p.m.
 - Board exits executive session at 7:37 p.m.
 - Jane Zera motions to offer Amanda Ellison a one year contract at \$92,000, Mason Maltais second. All in favor, motion carries.

Closure

6. Adjourn - Michael Inners motions to adjourn, Jane Zera second. All in favor. Board adjourns at 7:38 p.m.



Megan Devinny <mdevinny@gisu.org>

Re: Resignation

1 message

Michael Clark <mclark@gisu.org>

Fri, May 24, 2019 at 2:20 PM

To: Coori Sellers <csellers@gisu.org>, Megan Devinny <mdevinny@gisu.org>

Cc: Lauren Thomas <lthomas@gisu.org>, Gary Marckres <gmarckres@board.gisu.org>, Don Bartlett <dbartlett@board.gisu.org>, Nathan Robinson <nrobinson@board.gisu.org>, Michael Inners <minners@board.gisu.org>, Dorothy Sacca <dsacca@gisu.org>

Congratulations Coori

On Fri, May 24, 2019 at 1:18 PM Coori Sellers <csellers@gisu.org> wrote:

Good Afternoon Board Members,

Thank you for granting me an extension on signing my contract. I have been selected to be a School Counselor in another district for the 2019-2020 school year.

I am writing to formally resign my position as the Grand Isle School District School Counselor effective June 30, 2019.

Thank you,
Coori--
Coori SellersSchool Counselor
Grand Isle School
(802)372-6913 (ext. 103)
csellers@gisu.org--
Michael J. Clark
Grand Isle Supervisory Union
Superintendent
(802) 372-6921

Pronouns: he/him/his

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Megan Devinny <mdevinny@gisu.org>

Re:

1 message

Michael Clark <mclark@gisu.org>

Wed, Jun 5, 2019 at 4:27 PM

To: Mandy Alarcon <malarcon@gisu.org>, Megan Devinny <mdevinny@gisu.org>, Lauren Young <lthomas@gisu.org>

Thank you and congratulations, Mandy. We appreciate your hard work on behalf of the students on the Islands.

On Wed, Jun 5, 2019 at 4:13 PM Mandy Alarcon <malarcon@gisu.org> wrote:

6/5/19

Mr. Clark and CIUUSD Board,

It is with mixed emotions that I submit my resignation and ask to be released from my contract. As you may know, an opportunity that would work well for my family became available in the town I live and I have accepted a position there. I want to thank each of you for the work you do and the understanding you've demonstrated throughout this process. Grand Isle will always have a special place in my heart. I grew up in the islands and will greatly miss this community. We have so many strengths that I will miss.

Best of luck as you continue forward. Thank you for allowing me to teach our wonderful students, work with so many great families, and work alongside so many talented people for the last 10 years.

Sincerely,

Mandy Alarcon

--

Michael J. Clark
Grand Isle Supervisory Union
Superintendent
(802) 372-6921

Pronouns: he/him/his

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Superintendent's Report

June 2019

Negotiations

Meetings between the Teachers Association and the GISU School Board Negotiations committee are ongoing.

Individual Contracts

Individual teacher and support staff contracts have been distributed and are being returned in accordance with three union master agreements.

2019-2020 Hiring Process

The 2019-2020 hiring process is underway. There are postings for positions in all three districts (Alburgh, CIUUSD, and South Hero) as well as at the Supervisory Union. The GISU office is working hard to get recommended candidates to interviews with the Superintendent as quickly as possible. The application pool for many of the postings is very good while there are also some postings which are not attracting many applications.

CIUUSD Principal Hiring

I facilitated the CIUUSD Principal Hiring Advisory Committee and would like to thank Dan Foster, Carol Egan, Jane Zera, Jeri Frank, Barb Larvey, Hannah Pelkey, Caryn Zambrano, Sarah Noble, and Kristin Roach for hard work on this committee. The committee met and identified what it believed we are looking for in a candidate, identified 21 questions to ask at the interview, and then reviewed all the candidates. The committee narrowed the search down to 6 candidates to interview. I scheduled all six interviews however between scheduling and conducting the interviews two candidates withdrew as they accepted other positions. A candidate has been selected to be recommended as the 2019-2020 CIUUSD North Hero and Isle La Motte campuses and will visit the North Hero and Isle La Motte Communities on June 4, 2019.

Status of Moving the GISU Office

The CIUUSD Board has approved a specific budget for each of the components of the remodel and move. While we are on track to complete the work necessary to move into the new space by July 1, 2019 it is likely we will need time in July to review the files that need to be moved based on record retention best practices and to actually move spaces.

FY 18 Audit/Grant Funds

I am pleased to share the GISU made the deadline established by the AOE regarding the completion of the FY 18 GISU Single Audit and as a result the grant funds from FY 17 which we were in jeopardy of losing have been released and I anticipate will be processed by the AOE in the first week of June. We completed the FY 18 audit 6 months earlier than the FY 17 audit. If we continue to improve at this pace the FY 19 audit can be completed in December which would be within the traditional normal times school audits are completed.

FY 18 Local Audits

We have shifted our focus to completing the local audits. Our goal is to complete the local Audits in June.

Thank you for the work you do as board members to support education throughout the Islands.

CODE C1 - EDUCATION RECORDS

Policy

The Grand Isle Supervisory Union and its member Districts recognize the importance of keeping accurate and appropriate education recordsⁱⁱ 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 informⁱⁱⁱ parents, guardians, and students eighteen years and older of their right to inspect, review, and seek amendment of the student's education records. The district will inform parents guardians, and students eighteen years and older of items considered directory information through notices distributed at the beginning of each school year or when a student enrolls.^{iv}

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.^v

- a. ***Other school official determined to have legitimate educational interests*** means a person who needs to review a student's education record or receive information therefrom in order to fulfill his or her employment or official responsibilities and who is:
 - a. A person employed by the Grand Isle Supervisory Union member districts as an administrator, supervisor, educator or substitute therefore, paraprofessional or support staff member, including tutorial, health, law enforcement, custodial, transportation, nutrition, athletic, extra-or-co-curricular, clerical or other support staff;
 - b. A member of the Grand Isle Supervisory Union member districts School Board;

- c. A person or company with whom the Grand Isle Supervisory Union member districts has contracted to perform a special task, including an attorney, auditor, medical consultant, therapist, evaluator;
 - d. A volunteer assisting another school official in the performance of his or her tasks; and
 - e. Any other person designated by the Grand Isle Supervisory Union member districts or Principal of any school within the GISU to have legitimate educational interests.
- b. Directory Information.** The school will release directory information without prior written consent unless the parent or guardian or eligible student informs the Principal in writing that any or all of the information designated below should not be released without prior consent.
- a. Student's name, address, date of birth, dates of enrollment;
 - b. Parent or guardian's name and address;
 - c. Student's grade level classification;
 - d. Student's participation in recognized school activities and sports;
 - e. Weight and height of member of athletic teams;
 - f. Student's diplomas, certificates, awards and honors received.

NOTE: FERPA regulations permit the identification as directory information any "information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed." The above list is, therefore, suggestive.

Implementation

- i. *Release/Review of Student Information*
 - a. Disclosure of student information will be made only with the written consent of the parent or guardian or eligible student subject to the following exceptions:
 - i. Information may be disclosed to officials of the school in which the student enrolled who have a legitimate educational interest in the records and require the information to adequately carry out their jobs;
 - ii. Information may be disclosed upon request to officials of a school in which the student seeks or intends to enroll;
 - iii. Under court order or subpoena;
 - iv. To individuals seeking Directory Information: see definitions
 - v. In connection with a student's request for financial aid;
 - vi. To appropriate parties in a health or safety emergency.
 - b. Parents or guardians of students or eligible students may inspect and review the student's records upon request. Parents or guardians should submit requests to the Principal in writing specifying as precisely as possible the information he/she wishes to inspect. The Principal will make appropriate

arrangements to meet with the parent(s) or guardian(s) for such inspection according to procedures developed by the school's administration.

If an eligible student or parent or guardian believes the education records contain information that is inaccurate, misleading or in violation of any of the student's rights, he/she may request the building Principal to amend the record. If the building Principal decides not to amend the record as requested, the student or parent or guardian may appeal using the District's general appeal process.

- c. Non-custodial Parents: Access to a student's school records shall not be denied to a parent solely because that parent has not been awarded parental rights and responsibilities by a court. However, access will be denied where a court order or other legally binding document specifically revokes a parent's right of access to such records.
 - d. Each contract entered into between the Grand Isle Supervisory Union member districts and persons or entities who may either receive a student's education records or personally identifiable information shall contain a provision setting forth the restrictions on re-disclosure of information from education records.
 - e. School District will maintain a record of all requests for and/or disclosures of information from a student's records according to the school's procedures. The District will record, also, all requests for amendments of the record and the disposition of the request(s).
- ii. *Juvenile Court Records*. Vermont Superior Court, Family Division, is required to inform in writing the Superintendent of the District in which a student is enrolled within seven days of a court finding that the student has committed a delinquent act requiring notice. In the event notification is received from Vermont Superior Court that a student has committed a delinquent act:
 - a. Sharing of Information. The Superintendent shall inform only those for whom the information is necessary for the rehabilitation program of the child or for the protection of staff or students, and only after evaluating rehabilitation and protection measures that do not involve informing staff or students. "Need to know" should be narrowly and strictly interpreted. Persons receiving this information shall not discuss the information with anyone except the Superintendent, the child, the child's parent or guardian, law enforcement personnel, the student's probation officer or others who have been similarly informed.
 - b. Maintenance of Records. The notice from the Superior Court shall be maintained by the Superintendent in a file separate from the student's education record. Upon the graduation of

the student or when the student turns 18, the Superintendent shall destroy the record. If a student transfers to another public or private school, the Superintendent shall forward the written notice in the original marked envelope to the Superintendent or headmaster of the school to which the student is transferring.

- c. Transfer of Records. When a student transfers to another school or school district, all student records shall be forwarded.

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ⁱ 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 school shall develop and implement a system of maintaining student records... which is in compliance with FERPA." SBE Rule 2120.8.3.3.

ⁱⁱ 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. 20 U.S.C. 1232g; 34 C.F.R. 99.3.

ⁱⁱⁱ School districts are required to find an effective way to notify parents whose primary language is not English. 34 C.F.R. §99.9.

^{iv} 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, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees 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.

^v 12 U.S.C. §1232g; 34 C.F.R. §99.3.

CODE C4 - LIMITED ENGLISH PROFICIENCY STUDENTS

Policy

It is the policy of the Grand Isle Supervisory Union and its member School Districts to ensure that students whose primary or dominant language is not English, and who therefore have limited-English proficiency (LEP), have equitable access to school programs as required by law.

Implementation

The superintendent or his or her designee shall be responsible for developing and implementing procedures to comply with federal and state laws, which define standards for serving LEP students.

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*Legal Reference(s): 42 USC §§2000 d et seq. (Title VI of the Civil Rights Act of 1964);
 20 USC 6801 et seq. (English Language Acquisition, Enhancement, and Academic Achievement Act)
 20 USC § 7801(25) (Definition of Limited English Proficiency)
 34 CFR Part 100
 9 VSA §4502 (Discrimination, public accommodations)
 Vermont State Board of Education Manual of Rules and Procedures §1250*

Cross Reference:

CODE C8 - PUPIL PRIVACY RIGHTS

Policy

It is the intent of the Grand Isle Supervisory Union and its member School Districts to comply with the provisions of the federal Pupil Privacy Rights Amendment (PPRA)² and Vermont State Board of Education Rules³ governing the administration of certain student surveys, analyses or evaluations.⁴

Administrative Responsibilities

The Superintendent or his or her designee shall develop administrative procedures to ensure school district compliance with applicable federal and state laws related to pupil privacy. The administrative procedures shall include provisions related to the following legal requirements.⁵

1. The right of parents or eligible students to inspect surveys created by third parties before administration or distribution of the surveys to students;
2. Any applicable procedures for granting request by a parent for access to such survey within reasonable time after a request is received;
3. Arrangements to protect student privacy in the event of the administration or distribution of a survey to a student containing one or more of the items listed in the federal Pupil Privacy Rights Amendment;⁶
4. The right of a parent to inspect any instructional material used as part of the educational curriculum for the parent's child, and any applicable procedures for granting access to such material within a reasonable time after the request is received.⁷
5. The administration of physical examinations or screenings that the school district may administer to a student;⁸
6. The collection, disclosure or use of personal information collected from students for the purpose of marketing or for selling that information, including arrangements to protect student privacy in the event of such collection, disclosure or use.⁹
7. The right of a parent of a student to inspect any instrument used in the collection of personal information under subparagraph (6) above, and any applicable procedures

¹ This policy is required by the Federal Protection of Pupil Rights Act, 20 U.S.C. §1232h; Vermont State Board Manual of Rules and Practices, Rule 2120.8.12(f).

² See 20 U.S.C. 1232h.

³ See Vermont State Board of Education Rule 2120.8.12(f).

⁴ The federal law and state regulations requiring board policies on this subject are in some instances limited to surveys, analyses or evaluations funded in whole or in part by the U.S. Department of Education. See 20 U.S.C. § 1232h(c)(1). At the board's discretion, the protections provided by this policy could be expanded to include all surveys conducted by the school district, regardless of the survey's funding source.

⁵ See 20 U.S.C. §1232h(c)(1).

⁶ See 20 U.S.C. §1232h(c)(1)(B) for the list of eight items that must be included.

⁷ See 20 U.S.C. §1232h(c)(1)(C).

⁸ See 20 U.S.C. §1232h(c)(1)(D).

⁹ See 20 U.S.C. §1232h(c)(1)(E).

for granting a request for such inspection within a reasonable time after receiving the request;¹⁰

8. Provisions to ensure that parents are notified of the school district policies and procedures adopted to comply with federal and state laws and regulations governing pupil privacy, including, but not limited to, notification of activities involving the collection of personal information from students, the administration of surveys containing items specifically listed in the Pupil Privacy Rights Amendment.¹¹

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¹⁰ See 20 U.S.C. §1232h(c)(1)(F)

¹¹ See 20 U.S.C. §1232h(c)(2).

CODE C9 - FEDERAL CHILD NUTRITION ACT WELLNESS**Purpose**

It is the intent of the Grand Isle Supervisory Union and its member School Districts to comply with the local policy requirements of the federal Child Nutrition and WIC Reauthorization Act of 2004 and the Healthy, Hunger-Free Kids Act of 2010 (HHFKA). In accord with those requirements, this policy has been developed in consultation with parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators and the general public.

Policy Statement

It is the policy of the Grand Isle Supervisory Union and its member School Districts to establish goals for nutrition promotion and education, nutrition guidelines, physical activity and other school based activities that are designed to promote student wellness. The district will review and consider evidence-based strategies in determining these goals.

I. Goals for Nutrition Promotion and Education.

- A. The school district shall provide nutrition promotion and education programs as required by state law and regulations of the State Board of Education. In particular, the district shall provide a nutrition component in its Comprehensive Health Education program and shall develop curricular programs intended to accomplish applicable goals enumerated in the Vermont Education Quality Standards.
- B. Nutrition education and promotion programs shall be conducted by appropriately licensed staff members.
- C. To the extent practicable, nutrition education and promotion shall be integrated into core curricula in areas such as science and family and consumer science courses.
- D. The district will limit food and beverage marketing to the promotion of only those foods and beverages that meet the USDA Smart Snacks in School nutrition standards on school campus.

II. Goals for Physical Education and Physical Activity.

- A. The district shall provide physical education classes for all students as required by Education Quality Standards.
- B. The district shall offer opportunities for students in all grades to participate in at least 30 minutes of physical activity within or outside of the school day. Physical activity may include recess and movement built into the curriculum, but does not replace physical education classes.

III. Goals for Nutrition Services

- A. The district shall ensure that guidelines for reimbursable school meals are not less restrictive than regulations and guidance issued by the Secretary of Agriculture pursuant to sections (a) and (b) of section 9A(a) and (b) of the Richard B. Russell National School Lunch Act as those regulations and guidance apply to schools.
- B. The district shall provide adequate space for eating and serving school meals.
- C. The district shall provide a clean and safe meal environment for students.
- D. The district shall establish meal periods that provide adequate time to eat and are scheduled at appropriate hours.
- E. Food shall not be used in district schools as a reward or punishment.
- F. The district shall provide training opportunities as appropriate for food service and other staff members in areas of nutrition and wellness.
- G. Schools participating in the National School Lunch and School Breakfast programs shall make free potable water available to children in the meal service areas.

IV. Nutrition Guidelines.

- A. The National School Lunch and School Breakfast Programs will meet the requirements provided in 7 CFR 210 and 7 CFR 220 (National School Lunch Program and School Breakfast Guidelines.)
- B. All foods and beverages outside the reimbursable school meal programs that are sold to students on the school campus during the school day will meet the USDA Smart Snacks nutrition standards¹.

- C. School district fundraisers that occur during the school day will meet the USDA Smart Snack nutrition standardsⁱⁱ.
- D. The district is required to establish nutrition guidelines for all other foods provided, but not sold to students during the school day. Foods provided but not sold may include food that is part of a classroom celebration or provided by parents or community organizations free of charge. It is the policy of the district that, when feasible, food provided but not sold should be limited to those foods that improve the diet and health of students, help mitigate childhood obesity, and model healthy choices.

V. Other School Based Activities

The district will implement other wellness based school activities from time to time at the discretion of the superintendent or his or her designee. These activities will be in accordance with evidence-based strategies such as those provided in the Vermont School Wellness Policy Guidelines.

VI. Assessment:

The District will conduct an assessment of the wellness policy every 3 years. This assessment will determine: compliance with the wellness policy, how the wellness policy compares to model wellness policies, and progress made in attaining the goals of the wellness policy.

VII. Policy Implementation.

- A. The district will permit parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators and the general public to participate in the development, implementation, monitoring, and periodic review and update of this policy.
- B. The superintendent or his or her designee shall periodically monitor district programs and curriculum to ensure compliance with this policy and any administrative procedures established to carry out the requirements of this policy.
- C. The district shall annually inform and update the public about the content and implementation of this policy, including the extent to which district schools are in

compliance with this policy, the extent to which this policy compares to model local school wellness policies and a description of the progress made in attaining the goals of this policy.

- D. The superintendent or his or her designee shall report at least annually to the board and to the public on the district's compliance with law and policies related to student wellness. The report shall include information as to the content and implementation of this policy, and an assurance that district guidelines for reimbursable meals are not less restrictive than regulations and guidelines issued for schools in accordance with federal law.

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Legal Reference(s): 16 V.S.A. §§131 & 906(b)(3).

Richard B. Russell National School Lunch Act, 42 U.S.C. 1751 et seq.

Child Nutrition Act of 1966, 42 U.S.C. 1771 et seq.

Healthy, Hunger Free Kids Act of 2010, Section 204 of Public Law 111-296.

Code of Federal Regulations, 7 CFR Part 210 and Part 220.

Vermont Education Quality Standards 2120.5

Vermont School Wellness Policy Guidelines, Joint Guidance from Vermont Agency of Agriculture, Food and Markets, the Vermont Agency of Education and Vermont Department of Health. 2016.

ⁱ [See Resource: Summary, Nutrition Standards for All Foods Sold in School, <https://www.fns.usda.gov/sites/default/files/cn/allfoods-summarychart.pdf>]

ⁱⁱ See above

CODE D3 - RESPONSIBLE COMPUTER, NETWORK & INTERNET USE

Purpose

The Grand Isle Supervisory Union and its member School Districts recognize 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:

- a. 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.
- b. Ensure the district takes appropriate measures to maintain the safety of everyone that accesses the district's information technology devices, network and web resources.
- c. 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 Grand Isle Supervisory Union and its member School Districts 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. The Principal or their designee will develop annually, a program for educating students about responsible digital citizenship. As defined in this policy, a responsible digital citizen is one who:
 1. **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.
 2. **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.

3. **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.
4. **Respects Intellectual Property.** Users suitably cite any and all use of websites, books, media, etc.
5. **Protects Intellectual Property.** Users request to use the software and media others produce.
2. Provisions necessary to ensure that Internet service provider(s) 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:
 1. Lewd, vulgar, or profane
 2. Threatening
 3. Harassing or discriminatory
 4. Bullying
 5. Terroristic
 6. 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, a student will be provided with notice and opportunity to be heard in the manner set forth in 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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*Legal Reference(s): 17 USC §§101-120 (Federal Copyright Act of 1976 as amended)
20 USC § 6777 et seq. (Enhancing Education Through Technology Act)
18 USC §2251 (Federal Child Pornography Law—Sexual Exploitation and Other Abuse of Children)
47 USC §254 (Children’s Internet Protection Act)
47 CFR §54.520 (CIPA Certifications)
13 VSA §§2802 et seq. (Obscenity, minors)
13 VSA § 1027 (Disturbing Peace by Use of...Electronic Means)
13 VSA §2605(Voyeurism)*

SAMPLE FORM
Student Acceptable Use Procedures Agreement

General Procedures

Students in the <School> District have access to the school's electronic resources for the purpose of enhancing learning. To gain access to these resources, all students under the age of 18 must obtain parental permission and must sign and return this form to the person designated. Students 18 and over may sign their own forms.

Students may access the school's electronic resources for educational purposes only. Acceptable use includes classroom activities, career development, and curriculum driven research and may involve electronic communication, as designated by the school. The school's electronic resources shall not be used for commercial or entertainment purposes, as a public access service or a public forum, unless permission is allowed by the school. Students are expected to follow the rules of personal conduct outlined in the student handbook, as well as abide by state and federal laws in the use of the school's electronic resources.

Parents/guardians are warned that some material accessible via the Internet, through the school's electronic resources, may contain items that are illegal, defamatory, inaccurate or potentially offensive to some people. While it is the school's intent to provide appropriate electronic resources to enhance the curriculum, students may find ways to access other materials as well. The District believes the benefits to students from access to electronic resources and the Internet for information gathering, research and to provide opportunities for collaboration, exceed the potential disadvantages. Ultimately, parents/guardians of minors are responsible for setting and conveying the standards that their children should follow when using electronic resources. To that end, we support and respect each family's right to decide whether or not to apply for access.

Individual User Responsibilities

System users shall:

1. Understand that electronic mail transmissions and other use of the electronic communication system is not confidential and may be monitored at any time by designated staff to ensure appropriate use;
2. Not distribute personally identifiable information about themselves or others by means of the school's electronic communication system;
3. Be responsible at all times for the proper use of their account by taking all reasonable precautions to prevent others from gaining access to their system account and password;
4. Not use another person's system account or password, or present themselves another person, without written permission from the system administrator or school coordinator;
5. Not purposefully access or send materials, which include pictures, video or audio files, that are rude, disrespectful, abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal;
6. Purge electronic mail in accordance with established school e-mail retention guidelines;
7. Not use the school's electronic resources and internet connection for commercial or illegal purposes, or for any other activity prohibited by school policy; not redistribute copyrighted

programs or data except with the written permission of the copyright holder or designee. Such permission must be specified in the document or must be obtained directly from the copyright holder or designee in accordance with applicable copyright laws, school policy, and administrative regulations;

8. Not plagiarize work using the school's electronic resources (plagiarism is taking the ideas or writings of others and presenting them as one's own);
9. Not use the school's electronic mail, or other personal email accounts, in any way that causes recipients or other readers to assume the email message represents the opinion of educators or other school officials, or anyone else without their explicit permission;
10. Not waste school resources related to the electronic communication system, or damage or attempt to damage computers, computer systems, computer networks or software;
11. Not abuse the school's electronic communication system by downloading large files or sending annoying or unnecessary messages to a large number of people;
12. Not gain or attempt to gain unauthorized access to the school's electronic resources, network or restricted information;
13. Not upload, download or redistribute public domain programs to the system for their own use without advance permission;
14. Be responsible for determining whether a program is in the public domain and follow the school virus protection procedures in downloading software.

Disciplinary Actions

The school's electronic resources system is a limited forum, similar to the school newspaper, and therefore the school may restrict individual user's speech for valid educational reasons. The District school will not restrict speech on the basis disagreement with the opinions expressed. Users should not expect privacy in the contents of their personal files or record of web research activities. Routine maintenance and monitoring of system resources may lead to discovery of violations of District policy, disciplinary code, or state and federal law. An individual search may also be conducted by the system administrator if there is reasonable suspicion that a user has violated this Acceptable Use Procedures agreement. If there is evidence that a violation has occurred the school Principal shall be notified and will determine appropriate consequences.

Due Process

If any of the conditions of this Acceptable Use Procedures agreement are breached, parents/guardians will be notified (if student is under 18 years of age) and may be given an opportunity to review the contents of their child's electronic files. The school will cooperate fully with local, state, or federal officials in any investigation related to illegal activities conducted through the school's electronic system or the Internet. In the event there is a claim that an individual user has violated school policy, procedures or disciplinary code, the user will be provided with written notice and the opportunity to be heard in the manner set forth by the school disciplinary policy.

Limitation of Liability

The school makes no guarantee that the functions or the services provided by or through the school's electronic system will be error-free or without defect. The school will not be responsible for any damage individual users may suffer, including but not limited to, loss of data or interruptions of service. Other than for student records, the school is not responsible for the accuracy or quality of the information obtained through or stored on the system.

The school will not be responsible for financial obligations arising through the unauthorized student use of the system. Parents/guardians of the individual user may be held financially responsible for any harm to the system as a result of carelessness or intentional misuse. Parent/Guardian Permission

As the parent/guardian of this student, I have read the "Student Acceptable Use Procedures Agreement." I understand that school access is designed for educational purposes only. The school has taken precautions in an attempt to eliminate student access to controversial materials. However, I also recognize it is impossible for the school to restrict access to all controversial materials. Thus, I will not hold teachers, staff, administrators or the school board responsible for materials acquired on the school system. Further, I accept full responsibility for supervision if and when my child's electronic resources use is not in the school setting. I hereby give permission for the school to issue an account for my child and certify that I have read the Student Acceptable Use Procedures agreement and have signed below giving my son/daughter permission to access the school's electronic resources.

Student Name (please print):

Parent/Guardian Name (please print):

Address:

Phone#: _____ E-mail Address: _____ Date:

Parent/Guardian Signature:

Student Permission

I have read, understand and agree to abide by the "Student Acceptable Use Procedures Agreement." I further understand that any violation of the Procedures may enact school disciplinary action or constitute a criminal offense. Should I commit any violation, my access privileges may be revoked, school disciplinary actions may be taken, and/or appropriate legal action may be initiated.

Student's Name (please print):

Student Signature: _____ Date:

SAMPLE FORM
Student Acceptable Use Procedures Agreement

Staff Agreement on Use of Technology

I have been given the privilege of using technology owned by the <School> District in the form of access to telecommunications and computer hardware and software. I understand that this is a privilege and not a right of my employment and that I must employ this technology in a manner that complies with the District's policies.

I understand that the District extends no rights of privacy or ownership to work completed by me on District-owned technology.

I understand that it is prohibited for me to:

1. Use the District's technology for my personal gain or profit or for any commercial use not sanctioned by the School District;
2. Use any software or technology in a manner inconsistent with the District's/school's licensing agreements;
3. Distribute any information about any student's records or files to persons outside the school system, unless such distribution is authorized by law or there is written permission from the parent/guardian or student to do so;
4. Use offensive, obscene or racially demeaning language in any communications;
5. Download software protected by copyrights; and
6. Store personal software on any computer owned by the District.
7. I understand that the School Board may revoke these privileges at any time and that any illegal activity will be reported to the appropriate authorities.

My signature on this document indicates that I have received and understand the School District's policy and regulations and that I agree to abide by their terms.

Name (Printed)

Signature: _____

Date: _____

cc: Central personnel file
School personnel file

CODE D4 - TITLE I COMPARABILITY POLICY

If a member school district within the Grand Isle Supervisory Union 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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Date Last Reviewed:

Legal Reference: *20 USC §6321 (c).*
 20 USC 7801 (26) (LEA defined)
 16 VSA 144

CODE D5 - ANIMAL DISSECTION

Policy

It is the intent of the Grand Isle Supervisory Union and its member School Districts 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 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 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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CODE E1 – TITLE I, PART A PARENTAL INVOLVEMENT POLICY

The Grand Isle Supervisory Union and its member districts maintain programs, activities, and procedures for the involvement of parents of students receiving services, or enrolled in programs, under Title I Part A of Elementary and Secondary Education Act. These programs, activities and procedures are described in school district and school level compacts.

Definition

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).

School District Parental Involvement Compact

The Superintendent or his or her designee shall develop an LEA-Level Parental Involvement Compact according to Title I, Part A requirements. The LEA Compact shall include: (1) the school district's expectations for parental involvement, (2) specific strategies for effective parent involvement activities to improve student academic achievement and school performance, and (3) other provisions required by law. The Superintendent or designee shall ensure that the Compact is distributed to parents of students receiving services, or enrolled in programs, under Title I Part A.

School Level Parental Involvement Compact

Each building principal or his or her designee shall develop a School-Level Parental Involvement Compact in accord with Title I, Part A requirements. The School Level Parental Involvement Compact shall include: (1) a process for continually involving parents in its development and implementation, (2) how parents, the entire school staff and students share the responsibility for improved academic achievement, (3) the means by which the school and parents build and develop a partnership to help students achieve the State's standards, and (4) other provisions as required by law. Each principal or designee shall ensure that the compact is distributed to parents of students receiving services, or enrolled in programs under Title I, Part A.

	<i>GISU</i>	<i>Alburgh</i>	<i>CIUUSD</i>	<i>South Hero</i>
<i>Date Warned</i>			<i>5/14/2019</i>	
<i>Date Adopted</i>				

Date Last Reviewed:

Legal Reference(s): 20 USC §6318 Title I, Part A of the Elementary and Secondary Education Act ("No Child Left Behind Act")

16 VSA §144b Definition of "LEA" for NCLBA purposes.

Current Policy	VSBA name & code change	Revision	Suggested Revision
Harassment of Employees D12	Prevention of Employee Harassment B5	yes	Recommend recind policy and adopt VSBA's model policy
Tobacco prohibition E8	Tobacco Prohibition B7	yes	Recommend recind policy and adopt VSBA's model policy
Firearms/weapons F21	Firearms C5	yes	Recommend recind policy and adopt VSBA's model policy
Student attendance F25	Student Attendance C7	yes	Recommend recind policy and adopt VSBA's model policy
Prevention of harassment, hazing and bullying of students F31	Prevention of Harassment, Hazing and Bullying of Students C10	yes	Recommend GISU include names and titles of at least two designated employees in Appendix A of the policy
Prevention of harassment, hazing and bullying of students procedures F31-P	Prevention of Harassment Hazing and Bullying of Students Procedures C10P	no	
Student Publications F15	Student Freedom of Expression in School-Sponsored Media C11	yes	Recommend recind policy and adopt VSBA's model policy
	Proficiency Based Graduation Requirements		GISU does not have a policy, recommend adopting the policy- Board needs to address Bolder text

Current

CODE D12 (Mandatory)

CODE D12 - EMPLOYEE HARASSMENT

Policy

Harassment is a form of unlawful discrimination that will not be tolerated in the Grand Isle Supervisory Union and its member School Districts. Unwelcome sexual advances, requests for sexual favors, and other verbal, written or physical conduct constituting harassment as defined herein and by state and federal law violate this policy. Retaliation against any person raising good faith allegations of unlawful harassment or against any witness cooperating in an investigation pursuant to this policy is prohibited.

Definitions

- a. **Employee:** For purposes of this policy, any person who may be permitted, required or directed by the District or Supervisory Union, in consideration of direct or indirect gain or profit, to perform services for the District or Supervisory Union.
- b. **Unlawful Harassment:** Verbal, written or physical conduct based on an employee's race, religion, color, national origin, marital status, sex (including pregnancy), sexual orientation, gender identity, age, political affiliation, ancestry, place of birth, genetic information or disability which has the purpose or effect of substantially interfering with an employee's work or creating an intimidating, hostile or offensive environment.
- c. **Sexual Harassment:** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
 - b. Submission to or rejection of such conduct by an individual is used as a component of the basis for employment decisions affecting such individual; or
 - c. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.
- d. **Retaliation.** Retaliation is adverse action taken against a person for making a complaint of unlawful harassment or for participating in or cooperating with an investigation.

Examples

Unlawful harassment can include any unwelcome verbal, written or physical conduct which offends, denigrates, or belittles an employee because of the employee's race, religion, color, national origin, marital status, sex (including pregnancy), sexual orientation, gender identity, age, ancestry, place of birth, genetic information or disability. Such conduct includes, but is not limited to: unsolicited derogatory remarks, jokes, demeaning comments or behavior, slurs, mimicking, name calling, graffiti, innuendo, gestures, physical contact, stalking, threatening, bullying, extorting or the display or circulation of written materials or pictures.

Sex

Sexual harassment may include unwelcome touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, pressure for sexual activity, display or sending of pornographic pictures or objects, obscene graffiti, and spreading rumors related to a person's alleged sexual activities.

Race and Color

Racial or color harassment may include unwelcome verbal, written or physical conduct directed at the characteristics of a person's race or color such as nicknames emphasizing stereotypes, racial slurs, and negative references to racial customs.

Religion

Harassment on the basis of religion includes unwelcome verbal, written or physical conduct directed at the characteristics of a person's religion or creed such as derogatory comments regarding surnames, religious tradition, or religious clothing, or religious slurs.

National Origin and Place of Birth

Harassment on the basis of national origin includes unwelcome verbal, written or physical conduct directed at the characteristics of a person's national origin or place of birth such as negative comments regarding surnames, manner of speaking, customs, language or ethnic slurs.

Age

Age harassment includes unwelcome verbal, written or physical conduct directed at someone (an applicant or employee) age 40 or older, such as offensive remarks about a person's ability to perform certain tasks because of his or her age.

Marital Status

Harassment on the basis of marital status includes unwelcome verbal, written or physical conduct directed at the characteristics of a person's marital status, such as comments regarding pregnancy or being an unwed mother or father.

Sexual Orientation

Harassment on the basis of sexual orientation includes unwelcome verbal, written or physical conduct directed at the characteristics of a person's sexual orientation.

Gender Identity

Harassment on the basis of gender identity includes unwelcome verbal, written or physical conduct directed at an individual's actual or perceived gender identity, or gender-related characteristics intrinsically related to an individual's gender or gender identity, regardless of the individual's assigned sex at birth.

Disability

Disability harassment includes any unwelcome verbal, written or physical conduct directed at the characteristics of a person's disabling mental or physical condition such as imitating manner of speech or movement, or interference with necessary equipment.

Genetic Information

Genetic information harassment can include, for example, making offensive or derogatory remarks about an applicant or employee's genetic information, or about the genetic information of a relative of the applicant or employee. Genetic information includes information about an individual's genetic tests and the genetic tests of an individual's family members, as well as information about family medical history.

Procedure

1. **Duty to Investigate.** In the event the District or Supervisory Union receives a complaint of unlawful harassment of an employee, or otherwise has reason to believe that unlawful harassment is occurring, it will take all necessary steps to ensure that the matter is promptly investigated and addressed. The Grand Isle Supervisory Union and its member School Districts are committed to take action if information regarding potential unlawful harassment is learned, even if the aggrieved employee does not wish to file a formal complaint.
2. **Designated Persons.** Every employee is encouraged to report any complaint of or suspected acts of unlawful harassment. Unlawful harassment should be reported to the Principal at the school building or to the Non-Discrimination Coordinator / Student Support Coordinator at the GISU Central Office: Phone number 802-372-6921.
3. **Investigation.** Allegations of unlawful harassment will be promptly investigated by a Non-Discrimination Coordinator or his/her designee. At the outset of the investigation, the complainant shall be provided with a copy of this policy. If the allegations are found to have been substantiated by the investigator, the District or Supervisory Union will take appropriate disciplinary and/or corrective action. The Non-Discrimination Coordinator or his/her designee will inform the complainant(s) and the accused(s) whether the allegations were substantiated. The accused(s) and the complainant(s) shall be warned against any retaliation. If, after investigation, the allegation is found not to have been substantiated, the complainant(s) shall be informed of the right to contact any of the state or federal agencies identified in this policy.
4. **Filing a Complaint.** Employees are encouraged to report the alleged unlawful harassment as soon as possible to the Non-Discrimination Coordinators or the Principal. The complainant will be asked to provide copies of any relevant documents or notes of events and the names of people who witnessed or were told of the unlawful harassment.
5. **Alternative Complaint Processes.** Employees may file complaints with both the District or Supervisory Union and with state and federal agencies. If employees are dissatisfied with the results of an investigation, they may file a complaint with state and federal agencies. The agencies are:
 - a. Vermont Attorney General's Office, Civil Rights Unit, 109 State Street, Montpelier, VT 05602, tel: (802) 828-3171. Complaints should be filed within 300 days of any unlawful harassment.
 - b. Equal Employment Opportunity Commission, 1 Congress Street, Boston, MA 02114, tel: (617)565-3200 (voice), (617)565-3204 (TDD). Complaints should be filed within 300 days of any unlawful harassment.
6. **Confidentiality.** The confidentiality of the complainant, the accused individual, and the witnesses shall be maintained consistent with the District's obligations to investigate, to take appropriate action, and to comply with laws governing the disclosure of personnel records or other applicable discovery or disclosure obligations.

Date Warned: 9/6/15, 10/8/15

Date Adopted: 10/20/15

Legal Reference(s): 9 VSA §§4502 et seq. (Public accommodations)

16 VSA 11(a)(26) (Definitions)

21 VSA §§495 et seq. (Unlawful employment practice, sexual harassment)

42 USC §§2000e et seq. (Title VII of the Civil Rights Act of 1964)

29 CFR 1604.11 (Equal Opportunity Employment Commission)

CODE B5 - EMPLOYEE HARASSMENT

Policy

Harassment is a form of unlawful discrimination that will not be tolerated in the Grand Isle Supervisory Union and its member school districts. Unwelcome sexual advances, requests for sexual favors, and other verbal, written or physical conduct constituting harassment as defined herein and by state and federal law violate this policy.

Retaliation against any person raising good faith allegations of unlawful harassment or against any witness cooperating in an investigation pursuant to this policy is prohibited.

A. Definitions

1. **Employee:** For purposes of this policy, any person employed by and subject to the direct supervision of the district or supervisory union.
2. **Unlawful Harassment:** Verbal, written or physical conduct based on an employee's race, religion, color, national origin, marital status, sex (including pregnancy), sexual orientation, gender identity, age, political affiliation, ancestry, place of birth, genetic information or disability which has the purpose or effect of substantially interfering with an employee's work or creating an intimidating, hostile or offensive environment.
3. **Sexual Harassment:** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
 - b. Submission to or rejection of such conduct by an individual is used as a component of the basis for employment decisions affecting such individual; or
 - c. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.
4. **Retaliation.** Retaliation is adverse action taken against a person for making a complaint of unlawful harassment or for participating in or cooperating with an investigation.

B. Examples

Unlawful harassment can include any unwelcome verbal, written or physical conduct which offends, denigrates, or belittles an employee because of the employee's race, religion, color, national origin, marital status, sex (including pregnancy), sexual orientation, gender identity, age, ancestry, place of birth, genetic information or disability. Such conduct includes, but is not limited to: unsolicited derogatory remarks, jokes, demeaning comments or behavior, slurs, mimicking, name calling, graffiti, innuendo, gestures, physical contact, stalking, threatening, bullying, extorting or the display or circulation of written materials or pictures.

Sex

Sexual harassment may include unwelcome touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, pressure for sexual activity, display or sending of pornographic pictures or objects, obscene graffiti, and spreading rumors related to a person's alleged sexual activities.

Race and Color

Racial or color harassment may include unwelcome verbal, written or physical conduct directed at the characteristics of a person's race or color such as nicknames emphasizing stereotypes, racial slurs, and negative references to racial customs.

Religion

Harassment on the basis of religion includes unwelcome verbal, written or physical conduct directed at the characteristics of a person's religion or creed such as derogatory comments regarding surnames, religious tradition, or religious clothing, or religious slurs.

National Origin and Place of Birth

Harassment on the basis of national origin includes unwelcome verbal, written or physical conduct directed at the characteristics of a person's national origin or place of birth such as negative comments regarding surnames, manner of speaking, customs, language or ethnic slurs.

Age

Age harassment includes unwelcome verbal, written or physical conduct directed at someone (an applicant or employee) age 40 or older, such as offensive remarks about a person's ability to perform certain tasks because of his or her age.

Marital Status

Harassment on the basis of marital status includes unwelcome verbal, written or physical conduct directed at the characteristics of a person's marital status, such as comments regarding pregnancy or being an unwed mother or father.

Sexual Orientation

Harassment on the basis of sexual orientation includes unwelcome verbal, written or physical conduct directed at the characteristics of a person's sexual orientation.

Gender Identity

Harassment on the basis of gender identity includes unwelcome verbal, written or physical conduct directed at an individual's actual or perceived gender identity, or gender-related characteristics intrinsically related to an individual's gender or gender identity, regardless of the individual's assigned sex at birth.

Disability

Disability harassment includes any unwelcome verbal, written or physical conduct directed at the characteristics of a person's disabling mental or physical condition such as imitating manner of speech or movement, or interference with necessary equipment.

Genetic Information

Genetic information harassment can include, for example, making offensive or derogatory remarks about an applicant or employee's genetic information, or about the genetic information of a relative of the applicant or employee. Genetic information includes information about an individual's genetic tests and the genetic tests of an individual's family members, as well as information about family medical history.

D. Procedure

1. **Duty to Investigate.** In the event the district or supervisory union receives a complaint of unlawful harassment of an employee, or otherwise has reason to believe that unlawful harassment is occurring, it will take all necessary steps to ensure that the matter is promptly investigated and addressed. The Grand Isle Supervisory Union and its member districts are committed to take action if information regarding potential unlawful harassment is learned, even if the aggrieved employee does not wish to file a formal complaint.
2. **Designated Persons.** Every employee is encouraged to report any complaint of or suspected acts of unlawful harassment. Unlawful harassment should be reported to the non-discrimination coordinators or to the principal at the following address and telephone number:

Non-Discrimination Coordinators: Megan DeVinny, Human Resources
Address: 224 US Route 2, Grand Isle, VT 05458
Telephone number: (802)372-6921 ext. 105

For Alburgh School District

Principal: Beth Hemingway
Address: 45 Champlain St., Alburgh, VT 05440
Telephone Number: (802)796-3573

For Champlain Islands Unified Union School District

Principal: Amanda Ellison and/or Lauren Thomas
Address: Grand Isle Campus: 224 US Route 2, Grand Isle, VT 05458; North Hero Campus: 6441 US Route 2, North Hero, VT 05474; Isle La Motte Campus: 534 School St., Isle La Motte, VT 05463
Telephone number: Grand Isle Campus: (802) 372-6913; North Hero Campus: (802)372-8866; Isle La Motte Campus: (802)928-3231

For South Hero School District

Principal: Susan McKelvie

Address: 75 South St., South Hero, VT 05486

Telephone Number: (802)372-6600

3. **Investigation.** Allegations of unlawful harassment will be promptly investigated by a non-discrimination coordinator or his/her designee. At the outset of the investigation, the complainant shall be provided with a copy of this policy. If the allegations are found to have been substantiated by the investigator, the district or Supervisory Union will take appropriate disciplinary and/or corrective action. The non-discrimination coordinator or his/her designee will inform the complainant(s) and the accused(s) whether the allegations were substantiated. The accused(s), the complainant(s) and any witness(es) shall be warned against any retaliation. If, after investigation, the allegation is found not to have been substantiated, the complainant(s) shall be informed of the right to contact any of the state or federal agencies identified in this policy.
4. **Filing a Complaint.** Employees are encouraged to report the alleged unlawful harassment as soon as possible to the non-discrimination coordinators or the principal.
5. **Alternative Complaint Processes.** Employees may file complaints with both the district or supervisory union and with state and federal agencies. If employees are dissatisfied with the results of an investigation, they may file a complaint with state and federal agencies. The agencies are:
 - a. Vermont Attorney General's Office, Civil Rights Unit, 109 State Street, Montpelier, VT 05602, tel: (802) 828-3171. Complaints should be filed within 300 days of any unlawful harassment.
 - b. Equal Employment Opportunity Commission, 1 Congress Street, Boston, MA 02114, tel: (617)565-3200 (voice), (617)565-3204 (TDD). Complaints should be filed within 300 days of any unlawful harassment.
6. **Confidentiality.** Witnesses, complainant and the accused shall keep confidential matters related to the charge of unlawful harassment.

	<i>GISU</i>	<i>Alburgh</i>	<i>CIUUSD</i>	<i>South Hero</i>
<i>Date Warned</i>			<i>6/11/2019</i>	
<i>Date Adopted</i>				

Legal Reference(s): 9 V.S.A. §§4502 et seq. (Public accommodations)

16 V.S.A. 11(a)(26) (Definitions)

21 V.S.A. §§495 et seq. (Unlawful employment practice, sexual harassment)

42 U.S.C. §§2000e et seq. (Title VII of the Civil Rights Act of 1964)

29 C.F.R. 1604.11 (Equal Opportunity Employment Commission)

Cross Reference: Harassment, Hazing & Bullying of Students

Board Commitment to Non-Discrimination

CODE E8 - TOBACCO PROHIBITION

Policy

It is the policy of the Grand Isle Supervisory Union (GISU) to prohibit the use of tobacco on school grounds in accordance with state law. 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 at all times while under the supervision of school staff or at school sponsored activities. The comprehensive health education curriculum of the school will include substantial components designed to help students understand the dangers of using tobacco products.

Administrative Responsibility

The Superintendent or his or her designee is directed to take reasonable steps to inform students and employees of this policy, to post signs on school property and to provide notice to visitors and those who are invited to attend school activities in bulletins, programs and announcements related to school events.

Violations of Policy Students who violate this policy will be disciplined under the schools disciplinary policy and procedures, and tobacco products may be confiscated.

Employees who violate this policy will be subject to disciplinary action in accord with applicable employee policies, employment contracts and requirements of law.

Others who use tobacco on school grounds will be informed of this policy and asked to comply. A person failing to comply will be asked to leave school grounds. A person who refuses to comply or school grounds when requested to do so under this policy may be referred for prosecution as a trespasser.

For purposes of this policy, "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, areas adjacent to school buildings, athletic fields and parking lots.

Date Warned: 11/20/06, 12/4/06, 1/15/07

Date Adopted: 1/15/07

Legal Reference: 16 VSA §140 (Tobacco on school grounds)
18 VSA §§1422 et seq. (Smoking in the workplace)
13 VSA §3705 (Unlawful Trespass)
20 USC §§6083 et seq. (Goals 2000 Educate America Act, Title X)
42 USC §§5119a et seq. (Children Protection Act of 1995)

Cross Reference: Student Conduct and Discipline (F1)
Bus Discipline (F2)

CODE B7 - TOBACCO PROHIBITION

Policy

In accordance with state law, it is the policy of the Grand Isle Supervisory Union and its member districts 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.

	<i>GISU</i>	<i>Alburgh</i>	<i>CIUUSD</i>	<i>South Hero</i>
<i>Date Warned</i>			<i>6/11/2019</i>	
<i>Date Adopted</i>				

Legal Reference(s): 16 V.S.A. §140 (Tobacco on school grounds)
18 V.S.A. §§1421 et seq. (Smoking in the workplace)
7 V.S.A. 1001 et seq.

CODE F21 – FIREARMS/WEAPONS

Policy

It is the policy of the Grand Isle Supervisory Union and its member School Districts 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

1. For the purposes of this policy, the terms “weapon” and “school” and “expelled” shall have the following meanings:
 - a. Weapon means a firearm as defined in Section 921 of Title 18 of the United States Code and 13 VSA §4016, including,
 - a. Any weapon whether loaded or unloaded which will or is designed to or may readily be converted to expel a projectile by the action of an explosive
 - b. The frame or receiver of any weapon described above
 - c. Any firearm muffler or firearm silencer
 - d. Any explosive, incendiary or poison gas
 - i. Bomb
 - ii. Grenade
 - iii. Rocket having a propellant charge of more than four ounces
 - iv. Missile having an explosive or incendiary charge of more than one quarter ounce
 - v. Mine, or
 - vi. Similar device.
 - e. Any weapon which will, or which may be readily converted to expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter
 - f. Any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples and from which a destructive device may be readily assembled.
 - b. Any other weapon, device, instrument, material or substance whether animate or inanimate, which in the manner it is used or is intended to be used, is known to be capable of producing death or serious bodily injury.

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 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 of Social and Rehabilitative Services.

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

Date Warned: 9/6/15, 10/8/15

Date Adopted: 10/20/15

Legal Reference(s): 16 VSA §1166 (State law pursuant to Federal law)

13 VSA §§4004, 4016 (Criminal offenses)

20 USC §7151 (Gun Free Schools Act)

18 USC §921 (Gun Free School Zones Act of 1990)

20 USC §1400 et seq. (IDEA)

29 USC §794 (Section 504, Rehabilitation Act of 1973)

Vt. State Board of Education Manual of Rules & Practices, §§4311, 4312

Cross Reference:

CODE C5 – FIREARMS

Policy

It is the policy of the Grand Isle Supervisory Union and its member districts 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 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 of Social and Rehabilitative Services.

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.

	<i>GISU</i>	<i>Alburgh</i>	<i>CIUUSD</i>	<i>South Hero</i>
<i>Date Warned</i>			<i>6/11/2019</i>	
<i>Date Adopted</i>				

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, 4312

Cross Reference: Search and Seizure
Student Conduct and Discipline

CODE F25 - STUDENT ATTENDANCE

Policy

It is the policy of the Grand Isle Supervisory Union and its member School Districts to set high expectations for consistent student school attendance in accordance with Vermont law in order to facilitate and enhance student learning. Legal pupils between the ages of 6 and 16 and who are residents of the school district and non-resident pupils who enroll in school district schools are required to attend school for the full number of days that school is held unless they are excused from attendance as provided in state law. Students who are over the age of 16 are required to attend school continually for the full number of the school days for which they are enrolled, unless they are mentally or physically unable to continue, or are excused by the superintendent in writing.

The Superintendent shall develop administrative rules and procedures to ensure the implementation of this policy.

Definitions

- A truant student is one who is subject to compulsory school attendance and who is absent without valid cause or excuse.
- Valid causes for absences include illness, observance of a religious holiday, death in the family, family emergency, situations beyond the student's control as determined by the School Board or other circumstances which cause reasonable concern to the parent or guardian for the health or safety of the student and are confirmed in writing or verbally by the parent or guardian of the student.

Administrative Rules and Procedures

The procedures will address the following issues and may include others as well:

- written excuses
- tardiness
- notification of parents/guardian
- signing out of school
- excessive absenteeism
- homebound and hospitalized students
- early dismissals
- homework assignments
- making up work

Administrative Responsibilities

- The principal is responsible for maintaining accurate and up-to-date records of student attendance.
- The principal is responsible for assuring that the school has the appropriate family information that allows the school to contact the parent(s) or guardian(s) of all students whenever necessary.

Date Warned: 9/6/15, 10/8/15

Date Adopted: 10/20/15

Legal Reference(s): 16 VSA §§1121 et seq. (Attendance required)

VT State Board of Education Manual of Rules & Practices: §2120.8.3.3

Cross Reference: Admission of Resident Students

CODE C7 - STUDENT ATTENDANCE

Policy

It is the policy of the Grand Isle Supervisory Union and its member districts to set high expectations for consistent student school attendance in accordance with Vermont law in order to facilitate and enhance student learning. Legal pupils between the ages of 6 and 16 and who are residents of the school district and non-resident pupils who enroll in school district schools are required to attend school for the full number of days that school is held unless they are excused from attendance as provided in state law. Students who are over the age of 16 are required to attend school continually for the full number of the school days for which they are enrolled, unless they are mentally or physically unable to continue, or are excused by the superintendent in writing.

Annually, the superintendent shall ensure that the school board appoints one or more individuals to serve as the truant officer and shall ensure that appointment is recorded with the clerk of the school district.

The superintendent shall develop administrative rules and procedures to ensure the implementation of this policy.

Administrative Rules and Procedures

The procedures will address the following issues and may include others as well:

- A. written excuses;
- B. tardiness;
- C. notification of parents/guardian;
- D. signing out of school;
- E. excessive absenteeism;
- F. homebound and hospitalized students;
- G. early dismissals;
- H. homework assignments;
- I. making up work

Administrative Responsibilities

1. The principal is responsible for maintaining accurate and up-to-date records of student attendance.
2. The principal is responsible for assuring that the school has the appropriate family information that allows the school to contact the parent(s) or guardian(s) of all students whenever necessary.

	<i>GISU</i>	<i>Alburgh</i>	<i>CIUUSD</i>	<i>South Hero</i>
<i>Date Warned</i>				
<i>Date Adopted</i>				

Legal Reference(s): 16 V.S.A. §§1121 et seq. (Attendance required)

16 V.S.A. § 1125 (Truant officers)

VT State Board of Education Manual of Rules & Practices: §2120.8.3.3

Cross Reference: Admission of Resident Students

Admission of Non-Resident Tuition Students

CODE F31 - POLICY ON PREVENTION OF HARASSMENT, HAZING AND BULLYING OF STUDENTS

Statement of Policy

The Grand Isle Supervisory Union ¹ (hereinafter "District") is committed to providing all of its students with a safe and supportive school environment in which all members of the school community are treated with respect.

It is the policy of the District to prohibit the unlawful harassment of students based on race, color, religion, creed, national origin, marital status, sex, sexual orientation, gender identity or disability. Harassment may also constitute a violation of Vermont's Public Accommodations Act, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, and/or Title IX of the federal Education Amendments Act of 1972.

It is also the policy of the District to prohibit the unlawful hazing and bullying of students. Conduct which constitutes hazing may be subject to civil penalties.

The District shall address all complaints of harassment, hazing and bullying according to the procedures accompanying this policy, and shall take appropriate action against any person - subject to the jurisdiction of the board - who violates this policy. Nothing herein shall be construed to prohibit punishment of a student for conduct which, although it does not rise to the level of harassment, bullying, or hazing as defined herein, otherwise violates one or more of the board's disciplinary policies or the school's code of conduct.

The Model Procedures are expressly incorporated by reference as though fully included within this Model Policy. The Model Procedures are separated from the policy for ease of use as may be required.

Implementation

The superintendent or his/her designee shall:

1. Adopt a procedure directing staff, parents and guardians how to report violations of this policy and file complaints under this policy. (See Model Procedures on the Prevention of Harassment, Hazing and Bullying of Students)
2. Annually, select two or more designated employees to receive complaints of hazing, bullying and/or harassment at each school campus and publicize their availability in any publication of the District that sets forth the comprehensive rules, procedures, and standards of conduct for the school.
3. Designate an Equity Coordinator to oversee all aspects of the implementation of this policy as it relates to obligations imposed by federal law regarding discrimination. This role may be also be assigned to one or both of the Designated Employees.

¹ Throughout this model policy and the related procedures, "District" shall apply to Independent Schools and should be substituted as appropriate. References to the Superintendent shall equate to "Head of School" or "Headmaster" as appropriate, with regard to Independent Schools. Where language suggests a "District" will take action, it shall be the Superintendent, the Head of School, the Headmaster or his/her designee.

4. Respond to notifications of possible violations of this policy in order to promptly and effectively address all complaints of hazing, harassment, and/or bullying.
5. Take action on substantiated complaints. In cases where hazing, harassment and/or bullying is substantiated, the District shall take prompt and appropriate remedial action reasonably calculated to stop the hazing, harassment and/or bullying; prevent its recurrence; and to remedy the impact of the offending conduct on the victim(s), where appropriate. Such action may include a wide range of responses from education to serious discipline.

Serious discipline may include termination for employees and, for students, expulsion or removal from school property. It may also involve penalties or sanctions for both organizations and individuals who engage in hazing. Revocation or suspension of an organization's permission to operate or exist within the District's purview may also be considered if that organization knowingly permits, authorizes or condones hazing.

Constitutionally Protected Speech

It is the intent of the District to apply and enforce this policy in a manner that is consistent with student rights to free expression under the First Amendment of the U.S. Constitution. The purpose of this policy is to (1) prohibit conduct or communication that is directed at a person's protected characteristics as defined below and that has the purpose or effect of substantially disrupting the educational learning process and/or access to educational resources or creates a hostile learning environment; (2) prohibit conduct intended to ridicule, humiliate or intimidate students in a manner as defined under this policy.

Definitions

For the purposes of this policy and the accompanying procedures, the following definitions apply:

1. **"Bullying"** means any overt act or combination of acts, including an act conducted by electronic means, directed against a student by another student or group of students and which:
 - a. Is repeated over time;
 - b. Is intended to ridicule, humiliate, or intimidate the student; and
 - i. occurs during the school day on school property, on a school bus, or at a school-sponsored activity, or before or after the school day on a school bus or at a school sponsored activity; or
 - ii. does not occur during the school day on school property, on a school bus or at a school sponsored activity and can be shown to pose a clear and substantial interference with another student's right to access educational programs.
2. **"Complaint"** means oral or written report information provided by a student or any person to an employee alleging that a student has been subjected to conduct that may rise to the level of hazing, harassment or bullying.
3. **"Complainant"** means a student who has provided oral or written information about conduct that may rise to the level of hazing, harassment or bullying, or a student who is the target of alleged hazing, harassment or bullying.
4. **"Designated employee"** means an employee who has been designated by the school to receive complaints of hazing, harassment and bullying pursuant to subdivision 16 VSA 570a

(a)(7). The designated employees for each school building are identified in Appendix A of this policy.

5. **"Employee"** includes any person employed directly by or retained through a contract with the District, an agent of the school, a school board member, a student teacher, an intern or a school volunteer. For purposes of this policy, "agent of the school" includes supervisory union f.
6. **"Equity Coordinator"** is the person responsible for implementation of Title IX (regarding sex-based discrimination) and Title VI (regarding race-based discrimination) for the District and for coordinating the District's compliance with Title IX and Title VI in all areas covered by the implementing regulations. The Equity Coordinator is also responsible for overseeing implementation of the District's *Preventing and Responding to Harassment of Students and Harassment of Employees* policies. This role may also be assigned to Designated Employees.
7. **"Harassment"** means an incident or incidents of verbal, written, visual, or physical conduct, including any incident conducted by electronic means, based on or motivated by a student's or a student's family member's actual or perceived race, creed, color, national origin, marital
8. status disability, sex, sexual orientation, or gender identity, that has the purpose or effect of objectively and substantially undermining and detracting from or interfering with a student's educational performance or access to school resources or creating an objectively intimidating hostile, or offensive environment.
9. Harassment includes conduct as defined above and may also constitute one or more of the following:
 - a. Sexual harassment, which means unwelcome conduct of a sexual nature, that includes sexual violence/sexual assault, sexual advances, requests for sexual favors, and other verbal, written, visual or physical conduct of a sexual nature, and includes situations when one or both of the following occur:
 - i. Submission to that conduct is made either explicitly or implicitly a term or condition of a student's education, academic status, or progress; or
 - ii. Submission to or rejection of such conduct by a student is used as a component of the basis for decisions affecting that student.
10. Sexual harassment may also include student-on-student conduct or conduct of a non-employee third party that creates a hostile environment. A hostile environment exists where the harassing conduct is severe, persistent or pervasive so as to deny or limit the student's ability to participate in or benefit from the educational program on the basis of sex.
 - a. Racial harassment, which means conduct directed at the characteristics of a student's or a student's family member's actual or perceived race or color, and includes the use of epithets, stereotypes, racial slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, display, or circulation of written or visual material, and taunts on manner of speech and negative references to cultural customs.
 - b. Harassment of members of other protected categories, means conduct directed at the characteristics of a student's or a student's family member's actual or perceived creed, national origin, marital status, disability, sex, sexual orientation, or gender

identity and includes the use of epithets, stereotypes, slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, display, or circulation of written or visual material, taunts on manner of speech, and negative references to customs related to any of these protected categories.

11. **“Hazing”** means any intentional, knowing or reckless act committed by a student, whether individually or in concert with others, against another student: In connection with pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization which is affiliated with the educational institution; and
 - a. Which is intended to have the effect of, or should reasonably be expected to have the effect of, endangering the mental or physical health of the student.
12. Hazing shall not include any activity or conduct that furthers legitimate curricular, extra-curricular, or military training program goals, provided that:
 - a. The goals are approved by the educational institution; and
 - b. The activity or conduct furthers the goals in a manner that is appropriate, contemplated by the educational institution and normal and customary for similar programs at other educational institutions.
13. With respect to Hazing, **“Student”** means any person who:
 1. is registered in or in attendance at an educational institution;
 2. has been accepted for admission at the educational institution where the hazing incident occurs; or
 3. intends to attend an educational institution during any of its regular sessions after an official academic break.
 4. **“Notice”** means a written complaint or oral information that hazing, harassment or bullying may have occurred which has been provided to a designated employee from another employee, the student allegedly subjected to the hazing, harassment or bullying, another student, a parent or guardian, or any other individual who has reasonable cause to believe the alleged conduct may have occurred.

If the school learns of possible hazing, harassment or bullying through other means, for example, if information about hazing, harassment or bullying is received from a third party (such as from a witness to an incident or an anonymous letter or telephone call), different factors will affect the school’s response. These factors include the source and nature of the information; the seriousness of the alleged incident; the specificity of the information; the objectivity and credibility of the source of the report; whether any individuals can be identified who were subjected to the alleged harassment; and whether those individuals want to pursue the matter.

In addition, for purposes of violations of federal anti-discrimination laws, notice may occur when an employee of the district, including any individual who a student could reasonably believe has this authority or responsibility, knows or in the exercise of reasonable care should have known about potential unlawful harassment or bullying.

14. **“Organization”** means a fraternity, sorority, athletic team, association, corporation, order, society, corps, cooperative, club, or other similar group, whose members primarily are

students at an educational institution, and which is affiliated with the educational institution.

15. **“Pledging”** means any action or activity related to becoming a member of an organization.
16. **“Retaliation”** is any adverse action by any person against a person who has filed a complaint of harassment, hazing or bullying or against a person who assists or participates in an investigation, proceeding or hearing related to the harassment complaint. Such adverse action may include conduct by a school employee directed at a student in the form of intimidation or reprisal such as diminishment of grades, suspension, expulsion, change in educational conditions, loss of privileges or benefits, or other unwarranted disciplinary action. Retaliation may also include conduct by a student directed at another student in the form of further harassment, intimidation, and reprisal.
17. **“School administrator”** means a superintendent, principal or his/her designee assistant principal//technical center director or his/her designee and/or the District’s Equity Coordinator.
18. **“Student Conduct Form”** is a form used by students, staff, or parents, to provide, in written form, information about inappropriate student behaviors that may constitute hazing, harassment and/or bullying.

APPENDIX A

DESIGNATED EMPLOYEES

The following employees of the District Schools have been designated by the District to receive complaints of bullying and/or harassment pursuant to this policy and 16 VSA § 570a(a)(7) and 16 VSA §570c(7) and under federal anti-discrimination laws:

Title: Principal(s)

Contact Information

Alburgh	802-796-3573
Isle La Motte	802-928-3231
North Hero	802-372-8866
Grand Isle	802-372-6913
South Hero	802-372-6600

Title: Guidance Counselor(s)

Contact Information

Alburgh	802-796-3573
Isle La Motte	802-928-3231
North Hero	802-372-8866
Grand Isle	802-372-6913
South Hero	802-372-6600

Title: Director of Student Support Services, Equity Coordinator

Grand Isle Supervisory Union	802-372-6921
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Date Warned: 9/6/15, 10/8/15

Date Adopted: 10/20/15

CODE C10- POLICY ON PREVENTION OF HARASSMENT, HAZING AND BULLYING OF STUDENTS

Statement of Policy

The Grand Isle Supervisory Union and its member districts¹ (hereinafter "District") is committed to providing all of its students with a safe and supportive school environment in which all members of the school community are treated with respect.

It is the policy of the District to prohibit the unlawful harassment of students based on race, color, religion, creed, national origin, marital status, sex, sexual orientation, gender identity or disability. Harassment may also constitute a violation of Vermont's Public Accommodations Act, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, and/or Title IX of the federal Education Amendments Act of 1972.

It is also the policy of the District to prohibit the unlawful hazing and bullying of students. Conduct which constitutes hazing may be subject to civil penalties.

The District shall address all complaints of harassment, hazing and bullying according to the procedures accompanying this policy, and shall take appropriate action against any person - subject to the jurisdiction of the board - who violates this policy. Nothing herein shall be construed to prohibit punishment of a student for conduct which, although it does not rise to the level of harassment, bullying, or hazing as defined herein, otherwise violates one or more of the board's disciplinary policies or the school's code of conduct.

The Model Procedures are expressly incorporated by reference as though fully included within this Model Policy. The Model Procedures are separated from the policy for ease of use as may be required.

Implementation

The superintendent or his/her designee shall:

1. Adopt a procedure directing staff, parents and guardians how to report violations of this policy and file complaints under this policy. (See Model Procedures on the Prevention of Harassment, Hazing and Bullying of Students)
2. Annually, select two or more designated employees to receive complaints of hazing, bullying and/or harassment at each school campus and publicize their availability in any publication of the District that sets forth the comprehensive rules, procedures, and standards of conduct for the school.
3. Designate an Equity Coordinator to oversee all aspects of the implementation of this policy as it relates to obligations imposed by federal law regarding discrimination. This role may be also be assigned to one or both of the Designated Employees.

¹ Throughout this model policy and the related procedures, "District" shall apply to Independent Schools and should be substituted as appropriate. References to the Superintendent shall equate to "Head of School" or "Headmaster" as appropriate, with regard to Independent Schools. Where language suggests a "District" will take action, it shall be the Superintendent, the Head of School, the Headmaster or his/her designee.

4. Respond to notifications of possible violations of this policy in order to promptly and effectively address all complaints of hazing, harassment, and/or bullying.
5. Take action on substantiated complaints. In cases where hazing, harassment and/or bullying is substantiated, the District shall take prompt and appropriate remedial action reasonably calculated to stop the hazing, harassment and/or bullying; prevent its recurrence; and to remedy the impact of the offending conduct on the victim(s), where appropriate. Such action may include a wide range of responses from education to serious discipline.

Serious discipline may include termination for employees and, for students, expulsion or removal from school property. It may also involve penalties or sanctions for both organizations and individuals who engage in hazing. Revocation or suspension of an organization's permission to operate or exist within the District's purview may also be considered if that organization knowingly permits, authorizes or condones hazing.

Constitutionally Protected Speech

It is the intent of the District to apply and enforce this policy in a manner that is consistent with student rights to free expression under the First Amendment of the U.S. Constitution. The purpose of this policy is to (1) prohibit conduct or communication that is directed at a person's protected characteristics as defined below and that has the purpose or effect of substantially disrupting the educational learning process and/or access to educational resources or creates a hostile learning environment; (2) prohibit conduct intended to ridicule, humiliate or intimidate students in a manner as defined under this policy.

Definitions

For the purposes of this policy and the accompanying procedures, the following definitions apply:

1. **"Bullying"** means any overt act or combination of acts, including an act conducted by electronic means, directed against a student by another student or group of students and which:
 - a. Is repeated over time;
 - b. Is intended to ridicule, humiliate, or intimidate the student; and
 - i. occurs during the school day on school property, on a school bus, or at a school-sponsored activity, or before or after the school day on a school bus or at a school sponsored activity; or
 - ii. does not occur during the school day on school property, on a school bus or at a school sponsored activity and can be shown to pose a clear and substantial interference with another student's right to access educational programs.
2. **"Complaint"** means oral or written report information provided by a student or any person to an employee alleging that a student has been subjected to conduct that may rise to the level of hazing, harassment or bullying.
3. **"Complainant"** means a student who has provided oral or written information about conduct that may rise to the level of hazing, harassment or bullying, or a student who is the target of alleged hazing, harassment or bullying.
4. **"Designated employee"** means an employee who has been designated by the school to receive complaints of hazing, harassment and bullying pursuant to subdivision 16 VSA 570a

(a)(7). The designated employees for each school building are identified in Appendix A of this policy.

5. **“Employee”** includes any person employed directly by or retained through a contract with the District, an agent of the school, a school board member, a student teacher, an intern or a school volunteer. For purposes of this policy, “agent of the school” includes supervisory union f.
6. **“Equity Coordinator”** is the person responsible for implementation of Title IX (regarding sex-based discrimination) and Title VI (regarding race-based discrimination) for the District and for coordinating the District’s compliance with Title IX and Title VI in all areas covered by the implementing regulations. The Equity Coordinator is also responsible for overseeing implementation of the District’s *Preventing and Responding to Harassment of Students and Harassment of Employees* policies. This role may also be assigned to Designated Employees.
7. **“Harassment”** means an incident or incidents of verbal, written, visual, or physical conduct, including any incident conducted by electronic means, based on or motivated by a student’s or a student’s family member’s actual or perceived race, creed, color, national origin, marital
8. status disability, sex, sexual orientation, or gender identity, that has the purpose or effect of objectively and substantially undermining and detracting from or interfering with a student’s educational performance or access to school resources or creating an objectively intimidating hostile, or offensive environment.
9. Harassment includes conduct as defined above and may also constitute one or more of the following:
 - a. Sexual harassment, which means unwelcome conduct of a sexual nature, that includes sexual violence/sexual assault, sexual advances, requests for sexual favors, and other verbal, written, visual or physical conduct of a sexual nature, and includes situations when one or both of the following occur:
 - i. Submission to that conduct is made either explicitly or implicitly a term or condition of a student’s education, academic status, or progress; or
 - ii. Submission to or rejection of such conduct by a student is used as a component of the basis for decisions affecting that student.
10. Sexual harassment may also include student-on-student conduct or conduct of a non-employee third party that creates a hostile environment. A hostile environment exists where the harassing conduct is severe, persistent or pervasive so as to deny or limit the student’s ability to participate in or benefit from the educational program on the basis of sex.
 - a. Racial harassment, which means conduct directed at the characteristics of a student’s or a student’s family member’s actual or perceived race or color, and includes the use of epithets, stereotypes, racial slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, display, or circulation of written or visual material, and taunts on manner of speech and negative references to cultural customs.
 - b. Harassment of members of other protected categories, means conduct directed at the characteristics of a student’s or a student’s family member’s actual or perceived creed, national origin, marital status, disability, sex, sexual orientation, or gender

identity and includes the use of epithets, stereotypes, slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, display, or circulation of written or visual material, taunts on manner of speech, and negative references to customs related to any of these protected categories.

11. **“Hazing”** means any intentional, knowing or reckless act committed by a student, whether individually or in concert with others, against another student: In connection with pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization which is affiliated with the educational institution; and
 - a. Which is intended to have the effect of, or should reasonably be expected to have the effect of, endangering the mental or physical health of the student.
12. Hazing shall not include any activity or conduct that furthers legitimate curricular, extra-curricular, or military training program goals, provided that:
 - a. The goals are approved by the educational institution; and
 - b. The activity or conduct furthers the goals in a manner that is appropriate, contemplated by the educational institution and normal and customary for similar programs at other educational institutions.
13. With respect to Hazing, **“Student”** means any person who:
 1. is registered in or in attendance at an educational institution;
 2. has been accepted for admission at the educational institution where the hazing incident occurs; or
 3. intends to attend an educational institution during any of its regular sessions after an official academic break.
 4. **“Notice”** means a written complaint or oral information that hazing, harassment or bullying may have occurred which has been provided to a designated employee from another employee, the student allegedly subjected to the hazing, harassment or bullying, another student, a parent or guardian, or any other individual who has reasonable cause to believe the alleged conduct may have occurred.

If the school learns of possible hazing, harassment or bullying through other means, for example, if information about hazing, harassment or bullying is received from a third party (such as from a witness to an incident or an anonymous letter or telephone call), different factors will affect the school’s response. These factors include the source and nature of the information; the seriousness of the alleged incident; the specificity of the information; the objectivity and credibility of the source of the report; whether any individuals can be identified who were subjected to the alleged harassment; and whether those individuals want to pursue the matter.

In addition, for purposes of violations of federal anti-discrimination laws, notice may occur when an employee of the district, including any individual who a student could reasonably believe has this authority or responsibility, knows or in the exercise of reasonable care should have known about potential unlawful harassment or bullying.

14. **“Organization”** means a fraternity, sorority, athletic team, association, corporation, order, society, corps, cooperative, club, or other similar group, whose members primarily are

students at an educational institution, and which is affiliated with the educational institution.

15. **"Pledging"** means any action or activity related to becoming a member of an organization.
16. **"Retaliation"** is any adverse action by any person against a person who has filed a complaint of harassment, hazing or bullying or against a person who assists or participates in an investigation, proceeding or hearing related to the harassment complaint. Such adverse action may include conduct by a school employee directed at a student in the form of intimidation or reprisal such as diminishment of grades, suspension, expulsion, change in educational conditions, loss of privileges or benefits, or other unwarranted disciplinary action. Retaliation may also include conduct by a student directed at another student in the form of further harassment, intimidation, and reprisal.
17. **"School administrator"** means a superintendent, principal or his/her designee assistant principal//technical center director or his/her designee and/or the District's Equity Coordinator.
18. **"Student Conduct Form"** is a form used by students, staff, or parents, to provide, in written form, information about inappropriate student behaviors that may constitute hazing, harassment and/or bullying.

APPENDIX A

DESIGNATED EMPLOYEES

The following employees of the District Schools have been designated by the District to receive complaints of bullying and/or harassment pursuant to this policy and 16 VSA § 570a(a)(7) and 16 VSA §570c(7) and under federal anti-discrimination laws:

Title: Principal(s)

Contact Information

Alburgh – Beth Hemingway	802-796-3573
CIUUSD/Isle La Motte – Amanda Ellison	802-928-3231
CIUUSD/North Hero – Amanda Ellison	802-372-8866
CIUUSD/Grand Isle – Lauren Thomas	802-372-6913
South Hero – Susan McKelvie	802-372-6600

Title: Guidance Counselor(s)

Contact Information

Alburgh	802-796-3573
Isle La Motte	802-928-3231
North Hero	802-372-8866
Grand Isle	802-372-6913
South Hero	802-372-6600

Title: Director of Student Support Services – Michele Weaver

Grand Isle Supervisory Union	802-372-6921
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	<i>GISU</i>	<i>Alburgh</i>	<i>CIUUSD</i>	<i>South Hero</i>
<i>Date Warned</i>			<i>6/11/2019</i>	
<i>Date Adopted</i>				

CODE F31 - GISU PROCEDURES ON THE PREVENTION OF HARASSMENT, HAZING AND BULLYING OF STUDENTS

Reporting Complaints of Hazing, Harassment and/or Bullying

1. Student Reporting: Any student who believes that s/he has been hazed, harassed and/or bullied under this policy, or who witnesses or has knowledge of conduct that s/he reasonably believes might constitute hazing, harassment and or/bullying, should promptly report the conduct to a designated employee or any other school employee.
2. School employee reporting: Any school employee who **witnesses conduct** that s/he reasonably believes might constitute hazing, harassment and/or bullying shall take reasonable action to stop the conduct and to prevent its recurrence and immediately report it to a designated employee and immediately complete a Student Conduct Form.
 - a. Any school employee **who overhears or directly receives information** about conduct that might constitute hazing, harassment and/or bullying shall immediately report the information to a designated employee and immediately complete a Student Conduct Form. If one of the designated employees is a person alleged to be engaged in the conduct complained of, the incident shall be immediately reported to the other designated employee or the school administrator.
3. Other reporting: Any other person who witnesses conduct that s/he reasonably believes might constitute hazing, harassment and/or bullying under this policy should promptly report the conduct to a designated employee.
4. Documentation of the report: If the complaint is oral, the designated employee shall promptly reduce the complaint to writing in a Student Conduct Form, including the time, place, and nature of the alleged conduct, the identity of the complainant, alleged perpetrator, and any witnesses. Both the complainant and the alleged perpetrator will have the right to present witnesses and other evidence in support of their position.
5. False complaint: Any person who knowingly makes a false accusation regarding hazing, harassment and/or bullying may be subject to disciplinary action up to and including suspension and expulsion with regard to students, or up to and including discharge with regard to employees. There shall be no adverse action taken against a person for reporting a complaint of hazing, harassment and/or bullying when the person has a good faith belief that hazing, harassment and/or bullying occurred or is occurring.
6. Rights to Alternative Complaint Process: In addition to, or as an alternative to filing a harassment complaint pursuant to this policy, a person may file a harassment complaint with the Vermont Human Rights Commission or the Office for Civil Rights of the U.S. Department of Education at the addresses noted below:

Vermont Human Rights Commission
14-16 Baldwin Street
Montpelier, VT 05633-6301
(800) 416-2010 or (802) 828-2480 (voice) (877) 294-9200 (tty)
(802) 828-2481 (fax)
Email: human.rights@state.vt.us

Office for Civil Rights, Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109-3921
617-289-0111 (voice)
877-521-2172 (tdd)
617-289-0150 (fax)
Email: OCR.Boston@ed.gov

Responding to Notice of Possible Policy Violation(s)

- a. Upon **notice of information** that hazing, harassment and/or bullying may have occurred the designated employee shall:
 3. Promptly reduce any oral information to writing, including the time, place, and nature of the conduct, and the identity of the participants and complainant.
 4. Promptly inform the school administrator(s) of the information;
 5. If in the judgment of the school administrator, the information alleges conduct which may constitute harassment, hazing or bullying, the school administrator shall, as soon as reasonably possible, provide a copy of the policy on hazing, harassment and bullying and these procedures to the complainant and accused individual, or if either is a minor, cause a copy to be provided or delivered to their respective parent or guardian.
- b. Upon **initiation of an investigation**, the designated employee shall:
 1. Notify in writing both the complainant and accused individual (or if either is a minor inform their respective parent or guardian) that:
 1. an investigation has been initiated;
 2. retaliation is prohibited;
 3. all parties have certain confidentiality rights; and
 4. they will be informed in writing of the outcome of the investigation.
- c. All notifications shall be subject to state and/or federal laws protecting the confidentiality of personally identifiable student information. Pursuant to 34 CFR Part 99.30, a school administrator may seek the consent of the parent/guardian of the accused student, or the accused eligible student (if 18 or older, the accused student has the ability to consent), in order to inform the complainant of any disciplinary action taken in cases where the school determined that an act(s) of harassment, hazing, and/or bullying, or other misconduct occurred. The parent/guardian or eligible student shall provide a signed and dated written consent before an educational agency or institution discloses personally identifiable information from the student's education records.

Investigating Hazing, Harassment and/or Bullying Complaints

1. Initiation of Investigation - Timing. Unless special circumstances are present and

documented, such as reports to the Department for Children and Families (“DCF”) or the police, the school administrator shall, no later than one school day after Notice to a designated employee, initiate or cause to be initiated, an investigation of the allegations, which the school administrator reasonably believes may constitute harassment, hazing or bullying.

2. Investigator Assignment. The school administrator shall assign a person to conduct the investigation; nothing herein shall be construed to preclude the school administrator from assigning him/herself or a designated employee as the investigator. No person who is the subject of a complaint shall conduct such an investigation.
3. Interim Measures. It may be appropriate for the school to take interim measures during the investigation of a complaint. For instance, if a student alleges that he or she has been sexually assaulted by another student, the school may decide to place the students immediately in separate classes and/or transportation pending the results of the school’s investigation. Similarly, if the alleged harasser is a teacher, allowing the student to transfer to a different class may be appropriate.

In all cases, the school will make every effort to prevent disclosure of the names of all parties involved – the complainant, the witnesses, and the accused -- except to the extent necessary to carry out the investigation. In all cases where physical harm has resulted and/or where the targeted student is known to be expressing suicidal ideation, or experiencing serious emotional harm, a safety plan will be put in place. Safety plans must also be considered in cases where the targeted student is known to have difficulty accessing the educational programs at the school as a result of the inappropriate behavior. No contact orders, or their enforcement, may also be appropriate interim measures.

4. Due Process. The United States Constitution guarantees due process to students and District employees who are accused of certain types of infractions, including but not limited to sexual harassment under Federal Title IX. The rights established under Title IX must be interpreted consistent with any federally guaranteed due process rights involved in a complaint proceeding, including but not limited to the ability of the complainant and the accused to present witnesses and other evidence during an investigation. The District will ensure that steps to accord due process rights do not restrict or unnecessarily delay the protections provided by Title IX to the complainant.
5. Standard Used to Assess Conduct. In determining whether the conduct constitutes a violation of this policy, the investigator shall consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. The complainant and accused will be provided the opportunity to present witnesses and other evidence during an investigation. The school will also consider the impact of relevant off- campus conduct on the school environment where direct harm to the welfare of the school can be demonstrated or the conduct can be shown to pose a clear and substantial interference with another student’s equal access to educational programs. Whether a particular action constitutes a violation of this policy requires determination based on all the facts and surrounding circumstances.
6. Completion of Investigation – Timing. No later than five school days from the filing of the complaint with the designated employee, unless special circumstances are present and documented, the investigator shall submit a written initial determination to the school administrator.

7. Investigation Report. The investigator shall prepare a written report to include a statement of the findings of the investigator as to whether the allegations have been substantiated, and as to whether the alleged conduct constitutes hazing, harassment and/or bullying. The report, when referencing student conduct, is a student record and therefore confidential. It will be made available to investigators in the context of a review conducted by either Vermont AOE, or investigations of harassment conducted by the Vermont Human Rights Commission or U.S. Department of Education Office of Civil Rights.
8. Notice to Students/Parents/Guardians. Within five school days of the conclusion of the investigation, the designated employee shall:
 1. Notify in writing both the complainant and accused individual (or if either is a minor inform their respective parent or guardian) that:
 - a. the investigation has been completed;
 - b. whether or not the investigation concluded that a policy violation occurred (and which policy term was violated, i.e. harassment, hazing and/or bullying);
 - c. that federal privacy law prevents disclosure of any discipline imposed as a result of the investigation unless the parent/guardian of the accused student and/or the accused eligible student consents to such disclosure, pursuant to 34 CFR Part 99.30, as set forth in Section II, Part C, above.
 2. Notify the Complainant Student - or if a minor, their parent(s) or guardian - in writing of their rights to:
 - a. an internal review by the school of its initial determination as a result of its investigation as to whether harassment occurred;
 - b. request an Independent Review of the school's "final" determination as to whether harassment occurred within thirty (30) days of the final determination or although a "final" determination was made that harassment indeed occurred the school's response to that harassment was inadequate to correct the problem; and that the review will be conducted by an investigator to be selected by the superintendent from a list developed by the Agency of Education;
 - c. file complaints of harassment with either the Vermont Human Rights Commission and/or the federal Department of Education's Office of Civil Rights.
 1. Notify the Accused Student - or if a minor, their parent(s) or guardian - in writing of their right to appeal as set forth in Section V of these procedures.
9. Violations of Other Policies. In cases where the investigation has identified other conduct that may constitute a violation of other school disciplinary policies or codes of conduct, the designated employee shall report such conduct to the school administrator for action in accordance with relevant school policies or codes of conduct.

Responding to Substantiated Claims

1. Scope of Response. After a final determination that an act(s) of hazing, harassment and/or bullying has been committed, the school shall take prompt and appropriate disciplinary and/or remedial action reasonably calculated to stop the hazing, harassment and/or bullying and prevent any recurrence of harassment, hazing and/or bullying, and remedy its effects on the victim(s). In so doing, the following should be considered:
2. Potential Remedial Actions. Remedial action may include but not be limited to an age

appropriate warning, reprimand, education, training and counseling, transfer, suspension, and/or expulsion of a student, and warning, reprimand, education, training and counseling, transfer, suspension and/or termination of an employee. A series of escalating consequences may be necessary if the initial steps are ineffective in stopping the hazing, harassment and/or bullying. To prevent recurrences counseling for the offender may be appropriate to ensure that he or she understands what constitutes hazing/harassment and/or bullying and the effects it can have. Depending on how widespread the hazing/harassment/bullying was and whether there have been any prior incidents, the school may need to provide training for the larger school community to ensure that students, parents and teachers can recognize hazing/harassment/bullying if it recurs and know how to respond.

3. School Access/Environment Considerations. The District will also take efforts to support victims' access to the District's programs, services and activities and consider and implement school-wide remedies, where appropriate. Accordingly, steps will be taken to eliminate any hostile and/or threatening environment that has been created. For example, if a female student has been subjected to harassment/bullying by a group of other students in a class, the school may need to deliver special training or other interventions for that class to repair the educational environment. If the school offers the student the option of withdrawing from a class in which a hostile environment/bullying occurred, the District will assist the student in making program or schedule changes and ensure that none of the changes adversely affect the student's academic record. Other measures may include, if appropriate, directing a bully/harasser to apologize to the affected student. If a hostile environment has affected the entire school or campus, an effective response may need to include dissemination of information, the issuance of new policy statements or other steps that are designed to clearly communicate the message that the school does not tolerate harassment and/or bullying and will be responsive to any student who reports that conduct.
4. Hazing Case Considerations. Appropriate penalties or sanctions or both for organizations that or individuals who engage in hazing and revocation or suspension of an organization's permission to operate or exist within the institution's purview if that organization knowingly permits, authorizes, or condones hazing.
5. Other Remedies: Other remedies may include providing counseling to the victim(s) and/or the perpetrator(s), and additional safety planning measures for the victim(s).
6. Retaliation Prevention. It is unlawful for any person to retaliate against a person who has filed a complaint of harassment or against a person who assists or participates in an investigation, proceeding or hearing related to the harassment complaint. A person may violate this anti-retaliation provision regardless of whether the underlying complaint of harassment is substantiated.

The District will take reasonable steps to prevent any retaliation against the student who made the complaint (or was the subject of the harassment), against the person who filed a complaint on behalf of a student, or against those who provided information as witnesses. At a minimum, this includes making sure that the students and their parents, and those witnesses involved in the school's investigation, know how to report any subsequent problems and making follow-up inquiries to see if there have been any new incidents or any retaliation.

7. Alternative Dispute Resolution. At all stages of the investigation and determination process, school officials are encouraged to make available to complainants alternative dispute resolution methods, such as mediation, for resolving complaints. Certain considerations

should be made before pursuing alternative dispute resolution methods, including, but not limited to:

(1) the nature of the accusations (for example, face-to-face mediation is not appropriate for sexual violence cases), (2) the age of the complainant and the accused individual, (3) the agreement of the complainant, and (4) other relevant factors such as any disability of the target or accused individual, safety issues, the relationship and relative power differential between the target and accused individual, or any history of repeated misconduct/harassment by the accused individual.

Post Investigative Reviews

1. Rights of Complainants
2. Internal Review of Initial Harassment Determinations By Complainant.

A complainant or parent of a complainant may request internal review by the District of a designee's initial determination (following investigation) that harassment has not occurred via written request submitted to the District superintendent. All levels of internal review of the investigator's initial determination, and the issuance of a final decision, shall, unless special circumstances are present and documented by the District, be completed within 30 calendar days after review is requested.

3. Independent Reviews of Final Harassment Determinations By Complainant.

A complainant may request an independent review within thirty (30) days of a final determination if s/he: (1) is dissatisfied with the final determination as to whether harassment occurred, or (2) believes that although a final determination was made that harassment occurred, the school's response was inadequate to correct the problem.

The complainant shall make such a request in writing to the superintendent of schools within thirty (30) days of a final determination. Upon such request, the superintendent shall promptly initiate an independent review by a neutral person as described under 16 VSA § 570a.(b)(1) and shall cooperate with the independent reviewer so that s/he may proceed expeditiously. The review shall consist of an interview of the complainant and relevant school officials and a review of the written materials from the school's investigation.

Upon completion of the independent review, the reviewer shall advise the complainant and school officials in writing: (1) as to the sufficiency of the school's investigation, its determination, and/or the steps taken by the school to correct any harassment found to have occurred, and (2) of recommendations of any steps the school might take to prevent further harassment from occurring. A copy of the independent review report shall be sent to the Secretary of Education.

The reviewer shall advise the student of other remedies that may be available if the student remains dissatisfied and, if appropriate, may recommend mediation or other alternative dispute resolution. The independent reviewer shall be considered an agent of the school for the purpose of being able to review confidential student records. The costs of the independent review shall be borne by the District. The District may request an independent review at any stage of the process.

4. Rights to Alternative Harassment Complaint Process. In addition to, or as an alternative to filing a harassment complaint pursuant to this policy, a person may file a harassment complaint with the Vermont Human Rights Commission or the Office for Civil Rights of the U.S. Department of Education at the addresses noted below:

Vermont Human Rights Commission
14-16 Baldwin Street
Montpelier, VT 05633-6301
(800) 416-2010 or (802) 828-2480 (voice) (877) 294-9200 (tty)
(802) 828-2481 (fax)
Email: human.rights@state.vt.us

Office for Civil Rights, Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109-3921
617-289-0111 (voice)
877-521-2172 (tdd)
617-289-0150 (fax)
Email: OCR.Boston@ed.gov

Rights of Accused Students

1. Appeal. Any person determined to have engaged in an act(s) of hazing, harassment and/or bullying may appeal the determination and/or any related disciplinary action(s) taken, directly to the school board of the school district. The school board shall conduct a review on the record. The standard of review by the school board shall be whether the finding that an act(s) of hazing, harassment, and/or bullying has been committed constitutes an abuse of discretion by the school level fact finder. Appeals should be made to the school board within ten (10) calendar days of receiving the determination that an act(s) of hazing, harassment and/or bullying has occurred and/or any announced discipline. The school board shall set the matter for a review hearing at the next scheduled school board meeting to the extent practicable, but not later than 30 days from receipt of the appeal filing.
2. Accused Student/Appellant Access to Investigative Reports/Findings. The school district shall make available upon request of the Accused Student/Appellant, any relevant information, documents, materials, etc. related to the investigation and related finding on appeal that can be redacted and de-identified in compliance with the requirements set forth at 34 CFR Part 99. For those documents that cannot be provided due to the requirements set forth at 34 CFR Part 99, when an Accused Student/Appellant seeks a review on the record before the school board of the school district, a school administrator may seek the consent of the parent/guardian of the targeted student, or the accused eligible targeted student (if 18 or older, the targeted student has the ability to consent), in order to inform the accused student of the findings which gave rise to the school's determination that an act(s) of harassment, hazing, and/or bullying occurred. The parent/guardian or eligible student shall provide a signed and dated written consent before an educational agency or institution discloses personally identifiable information from the student's education records.

Confidentiality and Record Keeping

- a. Privacy Concerns. The privacy of the complainant, the accused individual, and the witnesses shall be maintained consistent with the District's obligations to investigate, to take appropriate action, and to comply with laws governing the disclosure of student records or other applicable discovery or disclosure obligations.
- b. Concerns Related to Harassment Complaints. The scope of appropriate response to a

harassment complaint may depend upon whether a student or parent of a minor student reporting the harassment asks that the student's name not be disclosed to the harasser or that nothing be done about the alleged harassment. In all cases, school officials will discuss confidentiality standards and concerns with the complainant initially. The school will inform the student that a confidentiality request may limit the school's ability to respond. The school will remind the student that both federal Title IX and Vermont Title 9 prevent retaliation and that if he or she is afraid of reprisals from the alleged harasser, the school will take steps to prevent retaliation and will take strong action if retaliation occurs. If the student continues to ask that his or her name not be revealed, the school should take all reasonable steps to investigate and respond to the complaint consistent with the student's request as long as doing so does not prevent the school from responding effectively to the harassment and preventing harassment of other students.

The school will evaluate the confidentiality request in the context of its responsibility to provide a safe and nondiscriminatory environment for all students. The factors the school might consider in this regard include the seriousness of the alleged harassment, the age of the student harassed, whether there have been other complaints or reports of harassment against the alleged harasser, and the rights of the accused individual to receive information about the accuser and the allegations if a formal proceeding with sanctions may result. If information about the incident is contained in an "education record" of the student alleging the harassment, as defined by the Family Educational Rights and Privacy Act (FERPA), 20 USC 1232g, the school will consider whether FERPA prohibits it from disclosing information without the student's consent.

- c. Document Maintenance. The Superintendent or school administrator shall assure that a record of any complaint, its investigation and disposition, as well as any disciplinary or remedial action taken following the completion of the investigation, is maintained by the District in a confidential file accessible only to authorized persons. All investigation records created in conformance with this model policy and model procedures, including but not limited to, the complaint form, interview notes, additional evidence, and the investigative report, shall be kept by the Equity Coordinator, Designated Employees and District/Supervisory Union Central Office for at least six years after the investigation is completed.

Reporting to Other Agencies

1. Reports to Department of Children and Families. When a complaint made pursuant to this policy includes allegations of child abuse, any person responsible for reporting suspected child abuse under 33 VSA § 4911, et seq. must report the allegation 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 VSA § 6901 et seq.
2. Reports to Vermont Agency of Education. If a harassment complaint is made in a public school 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 Commissioner. If a harassment complaint 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 hazing, harassment and/or bullying 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.
- c. Hazing Incidents. It is unlawful to (1) engage in hazing; (2) solicit direct, aid, or attempt to aid, or abet another person engaged in hazing; or (3) knowingly fail to take reasonable measures within the scope of the person's authority to prevent hazing. It is not a defense in an action under this section that the person against whom the hazing was directed consented to or acquiesced in the hazing activity. Hazing incidents will be reported to the police in a manner consistent with the confidentiality rights set forth above in this section.
- 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 policy to pursue and complete an investigation upon receipt of notice of conduct which may constitute hazing, harassment and/or bullying.

Disseminating Information, Training, and Data Reporting

1. Disseminating Information. Annually, prior to the commencement of curricular and co-curricular activities, the District shall provide notice of this policy and procedures to students, custodial parents or guardians of students, and staff members, including references to the consequences of misbehavior contained in the plan required by 16 VSA 1161a. Notice to students shall be in age-appropriate language and include examples of hazing, harassment and bullying. At a minimum, this notice shall appear in any publication of the District that sets forth the comprehensive rules, procedures and standards of conduct for the District.
2. Student Training. The school administrator shall use his/her discretion in developing age-appropriate methods of discussing the meaning and substance of this policy with students to help prevent hazing, harassment and bullying.
3. Staff Training. The board or its designee shall ensure that teachers and other staff receive training in preventing, recognizing and responding to hazing, harassment and bullying.
4. Data Gathering. Public school districts shall provide the Vermont Agency of Education with data requested by the Secretary of Education.

Legal References:

*Title V, Section B, 504 of the Rehabilitation Act of 1973,
29 USC §794 et seq.; Title VI of the Civil Rights Act of 1964, 42 USC §2000d;
Title IX of the Educational Amendments Act of 1972, 20 USC §§ 1681 et seq.;
Family Education Rights Privacy Act; 20 USC §1232g;
Public Accommodations Act, 9 VSA §§4500 et seq.;
Education, Classifications and Definitions, 16 VSA §11(26);(30)(A);(32);
Education, 16 VSA §140(a)(1); Education, 16 VSA §166(e); Education, Bullying, 16 VSA §570c;
Education, Harassment, Hazing and Bullying,
16 VSA § 570; Education, Harassment, 16 VSA §570a;
Education, Harassment, 16 VSA §570c;
Education, Harassment, 16 VSA §570f; Education, Hazing, 16 VSA §570b; Education, Hazing, 16
VSA §570f Education, Discipline, 16 VSA §1161a;
Education, Suspension or Expulsion of Pupils; 16 VSA §1162;
Child Abuse, 33 VSA §§4911 et seq.;
Adult Protective Services, 33 VSA §6901 et seq., all as they may be amended from time to time.
Washington v. Pierce, 179 VT 318 (2005).*

CODE C10P - PREVENTION OF HARASSMENT, HAZING AND BULLYING OF STUDENTS PROCEDURES

Reporting Complaints of Hazing, Harassment and/or Bullying

1. Student Reporting: Any student who believes that s/he has been hazed, harassed and/or bullied under this policy, or who witnesses or has knowledge of conduct that s/he reasonably believes might constitute hazing, harassment and or/bullying, should promptly report the conduct to a designated employee or any other school employee.
2. School employee reporting: Any school employee who **witnesses conduct** that s/he reasonably believes might constitute hazing, harassment and/or bullying shall take reasonable action to stop the conduct and to prevent its recurrence and immediately report it to a designated employee and immediately complete a Student Conduct Form.
 - a. Any school employee **who overhears or directly receives information** about conduct that might constitute hazing, harassment and/or bullying shall immediately report the information to a designated employee and immediately complete a Student Conduct Form. If one of the designated employees is a person alleged to be engaged in the conduct complained of, the incident shall be immediately reported to the other designated employee or the school administrator.
3. Other reporting: Any other person who witnesses conduct that s/he reasonably believes might constitute hazing, harassment and/or bullying under this policy should promptly report the conduct to a designated employee.
4. Documentation of the report: If the complaint is oral, the designated employee shall promptly reduce the complaint to writing in a Student Conduct Form, including the time, place, and nature of the alleged conduct, the identity of the complainant, alleged perpetrator, and any witnesses. Both the complainant and the alleged perpetrator will have the right to present witnesses and other evidence in support of their position.
5. False complaint: Any person who knowingly makes a false accusation regarding hazing, harassment and/or bullying may be subject to disciplinary action up to and including suspension and expulsion with regard to students, or up to and including discharge with regard to employees. There shall be no adverse action taken against a person for reporting a complaint of hazing, harassment and/or bullying when the person has a good faith belief that hazing, harassment and/or bullying occurred or is occurring.
6. Rights to Alternative Complaint Process: In addition to, or as an alternative to filing a harassment complaint pursuant to this policy, a person may file a harassment complaint with the Vermont Human Rights Commission or the Office for Civil Rights of the U.S. Department of Education at the addresses noted below:

Vermont Human Rights Commission
14-16 Baldwin Street
Montpelier, VT 05633-6301
(800) 416-2010 or (802) 828-2480 (voice) (877) 294-9200 (tty)
(802) 828-2481 (fax)
Email: human.rights@state.vt.us

Office for Civil Rights, Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109-3921
617-289-0111 (voice)
877-521-2172 (tdd)
617-289-0150 (fax)
Email: OCR.Boston@ed.gov

Responding to Notice of Possible Policy Violation(s)

- a. Upon **notice of information** that hazing, harassment and/or bullying may have occurred the designated employee shall:
 3. Promptly reduce any oral information to writing, including the time, place, and nature of the conduct, and the identity of the participants and complainant.
 4. Promptly inform the school administrator(s) of the information;
 5. If in the judgment of the school administrator, the information alleges conduct which may constitute harassment, hazing or bullying, the school administrator shall, as soon as reasonably possible, provide a copy of the policy on hazing, harassment and bullying and these procedures to the complainant and accused individual, or if either is a minor, cause a copy to be provided or delivered to their respective parent or guardian.
- b. Upon **initiation of an investigation**, the designated employee shall:
 1. Notify in writing both the complainant and accused individual (or if either is a minor inform their respective parent or guardian) that:
 1. an investigation has been initiated;
 2. retaliation is prohibited;
 3. all parties have certain confidentiality rights; and
 4. they will be informed in writing of the outcome of the investigation.
- c. All notifications shall be subject to state and/or federal laws protecting the confidentiality of personally identifiable student information. Pursuant to 34 CFR Part 99.30, a school administrator may seek the consent of the parent/guardian of the accused student, or the accused eligible student (if 18 or older, the accused student has the ability to consent), in order to inform the complainant of any disciplinary action taken in cases where the school determined that an act(s) of harassment, hazing, and/or bullying, or other misconduct occurred. The parent/guardian or eligible student shall provide a signed and dated written consent before an educational agency or institution discloses personally identifiable information from the student's education records.

Investigating Hazing, Harassment and/or Bullying Complaints

1. Initiation of Investigation - Timing. Unless special circumstances are present and documented, such as reports to the Department for Children and Families ("DCF") or the police, the school administrator shall, no later than one school day after Notice to a designated employee, initiate or cause to be initiated, an investigation of the allegations, which the school administrator reasonably believes may constitute harassment, hazing or bullying.
2. Investigator Assignment. The school administrator shall assign a person to conduct the investigation; nothing herein shall be construed to preclude the school administrator from assigning him/herself or a designated employee as the investigator. No person who is the subject of a complaint shall conduct such an investigation.
3. Interim Measures. It may be appropriate for the school to take interim measures during the investigation of a complaint. For instance, if a student alleges that he or she has been sexually assaulted by another student, the school may decide to place the students immediately in separate classes and/or transportation pending the results of the school's investigation. Similarly, if the alleged harasser is a teacher, allowing the student to transfer to a different class may be appropriate.

In all cases, the school will make every effort to prevent disclosure of the names of all parties involved – the complainant, the witnesses, and the accused -- except to the extent necessary to carry out the investigation. In all cases where physical harm has resulted and/or where the targeted student is known to be expressing suicidal ideation, or experiencing serious emotional harm, a safety plan will be put in place. Safety plans must also be considered in cases where the targeted student is known to have difficulty accessing the educational programs at the school as a result of the inappropriate behavior. No contact orders, or their enforcement, may also be appropriate interim measures.

4. Due Process. The United States Constitution guarantees due process to students and District employees who are accused of certain types of infractions, including but not limited to sexual harassment under Federal Title IX. The rights established under Title IX must be interpreted consistent with any federally guaranteed due process rights involved in a complaint proceeding, including but not limited to the ability of the complainant and the accused to present witnesses and other evidence during an investigation. The District will ensure that steps to accord due process rights do not restrict or unnecessarily delay the protections provided by Title IX to the complainant.
5. Standard Used to Assess Conduct. In determining whether the conduct constitutes a violation of this policy, the investigator shall consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. The complainant and accused will be provided the opportunity to present witnesses and other evidence during an investigation. The school will also consider the impact of relevant off- campus conduct on the school environment where direct harm to the welfare of the school can be demonstrated or the conduct can be shown to pose a clear and substantial interference with another student's equal access to educational programs. Whether a particular action constitutes a violation of this policy requires determination based on all the facts and surrounding circumstances.
6. Completion of Investigation – Timing. No later than five school days from the filing of the complaint with the designated employee, unless special circumstances are present and

documented, the investigator shall submit a written initial determination to the school administrator.

7. Investigation Report. The investigator shall prepare a written report to include a statement of the findings of the investigator as to whether the allegations have been substantiated, and as to whether the alleged conduct constitutes hazing, harassment and/or bullying. The report, when referencing student conduct, is a student record and therefore confidential. It will be made available to investigators in the context of a review conducted by either Vermont AOE, or investigations of harassment conducted by the Vermont Human Rights Commission or U.S. Department of Education Office of Civil Rights.
8. Notice to Students/Parents/Guardians. Within five school days of the conclusion of the investigation, the designated employee shall:
 1. Notify in writing both the complainant and accused individual (or if either is a minor inform their respective parent or guardian) that:
 - a. the investigation has been completed;
 - b. whether or not the investigation concluded that a policy violation occurred (and which policy term was violated, i.e. harassment, hazing and/or bullying);
 - c. that federal privacy law prevents disclosure of any discipline imposed as a result of the investigation unless the parent/guardian of the accused student and/or the accused eligible student consents to such disclosure, pursuant to 34 CFR Part 99.30, as set forth in Section II, Part C, above.
 2. Notify the Complainant Student - or if a minor, their parent(s) or guardian - in writing of their rights to:
 - a. an internal review by the school of its initial determination as a result of its investigation as to whether harassment occurred;
 - b. request an Independent Review of the school's "final" determination as to whether harassment occurred within thirty (30) days of the final determination or although a "final" determination was made that harassment indeed occurred the school's response to that harassment was inadequate to correct the problem; and that the review will be conducted by an investigator to be selected by the superintendent from a list developed by the Agency of Education;
 - c. file complaints of harassment with either the Vermont Human Rights Commission and/or the federal Department of Education's Office of Civil Rights.
1. Notify the Accused Student - or if a minor, their parent(s) or guardian - in writing of their right to appeal as set forth in Section V of these procedures.
9. Violations of Other Policies. In cases where the investigation has identified other conduct that may constitute a violation of other school disciplinary policies or codes of conduct, the designated employee shall report such conduct to the school administrator for action in accordance with relevant school policies or codes of conduct.

Responding to Substantiated Claims

1. Scope of Response. After a final determination that an act(s) of hazing, harassment and/or bullying has been committed, the school shall take prompt and appropriate disciplinary and/or remedial action reasonably calculated to stop the hazing, harassment and/or bullying and prevent any recurrence of harassment, hazing and/or bullying, and remedy its

effects on the victim(s). In so doing, the following should be considered:

2. Potential Remedial Actions. Remedial action may include but not be limited to an age appropriate warning, reprimand, education, training and counseling, transfer, suspension, and/or expulsion of a student, and warning, reprimand, education, training and counseling, transfer, suspension and/or termination of an employee. A series of escalating consequences may be necessary if the initial steps are ineffective in stopping the hazing, harassment and/or bullying. To prevent recurrences counseling for the offender may be appropriate to ensure that he or she understands what constitutes hazing/harassment and/or bullying and the effects it can have. Depending on how widespread the hazing/harassment/bullying was and whether there have been any prior incidents, the school may need to provide training for the larger school community to ensure that students, parents and teachers can recognize hazing/harassment/bullying if it recurs and know how to respond.
3. School Access/Environment Considerations. The District will also take efforts to support victims' access to the District's programs, services and activities and consider and implement school-wide remedies, where appropriate. Accordingly, steps will be taken to eliminate any hostile and/or threatening environment that has been created. For example, if a female student has been subjected to harassment/bullying by a group of other students in a class, the school may need to deliver special training or other interventions for that class to repair the educational environment. If the school offers the student the option of withdrawing from a class in which a hostile environment/bullying occurred, the District will assist the student in making program or schedule changes and ensure that none of the changes adversely affect the student's academic record. Other measures may include, if appropriate, directing a bully/harasser to apologize to the affected student. If a hostile environment has affected the entire school or campus, an effective response may need to include dissemination of information, the issuance of new policy statements or other steps that are designed to clearly communicate the message that the school does not tolerate harassment and/or bullying and will be responsive to any student who reports that conduct.
4. Hazing Case Considerations. Appropriate penalties or sanctions or both for organizations that or individuals who engage in hazing and revocation or suspension of an organization's permission to operate or exist within the institution's purview if that organization knowingly permits, authorizes, or condones hazing.
5. Other Remedies: Other remedies may include providing counseling to the victim(s) and/or the perpetrator(s), and additional safety planning measures for the victim(s).
6. Retaliation Prevention. It is unlawful for any person to retaliate against a person who has filed a complaint of harassment or against a person who assists or participates in an investigation, proceeding or hearing related to the harassment complaint. A person may violate this anti-retaliation provision regardless of whether the underlying complaint of harassment is substantiated.

The District will take reasonable steps to prevent any retaliation against the student who made the complaint (or was the subject of the harassment), against the person who filed a complaint on behalf of a student, or against those who provided information as witnesses. At a minimum, this includes making sure that the students and their parents, and those witnesses involved in the school's investigation, know how to report any subsequent problems and making follow-up inquiries to see if there have been any new incidents or any retaliation.

7. Alternative Dispute Resolution. At all stages of the investigation and determination process, school officials are encouraged to make available to complainants alternative dispute resolution methods, such as mediation, for resolving complaints. Certain considerations should be made before pursuing alternative dispute resolution methods, including, but not limited to:

(1) the nature of the accusations (for example, face-to-face mediation is not appropriate for sexual violence cases), (2) the age of the complainant and the accused individual, (3) the agreement of the complainant, and (4) other relevant factors such as any disability of the target or accused individual, safety issues, the relationship and relative power differential between the target and accused individual, or any history of repeated misconduct/harassment by the accused individual.

Post Investigative Reviews

1. Rights of Complainants
2. Internal Review of Initial Harassment Determinations By Complainant.

A complainant or parent of a complainant may request internal review by the District of a designee's initial determination (following investigation) that harassment has not occurred via written request submitted to the District superintendent. All levels of internal review of the investigator's initial determination, and the issuance of a final decision, shall, unless special circumstances are present and documented by the District, be completed within 30 calendar days after review is requested.

3. Independent Reviews of Final Harassment Determinations By Complainant.

A complainant may request an independent review within thirty (30) days of a final determination if s/he: (1) is dissatisfied with the final determination as to whether harassment occurred, or (2) believes that although a final determination was made that harassment occurred, the school's response was inadequate to correct the problem.

The complainant shall make such a request in writing to the superintendent of schools within thirty (30) days of a final determination. Upon such request, the superintendent shall promptly initiate an independent review by a neutral person as described under 16 VSA § 570a.(b)(1) and shall cooperate with the independent reviewer so that s/he may proceed expeditiously. The review shall consist of an interview of the complainant and relevant school officials and a review of the written materials from the school's investigation.

Upon completion of the independent review, the reviewer shall advise the complainant and school officials in writing: (1) as to the sufficiency of the school's investigation, its determination, and/or the steps taken by the school to correct any harassment found to have occurred, and (2) of recommendations of any steps the school might take to prevent further harassment from occurring. A copy of the independent review report shall be sent to the Secretary of Education.

The reviewer shall advise the student of other remedies that may be available if the student remains dissatisfied and, if appropriate, may recommend mediation or other alternative dispute resolution. The independent reviewer shall be considered an agent of the school for the purpose of being able to review confidential student records. The costs of the independent review shall be borne by the District. The District may request an independent review at any stage of the process.

4. Rights to Alternative Harassment Complaint Process. In addition to, or as an alternative to

filing a harassment complaint pursuant to this policy, a person may file a harassment complaint with the Vermont Human Rights Commission or the Office for Civil Rights of the U.S. Department of Education at the addresses noted below:

Vermont Human Rights Commission
14-16 Baldwin Street
Montpelier, VT 05633-6301
(800) 416-2010 or (802) 828-2480 (voice) (877) 294-9200 (tty)
(802) 828-2481 (fax)
Email: human.rights@state.vt.us

Office for Civil Rights, Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109-3921
617-289-0111 (voice)
877-521-2172 (tdd)
617-289-0150 (fax)
Email: OCR.Boston@ed.gov

Rights of Accused Students

1. Appeal. Any person determined to have engaged in an act(s) of hazing, harassment and/or bullying may appeal the determination and/or any related disciplinary action(s) taken, directly to the school board of the school district. The school board shall conduct a review on the record. The standard of review by the school board shall be whether the finding that an act(s) of hazing, harassment, and/or bullying has been committed constitutes an abuse of discretion by the school level fact finder. Appeals should be made to the school board within ten (10) calendar days of receiving the determination that an act(s) of hazing, harassment and/or bullying has occurred and/or any announced discipline. The school board shall set the matter for a review hearing at the next scheduled school board meeting to the extent practicable, but not later than 30 days from receipt of the appeal filing.
2. Accused Student/Appellant Access to Investigative Reports/Findings. The school district shall make available upon request of the Accused Student/Appellant, any relevant information, documents, materials, etc. related to the investigation and related finding on appeal that can be redacted and de-identified in compliance with the requirements set forth at 34 CFR Part 99. For those documents that cannot be provided due to the requirements set forth at 34 CFR Part 99, when an Accused Student/Appellant seeks a review on the record before the school board of the school district, a school administrator may seek the consent of the parent/guardian of the targeted student, or the accused eligible targeted student (if 18 or older, the targeted student has the ability to consent), in order to inform the accused student of the findings which gave rise to the school's determination that an act(s) of harassment, hazing, and/or bullying occurred. The parent/guardian or eligible student shall provide a signed and dated written consent before an educational agency or institution discloses personally identifiable information from the student's education records.

Confidentiality and Record Keeping

- a. Privacy Concerns. The privacy of the complainant, the accused individual, and the witnesses shall be maintained consistent with the District's obligations to investigate, to

take appropriate action, and to comply with laws governing the disclosure of student records or other applicable discovery or disclosure obligations.

- b. Concerns Related to Harassment Complaints. The scope of appropriate response to a harassment complaint may depend upon whether a student or parent of a minor student reporting the harassment asks that the student's name not be disclosed to the harasser or that nothing be done about the alleged harassment. In all cases, school officials will discuss confidentiality standards and concerns with the complainant initially. The school will inform the student that a confidentiality request may limit the school's ability to respond. The school will remind the student that both federal Title IX and Vermont Title 9 prevent retaliation and that if he or she is afraid of reprisals from the alleged harasser, the school will take steps to prevent retaliation and will take strong action if retaliation occurs. If the student continues to ask that his or her name not be revealed, the school should take all reasonable steps to investigate and respond to the complaint consistent with the student's request as long as doing so does not prevent the school from responding effectively to the harassment and preventing harassment of other students.

The school will evaluate the confidentiality request in the context of its responsibility to provide a safe and nondiscriminatory environment for all students. The factors the school might consider in this regard include the seriousness of the alleged harassment, the age of the student harassed, whether there have been other complaints or reports of harassment against the alleged harasser, and the rights of the accused individual to receive information about the accuser and the allegations if a formal proceeding with sanctions may result. If information about the incident is contained in an "education record" of the student alleging the harassment, as defined by the Family Educational Rights and Privacy Act (FERPA), 20 USC 1232g, the school will consider whether FERPA prohibits it from disclosing information without the student's consent.

- c. Document Maintenance. The Superintendent or school administrator shall assure that a record of any complaint, its investigation and disposition, as well as any disciplinary or remedial action taken following the completion of the investigation, is maintained by the District in a confidential file accessible only to authorized persons. All investigation records created in conformance with this model policy and model procedures, including but not limited to, the complaint form, interview notes, additional evidence, and the investigative report, shall be kept by the Equity Coordinator, Designated Employees and District/Supervisory Union Central Office for at least six years after the investigation is completed.

Reporting to Other Agencies

1. Reports to Department of Children and Families. When a complaint made pursuant to this policy includes allegations of child abuse, any person responsible for reporting suspected child abuse under 33 VSA § 4911, et seq. must report the allegation 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 VSA § 6901 et seq.
2. Reports to Vermont Agency of Education. If a harassment complaint is made in a public school 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 Commissioner. If a harassment complaint 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 hazing, harassment and/or bullying 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.
- c. Hazing Incidents. It is unlawful to (1) engage in hazing; (2) solicit direct, aid, or attempt to aid, or abet another person engaged in hazing; or (3) knowingly fail to take reasonable measures within the scope of the person's authority to prevent hazing. It is not a defense in an action under this section that the person against whom the hazing was directed consented to or acquiesced in the hazing activity. Hazing incidents will be reported to the police in a manner consistent with the confidentiality rights set forth above in this section.
- 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 policy to pursue and complete an investigation upon receipt of notice of conduct which may constitute hazing, harassment and/or bullying.

Disseminating Information, Training, and Data Reporting

1. Disseminating Information. Annually, prior to the commencement of curricular and co-curricular activities, the District shall provide notice of this policy and procedures to students, custodial parents or guardians of students, and staff members, including references to the consequences of misbehavior contained in the plan required by 16 VSA 1161a. Notice to students shall be in age-appropriate language and include examples of hazing, harassment and bullying. At a minimum, this notice shall appear in any publication of the District that sets forth the comprehensive rules, procedures and standards of conduct for the District.
2. Student Training. The school administrator shall use his/her discretion in developing age-appropriate methods of discussing the meaning and substance of this policy with students to help prevent hazing, harassment and bullying.
3. Staff Training. The board or its designee shall ensure that teachers and other staff receive training in preventing, recognizing and responding to hazing, harassment and bullying.
4. Data Gathering. Public school districts shall provide the Vermont Agency of Education with data requested by the Secretary of Education.

Legal References:

*Title V, Section B, 504 of the Rehabilitation Act of 1973,
29 USC §794 et seq.; Title VI of the Civil Rights Act of 1964, 42 USC §2000d;
Title IX of the Educational Amendments Act of 1972, 20 USC §§ 1681 et seq.;
Family Education Rights Privacy Act; 20 USC §1232g;
Public Accommodations Act, 9 VSA §§4500 et seq.;
Education, Classifications and Definitions, 16 VSA §11(26);(30)(A);(32);
Education, 16 VSA §140(a)(1); Education, 16 VSA §166(e); Education, Bullying, 16 VSA §570c;
Education, Harassment, Hazing and Bullying,
16 VSA § 570; Education, Harassment, 16 VSA §570a;
Education, Harassment, 16 VSA §570c;
Education, Harassment, 16 VSA §570f; Education, Hazing, 16 VSA §570b; Education, Hazing, 16
VSA §570f Education, Discipline, 16 VSA §1161a;
Education, Suspension or Expulsion of Pupils; 16 VSA §1162;
Child Abuse, 33 VSA §§4911 et seq.;
Adult Protective Services, 33 VSA §6901 et seq., all as they may be amended from time to time.
Washington v. Pierce, 179 VT 318 (2005).*

CODE F15 - STUDENT PUBLICATIONS

Policy

It is the policy of the Grand Isle Supervisory Union (GISU) to support and encourage student publications as part of the school curriculum while exercising its responsibility to reasonably regulate content and style.

Definitions

Official school publications are those produced by students in the journalism or writing classes, the school newspaper, yearbook or other similar publications and are distributed to the student body either free or for a fee. Such publications are an integral part of the school curriculum, and are not intended to be public forums. The value of school publications is in teaching journalism, English, writing, and other skills.

Official school publications may include topics about which there may be dissent and controversy. School sponsored activities must teach the importance of balance, fairness and accuracy, and produce and distribute student materials which are suited to the maturity of students as a whole.

Implementation

The Superintendent, Principal or designee shall develop a written school publications code which will include:

1. A statement of purpose of school publications.
2. Responsibilities of official school publications advisors and student editors.
3. The time, place and manner of production and distribution activities.
4. Procedures for resolving editorial differences.

Date Warned: 11/20/06, 12/4/06, 1/15/07

Date Adopted: 1/15/07

Legal Reference: Hazelwood School District v. Kuhlmeier, 484 US 260 (1988)
Bethel School District v. Fraser, 478 US 675 (1986)

Cross Reference:

CODE C11- 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 Grand Isle Supervisory Union and its member districts 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.

District/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.

	<i>GISU</i>	<i>Alburgh</i>	<i>CIUUSD</i>	<i>South Hero</i>
<i>Date Warned</i>			<i>6/11/2019</i>	
<i>Date Adopted</i>				

Legal Reference: *16 V.S.A. § 1623*

Adopt

CODE D1

CODE D1: PROFICIENCY BASED GRADUATION REQUIREMENTS

Policy Statement

It is the policy of the Grand Isle Supervisory Union and its member districts 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 Grand Isle Supervisory Union and its member districts **will/will not** use credits for the purpose of demonstrating that a student has met the graduation requirements. Credits will specify the proficiencies demonstrated in order to attain a credit and shall not be based on time spent in learning (**use only if the District will continue to use credits to demonstrate progress towards meeting the graduation requirements**). Students in the Grand Isle Supervisory Union and its member districts **will/will not** 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 Pathways¹ 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.

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.

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

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

	<i>GISU</i>	<i>Alburgh</i>	<i>CIUUSD</i>	<i>South Hero</i>
<i>Date Warned</i>			<i>6/11/2019</i>	
<i>Date Adopted</i>				