

**SPAULDING HIGH SCHOOL DISTRICT
REGULAR SCHOOL BOARD MEETING**

SHS Library

November 2, 2015

6:00 p.m. – Regular Meeting

AGENDA

1. Call to Order
2. Additions or Deletions to the Agenda
3. Visitors and Communication
4. Consent Agenda
 - 4.1 October 5, 2015 Regular School Board Meeting Minutes
5. Old Business
 - 5.1 Solar Update
 - 5.2 Approval of Warrant Procedures
 - 5.3 Second and Final Reading Role and Adoption of School Board Policies (A1)
 - 5.4 Second and Final Reading Board Member Education Policy (B1)
 - 5.5 Second and Final Reading Board Goal-Setting and Evaluation (B2)
 - 5.6 Second and Final Reading Board Member Conflict of Interest (B3)
 - 5.7 Second and Final Reading Board Meetings, Agenda Preparation and Distribution Policy (C2)
 - 5.8 Second and Final Reading Public Participation at Board Meetings Policy (C3)
 - 5.9 Second and Final Reading School Visits by Board Members (C4)
 - 5.10 Second and Reading Board Relations with School Personnel Policy (C5)
 - 5.11 Second and Final Reading Notice of Non-Discrimination Policy (C6)
 - 5.12 Second and Final Reading Standing and Special Committees Policy (C7)
 - 5.13 Second and Final Reading Policy Committee Policy (C7-1)
 - 5.14 Second and Final Reading Curriculum Committee Policy (C7-2)
 - 5.15 Second and Final Reading Facilities Committee Policy (C7-3)
 - 5.16 Second and Final Reading Finance Committee Policy (C7-4)
6. New Business
 - 6.1 Truant Officer Appointment
 - 6.2 Policies for Adoption with Formatting and Non-Substantive Changes
 - ~Education Records Policy (F5)
 - ~Limited English Proficiency Students Policy (F19)
 - ~Participation of Home Study Student Policy (F23)
 - 6.3 Rescind Board Member Conflict of Interest Policy (BBFA) (Replaced with B3)
 - 6.4 Rescind Historic Preservation Policy (FA)
 - 6.5 First Reading of Student Conduct and Discipline Policy (F1)
 - 6.6 First Reading of Search and Seizure of Students by School Personnel Policy (F3)
 - 6.7 First Reading of Student Medication Policy (F6)
 - 6.8 First Reading Student Alcohol & Drugs Policy (F7)
 - 6.9 First Reading of Transportation Policy (F9)
 - 6.10 First Reading of Student Activities (Secondary Policy (F11)
 - 6.11 First Reading of Interscholastic Sports Policy (F12)
 - 6.12 First Reading of Admission of Resident Students Policy (F13)
 - 6.13 First Reading of Admission of Non-Resident Tuition Students Policy (F14)
 - 6.14 First Reading of Tuition Payment Policy (F16)
 - 6.15 First Reading of Eighteen Year Old Students Policy (F18)
 - 6.16 First Reading of Prevention of Harassment, Hazing, and Bullying Procedure (F20-1)
 - 6.17 First Reading of Firearms Policy (F21)
 - 6.18 First Reading of Student Assessment Policy (F22)
 - 6.19 First Reading Student Attendance Policy (F25)
 - 6.20 First Reading of Restraining and Seclusion Policy (F26)
 - 6.21 First Reading of Pupil Privacy Right Policy (F27)
 - 6.22 First Reading of Federal Child Nutrition Act Wellness Policy (F28)
 - 6.23 First Reading of Student Self-Expression and Student Distribution of Literature Policy (F29)



7. Other Business
8. Reports to the Board
 - 8.1 Superintendent
 - 8.2 Principal
 - 8.3 Tech Center Director
 - 8.4 Committee Reports
 - 8.5 Student Representatives
9. Future Agenda Items
10. Executive Session (if needed)
 - 10.1 Student Matter
 - 10.2 Personnel Matter
11. Adjourn

Reminders:

Next Spaulding High School Union District Meeting
Next Barre Town School District Meeting
Next Barre City School District Meeting
Next Barre Supervisory Union Meeting

December 7, 2015
November 4 & 18, 2015
November 9, 2015
November 12, 2015

4.1

**SPAULDING HIGH SCHOOL
REGULAR BOARD MEETING**
Spaulding High School – Library
October 5, 2015 - 6:00 p.m.

MINUTES

BOARD MEMBERS PRESENT:

Carlotta Simonds-Perantoni - Chair
David LaCroix - Vice Chair
Joe Blakely – Clerk, arrived at 6:09 p.m.
Dottie Ricks
Ed Rousse

BOARD MEMBERS ABSENT:

Veronica Foiadelli-McCormick
Mark Tatro

ADMINISTRATORS PRESENT:

John Pandolfo, Superintendent
Brenda Waterhouse, Principal

GUESTS PRESENT:

Video Vision Tech Dave Delcore – Times Argus Julia Arguin Kerri Lamb

1. Call to Order

The Chair, Mrs. Perantoni, called the Monday, October 5, 2015, Regular meeting to order at 6:03 p.m., which was held at the Spaulding High School Library.

2. Additions and/or Deletions to the Agenda

On a motion by Ms. Ricks, seconded by Mr. LaCroix, the Board unanimously voted to add Agenda Item 10.1 (a Student Matter) under Executive Session. In response to a query, it was noted that the re-naming of policy codes had previously been approved.

3. Visitors and Communication

A letter of interest from Julia Arguin was distributed. Sophomore, Julia Arguin was officially recognized as a Student Representative to the School Board. Ms. Arguin was welcomed by the Board and provided a brief overview of her reasons for applying for the position of Student Representative.

4. Approval of Minutes

4.1 Approval of Minutes – September 8, 2015 Regular Meeting

On a motion by Mr. LaCroix, seconded by Ms. Ricks, the Board voted 3 to 0 to approve the Minutes of the September 8, 2015 Regular Meeting. Ms. Ricks abstained.

5. Old Business

None.

5.1 Committee Meeting Dates

Policy – Third Thursday of each month at 5:30 p.m. at the BSU Office. This month there will be two meetings; a Special Meeting on October 12, 2015 at 5:30 p.m. at the Barre Supervisory Union in the upstairs conference room, and a Regular Meeting which will be held on October 15, 2015 at 5:30 p.m.

Curriculum – Second Tuesday of each month. This month's meeting will take place on October 13, 2015 from 5:00 p.m. – 6:30 p.m. at SHS Library. Future meetings will be held at the same time and place on the second Tuesday of each month.

Finance Committee – will meet on Tuesday, October 20, 2015 at 5:00 p.m. at the Spaulding High School Library.

5.2 Continuous Improvement Plan Update

A document titled 'Continuous Improvement Plan (CIP)' was distributed. Mrs. Waterhouse provided an overview of the newly reformatted document, including the goals and the tasks within each goal. Many goals are multi-year initiatives. There is a new initiative to revamp the Science curriculum (spiraling curriculum- Goal 1, Task 6). Other items reviewed include transition to

proficiency based learning (which will offer additional learning opportunities and supports to students struggling with proficiency), and a data system to coordinate, analyze, and communicate student progress relating to transferrable skills and proficiency. Mr. Pandolfo advised the Board regarding the "One Plan Planning Template" which will allow schools to focus on one plan for their continuous improvement. This plan is a change in format, not substance and is a work in progress.

6. New Business

6.1 Food Service Report

A document titled Spaulding High School Food Service Report October 5, 2015 was distributed. Mr. George MacKey, Food Service Director addressed the Board providing an overview of the document, including statistics from the 2014 – 2015 school year, Fitz-Vogt's commitment to the community (assisting students with exploring food service employment opportunities, a Culinary Arts scholarship, local purchase of products whenever possible, and the Community Holiday Dinner'), Fitz-Vogt's commitment to the environment (working with Central Vermont Solid Waste Management), theme lunches, improvements made for the 2015 – 2016 school year (including; make your own waffles, breakfasts made-to-order, pasta made-to-order, Hood milk, Jalapeno station, Sizzler station), challenges, and current sales statistics. Discussion centered on plausible ways that would encourage/allow more students to eat breakfast.

6.2 Rescind Policy AC

A copy of the Minutes from the September 17, 2015 Policy Committee Meeting were distributed. Ms. Ricks discussed the importance of policies with the Board and encouraged members to take a deeper interest in policy matters. Mrs. Perantoni advised regarding the large number of policies recently reviewed. The Policy Committee, including Chair, Dotty Ricks were commended for their diligent efforts and accomplishments over the past few months.

A copy of Policy AC was distributed. A brief overview was provided by Mrs. Perantoni. **On a motion by Mr. Rousse, seconded by Mr. LaCroix, the Board unanimously voted to rescind Policy AC.**

6.3 First Reading Role and Adoption of School Board Policies (A1)

A copy of the policy was distributed. A brief overview was provided by Ms. Ricks. Brief discussion followed. **On a motion by Mr. Rousse, seconded by Mr. LaCroix, the Board unanimously voted to approve, as amended, the First Reading of the Role and Adoption of School Board Policies (A1)**

6.4 Rescind Policies: BBA, BBF, BBFA, BCB, BCD, BCE, BCEA, BCEB, BCEC, BCED, BCEE, BDA, BDB, BDDF, BDDH, BF, BG

Copies of the policies were distributed. Brief discussion ensued, including discussion regarding when policies should be rescinded. It was noted that the standard practice was to receive approval of the 'Second and Final Reading' of a policy prior to rescinding the policy it is replacing. It was noted that the 'Second and Final Reading' approval and rescinding of an existing policy occur in the same meeting. **On a motion by Mr. Rousse, seconded by Mr. Blakely, the Board unanimously voted to rescind Policies BBA, BBF, BCB, BCD, BCE, BCEA, BCEB, BCEC, BCED, BCEE, BDA, BDB, BDDF, BDDH, BF, and BG. Policy BBFA will not be rescinded at this time.**

6.5 First Reading Board member Education Policy (B1)

A copy of the policy was distributed. A brief overview was provided by Mrs. Perantoni. **On a motion by Mr. Blakely, seconded by Mr. Rousse, the Board unanimously voted to approve the First Reading of the Board Member Education Policy (B1).**

6.6 First Reading Board Goal-Setting and Evaluation (B2)

A copy of the policy was distributed. Mrs. Perantoni and Ms. Ricks provided information relating to this policy. **On a motion by Mr. Rousse, seconded by Mr. LaCroix, the Board unanimously voted to approve the First Reading of the Board Goal-Setting and Evaluation Policy (B2)**

6.7 First Reading Board Member Conflict of Interest (B3)

A copy of the policy was distributed. Brief overviews were provided by Mrs. Perantoni and Ms. Ricks. **On a motion by Mr. Rousse, seconded by Mr. Blakely, the Board unanimously voted to approve the First Reading of the Board Member Conflict of Interest Policy (B3)**

6.8 Rescind Policies: CBG, CGD, CHCA, C3

A copy of the policy was distributed. A brief overview was provided by Mrs. Perantoni. It was noted that C3 is more of a procedure than a policy. **On a motion by Mr. Blakely, seconded by Mr. LaCroix, the Board unanimously voted to rescind policies CBG, CGD, CHCA, and C3.**

6.9 First Reading Board Meetings, Agenda Preparation and Distribution Policy (C2)

A copy of the policy was distributed. A brief overview was provided by Ms. Ricks. **On a motion by Mr. Rousse, seconded by**

Mr. LaCroix, the Board unanimously voted to approve the First Reading of the Board Meetings, Agenda Preparation and Distribution Policy (C2).

6.10 First Reading Public Participation at Board Meetings Policy (C3)

A copy of the policy was distributed. A brief overview was provided by Mrs. Perantoni. **On a motion by Mr. Rousse, seconded by Mr. Blakely, the Board unanimously voted to approve, as amended, the First Reading of the Public Participation at Board Meetings Policy (C3).**

6.11 First Reading School Visits by Board Members (C4)

A copy of the policy was distributed. A brief overview was provided by Mrs. Perantoni. **On a motion by Mr. Blakely, seconded by Mr. Rousse, the Board unanimously voted to approve, as amended, the First Reading of the School Visits by Board Members (C4).**

6.12 First Reading Board Relations with School Personnel Policy (C5)

A copy of the policy was distributed. Brief overviews were provided by Mrs. Perantoni and Ms. Ricks. **On a motion by Mr. Rousse, seconded by Mr. Lacroix, the Board unanimously voted to approve, as amended, the First Reading of the Board Relations with School Personnel Policy (C5).**

6.13 First Reading Notice of Non-Discrimination Policy (C6)

A copy of the policy was distributed. A brief overview was provided by Mrs. Perantoni. Ms. Ricks voiced her objection to this policy which she finds highly offensive, as it states that groups who discriminate are allowed to recruit and hold meetings at Spaulding High School. It was noted that the Boys Scouts of America have recently changed their policy such that they no longer discriminate. **On a motion by Mr. Rousse, seconded by Mr. Blakely, the Board voted 3 to 1 to approve, as amended, the First Reading of the Notice of Non-Discrimination Policy (C6).** Ms. Ricks voted against the motion.

6.14 First Reading Standing and Special Committees Policy (C7)

A copy of the policy was distributed. A brief overview was provided by Mrs. Perantoni. **On a motion by Mr. Blakely, seconded by Mr. Rousse, the Board unanimously voted to approve, as amended, the First Reading of the Standing and Special Committees Policy (C7).**

6.15 First Reading Policy Committee Policy (C7-1)

A copy of the policy was distributed. A brief overview was provided by Ms. Ricks. **On a motion by Mr. Blakely, seconded by Mr. LaCroix, the Board unanimously voted to approve, as amended, the First Reading of the Policy Committee Policy (C7-1).**

6.16 First Reading Curriculum Committee Policy (C7-2)

A copy of the policy was distributed. A brief overview was provided by Ms. Ricks. **On a motion by Mr. Rousse, seconded by Mr. Blakely, the Board unanimously voted to approve, as amended, the First Reading of the Curriculum Committee Policy (C7-2).**

6.17 First Reading Facilities Committee Policy (C7-3)

A copy of the policy was distributed. A brief overview was provided by Ms. Ricks. **On a motion by Mr. Rousse, seconded by Mr. Blakely, the Board unanimously voted to approve, as amended, the First Reading of the Facilities Committee Policy (C7-3).**

6.18 First Reading Finance Committee Policy (C7-4)

A copy of the policy was distributed. A brief overview was provided by Ms. Ricks. **On a motion by Mr. Blakely, seconded by Mr. LaCroix, the Board unanimously voted to approve, as amended, the First Reading of the Finance Committee Policy (C7-4).**

7. Other Business

None.

8. Reports to the Board

8.1 Superintendent

A copy of the Superintendent's report dated September 28, 2015 was distributed. The report included information pertaining to the Act 46 Consolidation Study Committee (which met on September 29, 2015 with consultant Peter Clarke), Security Protocols (a security audit will be performed by Mark Moody in the near future), and the sprinkler system (extension of the existing system is required to meet Code). Additionally, Mr. Pandolfo noted his appreciation of early distribution of Board packet information and advised that this information will be posted on-line. It is Mr. Pandolfo's goal to eliminate the mailing of paper documents. Mr. Pandolfo reminded Board Members of the up-coming Tri-Board meeting, and advised that a change in procedure for Warrant signatures would be presented at that meeting.

8.2 Principal

A copy of "The Crimson Counselor" was distributed. Mrs. Waterhouse commended the JROTC program, recently honored with distinction for scoring 984 out of a possible 1000 points (during a spring 2015 inspection). Six students, graduates: Emily Benoit and Rose Meriam, and current students: Shannon Brodie, Carli Harris, Julia Jaminet, and Christopher Toborg, recently earned induction into the International Thespian Society. These students were recognized for each amassing over 100 hours of excellent, quality work in theater arts and related disciplines. Mrs. Waterhouse provided an overview of planned activities to be held during Spirit Week, including the pep rally and parade (which will start at 4:00 p.m. on Saturday, October 10, 2015). It was noted that there were no attendees at the Parent Forum (held 09/21/15) on Proficiency Based Learning. The Parent Forum has been rescheduled for Wednesday, October 7, 2015 at 5:00 p.m. in the cafeteria. Parent/Teacher conferences will be held on Wednesday, October 14, 2015. Mrs. Waterhouse and Ms. Arguin displayed a wool "I Matter / You Matter" blanket. Students will be raising money in an attempt to purchase forty blankets, which will be distributed to homeless individuals in Barre. The cost for each blanket is \$25.00.

8.3 Tech Center Director

Due to illness, Ms. Chamberlain is not available. An update will be provided at a future meeting.

8.4 Committee Reports

Mr. Rousse advised that at a recent meeting of the Spaulding Foundation, the committee, with regrets, accepted the resignation of Norma Malone, President of the Spaulding Foundation. There is a finalized job description for a part time Fund Raising Development Coordinator, with approved funding (funded out of the Spaulding operating budget). The Spaulding Foundation is a 5013C fund raising organization which raises funds to cover the cost of items not covered under the budget.

Policy Committee - Ms. Ricks advised regard the 'order of review' for policies (ABC, F, E,D,G,H). Agendas for upcoming meetings have been published.

Curriculum Committee - The Committee has not met recently. There will be a brief meeting to discuss agenda items for the next meeting.

Finance Committee - The next meeting is scheduled for October 20, 2015 at 5:00 p.m. The following reports were distributed: SHS Expense Budget Status Report FY16 and CVCC Expense Budget Status Report FY16.

Facilities Committee - The Committee will meet on October 14, 2015 in the SHS Library.

8.5 Student Representatives

In response to a query regarding her interest in serving as a Student Representative, Ms. Arguin advised that she feels it is important to keep appraised of what's happening at the school and feels that this is a good way to achieve that goal. It was noted that Tori Biondolillo was unable to attend tonight's meeting.

9. Future Agenda Items

Ms. Ricks advised regarding up-coming policy changes/revisions/additions (which have been sent to Mrs. Perantoni)
Budget Development
Solar Update from Facilities Committee

10. Executive Session

10.1 Student Matter

The item proposed for discussion in Executive Session is a Student Matter.

On a motion by Mr. Rousse, seconded by Mr. LaCroix, the Board unanimously agreed to find that premature general public knowledge of the items proposed for discussion would clearly place the City of Barre at a substantial disadvantage should the discussion be public.

On a motion by Mr. Rousse, seconded by Mr. LaCroix, the Board unanimously voted to enter into Executive Session at 8:10 p.m. under the provisions of 1 VSA section 313 to discuss the item proposed for discussion (a Student Matter).

Mr. Pandolfo and Mrs. Waterhouse were invited to join Executive Session.

On a motion by Ms. Ricks, seconded by Mr. LaCroix, the Board unanimously voted to exit Executive Session at 8:25 p.m.

No action taken.

11. Adjournment

On a motion by Mr. Blakely, seconded by Mr. Rousse, the Board unanimously voted to adjourn at 8:25 p.m.

Respectfully submitted,
Andrea Poulin

1ST READING: 10/05/2015
2ND READING: 11/02/2015
ADOPTED:

ROLE AND ADOPTION OF SCHOOL BOARD POLICIES

Policy

It is the intent of the board to outline direction and goals for the successful, consistent, and efficient operation of the Spaulding High School and the Central Vermont Career Center through the adoption of policies. Spaulding High School Union District #41 policies will be in compliance with Vermont and federal law and regulations.

Definitions

"Policies" guide the school board, administrators and other district employees, students, parents and community members by stating district goals and establishing parameters for administrative action.

"Procedures" (also referred to as rules or regulations) are developed by the superintendent or his or her designee to provide for the management of the public schools in the district by describing how tasks will be carried out to allow for board policies to be implemented.

Policy Development

In order to ensure efficient development and implementation of school board policies a policy committee will determine when school board policies should be developed or revised. The policy committee will seek appropriate public comment and administrative guidance as it considers proposals for policy development or revision. Policies up for adoption or revision will be placed on school website homepages and the committee page for public feedback.

Policy Adoption¹, Deletion, and Revision

Step 1: Consideration of the comments and information provided by interested individuals at a policy committee meeting.

Step 2: First reading of the board. The policy shall be on the school board agenda and distributed to the board at a regularly scheduled board meeting for first reading. This will also serve as the 10 day warning. The board may give feedback and ask the committee to do further work on the policy prior to the second reading.

¹See 16 V.S.A. §563(1). At the option of the school board, additional requirements for policy adoption or board approval or review of administrative procedures may be established through the inclusion of those requirements in this policy.

Step 3: The policy shall be on the school board agenda for final reading and possible adoption. At this meeting the board may adopt the policy as it is read. If changes are made it would need to come back to the board for another reading, giving the community the opportunity to review the changes.

Step 4: For policies that have already been warned and adopted, if formatting and/or non-substantive changes are needed to ensure consistency in the policy manual and/or grammatical expediency, those corrections can be made and voted on for adoption without a first and second reading.

Step 5: When in the process of revising policies and duplicate policies exist, the district will operate on the newest approved policy until older policies can be rescinded.

Policy Dissemination

When policies are adopted, the administration will publish and make them available to the public, students, and school personnel.

A hard copy of the district policy manual will be available during the normal working day in the supervisory union office. An electronic copy will be available on the school website. The student handbook will include board policies related to student activities and conduct. The teacher handbook will include board policies related to teachers' responsibilities.

Policy Administration

Policies will be administered through procedures and directives of the superintendent and members of the management team.

Policy Review

The policy committee will advise the board when revisions to adopted policies are required or otherwise appropriate. In addition, the committee will develop a policy review schedule to ensure that all policies are reviewed at least once every five years and, if necessary or appropriate, revised or repealed in response to changing legislation or other altered circumstances.

Legal Reference(s):

Policies Cross Reference:

16 V.S.A. §563 (1) (Powers of school boards)

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL****CODE: B1****1ST READING: 10/05/2015****2ND READING: 11/02/2015****ADOPTED:**

BOARD MEMBER EDUCATION**Policy**

It is the policy of the Spaulding High School Union District #41 to encourage and support board members' efforts to remain knowledgeable about their roles and the issues with which they deal.

Implementation

Individual board members will take advantage of opportunities to understand their roles, educational issues in general, school programs, State Department of Education functions and legislative activities. The superintendent and board chair will be responsible for assuring that information on leadership development opportunities is available to all members. New members will participate in a district orientation session and other opportunities designed to familiarize themselves with all aspects of board operation.

Members who take part in workshops and seminars offered by the Vermont School Boards Association and other organizations will be reimbursed for travel and other expenses related to participation in training activities provided prior approval is obtained from the board, and funds for these purposes are available.

Legal Reference(s):

Board Goal-Setting & Evaluation (B2)

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL**

CODE: B2

1ST READING: 10/05/2015

2ND READING: 11/02/2015

ADOPTED:

BOARD GOAL-SETTING AND EVALUATION

Policy

The board of the Spaulding High School Union District #41 will participate in goal-setting and self-evaluation activities developed or recommended by the superintendent at least annually.

Implementation

Particular attention will be given to board goals and performance in the following areas:

- * Policy making
- * Policy implementation
- * Community relations
- * Board interpersonal communication skills
- * Board-Superintendent relations
- * Fiscal/budget management
- * The instructional program
- * Labor relations
- * Board in-service training
- * Government relations

Legal Reference(s):

Board Member Education (B1)

BOARD MEMBER CONFLICT OF INTEREST

Policy

It is the ethical and legal duty of all school board members of the Spaulding High School Union District #41 to avoid conflicts of interest as well as the appearance of conflicts of interest.¹

Definitions

"Conflict of interest" means a situation when a board member's private interests, as distinguished from the board member's interest as a member of the general public, would benefit from or be harmed by his or her actions as a member of the board.

Implementation

In order to comply with the obligations thus imposed, the board and its members will adhere to the following recommended standards.

1. A board member will not give the impression that he or she would represent special interests or partisan politics for personal gain.
2. A board member will not give the impression that he or she has the authority to make decisions or take action on behalf of the board or the school administration.
3. A board member will not use his or her position on the board to promote personal financial interests or the financial interests of family members, friends or supporters.
4. A board member will not solicit or accept anything of value in return for taking particular positions on matters before the board.
5. A board member will not give the impression that his or her position on any issue can be influenced by anything other than a fair presentation of all sides of the question.
6. Board members will be familiar with, and adhere to, those provisions of Vermont education law which define school board powers and govern board member compensation and public bidding processes.

¹See 16 V.S.A. §563(20). "...establish policies and procedures designed to avoid the appearance of conflict of interest."

Avoiding Conflicts

When a board member becomes aware that he or she is in a position that creates a conflict of interest or the appearance of a conflict of interest as defined in state law or this policy, he or she will declare the nature and extent of the conflict or appearance of conflict for inclusion in the board minutes, and will abstain from voting or participating in the discussion of the issue giving rise to the conflict.

Complaints of Conflict of Interest

When a conflict of interest claim against a board member is brought to the board in writing and is signed by another board member or a member of the public, and the board member against whom the claim is made does not concur that a conflict in fact exists, the following board procedures will be followed.

1. Upon a majority vote of the remaining board members, or upon order of the chair, the board will hold an informal hearing on the conflict of interest claim, giving both the board member and the person bringing the claim an opportunity to be heard.
2. At the conclusion of the informal hearing, the remaining board members will determine by majority vote whether to:
 - a. Issue a public finding that the conflict of interest charge is not supported by the evidence and is therefore dismissed;
 - b. Issue a public finding that the conflict of interest charge is supported by the evidence and that the member should disqualify him or herself from voting or otherwise participating in the board deliberations or decision related to that issue, as required by Vermont statute; and/or
 - c. Issue a public finding that the conflict of interest charge is supported by the evidence and the board member should be formally censured or subjected to such other action as may be allowed by law.

Legal Reference(s):

- 16 V.S.A. § 262(d) (Election of officers)*
- 16 V.S.A. §557 (Gratuity/compensation prohibited)*
- 16 V.S.A. §558 (Eligibility for election to school board)*
- 16 V.S.A. §559 (Public bids)*
- 16 V.S.A. §563(20) (Powers of school boards)*

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL****CODE: C2****1ST READING: 10/05/2015****2ND READING: 11/02/2015****ADOPTED:**

BOARD MEETINGS, AGENDA PREPARATION & DISTRIBUTION**Policy**

All Spaulding High School Union District #41 board meetings will be held in compliance with Vermont's open meeting laws, 1 V.S.A. §§310 et seq.

Regular Meeting Schedule

Regular meetings of the board will be held at the Spaulding High School library on the first Monday of every month beginning at 6:00 p.m. The meeting schedule will be published and made available by the superintendent to any person on request.

Special and emergency meetings will be called by the chair on his or her own initiative or when requested by a majority of the board and shall be warned appropriately.¹ Only items on the agenda may be acted upon at these meetings.²

Conduct of Board Meetings

Meetings will be conducted in accordance with Robert's Rules of Order, Newly Revised.³ One or more members of the board may attend and participate in a regular, special or emergency meeting by electronic or other means so long as the requirements of 1 V.S.A. §312(a)(2) are met.

Executive Sessions

Executive sessions of the board will be convened only for the purposes stated in 1 V.S.A. §313. The minutes of any meeting where an executive session takes place will reflect the specific statutory reason for convening the executive session. Board members will not make public the confidential issues discussed during an executive session.

¹See 1 V.S.A. See 1 V.S.A. §312(c)(2) & (3)

²See Robert's Rules of Order §9. Although action on items not on the proposed agenda for regular meetings is allowed as "New Business," boards should avoid taking action on non-agenda items at regular meetings. If necessary, emergency meetings can be called to act on matters needing immediate action.

³See 16 V.S.A. §554(b)

Agenda Preparation

The superintendent will prepare proposed agendas for all meetings of the board after consultation with the board chair. Items of business may be suggested by any board member, staff member, student, or citizen of the district. The inclusion of items on proposed agendas will be at the discretion of the board chair and superintendent. An item may only be added or removed from a meeting agenda as the first order of business at the meeting.⁴ Other adjustments to an agenda may be made at any time during the meeting.

Agenda Distribution

The proposed agenda, together with supporting materials, will be distributed to board members by the Superintendent three days prior to regular meetings and as soon as practicable before special and emergency meetings. At least 48 hours prior to a regular meeting and 24 hours prior to a special meeting, the superintendent shall ensure that the agenda is posted on the Spaulding High School website and in the municipal clerk's office as well as on two other designated physical locations in the municipality.⁵ In addition, proposed meeting agendas will be made available to any interested person upon specific request.⁶

Legal Reference(s):

1 V.S.A. §§310 et seq. (Public meetings)

16 V.S.A. §554 (School board meetings)

Cross Reference:

⁴See 1 V.S.A. §312(d)(3)(A)

⁵See 1 V.S.A. §312(d)

⁶This section of this model policy is not required. See 1 V.S.A. §312(c) and (d) for notice and warning requirements for special and emergency meetings.

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL**

CODE: C3

1ST READING: 10/05/2015

2ND READING: 11/02/2015

ADOPTED:

PUBLIC PARTICIPATION AT BOARD MEETINGS

Policy

It is the policy of the Spaulding High School Union District #41 board to encourage public participation at its meetings.

Background

Public participation is very important to the successful function of the school district. The board wants to carry out its business with the benefit of public input and expertise. It also wants to keep the public informed and up-to-date on what is happening in the community's schools.

Implementation

Reasonable rules of participation may be used to insure that meetings are conducted in an orderly fashion and that the business at hand is completed in a timely manner. Such rules may take into consideration such things as length of each speaker's presentation and the number of times each speaker may comment.

Persons Who May Address the Board

1. Any district resident
2. School staff members, students and parents
3. Individuals who have been requested by the superintendent or the board to present a given subject
4. Persons who are directly affected by matters on the board agenda
5. Others at the discretion of the board

Public Comment on Agenda Items

1. The chair will ask for comments on agenda items before action is taken by the board.
2. When the number of people wishing to speak is large, the board may authorize the chair to use a speakers' list. Members of the public will be given an opportunity to sign the speakers' list, indicating which agenda item will be addressed.

Public Input on Items Not on the Agenda

1. There will be time set aside for public input on items not on the agenda at every regular, special or emergency meeting of the board.
2. The time allotted to this item will be assigned by the chair or the person responsible for organizing the agenda.
3. The chair shall rule out of order any presentation to the board which breaches the privacy or other rights of students, parents or school employees, or which does not comply with board policy on complaints.

Legal Reference(s):

1 V.S.A. §§310 et seq. (Public meetings)

16 V.S.A. §554 (b) (School board meetings)

Cross Reference:

Board Meetings (C2)

Board Meeting Agenda Preparation and Distribution (C1)

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL**

CODE: C4

1ST READING: 10/05/2015

2ND READING: 11/02/2015

ADOPTED:

SCHOOL VISITS BY BOARD MEMBERS

Policy

It is the policy of the Spaulding High School Union District #41 to encourage school board members to become familiar with their schools, its programs, and the needs of its staff and students.

Implementation

Individual board members may visit schools periodically to expand their knowledge of school programs and staff and student needs. These visits should follow prior notification to the principal or director. Concerns raised as a result of school visits by board members should be directed to the superintendent.

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL****CODE: C5****1ST READING: 10/05/2015****2ND READING: 11/02/2015****ADOPTED:**

BOARD RELATIONS WITH SCHOOL PERSONNEL**Policy**

It is the policy of the board of the Spaulding High School Union District #41 to encourage school board interactions with school personnel while respecting appropriate reporting relationships.

At School Board Meetings

The board may request the superintendent to invite school personnel to school board meetings to discuss student achievement relative to their programs.

Relations with Principals and Directors

The superintendent will develop guidelines for board relations with principals, directors, and other administrators. Guidelines for board relations with administrators should take into account:

1. The responsibility of the superintendent to direct the administration and coordination of educational programs in the district;
2. The periodic need of board members for information most readily available from school administrators; and
3. The need to maintain a distinction between the administrative role of administrators and the policy making role of the board.

Relations with other School Staff

1. Individual board members will communicate with staff members on matters of school business only at the direction of the board as a whole.
2. Staff participation in the development of educational and personnel policies will be encouraged and facilitated by the board.
3. Board members will adhere to procedures required by board policy and Vermont law related to collective bargaining and teacher evaluation.

Relations Between Board and Superintendent

The board believes that the establishment of policies is the role of the school board and that the execution of the policies is the role of the superintendent.

The board holds the superintendent responsible for the administration of its policies, the execution of board decisions, the operation of the internal mechanisms designed to serve the school program, and for keeping the board informed about school operations, finances, and issues.

Legal Reference(s):

16 V.S.A. §§1981 et seq. (Labor Relations)

16 V.S.A. §§1751 et seq. (Contracts, etc.)

16 V.S.A. §§243 et seq. (Principals)

21 V.S.A. §§1721 et seq. (Municipal Labor Act)

Cross Reference:

*Personnel: Recruitment, Selection, Appointment and Criminal Records
Checks (D1)*

Staff Development (D2)

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL**

CODE: C6

**1ST READING: 10/05/2015
2ND READING: 11/02/2015
ADOPTED:**

NOTICE OF NON-DISCRIMINATION

Policy

The Spaulding High School Union District #41 board will not unlawfully discriminate in its programs and activities against any person or group on any basis prohibited by federal or state law, and will provide equal access to the Boy Scouts and other designated youth groups.¹

Implementation

The district shall make reasonable accommodations to the known physical or mental limitations of an otherwise qualified handicapped applicant or employee unless the district can demonstrate that the accommodation would impose an undue hardship on the operation of its program or activity.²

The superintendent or his or her designee shall prepare, and the board shall approve, guidance to applicants and employees regarding requests for reasonable accommodations, including provisions for undue hardship.³

Applicants for admission and employment, students, parents, employees, sources of referral of applicants for admission and employment, and all unions or professional organizations holding collective bargaining or professional agreements with the Spaulding High School Union District #41 are hereby notified that this district does not discriminate on the basis of race, color, religion (creed), ancestry, national origin, place

¹Federal regulations implementing Title VI (race, color, national origin), Title IX (sex), Section 504 (disability), the *Age Discrimination Act*, and the *Boy Scouts Act* contain requirements for recipients of federal funds to issue notices of non-discrimination. These regulations require that recipients notify students, parents and others that they do not discriminate on the basis of race, color, national origin, sex, disability and age, and, if applicable, that they provide equal access to the Boy Scouts of America and other designated youth groups.

² See 34 C.F.R. § 104.12(a).

³ See 34 C.F.R. § 104.12(b) & (c) for requirements related to reasonable accommodations and factors to be considered when determining when a requested accommodation would create an undue hardship. The inclusion of this provision in this model policy is based on a finding by the federal Office of Civil Rights that a Vermont school district's policy on nondiscrimination was not in compliance with Section 504 of the Rehabilitation Act of 1973 because it did not include these provisions.

of birth, sex, sexual orientation, disability, age, political affiliation⁴ or marital status in admission or access to, or treatment or employment in, its programs and activities and provides equal access to the Boy Scouts and other designated youth groups.

A person has been designated by this district to coordinate the district's efforts to comply with the regulations implementing Title VI, Title IX, and Section 504 of the Rehabilitation Act of 1973, and other non-discrimination laws or regulations. The designated coordinator is identified in the procedure accompanying this policy along with information on how that person may be contacted.

Any person having inquiries concerning the Spaulding High School District #41's compliance with the regulations implementing Title VI, Title IX, Section 504 or other state or federal non-discrimination laws or regulations is directed to contact the non-discrimination coordinator described above.

Grievance Procedure

In the absence of a controlling grievance procedure outlined in a collective bargaining agreement the procedure accompanying this policy will be in effect.

Legal Reference(s):

- 9 V.S.A. §4502 (Public accommodations)
- 21 V.S.A. §§495 et seq. (Employment practices)
- 21 V.S.A. §1726 (Unfair labor practices)
- 20 U.S.C. §§1400 et seq. (IDEA)
- 20 U.S.C. §§1681 et seq. (Title IX, Education Amendments of 1972))
- 29 U.S.C. §206(d) (Equal Pay Act of 1963)
- 29 U.S.C. §§621 et seq. (Age Discrimination in Employment Act)
- 29 U.S.C. §794 (Section 504, Rehabilitation Act of 1973)
- 42 U.S.C. §§2000d et seq. (Title VI of the Civil Rights Act of 1964)
- 42 U.S.C. §§12101 et seq. (Americans with Disabilities Act of 1990)

Cross Reference:

Personnel: Recruitment, Selection, Appointment and Criminal Records Checks (D1)

⁴Discrimination against an employee on the basis of political affiliation is prohibited by the Vermont Municipal Labor Relations Act. 21 V.S.A. § 1726(a)(7).

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL**

CODE: C7

1ST READING: 10/05/2015

2ND READING: 11/02/2015

ADOPTED:

STANDING AND SPECIAL COMMITTEES

Policy

It is the policy of the Spaulding High School Union District #41 to establish standing and special committees.

Implementation

The board will implement the following standing board committees:

1. Policy Committee
2. Facilities Committee
3. Curriculum Committee
4. Finance Committee

The board chairperson will appoint committee chairpersons and may appoint committee members or may allow committee chairpersons to pursue members. The chairperson will serve as ex officio member of all committees.

Members may include board members, town members, administrators, teachers, and/or students. The board will supply to each committee member a list of committee functions, as approved by the board. The committee will meet at the call of the committee chairperson.

Committees will thoroughly investigate all matters referred to them. No committee will have the power to act for the board, except as the board has specifically authorized an action. Instead, the committee will make recommendations to the board. Standing committee meetings will be listed in regular minutes and will be warned as defined by law. Committee recommendations and reports will become an official part of board minutes.

The board may create other committees, standing or special, that it may require for better execution of its power and duties. The functioning of special committees will be subject to the same requirements as standing committees. A special committee will be dissolved upon completion of its assignment, or at any point by a vote of the board.

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL**

CODE: C7-1

**1ST READING: 10/05/2015
2ND READING: 11/02/2015
ADOPTED:**

POLICY COMMITTEE

Policy

The board will maintain a policy committee as a standing committee for the regular, systematic review of Spaulding High School Union District #41 policies.

Implementation

The function of the policy committee is:

1. To ensure a regular, sequential order for policy development.
2. To codify and organize policy.
3. To act as a medium for policy development when:
 - a. It is recognized that an issue or problem requires a long-term solution.
 - b. It becomes apparent that the school system has an ongoing need to be answered through a new or revised program or method of functioning.
4. To consider and make recommendations to the board on policy.

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL****CODE: C7-2****1ST READING: 10/05/2015
2ND READING: 11/02/2015
ADOPTED:**

CURRICULUM COMMITTEE**Policy**

The board will maintain a curriculum committee as a standing committee to provide ongoing review and input on Spaulding High School Union District #41 curricula.

Implementation

The function of the curriculum committee is:

1. To work with the district curriculum coordinator and other advocates in district action planning.
2. To provide input on instructional quality and modifications to help meet changing community needs.
3. To review recommendations developed by the curriculum coordinator, curricular committees, and professional staff.
4. To consider and make recommendations on proposals concerning curriculum related topics for adoption by the board.

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL****CODE: C7-3****1ST READING: 10/05/2015****2ND READING: 11/02/2015****ADOPTED:**

FACILITIES COMMITTEE**Policy**

The board will maintain a facilities committee as a standing committee to maintain regular review of and support for facility preservation in the Spaulding High School Union District #41.

Implementation

The function of the facilities committee is:

1. To ensure the regular and systematic review, development, and preservation of school buildings and grounds.
2. To ensure a safe, healthy, and comfortable environment for all pupils in the school district.
3. To recommend building and grounds renovations and improvements that support the district's instructional philosophy and goals.
4. To recommend proposals and regulations governing the operation and use of the school's facilities and grounds for approval to the board.

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL**

CODE: C7-4

1ST READING: 10/05/2015

2ND READING: 11/02/2015

ADOPTED:

FINANCE COMMITTEE

Policy

The board will maintain a finance committee as a standing committee to provide direction regarding school district budget and financial affairs for the Spaulding High School Union District #41.

Implementation

The function of the finance committee is:

1. To ensure financial affairs reflect the general philosophy and goals of the district and to recommend to the board a framework within which the school administration can operate.
2. To review yearly proposed budgets as presented by the superintendent and make budget recommendations to the board.
3. To regularly review implementation of the budget and inform the board of issues and/or concerns.
4. To recommend to the board for approval, proposals and regulations governing district financial matters.

Vermont

LAWS

16.V.S.A. 1125. Truant officers

(a) A school board shall annually appoint one or more truant officers and record their appointments with the clerk of the school district on or before July 3. State police, sheriffs, deputy sheriffs, constables and police officers shall be truant officers ex officio.

(b) Truant officers shall receive remuneration for time actually spent in performance of their duties and shall be allowed their necessary expenses incurred in connection therewith.

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL****CODE: F5****1ST READING: 8/18/2014****2ND READING: 9/15/2014****ADOPTED: 9/15/2014 11/2/2015**

EDUCATION RECORDS¹**Policy**

The Spaulding High School Union District #41 recognizes the importance of keeping accurate and appropriate education records² for students as part of a sound educational program and is committed to act as trustee of this information, maintaining these records for educational purposes to serve the best interests of its students.

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.³

Implementation

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

¹The 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.

²A "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

³12 U.S.C. §1232g; 34 C.F.R. §99.3.

will inform⁴ 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.⁵

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.

Legal References:

- 20 U.S.C. §§1232g (Federal Family Educational Rights and Privacy Act of 1974)*
- 20 U.S.C. § 7908*
- 16 V.S.A. 563(27) (NCLBA Armed Forces Recruiter/Higher Education Access)*
- 34 C.F.R. Part 99*
- 1 V.S.A. §317 (Definitions)*
- 15 V.S.A. §670 (Non-custodial parents)*
- 33 V.S.A. §5536a (Juvenile court records)*
- VT State Board of Education Manual of Rules and Practices §2120.8.3.3*

Cross Reference:

⁴School districts are required to find an effective way to notify parents whose primary language is not English. 34 C.F.R. §99.9.

⁵The 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.

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL****CODE: F19****1ST READING: 12/02/2013****2ND READING: 12/16/2013****ADOPTED: 12/16/2013 11/2/2015****LIMITED ENGLISH PROFICIENCY STUDENTS¹****Policy**

It is the policy of the Spaulding High School Union District #41 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.

Legal Reference(s):

42 U.S.C. §§2000 d et seq. (Title VI of the Civil Rights Act of 1964);

20 U.S.C. 6801 et seq. (English Language Acquisition, Enhancement, and Academic Achievement Act)

20 U.S.C. § 7801(25) (Definition of Limited English Proficiency)

34 C.F.R. Part 100

9 V.S.A. §4502 (Discrimination, public accommodations, Vermont State Board of Education Manual of Rules and Procedures §1250

Cross Reference:

¹The requirement for a school board policy on the provision of services to students with limited English proficiency is not explicit in federal or state law or regulations. However, both the U.S. Office of Civil Rights and the Vermont Department of Education have indicated that LEP policies are an essential part of a school district's compliance with nondiscrimination laws as well as the programmatic requirements of the No Child Left Behind Act.

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL****CODE: F23****1ST READING: 12/02/2013****2ND READING: 12/16/2013****ADOPTED: 12/16/2013 11/2/2015**

PARTICIPATION OF HOME STUDY STUDENTS**Policy**

It is the policy of the Spaulding High School Union District #41 to comply with the requirements of Act 119 of 1998 by allowing home study students to participate in courses, programs, activities, and services and use school educational materials and equipment.

The superintendent will develop administrative procedures that comply with rules promulgated by the Vermont State Board of Education as is necessary to implement this policy.

Legal Reference(s):***16 V.S.A. 563 (24) (Powers of school boards)******Vermont State Board of Education Manual of Rules & Practices §§4400,
9200.3.1.2367******20 U.S.C. §§1400 et seq. (IDEA)******34 C.F.R. §§300.450-2, 76.650-662******Cross Reference:***

BOARD MEMBER CONFLICT OF INTEREST

- 1.0 Members of the board recognize the ethical duty of all public officers to avoid conflicts of interest. In the case of school board members, this duty is extended by Vermont statutory law to include a requirement that boards adopt policies and procedures to avoid the appearance of conflicts of interest. In order to comply with the obligations thus imposed, the board and its members will adhere to the following standards.
- 1.1 Board members will be familiar with the NSBA and VSBA Codes of Ethics, and will observe their provisions.
- 1.2 Board members will be familiar with, and adhere to, those provisions of Vermont education laws which define school board powers and govern board member compensation and public bidding processes.
- 1.3 A board member will do nothing intended to give the false impression that he or she has the authority to make decisions or take action on behalf of the board or the school administration.
- 1.4 A board member will not take any action which is intended to give the impression that he or she would represent special interests or partisan politics for personal gain.
- 1.5 A board member will not use his or her position on the board in any manner intended to unfairly promote personal fiduciary interests or the fiduciary interests of family members, friends or supporters.
- 1.6 A board member will not accept anything of value in return for taking particular positions on matters before the board.

- 1.7 A board member will do nothing intended to leave the impression that his or her position on any issue can be influenced by anything other than a fair presentation of all sides of the question.
- 2.0 When a board member becomes aware of involvement in a conflict of interest as defined in state law or this policy, he or she will declare the nature and extent of the conflict or appearance of conflict for inclusion in the board minutes, and will abstain from voting or participating in the discussion of the issue giving rise to the conflict.
- 3.0 When a conflict of interest claim against a board member is brought to the board in writing, and is signed by another board member or a member of the public, and the board member against whom the claim is made does not concur that a conflict in fact exists, the following board procedures will be followed.
 - 3.1 Upon a majority vote of the remaining board members, or upon order of the chair, the board will hold an informal hearing on the conflict of interest claim giving both the board member and the person bringing the claim an opportunity to be heard.
 - 3.2 At the conclusion of the informal hearing, the remaining board members will determine by majority vote to take one of the following actions:
 - 3.2.1 Issue a public finding that the conflict of interest charge is not supported by the evidence and is therefore dismissed.
 - 3.2.2 Issue a public finding that the conflict of interest charge is supported by the evidence and that the member should disqualify him or herself from voting or otherwise participating in the board deliberations or decisions related to that issue, as required by Vermont statute.

3.2.3 Issue a public finding that the conflict of interest charge is supported by the evidence and, in addition to disqualifying him or herself from voting or otherwise participating in the board deliberations or decision, the board member should be formally censured or subjected to such other action as may be allowed by law.

4.0 No school board member shall substitute in excess of fifty (50) days in each school year.

REF: 16 VSA Paragraphs 557, 568, 559

HISTORIC PRESERVATION POLICY

- 1.0 The Board recognizes historical buildings are a heritage resource that bears testimony to the cultural aspects of the community. These structures are an asset and serve to define the unique community fabric through the stories of individuals, places, events, themes and variations. Understanding and maintenance of this resource will help to preserve the continuity and vitality of the cultural heritage.
- 2.0 To meet this challenge the Board will promote good stewardship of structures of historical significance. Uses of historical structures by the school district will be consistent with the cultural integrity of the structure. Any renovations and additions to historical facilities under control of the school district shall be consistent with the Secretary of the Interior's Standards for the Rehabilitation of Historical Structures.

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL****CODE: F1****1ST READING: 11/02/2015****2ND READING:****ADOPTED:**

STUDENT CONDUCT AND DISCIPLINE**Policy**

It is the policy of the Spaulding High School Union District #41 to maintain a safe, orderly, civil and positive learning environment via a system of classroom and school management practices, supported by consistent, clear and fair disciplinary procedures. The goal of this policy is to create an environment where the rules for student behavior are clearly stated, are understood and accepted by students and staff, and are applied in compliance with due process requirements. This policy is to be applied in conjunction with the school's overall discipline plan developed pursuant to 16 V.S.A. § 1161a.

Definitions

“Weapon” means a device, instrument, material or substance whether animate or inanimate, which, when used as it is intended to be used, is known to be capable of producing death or serious bodily injury.¹

“School” means any setting which is under the control and supervision of the school district. It includes school grounds, facilities, and school-sponsored events whether held on or off of school grounds and vehicles used to transport students to and from school or school activities.²

“Expelled” means the termination of educational services for the remainder of the school year or up to 90 school days, whichever is longer.³

“Knife” means any instrument that is capable of ready use as a stabbing weapon that may inflict bodily injury or death.

Student Responsibilities

It is the responsibility of each student to contribute to a safe and productive learning environment in the school by demonstrating respect and consideration for fellow

¹See 13 V.S.A. §4016(a)(2) for definition of “dangerous or deadly weapon.”

²The Federal Gun Free Schools Act defines “school” as “...any setting that is under the control and supervision of the local education agency for the purpose of student activities approved and authorized by the local education agency. 20 U.S.C. § 7151(b)(f).

³16 V.S.A. §1162(a).

students and adults. This includes complying with all policies and rules of conduct of the School District and individual classrooms.

Administrative Responsibilities

The principal, in consultation with the educational staff, will develop an overall discipline plan pursuant to 16 V.S.A. §1161a.

The plan will include clear guidelines for student behavior. The guidelines may include provisions for the suspension or expulsion of students who engage in misconduct on school property, on a school bus, or at a school sponsored activity when the misconduct makes the continued presence of the student harmful to the welfare of the school. The guidelines may also include provisions for the suspension or expulsion of students who engage in misconduct not on school property, on a school bus, or at a school sponsored activity where direct harm to the school can be demonstrated or where the misconduct can be shown to pose a clear and substantial interference with another student's equal access to educational programs.⁴

The guidelines for student behavior will also include prohibitions against the possession by students of knives, weapons and dangerous instruments while at school, and shall allow disciplinary action up to and including expulsion for violations of the prohibition against knives, weapons and dangerous instruments that are not possessed at school as part of an educational program sponsored or sanctioned by the school.⁵

Behavioral expectations, and the consequences of misconduct, will be stated in the student handbook and other publications distributed to students and parents/guardians.

⁴See 16 V.S.A. § 1162(a)(3)

⁵The "knives, weapons and dangerous instruments" prohibition in this model policy is not required by law. The possession of "dangerous and deadly weapons" on school grounds by any individual is prohibited by 13 V.S.A. §4004. This prohibition does not apply to the possession of firearms in schools for "instructional or other specific purposes." 13 V.S.A. §4004(c)(2).

Legal Reference(s):***16 V.S.A. §1161a (discipline)******16 V.S.A. §1162 (suspension and expulsion)******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, 4313; 2120.8.12******Cross Reference:******Board Commitment to Non-Discrimination (C6)******Public Complaints About Personnel (D10)******Interrogations or Searches of Students by Law Enforcement)******Officers or Other Non-School Personnel (F4)******Search and Seizure (F3)******Alcohol and Drug Abuse (F7)******Weapons (F21)***

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL****CODE: F3****1ST READING: 11/02/2015****2ND READING:****ADOPTED:**

SEARCH AND SEIZURE OF STUDENTS BY SCHOOL PERSONNEL**Policy**

School Property. It is the policy of the Spaulding High School Union District #41 that the school retains the right to examine its property at any time. Desks, lockers, textbooks, computers, and other materials or supplies loaned by the school to students remain the property of the school, and may be opened and inspected by school employees at any time.

Student and Student Property. It is the policy of the Spaulding High School Union District #41 that searches of students' persons, personal effects, and vehicles¹ may be conducted where there are reasonable grounds for suspecting at the time of initiating the search that the search will reveal evidence of a violation of law or of school rules. The superintendent or his or her designee may consult with legal counsel when considering whether or how to conduct a search of a student's person, personal effects or vehicle.

Implementation

The superintendent shall develop procedures to ensure that all searches and seizures of students and student property are conducted in a manner that complies with state and federal constitutional protections against unreasonable searches and seizures of students and student property in schools.

Copies of this policy will be distributed to students when they enroll in school, and will be included in the student handbook given to students and parents at the beginning of each school year.

¹Schools may obtain blanket permission to search vehicles that students drive to school and park in the school parking lot by requiring students to consent to such inspections as a condition of obtaining a permit for parking on school grounds. Without consent of this sort, school officials who wish to search student vehicles need reasonable suspicion that the search will provide evidence of a violation of law or school rules.

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL****CODE: F6****1ST READING: 11/02/2015****2ND READING:****ADOPTED:**

STUDENT MEDICATION**Policy**

The Spaulding High School Union District #41 shall have procedures in place to ensure compliance with laws and regulations governing the possession, administration, and storage of prescription and non-prescription medications needed by students at school or during school sponsored activities.

Implementation

The superintendent or designee will develop procedures governing the possession, administration, and storage of medication needed by any student during the regular school day or during school sponsored activities. The procedures will comply with the following:

1. Medication may be given by the school nurse, or a person designated and trained by the school nurse, upon written orders from a physician, and upon written request of a student's parent or guardian that the school complies with the physician's order. The physician's order must detail the name of the drug, dosage, time interval the medication is to be taken, diagnosis, and reason for giving.
2. Medication must be brought to school in a container labeled by the pharmacy or physician and stored by the school nurse or designee in a secure storage place.
3. Students with life threatening allergies or with asthma, whose parents or guardians comply with all of the requirements of Act 175 of 2008, shall be permitted to possess and self-administer emergency medication at school, on school grounds, at school-sponsored activities, on school-provided transportation, and during school-related programs.

Non-prescription medication must be accompanied by a written request from the parent or guardian of a student bringing such medication to school. The request must contain assurances that the student has suffered no previous ill effects from the use of medication. Medication must be left in the custody of the school nurse.

The school shall provide an opportunity for communication with the pupil, parent, or guardian, and physician regarding the efficacy of the medication administered during school hours. In the case of medication possessed by students with life threatening allergies or with asthma, the school shall provide forms for parents to submit

authorizing possession of the medication and releasing the school from liability as a result of any injury arising from the student's self-administration of the emergency medication.

Legal Reference(s):

Act 174 of 2008, 16 V.S.A. §1387

Cross Reference:

Sample Parental Authorization Form

As the parent or guardian of _____, I hereby authorize my child to possess and self-administer emergency medication at school, on school grounds, at school sponsored activities, on school provided transportation, and during school-related programs.

As documented by the attached physician's statement, my child has (name the specific life-threatening allergy or asthma applicable to this authorization), and is capable of, and has been instructed by the physician in, properly self-administering the emergency medication named by the physician.

As further documented by the attached physician's statement, my child has been advised of possible side-effects of the medication and has been informed of when and how to access emergency services.

The attached plan of action, developed specifically for the _____ school year in consultation with the school nurse, is based on the documentation provided by the physician's statement and includes the name of each emergency medication, the dosage, and the times and circumstances under which the medication is to be taken. The plan of action also indicates that the medication is solely for the use of my child, and includes the names of individuals who will be given copies of the plan. I understand that one of requirements of the plan is that my child will notify a school employee or agent after self-administering emergency medication.

As required by Act 175 of 2008, I hereby release the school, its employees and agents, including volunteers, from liability as a result of any injury arising from my child's self-administration of emergency medication, except when the conduct of the school, school employee, or agent would constitute gross negligence, recklessness or intentional misconduct.

Signed on _____ (Date) at _____ (City/Town, State)

By _____ (Parent/Guardian)

Witnessed by _____ Date _____

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL****CODE: F7****1ST READING: ~~8/18/2014~~ 11/2/2015**
2ND READING: ~~9/15/2014~~
ADOPTED: ~~9/15/2014~~

STUDENT ALCOHOL AND DRUGS¹**Policy**

It is the policy of the Spaulding High School Union District #41 that no student shall knowingly possess, use, sell, give or otherwise transmit, or be under the influence of any illegal drug, regulated substance, or alcohol on any school property or at any school sponsored activity away from or within the school.² It is further the policy of the district to make appropriate referrals in cases of substance abuse.

Definitions

“Substance Abuse” is the ingestion of drugs and or alcohol in such a way that it interferes with a person’s ability to perform physically, intellectually, emotionally, or socially.³

“Drug” means any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance as defined by state or federal regulation or statute.⁴

Educational Program

The administrative team shall work with appropriate staff members to develop and conduct an alcohol and drug abuse educational program.⁵ The program shall be consistent with the Vermont Alcohol and Drug Education Curriculum Plan.⁶ If the school district is a recipient of federal Safe and Drug-Free Schools and Communities Act funds, the Act will be considered in the development of the alcohol and drug abuse educational program.⁷

¹This policy is required by 16 V.S.A. 1165(c) and SBE Rule 4212. Unless otherwise noted in the following notes, the state board rule requires that the policy include the elements contained in this model.

²16 V.S.A. § 1165(a). See also 18 V.S.A. § 4237 making it unlawful for any person to sell or dispense any regulated drug to minors or to any other person on school property or property adjacent to a school.

³Vermont State Board of Education Manual of Rules and Practices, Rule 4211

⁴See definitions of narcotic drugs and hallucinogenic drugs in 18 V.S.A. §4201; and controlled substance in 41 U.S.C. §706(3) and 21 U.S.C. §812.

⁵16 V.S.A. §131(9); SBE Rule 4213.1

⁶SBE Rule 4212.2 requiring that education program be consistent with this Plan.

⁷20 U.S.C. §§7101 et seq.

Support and Referral System

In each school the principal or his or her designee shall develop a support and referral system for screening students who refer themselves and students who are referred by staff for suspected drug and/or alcohol use and/or abuse problems.⁸ The support and referral system will include processes to determine the need for further screening, education, counseling or referral for treatment in each referred case.⁹ In addition, the principal shall establish procedures for administering emergency first aid related to alcohol and drug abuse.¹⁰

Cooperative Agreements¹¹

The administrative team shall annually designate an individual to be responsible for providing information to students and parents or guardians about outside agencies that provide substance abuse prevention services and to encourage the use of their services and programs when appropriate. This individual can be contacted through the Spaulding High School front office at 476-4811.

The district will provide substance abuse treatment to students who are referred through the school's support and referral system, or who refer themselves for treatment.

Staff Training

The administrative team will work with appropriate staff to provide training for teachers and health and guidance personnel who teach or provide other services in the school's alcohol and drug abuse prevention education program. The training provided will meet the requirements of state board rules related to staff training.¹²

Community Involvement

The superintendent, principal, or other will work with school staff and community members to implement a program to inform the community about substance abuse issues in accord with State Board of Education rules.¹³

⁸SBE Rule 4212.3

⁹SBE Rule 4212.3D.

¹⁰SBE Rule 4212.3B. SBE Rule 4212.3B requires that each "...school district policy...establish procedures for administering first aid related to alcohol and drug abuse. The procedures will define the roles of the personnel involved."

¹¹SBE Rule 4212.3.

¹²SBE Rule 4213.2. See also SBE Rule 4212.3C.

¹³SBE Rule 4214 does not require that this paragraph be included in a school board policy. The rule does require that schools engage in community programs "...to inform the community about the school's alcohol and drug prevention education program, alcohol and drug abuse prevention issues, and community-wide responsibility for effective alcohol and drug abuse prevention." This paragraph could be included in administrative procedures developed in conjunction with this policy.

Annual Report

In a standard format provided by the Vermont Department of Education, the superintendent, principal, or other will submit an annual report to the Commissioner of Education describing substance abuse education programs and their effectiveness.¹⁴

Notification

The superintendent, principal, or other shall ensure that parents and students are given copies of the standards of conduct and disciplinary sanctions contained in the procedures related to this policy, and are notified that compliance with the standards of conduct is mandatory. Notice to students will, at a minimum, be provided through inclusion of these standards and sanctions in the student handbook distributed to all students at the beginning of each school year or when a student enrolls in the school.¹⁵

Legal Reference(s):

20 U.S.C. §§7101 et seq. (Safe & Drug-Free Schools & Communities Act of 1994)

16 V.S.A. §909 (Drug & Alcohol Abuse Prevention Education Curriculum)

16 V.S.A. 131(9) (Comprehensive Health Education)

16 V.S.A. §1045(b)(Driver Training Course)

16 V.S.A. §1165 (Alcohol and drug abuse)

18 V.S.A. §4226 (Drugs: minors, treatment, consent, Vt. State Board of Education Manual of Rules and Practices §§4200 -4215)

Cross Reference:

Student Conduct and Discipline (F1)

Search and Seizure (F3)

Interrogations or Searches of Students by Law Enforcement Officers or Other Non-School Personnel (F5)

¹⁴SBE Rule 4215 does not require that this paragraph be included in a school board policy. The rule does require that the school's annual report include information on substance abuse education programs. This paragraph could be included in administrative procedures developed in conjunction with this policy.

¹⁵This section is not required by law, but could be included in a school board policy to ensure that adequate notice of the school district's policy and procedures related to alcohol and drug abuse is given to students and parents.

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL**

CODE: F9

1ST READING: 5/16/1994, 11/2/2015

12/02/2014

**2ND READING: 6/16/1994,
01/06/2014**

ADOPTED: 8/01/1994, 1/06/2014

TRANSPORTATION

Policy

Where it is reasonable and necessary to enable a student entitled or required to attend an elementary or a secondary school operated by the district, the district may furnish transportation on public roads to students who reside within the district. The district may provide transportation to nonresident students as authorized by the school board.¹ Accordingly, the Spaulding High School Union District #41 has decided to furnish transportation to students only for the following:

- A. Transportation to and from home for students with disabilities – either permanent or temporary – as required by the student's plan Special Education or 504.
- B. Transportation to and from school sponsored field trips, work study, and special activities.
- C. Transportation to and from scheduled interscholastic events.

The school board may enter into contracts with operators of school buses. All contracts will protect the interests of the district in the matters of availability and condition of equipment, schedules, suitability and health of bus drivers, insurance provisions, and costs. All contracted services and equipment must comply with applicable Vermont and federal law and regulations. The superintendent shall include in his or her annual report to the board information as to all pupils transported by the school district and the expense thereof.²

Legal Reference(s):

16 V.S.A. §§1221, 1222, 1224 (Student transportation)

16 V.S.A. §1551 (Technical center transport)

Cross Reference:

¹At the option of the board, authorization to transport nonresident students could be delegated to the superintendent or other administrator. The superintendent's annual report to the board would provide information about nonresident transportation.

²See 16 V.S.A. 1224.

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL****CODE: F11****1ST READING: 11/02/2015****2ND READING:****ADOPTED:**

STUDENT CLUBS & ACTIVITIES (SECONDARY)**Policy**

It is the policy of the Spaulding High School Union District #41 that the school will maintain a student activity program appropriate to the maturity of students and as varied as staff and facilities permit. The program will be designed to offer worthwhile leisure time interests, wholesome recreational and social activities, and opportunities to develop skills in democratic and cooperative management for these activities.

Implementation

Clubs and activities may be

1. school-sponsored and related to the curriculum,
2. student-run and not related to the curriculum, or
3. community-sponsored and not related to the curriculum.

This policy addresses the first two categories. The third is addressed in the school district policy on Community Use of School Facilities.¹

I. School-Sponsored Curriculum-Related Groups

- A. Curriculum-related groups** are the only type entitled to school sponsorship. The controlling factor in deciding whether an activity will be sponsored by the school will be whether that activity is directly related to the school's curriculum. No activity that is not directly related to the curriculum or educational mission of the school will receive sponsorship, regardless of whether it meets the other criteria for sponsorship.
- B. Activities or clubs which meet at least one of the following criteria will be considered curriculum-related.**

¹This section is governed by the Equal Access Act, 20 U.S.C. 4071 et seq. It states, in part, that: "It shall be unlawful for any public secondary school which receives federal financial assistance and which has a limited open forum to deny equal access or a fair opportunity to, or discriminate against, any students who wish to conduct a meeting within that limited open forum on the basis of the religious, political, philosophical, or other content of the speech at such meetings."

1. The subject matter of the student group or club is actually taught or will be taught in a regularly scheduled course.
 2. The subject matter of the group or club is such that it concerns the body of courses as a whole.
 3. Participation in the group is required for a particular course.
 4. Participation in the group results in academic credit.
- C. The principal or his or her designee will approve new requests for activity sponsorship** based on the following considerations.
1. The potential of the activity to help participating students meet the goals of the school's curriculum.
 2. The level of student interest in the activity;
 3. The fiscal ramifications of sponsorship;
 4. The availability of qualified personnel to supervise the activity; and
 5. The impact of adding or eliminating the activity on the balance of types of activities available in the total activity program.
- D. All school-sponsored activities will be under the ultimate control of the school district** and will comply with all policies and procedures of the school. The principal may set academic eligibility standards for participation in these activities.
- II. Student-Run Noncurricular-Related Groups²**
- A. A student-run noncurricular-related group, or "student group"** is one that is created by students, run by students, and provides activities for students. If a group or club is organized or run by adults, even if students attend its meetings, then it is a community-sponsored group and must comply with Policy H3.
- B. Student groups, clubs or activities may use school facilities** and have access to such things as the public address system, bulletin boards, and publications³ provided that an equal opportunity is given to all student groups.

²This section is governed by the Equal Access Act, 20 U.S.C. 4071 et seq. It states, in part, that: It shall be unlawful for any public secondary school which receives Federal financial assistance and which has a limited open forum to deny equal access or a fair opportunity to, or discriminate against, any students who wish to conduct a meeting within that limited open forum on the basis of the religious, political, philosophical, or other content of the speech at such meetings.

³*Prince v. Jacoby*, 303 F.3d 1074 (9th Cir.), cert. denied 540 U.S. 813 (2002), held that since yearbook was paid for by student body funds and not by public funds, the school could not charge a religious student group for inclusion in the yearbook when other groups were included without charge. *Rosenberger v. University of Virginia*, 515 U.S. 810 (1995), held that university could not limit funds to student group due to its religious viewpoint where group ran newspaper with Christian view on news while other newspapers were funded. Funds were from mandatory student activity fee and not from public funds.

If the District opens its facilities to any student group, then it must provide the same opportunities to all other student groups.⁴ A fair opportunity will be provided to non-sponsored student groups wishing to conduct meetings on school premises during non-instructional time provided that:

1. any such meeting is voluntary and student initiated;
2. there is no sponsorship of the meeting by the school, the government, or its agents or employees;
3. employees or agents of the school or any governmental entity are present at religious meetings only in non-participatory capacities;
4. the meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school; and
5. non-school persons do not direct, conduct, control or regularly attend activities of student groups.⁵

C. Listings and notices referring to non-sponsored clubs or activities will include a disclaimer of school sponsorship or endorsement. District faculty and staff may only be present at activities of student groups as monitors for keeping order.

D. The principal may do the following with respect to student groups, as long as the same rules are applied to all student groups:

1. adopt rules to prohibit lewd and obscene speech
2. prohibit student groups from using school facilities if they are likely to cause material or substantial disruption of school operations
3. impose time, place, and manner restrictions, and
4. require parental permission for student participation.

Legal Reference(s):

20 U.S.C. §§4071 et seq. (Federal Equal Access Act)
 Prince v. Jacoby, 303 F.3d 1074 (9th Cir.), cert. denied 540 U.S. 813 (2002)
 Rosenberger v. University of Virginia, 515 U.S. 810 (1995),
 Board of Education of Westside Community Sch. v. Mergens, 496 U.S. 226 (1990).
 Sease v. School District of Philadelphia, 81 F. Supp. 183 (E.D. Pa. 1993)

Cross Reference:

Community Use of School Facilities (H3)
 Admission of Resident Students (F13)
 Admission of Non-Resident Tuition Students (F14)
 Participation of Home Study Students in School Programs and Activities (F23)

⁴Even allowing only one noncurriculum student group to meet in school facilities is enough to create a limited open forum and trigger the application of the Equal Access Act. *Board of Education of Westside Community Sch. v. Mergens*, 496 U.S. 226 (1990).

⁵Equal Access Act, 20 U.S.C. 4071; *Sease v. School District of Philadelphia*, 81 F. Supp. 183 (E.D. Pa. 1993) (school secretary who led gospel choir violated provisions of law even though choir was outside her regular duties in district).

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL****CODE: F12****1ST READING: 11/02/2015****2ND READING:****ADOPTED:****INTERSCHOLASTIC ATHLETICS****Policy**

It is the policy of the Spaulding High School Union District #41 to provide an interscholastic athletic program for boys and girls to complement and supplement their educational programs. All school sponsored athletic activities will be under the ultimate control of the school district and will comply with all local and state policies, procedures, and eligibility standards contained within the Spaulding High School Extra-Curricular Athletic Guide which can be viewed at <http://shsbtc.org/athletics/athletics.htm>.

Implementation

Athletic programs should meet the following criteria:

1. Programs should provide a wide basis of participation in both team and individual sports in interscholastic competition.
2. Programs should provide athletic facilities and opportunities for participation on an equal basis for girls and boys.
3. Programs should employ qualified personnel in coaching and supervisory/supervising positions.
4. Programs should stress the educational as well as the recreational benefits derived from participation in interscholastic athletics.
5. Programs should conform fully with the rules, regulations, and eligibility standards of the Vermont Principals' Association (www.vpaonline.org).

The board will make determinations related to individual activities included in the athletic program of the district based on the following considerations:

1. The level of student interest in an activity;
2. The level of community interest in an activity;
3. The impact of adding or eliminating an activity on the balance of opportunities for girls and boys to participate in the total athletic program;
4. The potential of the activity to remain competitive with other participating schools; and
5. The availability of qualified personnel to coach and supervise the activity.

For academic eligibility criteria, see the above-referenced Spaulding High School Extra-Curricular Athletic Guide which can be viewed at <http://shsbtc.org/athletics/athletics.htm>.

Legal Reference(s):

16 V.S.A. §§1073 et seq. (Legal pupils)

16 V.S.A. §563(24) (Participation of home study students)

Cross Reference:

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL****CODE: F13****1ST READING: 11/02/2015****2ND READING:****ADOPTED:**

ADMISSION OF RESIDENT STUDENTS**Policy**

Any legal pupil who is a resident as defined in 16 V.S.A. §1075 shall be eligible to attend school in the Spaulding High School Union District #41.

Residence Criteria

For purposes of determining residency, the board will apply the definitions contained in 16 V.S.A. §1075(a). Criteria for proving permanent residency shall include voter registration, automobile registration, employment, postal address, property ownership, fuel and utility bills with place of service listed, lease or rental agreement, household property tax bill, and/or other indications of intent to reside permanently within the District. The burden of proving residency or any other basis for entitlement to school enrollment or tuition assistance shall be on the student and/or his or her parent or guardian.

The residency of pupils under the care and custody of a state agency or child placement agency, children of homeless parents, and independent children shall be determined in accord with the requirements of 16 V.S.A. §1075 (c)-(h).

Change of Residence

Parents or guardians of students who are residents of the district and enrolled in a Spaulding High School program, and who move from the district before the school year ends, may apply to the superintendent for permission to finish the school year on a pro-rated tuition basis or with a tuition waiver. The superintendent shall consider the student's age, attendance record during the year, progress in school and other relevant factors when considering requests to remain enrolled in school for the remainder of the school year, and shall make recommendations accordingly to the board.

Decisions and Appeals

Decisions regarding student residency or continued enrollment except for state-placed students will be made by the board. An interested person or taxpayer may appeal a residency decision of the board to the commissioner of education as provided in 16 V.S.A. §1075(b).

*Legal Reference(s)**16 V.S.A. §§1073 et seq. (Legal pupil)**16 V.S.A. §1075 (c)-(h) (State placed students)**VT State Board of Education Manual of Rules & Practices, §1250 (Discrimination)**Cross Reference:**Tuition Payment (F16)*

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL****CODE: F14****1ST READING: 11/02/2015****2ND READING:****ADOPTED:**

ADMISSION OF NONRESIDENT TUITION STUDENTS**Policy**

It is the policy of the Spaulding High School Union District #41 to assure that nonresident students are admitted to the schools of this district when space is available, in compliance with federal and state laws and regulations governing tuition payment and nondiscrimination. This policy shall not apply to students who are enrolled through the public high school choice program created by Act 129 of 2011(Adj. Sess.).¹

Implementation

- A. Tuition:** On or before January 15th of each year, the school board shall establish non-resident tuition rates for the next school year and shall notify the school board(s) of all sending school districts and the Secretary of Education of any proposed increase in tuition rates. Separate tuition rates may be established for elementary and secondary students, and for students who are eligible to participate in special education programs. Tuition rates will be established in accord with Chapter 21 of Title 16 of the Vermont Statutes Annotated, and regulations of the State Board of Education.
- B. Criteria for Admission:** No nonresident will be denied admission as a tuition student if the reason for denial is that the student is disabled as defined in section 504 of the Rehabilitation Act of 1973 as amended or that the student is in need of special education services. Nor will any child be denied admission on the basis of race, color, religion (creed), ancestry, national origin, place of birth, sex, sexual orientation, disability, age, marital status or any other classification protected by federal or state law.

Subject to the nondiscrimination requirements above, a nonresident who applies for admission as a tuition student shall be admitted if space is available and, if the student has previously attended school, the student is in good standing at the school or schools most recently attended. Good standing shall be demonstrated when the applicant shows:

1. that he/she has not been legally dismissed or suspended for more than ten days during the preceding twelve months for disciplinary reasons, and
2. that he/she is making satisfactory progress toward the completion of an approved school or home study program, and

¹See 16 V.S.A. §822a

3. that his/her school attendance record presents a reasonable likelihood that any existing attendance requirements of this school district will be met.

A nonresident who is unable to provide evidence of good standing may be admitted as a nonresident tuition student if it is the determination of the superintendent, based on information presented by the nonresident, that there is a reasonable likelihood that the applicant will benefit from and succeed in the programs offered by the schools in this district.

- C. **Appeal:** A nonresident applicant for admission as a tuition student may appeal the superintendent's denial of his or her application by submitting a written request to appeal to the board within ten days of the denial. The board will provide an opportunity for the applicant and/or his or her parent or guardian to discuss the request not to uphold the decision of the superintendent. The board will render a decision within 30 days of the request to appeal.
- D. **Payment of Tuition:** Tuition for nonresident students shall be payable at any time prior to enrollment. When a student enrolls after the beginning of a semester, tuition for the student will be prorated accordingly and will be payable immediately.

Legal Reference(s):

16 V.S.A. §1093 (Non-resident students)

9 V.S.A. §4500 et seq. (Public Accommodations—Non-Discrimination)

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL****CODE: F16****1ST READING: 11/02/2015****2ND READING:****ADOPTED:**

TUITION PAYMENT**Policy**

The Spaulding High School Union District #41 will provide tuition for students attending grades 9 - 12 in accordance with state law and the criteria outlined below.

Implementation

- A. **Tuition will be paid** to schools attended by legal pupils who are residents of the district as defined by 16 V.S.A. §1075. Tuition payments will be made according to a schedule developed by the superintendent or his or her designee, taking into consideration any payment schedules established by receiving schools.
- B. **Other than for the school identified in "A" above, tuition will be paid only to schools approved by the State Board of Education.** In the case of a school with a religious affiliation, the board shall perform two steps. First, the Board shall determine whether the school is approved by the State Board of Education. If the school is approved, the board shall make a determination as to whether payment to the school would violate state or federal law, including the Establishment Clause of the First Amendment to the United States Constitution.
- C. **Tuition payments will be made as follows:**
 - 1. Tuition payments will be made to approved receiving schools when preceded by a written application from the student and/or his or her parent or guardian. The application must be made prior to a date determined by the board of the school year for which such payment is requested. Requests for retroactive tuition payments will not be granted unless received by a date determined by the board of the school year for which retroactive payment is sought.
 - 2. If an eligible pupil becomes a resident after September 1, an application for tuition will be considered by the board at its first special or regular meeting following receipt of the application and, if approved, payments will be prorated from the date of the pupil's enrollment to the end of the then current school year.
- D. **All tuition payments will be made directly to approved schools** attended by qualified pupils.

- E. **The Superintendent shall make recommendations to the board** prior to board action on applications for tuition assistance made in compliance this policy. If the board denies tuition assistance for a student, written notification of the denial shall be sent to the student if over the age of majority, or the parent or legal guardian of a minor student, by the superintendent or his or her designee within seven days of the decision. Unless otherwise provided by law, the board's decision shall be final.¹

Legal Reference(s):

16 V.S.A. §§821 et seq. (Tuition requirements)

16 V.S.A. §1075 (Legal residence)

Campbell v. Manchester Board, 161 VT 441, 641 A.2d 352 (1994)

Chittenden Town School District v. Department of Education, 169 VT 710, 738 A.2d 539 (1999)

Cross Reference:

Admission of Resident Students (F13)

¹See 16 V.S.A. § 828 providing for appeals of school board tuition payment decisions to the State Board of Education.

6.15

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL**

CODE: F18

1ST READING: 11/02/2015

2ND READING:

ADOPTED:

EIGHTEEN YEAR-OLD STUDENTS

Policy

It is the policy of the Spaulding High School Union District #41 that eighteen year-old students are subject to all school policies, rules and standards.

Except as provided in this policy, report cards, discipline reports and other communications from the school will be provided to responsible parents or guardians of all students regardless of the age of those students.

Permission

Permission slips for participation in field trips or other school activities may be signed by 18 year-old students. Eighteen year-old students may sign their own absence and late notes, but parents will be notified of absences and tardy incidents for their 18 year-old children on the same basis as other students, unless communications from the school are limited to the student only in accord with this policy.

Communications with Parents/Guardians

Students who are 18 years-old or older may request, in a manner designated by the superintendent that communications to their parents or guardians be provided to them as well. The school will comply with these requests.

Students who are 18 years-old or older may request, in a manner designated by the superintendent that all communications from the school be made to them and not to their parents. These requests will be granted by the superintendent or his or her designee only when the student's responsible parents or guardians agree in writing, or when the student shows that he or she is not a dependent student as defined in section 152 of the Internal Revenue Code of 1954.

The maintenance and distribution of documents defined by the Family Educational Rights and Privacy Act of 1974 as student records will be governed by that Act and the regulations promulgated pursuant to that Act.

The superintendent or his or her designee shall develop procedures where necessary to implement this policy.

Legal Reference(s):***20 U.S.C. §§1232f-1232j (Family Educational Rights & Privacy Act of 1974)******34 C.F.R. Part 99******15 V.S.A. §670 (Access to records by divorced parents)******Cross Reference:******Student Records (F5)***

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL****CODE: F20-1****1ST READING: 11/02/2015****2ND READING:****ADOPTED:**

**MODEL PROCEDURES ON THE PREVENTION OF HARASSMENT,
HAZING, AND BULLYING OF STUDENTS****I. Reporting Complaints of Hazing, Harassment and/or Bullying**

- A. 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.
- B. 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.

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.

- C. 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.
- D. 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.
- E. 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.

- F. 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

II. 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:
- i. Promptly reduce** any oral information to writing, including the time, place, and nature of the conduct, and the identity of the participants and complainant.
 - ii. Promptly inform** the school administrator(s) of the information;
 - iii.** 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:
- i. 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. 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.

III. Investigating Hazing, Harassment and/or Bullying Complaints

- A. **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.
- B. **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.
- C. **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.

- D. **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.
- E. **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.
- F. **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.
- G. **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.
- H. **Notice to Students/Parents/Guardians.** Within five school days of the conclusion of the investigation, the designated employee shall:
- i. **Notify in writing both the complainant and accused individual** (or if either is a minor inform their respective parent or guardian) that:
 1. the investigation has been completed;
 2. whether or not the investigation concluded that a policy violation occurred (and which policy term was violated, i.e. harassment, hazing and/or bullying);
 3. 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.

- ii. **Notify the Complainant Student** - or if a minor, their parent(s) or guardian - in writing of their rights to:
 - 1. an internal review by the school of its initial determination as a result of its investigation as to whether harassment occurred;
 - 2. 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;
 - 3. file complaints of harassment with either the Vermont Human Rights Commission and/or the federal Department of Education's Office of Civil Rights.
- iii. **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.

- I. **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.

IV. **Responding to Substantiated Claims**

- A. **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.
 - i. **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.
- ii. **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.
 - iii. **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.
 - iv. **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).

- B. **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.

- C. **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.

V. Post Investigative Reviews

Rights of Complainants

A. **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.

B. **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 V.S.A. § 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.

- C. **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

- A. **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.

- B. 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.

VI. 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.
- i. 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 U.S.C. 1232g, the school will consider whether FERPA prohibits it from disclosing information without the student's consent.

- B. 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.

VII. Reporting to Other Agencies

- A. 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 V.S.A. § 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 V.S.A. § 6901 *et seq.*
- B. 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.
- C. 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.

VIII. Disseminating Information, Training, and Data Reporting

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

Cross Reference:

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL****CODE: F21****1ST READING: 11/02/2015****2ND READING:****ADOPTED:**

FIREARMS**Policy**

It is the policy of the Spaulding High School Union District #41 to comply with the federal Gun Free Schools Act of 1994¹ and state law² 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 school 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.³

Definitions

For the purposes of this policy, the terms "firearm" "school" and "expelled" shall be defined in administrative procedures developed by the superintendent. The definitions shall be consistent with definitions required by state and federal law.⁴

¹The Gun Free Schools Act (GFSA) was enacted under Congress' spending power to prevent students from bringing weapons to school. The GFSA is different than the Gun-Free School Zones Act of 1990, which the U.S. Supreme Court struck down in 1995, holding that it exceeded Congress' power under the Commerce Clause of the U.S. Constitution. The Gun-Free School Zones Act was amended in 1996 to restrict its application to possession of firearms that have moved in or that otherwise affected interstate or foreign commerce and are at a place that the individual knows, or has reasonable cause to believe, is a school zone. 18 U.S.C. § 922(q)(2)(A). The Gun Free Schools Act of 1994 was amended and incorporated into the No Child Left Behind Act at 20 U.S.C. § 7151 et seq.

²16 V.S.A. §1166

³The U.S. Department of Education's "Guidance Concerning State and Local Responsibilities Under the Gun Free Schools Act (GFSA)" states that "compliance with the GFSA may be achieved consistent with the requirements that apply to students with disabilities, so long as discipline of those students is determined on a case-by-case basis..."

⁴See definitions in the administrative procedures section accompanying this policy. Note that the GFSA exempts from its coverage firearms that are "...lawfully stored inside a locked vehicle on school property, or if it is for activities approved and authorized by the local education agency and the local education agency adopts appropriate safeguards to ensure student safety." 20 U.S.C. §7151(g).

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.⁸

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.⁹

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 firearm⁵ 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.⁶

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.⁷

⁵See footnotes 1 and 4.

⁶16 V.S.A. § 1166(b)(2) stipulates that "...the school board may modify the expulsion on a case by case basis..." and includes the "...such as but not limited to..." examples listed here.

⁷20 U.S.C. § 7151(b)(2).

⁸16 V.S.A. § 1166(b)(1); 20 U.S.C. § 7151(h)(1). The Gun Free Schools Act stipulates that "no (federal) funds shall be made available to any local education agency unless such agency has a policy requiring referral to the criminal justice or juvenile delinquency system of any student who brings a firearm or weapon to a school served by such agency."

⁹This requirement is imposed by 16 V.S.A. § 1166(c).

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:

Interrogations or Searches of Students (F5)

Search and Seizure (F3)

Student Conduct and Discipline (F1)

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL****CODE: F22****1ST READING: 11/02/2015****2ND READING:****ADOPTED:**

STUDENT ASSESSMENT**Policy**

It is the policy of the Spaulding High School Union District #41 to maintain an assessment system that continuously evaluates student learning and links curricular, professional development, and budgetary decisions directly to the need for increased student performance.

The goal of student assessment is to understand how students are performing in relation to local and state standards. Based on student assessment information, teachers, administrators and parents will work together to design and implement strategies to meet the needs of individual students as well as the district's overall goals for student achievement.

Implementation

Spaulding High School will participate in the state comprehensive assessment system as defined by the Education Quality Standards Rule 2123.1. In addition, Spaulding High School will develop and implement a local comprehensive assessment system as defined by the Education Quality Standards Rule 2123.2. Student and system results will be reported to the community at least annually per Education Quality Standards Rule 2124. Education Quality Standards can be viewed at http://education.vermont.gov/documents/EDU-FinalEQS_AsAdopted.pdf.

Legal Reference(s):

20 U.S.C. §§1400 et seq.(IDEA)

1 V.S.A. § 312 (Open meetings)

16 V.S.A. § 165(a)(2) (Public School Quality Standards)

16 V.S.A. § 164(9) (State comprehensive assessment)

Vermont State Board of Education Rules §§ 2123.1, 2123.2, 2124

Vermont Framework of Standards and Learning Opportunities

Cross Reference:

Professional Development (D2)

Student Records (F5)

Curriculum Development (G1)

Selecting Instructional Material (G5)

Local Action Plan (G8)

Annual School Report (H6)

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL****CODE: F25****1ST READING: 11/02/2015****2ND READING:****ADOPTED:**

STUDENT ATTENDANCE**Policy**

It is the policy of the Spaulding High School District #41 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.¹ 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.²

The administrative team shall develop 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/director is responsible for maintaining accurate and up-to-date records of student attendance.
2. The principal/director 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.

¹ See 16 V.S.A. 1121 for legally acceptable excuses.

² See 16 V.S.A. 1122.

Legal Reference(s):***16 V.S.A. §§1121 et seq. (Attendance required)******VT State Board of Education Manual of Rules & Practices: §2120.8.3.3******Cross Reference:******Admission of Resident Students (F13)******Admission of Non-Resident Tuition Students (F14)***

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL****CODE: F26¹****1ST READING: 11/02/2015****2ND READING:****ADOPTED:**

MODEL POLICY ON THE USE OF RESTRAINT AND SECLUSION**Policy**

It is the policy of the Spaulding High School Union District #41 that students not be subjected to inappropriate restraint or seclusion as defined by Vermont State Board of Education Rule 4500. It is the district's intent to create and maintain a positive and safe learning environment, and promote positive behavioral interventions and supports in district schools. This policy is further intended to assist in creating a common understanding within the district of appropriate interventions by district staff.

Definitions. The following terms, as defined in State Board Rule 4500.3, shall apply to this policy.¹

“Behavioral Intervention Plan” means a plan that details strategies to address behaviors that impede learning, or are ongoing, and do not readily respond to general intervention or classroom management techniques, by teaching pro-social skills and other positive replacement behaviors. The plan may include positive strategies, program or curricular modifications, and supplementary aids and supports required to address problem behaviors.

“Chemical Restraint” means a drug, medication or chemical used on a student to control behavior or restrict movement that is not:

1. Prescribed by a student's licensed physician for the standard treatment of a student's medical or psychiatric condition; and
2. Administered as prescribed by the licensed physician.

“Functional Behavioral Assessment” means the analysis of a student's behavior patterns before, during, and after rule-breaking or other inappropriate behavior for the purpose of guiding the development of a behavioral intervention plan.

“Mechanical Restraint” means the use of any device or object that restricts a student's movement or limits a student's sensory or motor functions unless under the direction of a healthcare professional for medical or therapeutic purposes. The term does not include devices implemented by trained school personnel, or utilized by a

¹Each of the terms defined in this model policy is defined in State Board Rule 4500.3. At the board's option, the policy could refer to the Rule as the source for definitions of terms used in the policy. Including the definitions in the body of the policy might provide greater assurance that school staff will apply the correct definitions when implementing the policy and rules.

student for the specific and approved therapeutic and safety purposes for which such devices were designed including:

1. Restraints for medical immobilization,
2. Adaptive devices or mechanical supports used to achieve proper body position, balance or alignment;
3. Vehicle safety restraints including a seat belt or harness used for balance or safety on a car or bus; or
4. Seat belts in wheelchairs or on toilets.

“Parent” means:

1. A biological or adoptive parent of the child;
2. A legal guardian of the child;
3. A person acting in place of a biological or adoptive parent, including a grandparent, stepparent or other relative with whom the child lives, or a person legally responsible for the child’s welfare;
4. A foster parent or developmental home provider who has been appointed the educational surrogate parent by the Educational surrogate Parent Program; or
5. An educational surrogate parent.

“Physical Escort” means the temporary touching or holding, without the use of force, of the hand, wrist, arm, or back of a student who is exhibiting minimal resistance for the purpose of directing movement from one place to another.

“Physical Restraint” means the use of physical force to prevent an imminent and substantial risk of bodily harm to the student or others. Physical restraint does not include:

1. Momentary periods of physical restriction by direct person-to-person contact, accomplished with limited force and designed either
 - a. to prevent a student from completing an act that would result in potential physical harm to himself/herself or another person; or
 - b. to remove a disruptive student who is unwilling to leave the area voluntarily;
2. The minimum contact necessary to physically escort a student from one place to another;
3. Hand-over-hand assistance with feeding or task completion; or
4. Techniques prescribed by a qualified medical professional for reason of safety or for therapeutic or medical treatment.

“Positive Behavioral Interventions and Supports” means an approach to preventing and responding to targeted behavior that:

1. Is based on evidence-based practices;
2. Is proactive and instructional, rather than reactive;
3. Can operate on individual, group, classroom, or school wide levels;
4. Includes a system of continual data collection; and
5. Relies on data-driven decisions.

“Prone Physical Restraint” means holding a student face down on his or her stomach using physical force for the purpose of controlling the student’s movement.

“School” means a learning environment receiving public funds or over which the Vermont Department of Education has regulatory authority.

“School Personnel” means individuals working in schools as defined in 4500.3(10) who are employed by the school or who perform services for the school on a contractual basis, and school resource officers, while acting in that capacity.

“Seclusion” means the confinement of a student alone in a room or area from which the student is prevented or reasonably believes he or she will be prevented from leaving. Seclusion does not include time-out where a student is not left alone and is under adult supervision.

“Substantial Risk” means an imminent threat of bodily harm where there is an ability to enact such harm. Substantial risk shall exist only if all other less restrictive alternatives to defuse the situation have been exhausted or failed or the level of risk prohibits exhausting other means.

“Supine Physical Restraint” means holding a student on his or her back using physical force for the purpose of controlling the student’s movement.

“Student” means a student enrolled in a school as defined in paragraph 10.

Implementation

- A. The superintendent or his or her designee shall develop administrative procedures to ensure district compliance with the requirements of Vermont State Board of Education Rule 4500. The administrative procedures shall include at least the following components:
 1. Prohibitions against the imposition on students of mechanical or chemical restraints by school personnel and contract service providers.²
 2. Prohibitions against the imposition on students of physical restraint in circumstances designated as impermissible by State Board of Education rules.³
 3. Restrictions on the use of physical restraint and seclusion to circumstances allowed by State Board of Education rules, including provisions that allow the inclusion of restraint or seclusion as part of a student’s individual safety plan only when that plan meets the conditions set forth in State Board of Education rules, and provisions that require the termination of restraint or seclusion, and the monitoring of students

²See Vermont State Board of Education Manual of Rules and Practices Rule 4501.1.

³See SBE Rule 4501.2.

subjected to restraint or seclusion, as established by State Board of Education rules.⁴

4. Procedures to ensure that only school personnel or contract service providers who are trained in the use of restraint and seclusion are authorized to impose restraint or seclusion unless, due to the unforeseeable nature of the danger of a particular circumstance, trained personnel are not immediately available.⁵
5. Processes to ensure that impositions of restraint or seclusion are reported to school administrators, parents, superintendents and the Commissioner of the Vermont Department of Education under circumstances and within the time limitations required by State Board of Education rules.⁶
6. Processes to ensure that each school in the district/supervisory union maintains written records of each use of restraint and seclusion in accordance with the requirements of State Board of Education rules.⁷
7. Procedures to ensure that each school in the district/supervisory union implements follow-up procedures that are consistent with the requirements of State Board of Education rules.⁸
8. Annual notification procedures to ensure that each school in the district/supervisory union informs school personnel and parents of students enrolled in the school of the policies and procedures pertaining to the use of physical restraint and seclusion, and the intent of the school to emphasize the use of positive behavioral interventions as well as supports and its intention to avoid the use of physical restraint or seclusion to address targeted student behavior.⁹
9. Processes for the filing, investigation and resolution of complaints by school personnel or parents regarding the use of restraint or seclusion, including the designation of school officials who are authorized to receive complaints. The procedures for resolving complaints shall require that any complaint regarding the use of restraint or seclusion is investigated and written findings are issued within thirty (30) days of the complaint's receipt. If a complaint regarding the use of restraint or seclusion is unresolved at the school building level, it shall be directed to the superintendent in accordance with the complaint processes established by school procedures and board policy.

- B. The superintendent shall ensure that appropriate staff are provided training by programs recommended by the Vermont Department of Education unless he or she submits a plan to the Commissioner of Education demonstrating how a training program not recommended by the Department of Education contains the

⁴See SBE Rule 4502.

⁵See SBE Rules 4502.3 and 4502.4.

⁶See SBE Rule 4503.

⁷See SBE Rule 4504.

⁸See SBE Rule 4505.

⁹See SBE Rule 4506.

elements required of recommended programs and meets the purposes of the State Board of Education rules on restraint and seclusion.¹⁰

- C. The superintendent shall report annually to the board on the implementation of the administrative procedures required by this policy, and shall include in his or her report recommendations for changes, if any, to related school district policies or procedures.¹¹

¹⁰See SBE Rule 4509, 4510.

¹¹16 V.S.A. 563 authorizes, but does not require, boards to approve administrative rules and regulations. Likewise, the provision for annual reports from the superintendent in this model policy is not required by state law.

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL****CODE: F27****1ST READING: 11/02/2015****2ND READING:****ADOPTED:**

PUPIL PRIVACY RIGHTS**Policy**

It is the intent of the Spaulding High School Union District #41 to comply with the provisions of the federal Pupil Privacy Rights Amendment (PPRA)¹ and the Vermont State Board of Education Rules² governing the administration of certain student surveys, analyses, or evaluations.³

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:⁴

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;⁵
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.⁶

¹See 20 U.S.C. 1232h.

²See Vermont State Board of Education Rule 2120.8.12(f).

³The 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.

⁴See 20 U.S.C. §1232h(c)(1).

⁵See 20 U.S.C. §1232h(c)(1)(B) for the list of eight items that must be included.

⁶See 20 U.S.C. §1232h(c)(1)(C).

5. The administration of physical examinations or screenings that the school district may administer to a student;⁷
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.⁸
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 for granting a request for such inspection within a reasonable time after receiving the request;⁹
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.¹⁰

⁷See 20 U.S.C. §1232h(c)(1)(D).

⁸See 20 U.S.C. §1232h(c)(1)(E).

⁹See 20 U.S.C. §1232h(c)(1)(F).

¹⁰See 20 U.S.C. §1232h(c)(2).

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL****CODE: F28****1ST READING: 11/02/2015****2ND READING:****ADOPTED:**

FEDERAL CHILD NUTRITION ACT WELLNESS POLICY**Policy**

It is the policy of the Spaulding High School Union District #41 to establish goals for nutrition education, physical activity, and other school based activities that are designed to promote student wellness. With the objective of promoting student health and reducing childhood obesity, the district will also establish nutrition guidelines for all foods available at school during the school day.

Purpose

The intent of this policy is to ensure compliance with the local policy requirements of the federal Child Nutrition and WIC Reauthorization Act of 2004. In accord with those requirements, this policy has been developed in consultation with parents, students, representatives of the school food services authority, school administrators, teachers of physical education, school health professionals, and the public.

I. Goals for Nutrition Promotion and Education.¹

- 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 Framework of Standards and Learning Opportunities.²
- 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.

¹These goals are intended to be illustrative. Local policy makers should consider the addition of locally established goals. For examples of goals used elsewhere, consult the resources listed in the material accompanying this model policy.

²16 V.S.A. §§131 & 906.

II. Goals for Physical Activity.³

- A. The district shall provide physical education classes for all students as required by Vermont School Quality Standards.
- B. The district shall provide other physical activity opportunities for students through recess periods in appropriate grades and, as appropriate, before or after school activities such as interscholastic athletics and physical activity clubs or intramural sports.

III. Goals for Other School Based Activities.⁴

- 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.⁵
- 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.

IV. Nutrition Guidelines.⁶

- A. No foods of minimal nutritional value, as listed in 7 CFR 210, Appendix B and 7 CFR 220, Appendix B shall be sold in food service areas during breakfast and lunch periods.⁷

³These goals are intended to be illustrative. Local policy makers should consider the addition of locally established goals. For examples of goals used elsewhere, consult the resources listed in the material accompanying this model policy.

⁴ These goals are illustrative. Local policy makers should consider the addition of locally established goals. For examples of goals used elsewhere, consult the resources listed in the material accompanying this policy.

⁵ This provision is required of schools participating in National School Lunch and Breakfast programs.

⁶ The federal law requires that local wellness policies include "nutrition guidelines selected by the local educational agency for all foods available on each school campus...during the school day with the objectives of promoting student health and reducing childhood obesity." Include locally established guidelines as appropriate.

⁷ Required of schools participating in National School Lunch and Breakfast programs.

- B. The sale of foods during meal periods in food service areas shall be allowed only if all income from the sale, including the sale of approved foods or drinks from vending machines, accrues to the benefit of the school, the school food service program, or the student organizations sponsoring the sale.⁸
- C. To the extent practicable, the district shall ensure that foods offered at school other than through the National School Lunch or School Breakfast programs, foods sold through vending machines, shall comply with the A la Carte and Vending Guidelines established by the Vermont Departments of Health and Education.

V. Policy Implementation.⁹

- A. 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. The district shall periodically 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.¹⁰
- B. The district shall 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 and periodic review and update of this policy.¹¹

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.¹²

⁸Required by cited federal regulations.

⁹The Healthy, Hunger Free Kids Act requires the establishment of "a plan for measuring implementation of the local wellness policy, including the designation of 1 person within the local education agency or at each school, as appropriate, charged with operational responsibility for ensuring that the school meets the local wellness policy." For examples of implementation plans, consult the references cited in the materials accompanying this model policy.

¹⁰P.L. 111-296 Sec. 9A(b)(5)(A) and (B).

¹¹P.L. 111-296 Sec. 9A(b)(3); 42 U.S.C. 1758(b).

¹²P.L. 111-296 Sec. 9A(b)(4) and (5).

Legal Reference(s):***16 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.******Cross Reference:***

**SPAULDING HIGH SCHOOL UNION
DISTRICT #41 - POLICY MANUAL****CODE: F29****1ST READING: 11/02/2015****2ND READING:****ADOPTED:**

**STUDENT SELF-EXPRESSION AND STUDENT DISTRIBUTION OF
LITERATURE****Policy**

It is the policy of the Spaulding High School Union District #41 to allow limited distribution of non-school sponsored literature on school grounds or at school events by students. Accordingly, the principal/director may allow students to distribute these materials so long as they are in compliance with this policy.

Definitions

“Non-school sponsored literature” means any printed, written, or electronic materials prepared by non-school organizations or individuals that are not made as a part of the curricular or approved extracurricular programs of the district. They include such things as fliers, invitations, announcements, pamphlets, posters, photographs, pictures, audio recordings, digital recordings, and electronic messages. Materials prepared under the supervision of school staff as part of classroom instruction or classroom activities are not restricted by this policy.

“Distribution” means circulating non-school sponsored literature in ways that include: handing to others on school property or during school-sponsored events; posting on school property such as walls, bulletin boards, and district web-sites; placing upon desks, tables, on or in lockers; or making available in principal's office.

Implementation

This policy prohibits the distribution of literature that:

- A. Is obscene, vulgar, or profane, or harms the reputation of others;¹
- B. Violates federal, state or local laws;

¹*Bethel School District No. 403 v. Fraser*, 478 U.S. 675 (1986) (student may be disciplined for giving speech at school assembly that contained sexual innuendos and vulgar language). T-shirt that impugned character of sitting U.S. president was not vulgar or offensive within meaning of *Fraser* according to Second Circuit Court of Appeals. *Guiles v. Marineau*, 461 F.3d 320 (2d Cir. 2006).

- C. Advocates the use or availability of tobacco, alcohol or illegal drugs²;
- D. Incites violence;
- E. Interferes with or advocates interference with the orderly operation of the schools;³
- F. Primarily seeks to advertise for sale products or services;⁴ or

When a student wishes to distribute copies of non-school sponsored literature, the materials must include the name of the person or organization sponsoring the literature, and shall be submitted to the principal/director to review ahead of time in order to confirm that the literature does not fall in one of the prohibited categories listed above. Any future distribution of materials is dependent on the person/organization cleaning up litter resulting from distribution or posting.

Non-school related postings are limited to one designated area – a community bulletin board by the front offices. School supplies may not be used to create the materials, including printers, copiers, paper, markers, or other supplies.

The principal/director does not need to review the literature ahead of time when the materials will be distributed by a student to other attendees of a student group meeting at school during non-instructional time. However, even in these cases, students must ensure that the materials do not fall into one of the prohibited categories.

²*Morse v. Frederick*, 551 U.S. 393 (2007) (school officials may prohibit speech that they reasonably believe advocates illegal drug use, so long as the speech cannot be interpreted as commenting on any political or social issue). Student had First Amendment right to wear T-shirt that criticized President Bush by depicting him as a drug and alcohol user and a “chickenhawk” because it did not advocate use of drugs. *Guiles v. Marineau*, 461 F.3d 320 (2d Cir. 2006).

³The standard for evaluating the reasonableness of controls on student self-expression and student speech is whether or not the speech substantially or materially disrupts school activity, or could reasonably be forecast to cause such disruption. *Tinker v. Des Moines Indep. Community Sch. Dist.*, 393 U.S. 503 (1979) (students protesting Vietnam War entitled to wear black armbands).

⁴As indicated here, a district could choose to prohibit all distribution of literature that promotes the sale of products or services. As with all viewpoint neutral prohibitions, care must be taken that the prohibition is evenly enforced without exceptions. If a district wishes to allow distribution of materials supporting some commercial activity but not others, it must make the distinction based on criteria that are objective and viewpoint neutral.

The principal/director may place reasonable time, place,⁶ and manner⁷ restrictions on the distribution of non-school sponsored literature. However, the Administrator cannot use these restrictions or others to discriminate as to the point of view reflected in the materials.⁸

Student Self-Expression

Students have a right to express themselves on school property and at school functions through speech or expressive actions, provided they do not materially and substantially interfere with the orderly operation of the school and the rights of others.

This policy prohibits student self-expression that:

- A. Is obscene, vulgar, or profane, or harms the reputation of others;
- B. Violates federal, state or local laws;
- C. Advocates the use or availability of tobacco, alcohol or illegal drugs;
- D. Incites violence; or
- E. Interferes with or advocates interference with the orderly operation of the schools.

The situation in which students express themselves may affect the amount of freedom they are given in their speech. If the speech is part of a school-sponsored publication, when a reasonable person would think that the speech is endorsed by the school district, the school district may exercise more control. School district representatives may have editorial control over the style and content of student speech in school-sponsored activities, such as class work or a school newspaper, so long as their edits are reasonably related to legitimate school-related concerns.⁹

⁶Examples of a “place” restriction might be that literature be posted only on bulletin boards and not on windows, or that it be made available on a specified table in the principal’s office. The district must bear in mind that the restrictions must be aimed at preventing disruption to student learning.

⁷A “manner” restriction might specify whether or not persons distributing the material may stand at the main entrance to the building, or might limit the number of copies of a pamphlet that may be distributed.

⁸The basic principle in evaluating the constitutionality of restrictions on distribution of materials in a limited public form is that the restrictions may not be based on the viewpoint of the materials or the one distributing them. *Lamb’s Chapel v. Center Moriches Union Free School Dist.*, 508 U.S. 384 (1993); *Rosenberger v. Univ. of Virginia*, 515 U.S. 819 (1995); *Good News Club v. Milford Central Schools*, 533 U.S. 98 (2001).

⁹*Hazelwood Sch. Dist. v. Kuhlmeier*, 484 U.S. 260, 273 (1988) (school officials may exercise editorial control over school newspaper); *Peck v. Baldwinville Central Sch. Dist.*, 426 F.3d 617 (2d Cir. 2005) (teacher may censor elementary school student’s poster expressing religious views when it did not meet pedagogical requirements of class assignment).

BARRE SUPERVISORY UNION DISTRICT #61

Barre City Elementary
and Middle School

John Pandolfo
Superintendent of Schools

Rich McCraw, M. Ed.
Director of Curriculum, Instruction,
& Assessment

Spaulding High School and
Barre Technical Center Campus

120 Ayers St.
Barre, VT 05641
802-476-5011
FAX: 802-476-4944

Lisa Pervault
Business Manager

Donald McMahon
Special Services Director

Barre Town Middle
and Elementary School

Doing whatever it takes to ensure success for every child.

Diane Stacy
Technology Director

Sandra Cameron
Director of Early Education

October 27, 2015

TO: The Members of the Spaulding High School Board
RE: Superintendent's Report

Please accept the following report to the Spaulding High School Board:

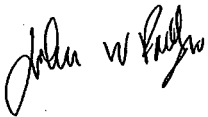
(1) Act 46 Consolidation Study Committee

- The Act 46 Consolidation Study Committee held their first meeting on September 29 and will hold their second meeting on October 28. The second meeting will focus on Educational Opportunities and Challenges related to consolidation.
- The Barre SU website homepage has a link to an Act 46 page with details from each meeting as well as general resources related to Act 46 (<http://bsuvt.org/joomla/index.php/act-46>)

(2) VSBA/VSA Updates –

- At the VSBA/VSA Conference on October 22/23, the VSBA developed a resolution asking the Vermont Legislature to reconsider the allowable growth threshold of Act 46, and consider cost containment mechanisms which are more equitable. VSA and VSBA recommended that school board members and superintendents work with local legislative delegations to be certain that they fully understand the potential implications of the allowable growth threshold.
- Current VEHI Health Insurance Plans will cease to exist, and will be replaced by new plans on January 1, 2018. This will have a significant impact on all contract negotiations leading into FY18. Scheduling attorneys, mediators and fact-finders will be difficult given the heavy traffic of bargaining expected at that time. The recommendation was also made to consider and prepare for bargaining total compensation as opposed to salary/benefits/ working conditions “separately”.

Respectfully Submitted,



John Pandolfo
Superintendent of Schools

SHS/CVCC Facility Committee Meeting
October 14, 2015 - **5:00** p.m.
SHS Library

MINUTES

PRESENT: Joe Blakely, Dave LaCroix, Ed Rousse, Scott Griggs, Kerri Lamb, Don McMahon, Luke Aither, Jamie Evans

1. Call to Order

Meeting called to order by Joe Blakely at 5:10 p.m.

2. Additions/Deletions to the Agenda

CARE NET Building – Building is for sale for \$75,000.

Dave LaCroix made a motion to have an assessment done and have VSBIT analyze the CARE NET building.

Motion seconded by Ed Rousse. Motion carried unanimously.

CARE NET building is for sale for \$75,000

Motion by Dave LaCroix, seconded by Jamie Evans and unanimously voted to request a cost estimate to move the Wall Street programs to CARE NET minus the ACT Program

3. Approval of June 2, 2015 Facility Committee Minutes

Minutes of June 2, 2015 were approved on a motion by Ed Rousse, seconded by Dave LaCroix and unanimously voted.

Preliminary Numbers and Costs

	Cost/Rent	Students
Granite Academy	\$35,940	13
BC Granite Middle	\$30,600	12
Phoenix Program	<u>\$10,740</u>	38+
	\$77,280	

Possible new program 18 – 22 year olds – Life Skills

Discussion of Barre Auto Parts building

Dave LaCroix will get the costs for the sale of that building and the yellow house next to the school.

Jamie Evans reported on the bids for the sound system around \$24,000 for the ballfield.

4. Storage Building (CVCC)

Numbers noted on the handout are two years old. Jamie will come back with updated numbers. Scott will check with building trades about what parts they can do. Cost savings would be minimal for students doing work on the proposed storage building.

5. Brick Room – for Air Compressor Storage (CVCC)

New air compressor building cost estimate \$48,015 from Randall Contracting. Compressor is 3' in diameter. Code includes clearance space. Problem: space and sound. Committee would like another quote and a quote for a quieter compressor.

6. Fire Marshall Report

Looking for safety

Plumbing area does not have sprinkler system.

Fire retardant paint will be used to update now

Would like sprinkler system installed in the trades section

Checking to see what sprinkler systems are needed

Site visit bid process.

Gathering information

1st phase trade shops

2nd phase the rest of the building

There will be an ad in the newspaper

7. **Little League Field Conversion to Softball for 2016 Season**
As of October 1st, the lease is over for Little League fields. They will be taking light poles and concrete footers at some point. High School Softball will be back there again.
8. **List of New Cameras for Installation**
To be determined. Control Technologies for security and other reasons.
9. **Green House Proposal from Natural Resources and Sustainable Technology Class**
Possibly between the football field and softball field, students are pitching it and discussing it.
10. **Sprinkler System Installation Throughout Building**
11. **Summer Project Update**
Facility Projects from last summer
~Room 112 Science room renovations complete
~CVCC restrooms complete – last set to be renovated
~Cafeteria floor replacement complete (phase 1). Next phase tiles are in house ready for this summer.
~Completion of 2nd phase of new univentilators in CVCC area.
~New card access and ADA door opener at auditorium doors.
12. **Projects for Near Future/Christmas Break Update**
Possible winter break projects – nothing on the schedule at this time. Possible painting or floor repairs or replacement.
2016 Summer Projects
Update another science room
Plan to move CVCC Administrative offices
Storage building units for CVCC units to be replaced possible in kind. Existing storage buildings will be either burned by the fire department, possible free burn or offered to the public for free
13. **Facility Director Report**
14. **Round Table Discussion**
15. **Other Business**
Insulation of the new roof
Ed Rousse wants to know what is involved to bring the auditorium up to standards. He will work with the Spaulding Foundation to update the auditorium.
Goal to improve the auditorium without a great expense to taxpayers.
Plans for updating the facilities priorities to improve and update the properties.

Next meeting – November 11, 2015 at 5:00 p.m.
16. **Adjourn**
Scott Griggs made motion to adjourn at 6:50 p.m., Dave LaCroix seconded, unanimously voted.

Respectively submitted,

Joe Blakely