

**BARRE UNIFIED UNION SCHOOL DISTRICT  
BOARD MEETING**

September 8, 2022 at 6:00 p.m.

**In-Person:** Barre City Elementary and Middle School Library, 50 Parkside Terrace, Barre

**Virtual Option:** Click this link to join the meeting remotely:

Meeting ID: [meet.google.com/vxi-arvi-mgb](https://meet.google.com/vxi-arvi-mgb)

Phone Numbers: (US)+1 929-777-4801 PIN: 769 689 006#

Please Note: If you attend the meeting remotely you must state your name for the record to satisfy the Open Meeting Law

*Public comment is welcomed and limited to 2 minutes per agenda item. The board will hear public comments and questions, but won't respond directly during public comments. This can feel impersonal, but is in place to allow the board to stay on task and address the work of the board for that meeting.*

**AGENDA**

- 6:00 1. Call to Order
- 6:05 2. Pledge and Mindfulness Moment
- 6:10 3. Additions or Deletions with Motion to Approve the Agenda
- 6:15 4. Comments for Items Not on the Agenda
  - 4.1. Public Comment
  - 4.2. Student Voice
- 6:25 5. Consent Agenda
  - 5.1. Regular Meeting Minutes - August 25, 2022
- 6:30 6. Current Business
  - 6.1. New Hires **[ACTION]**
  - 6.2. Strategic Plan Discussion
  - 6.3. Salary Metric Discussion
  - 6.4. Reflections on Feedback from Staff and Superintendent
- 7:45 7. Old Business
  - 7.1. Second and Final Reading Substitute Teachers (B1) (Required) **[ACTION]**
  - 7.2. Second and Final Reading Role and Adoption of School Board Policies (A30) (Consider) **[ACTION]**
  - 7.3. Second and Final Reading Board Member Education (A31) (Consider) **[ACTION]**
  - 7.4. Second and Final Reading Policy Section 504 and ADA Grievance Protocol for Students and Staff (C14) (Required) **[ACTION]**
- 8:05 8. Other Business/Round Table
- 8:10 9. Future Agenda Items
- 8:15 10. Next Meeting Dates: September 22, 2022, BCEMS Library, 6:00 pm and via Google Meet  
October 13, 2022, SEA Building, 6:00 pm and via Google Meet
- 8:20 11. Executive Session
- 12. Adjournment

## **PARKING LOT OF ITEMS**

- A. Values and Goals for Budget Development (September)
- B. Procedures for Policies Discussion (TBD)
- C. Meeting Norms (TBD)
- D. Board Development Workshop
- E. Barre City Before and After School Care Concept or Plan (TBD)
- F. Expanded Special Education Report (TBD)
- G. Behavioral Task Force Reporting/Student Behavior & Discipline (Sept.)
- H. Report of Advanced Placement Courses (Available courses & Student Counts)
- I. Interview and Appoint Barre Town Finance Committee Community Member (Oct.)
- J. VSBA Resolutions
- K. New Hire Process
- L. Goals & Expectations for the Superintendent
- M. Reconstitution of PTA/PTOs
- N. Committee Charge
- O. Board Procedure and Engagement
- P. Educational Performance Update
- Q. Revisit Decision Regarding Staff Resignation Letters
- R. SHS Foundation Report
- S. Evaluation: Staffing, Enrollment, Facilities, etc.
- T. Building Capacity at each building
- U. Critical Race Theory
- V. Negotiations/Personnel Committee
- W. Combining BCEMS and BTMES Sports

## **MEETING NORMS**

1. Keep the best interest of the school and children in mind, while balancing the needs of the taxpayers
2. Make decisions based on clear information
3. Honor the board's decisions
4. Keep meetings short and on time
5. Stick to the agenda
6. Keep remarks short and to the point
7. Everyone gets a chance to talk before people take a second turn
8. Respect others and their ideas

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## BARRE UNIFIED UNION SCHOOL DISTRICT BOARD MEETING

Spaulding High School Library and via Video Conference – Google Meet  
August 25, 2022 - 6:00 p.m.

### MINUTES

#### BOARD MEMBERS PRESENT:

Sonya Spaulding (BC) – Chair  
Alice Farrell (BT) – Vice Chair  
Chris Parker (BT) - Clerk  
Tim Boltin (BC)  
Giuliano Cecchinelli, II (BC)  
Nancy Leclerc (At-Large)  
Paul Malone (BT)  
Terry Reil (BT)  
Sarah Pregent (BC)

#### BOARD MEMBERS ABSENT:

#### ADMINISTRATORS PRESENT:

Chris Hennessey, Superintendent  
Emmanuel Ajanma, Director of Technology  
Josh Allen, Communications Director  
Stacy Anderson, Director of Special Services  
Elizabeth Brown, Director of Early Education  
Jason Derner, Alternative Education Administrator  
Karen Fredericks, Director of Curriculum, Instruction, and Assessment  
Kristin Morrison, BCEMS Assistant Principal  
Melissa Lindhiem, Assistant Director of Special Services  
Carol Marold, Director of Human Resources  
Marlon Maylor, SHS Co-Principal  
Ted Mills, BTMES Assistant Principal  
Rebekah Mortensen, Assistant Director of Special Services  
Lisa Perreault, Business Manager

#### GUESTS PRESENT:

Dave Delcore – Times Argus	Amelia Abraham	Rachel Aldrich-Whalen	Glenda Allen	Todd Allen
Leslie Babic	Paula Beaudet	Kim Benson	Martha Blaisdell	Abby Blum
Michael Boutin	Sarah Capron	James Carpenter	Nora Duane	Jody Emerson
Michael Emmons	Jamie Frey	Alice Harding	Sarah Helman	Alfred Hill
Josh Howard	Shannon Huda	Mariah Jacobs	Sharon Jacobs	Katie Jarvis
Kayla-Rose Kirkland	Colleen Kresco	Kerri Lamb	Courtnie Lange	Baylee Lawrence
Jeff Maher	Kristen Martin	Ben Matthews	Jessica Maurais	Laurel Maurer
Roberta Melnick	Raylene Meunier	Allison Moyes	Matt Mulligan	Abby Smith
Jan Trepanier	Rachel Van Vliet			

#### 1. Call to Order

The Chair, Mrs. Spaulding, called the Thursday, August 25, 2022, Regular meeting to order at 6:01 p.m., which was held in the Spaulding High School Library and via video conference.

#### 2. Pledge and Mindfulness Moment

The Board recited the Pledge of Allegiance. The Board held a Mindfulness Moment. Mrs. Spaulding read the Meeting Norms. Mrs. Spaulding thanked community members for their attendance and read the public comment guidelines, noting that the Board will no longer entertain public comment on two agenda items; Additions and Deletions to the Agenda, and Future Agenda Items.

#### 3. Additions and/or Deletions to the Agenda

On a motion by Mr. Reil, seconded by Mrs. Leclerc, the Board voted 5 to 3 to add 6.11 Salary Metric to the Agenda and to move Item 7.4 Board Development Work Shop to the Parking Lot. Mr. Boltin, Mrs. Farrell, Mrs. Leclerc, Mr. Malone, and

# DRAFT

**Mr. Reil voted for the motion. Mr. Cecchinelli, Ms. Parker and Mrs. Pregent voted against the motion.**

Add 6.12 Clarification of Salary Metric

Add 12.1 Personnel Matter

Mrs. Spaulding advised that she was going to take a few items out of order.

**On a motion by Mrs. Pregent, seconded by Mrs. Farrell, the Board unanimously voted to approve the Agenda as amended.**

## **4. Public Comment for Items Not on the Agenda**

### **4.1 Public Comment**

A mix of administrators, staff, and community members (Josh Allen, Jeff Maher, Roberta Melnick, Elizabeth Brown, Jody Emerson, Karen Fredericks, Stacy Anderson, Paula Beaudett, Carol Marold, Katie Jarvis and Jamie Evans -via an email read by Mr. Hennessey) addressed the Board, thanked them for their service and expressed concerns pertaining to; board meeting decorum, the need to adhere to Robert's Rules of Order & Board Norms, board dynamics, the need for Board training, the negative impact to staff and students (resulting from meetings), negative PR resulting from meetings, low employee morale, the amount of blaming, mistrust, unprofessionalism and division, the need to work collaboratively & create a feeling of belonging, the need to set clear goals, and the need for trust.

Mrs. Spaulding read an email from Prudence Krasofski who questioned the Board's decision on the appointment of a Board Member, and expressed support for a different candidate.

Josh Howard addressed the Board requesting that the Board hold discussion on homogenous and heterogeneous classrooms, and queried regarding receiving a paper copy of the student/parent handbook. Mr. Howard was advised regarding how to obtain a paper copy.

Mrs. Leclerc welcomed Paul Malone back to the Board, noting his expertise and experience will be beneficial.

### **4.2 Student Voice**

None.

## **5. Consent Agenda**

### **5.1 Approval of Minutes – August 11, 2022 Regular Meeting**

Mrs. Spaulding clarified that the statement referred to under Agenda Item 6.4, was a prepared statement from the Board that Mrs. Farrell worked on with District Counsel to prepare. In the meeting it was stated that the statement was from Pietro Lynn.

**On a motion by Mr. Cecchinelli, seconded by Mrs. Leclerc, the Board unanimously voted to approve as amended, the Minutes of the August 11, 2022 Regular Meeting.**

Brief discussion was held regarding taking Agenda Items out of order in an effort to allow administrators to depart the meeting.

**On a motion by Mr. Malone, seconded by Mrs. Pregent, the Board unanimously voted to take Agenda Items out of order at the discretion of the Chair.**

Discussion moved to Agenda Item 8.1 Superintendent's Report.

## **6. Current Business**

### **6.1 New Hires**

The resumes and BUUSD Notification of Employment Status Forms for Raymond Kramer (BTMES 3<sup>rd</sup> grade ELA), Christopher Toborg (SHS Math), Amanda Monti (BCEMS Grades 3 – 5 Restorative Classroom Teacher), and Candy Daniels (BCEMS 5/6 Grade English) were distributed.

Mr. Hennessey provided an overview of the candidates and answered questions from the Board relating to proration for Mr. Kramer who will not start until October, the positions being filled by Mr. Toborg, questions pertaining to emergency licenses, and salary determination based on years of experience within and outside of school employment. Mr. Malone requested a copy of the Master Agreement.

**On a motion by Mrs. Farrell, seconded by Mr. Cecchinelli, the Board unanimously voted to approve the hiring of Raymond Kramer, Christopher Toborg, Amanda Monti, and Candy Daniels.**

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## **6.2 Special Education Summative Report FY22**

A document titled 'End of year report 21 – 22 updated August 19, 2022' was distributed.

Mrs. Anderson provided a brief overview of the Summative Report, providing an overview of the highlights including; new rules that became effective July 1<sup>st</sup>, grant information, and hiring challenges, which have existed for some time. There are currently 5 open Special Educator positions. The Summer Program was very positive and served 105 students on IEPs. Mrs. Anderson answered questions from the Board. Brief discussion was held regarding expansion of the SEA Program which has been put on hold due to a staffing shortage. Mr. Derner provided additional information including shortages of other personnel. It is anticipated that the Program will serve 50 students this year. It was noted that the per-student cost at the SEA Program is significantly less than other out-placements. The SEA Program will be providing a monthly Building Report. The October Board meetings will be held at the SEA building. A tour of the SEA building will occur prior to the first October meeting. Mr. Derner provided a brief overview of SEA academics noting that the Program follows the same proficiencies (including Essential Elements) as Spaulding High School. Mr. Reil suggested it would be beneficial to see some statistics from the SEA Program. In response to a query, Mr. Derner advised that he does support expanding the SEA Building in an effort to expand capacity. Mr. Derner noted that Mr. Reil is the lone Board Member who has visited the program and thanked him for his support of the Program. Mr. Derner encourages all Board Members to visit the facility. Mrs. Farrell requested data relating to the number of students who qualify for Special Education services, how the District's SPED student count (percentage-wise) compares to the state average, and the over-all cost of Special Education Programs in the District. In response to a query, it was noted that community members could visit the facility, but not while students are on site. Mr. Derner recognized Mr. Malone's support in constructing the new building, and reiterated that he wants to know that the Program can be staffed, prior to expanding the building

Discussion moved to 8.2.

## **6.3 Budget Development Schedule**

A copy of the BUUSD FY24 Budget Development Schedule (dated 08/09/22) was distributed.

Mrs. Perreault provided a brief overview of the Schedule, which is provided annually to the Board. Meetings with administrators will begin in the third week of September and will continue through October. The Board will receive the first draft in November. After information is received from the State in December, an estimated tax calculation can be performed. Mr. Malone queried regarding when the Board will be sharing its goals and in-put. Board in-put will be provided in September. Board Members should be prepared to provide their input at the first meeting in September. Ms. Parker queried regarding the need for the Finance Committee to meet outside of the Budget Development timeline. Mr. Malone believes that the Finance Committee deals with financial issues throughout the year, and this process assists with budget development. It was noted that the Finance Committee's meeting schedule is not part of this agenda item. In response to a query, Mrs. Perreault advised regarding the use of the budget development template and agreed to share a copy of the document with the Finance Committee. Mr. Reil suggested that given the size of the anticipated surplus, the Board begin discussion on the use of surplus funds as soon as possible. Mr. Reil advised that he shared (with the Finance Committee) a copy of the Washington Central Annual Report, and he has suggested using that report as a template for the District's Annual Report. Mr. Reil noted that though Washington Central's annual report is significantly larger than what the District usually sends out, it contains much information and provides answers to many questions. Mrs. Perreault advised that in the past, the District has produced a more detailed report in addition to the Annual Report. Mrs. Spaulding advised that in the past, she believes a larger report was written, but she believes not many copies were requested by community members. Mrs. Perreault advised of the Budget link that is posted on the website. Mrs. Spaulding requested that the Schedule be amended to include budget presentations to City and Town councils, and also include budget promotion in February. Special Articles will be discussed in November. Additional discussion was held regarding various ideas for publication of budget related data.

## **6.4 Community Seat Finance Committee**

A document titled 'Guidelines for Community Members of BUUSD School Board Committees' was distributed.

Mrs. Spaulding advised regarding an opening for a (Barre Town) Community Member seat on the Finance Committee, resulting from Mr. Malone's appointment to the Board. Mrs. Spaulding provided an overview of the Guidelines document. It was agreed that Mrs. Gilbert will advertise the opening. The Board will interview candidates at the 09/22/22 meeting. Mr. Malone announced his resignation as a Barre Town Community Member on the Finance Committee. After brief discussion it was agreed that Mr. Malone will serve (as a Board Member) on the Finance, Curriculum, and Negotiations Committees.

## **6.5 Heating/Plowing/Wood Chip/Fuel Bid Recommendation**

A document providing various fuel prices was distributed.

Mrs. Perreault provided an overview of the ongoing process of monitoring prices, and advised regarding the recommendation to lock in with a vendor, but continue to monitor the market. Brief discussion was held regarding various options and it was noted that Irving has the State contract, and if the price dips, the District could lock in at that lower price. One option would be for the Board to grant Mrs. Perreault authority to monitor prices and lock in on a price when she deems appropriate. It was noted that given the amount of fuel utilized by the District, fluctuations in prices have a significant financial impact. Mrs. Leclerc requested data on the actual usage and cost for fuel for the previous year. Mrs. Perreault advised that due to heating system issues last year, the amount of propane used was higher than normal for FY22. Mr. Reil queried regarding how the current cost of fuel compares with what was budgeted. Mrs.

# DRAFT

Perreault advised that additional monies were budgeted for FY22. It was noted that Limlaw is not able to fulfill the second year of their two year contract. **Mrs. Leclerc moved that the Board not take any action this evening. The motion was not seconded.** It was noted that Irving is on the State contract and the District does not have to go out to bid if they utilize someone on the State contract. Additional discussion was held.

**Mr. Malone moved to allow the Superintendent, on the recommendation of the Business Manager, to enter into a contract with a fuel vendor when the fuel price drops to \$3.60 or below. Mrs. Pregent seconded the motion.** Brief discussion was held. **Mr. Malone withdrew the motion.**

**On a motion by Mrs. Farrell, seconded by Mrs. Leclerc the Board unanimously voted to accept the recommendation of the Business Manager and authorized the Business Manager to enter into a contract for propane, oil and wood chips at the best possible price at any given time for FY23. Mr. Reil was not present for the vote.**

## **6.6 First Reading Substitute Teachers Policy (B1)**

Copies of policies referenced in Agenda Items 6.6 through 6.9 were distributed.

Ms. Parker provided an overview of the policy, advising of the edited version included in the packet. Mr. Malone is concerned that the policy may be in conflict with statute pertaining to salaries, but noted that if the policy is adopted as presented, it does provide Board authorization for the Superintendent to set substitute wages. It was noted that there would need to be minor revisions to have the policy match the VSBA Model policy. Brief discussion was held and the Board agreed to make minor amendments to the policy prior to the second reading.

**On a motion by Mrs. Farrell, seconded by Mrs. Pregent, the Board voted 7 to 0 to approve as amended, the First Reading of the Substitute Teachers Policy (B1) and to have additional information pertaining to salaries presented at the Second and Final Reading. Mr. Reil abstained.**

## **6.7 First Reading Role and Adoption of School Board Policies Policy (A30)**

Ms. Parker provided an overview of the policy that was recently amended by the VSBA. Mr. Reil queried regarding whether or not the VSBA Model Policy advises that procedures can be brought to the Board for approval. Mr. Reil believes that District counsel advised that the Board should be reviewing and approving procedures, and he does not believe the Board does that. In response to a query, Mrs. Poulin advised that she believes Mr. Lynn may have mentioned that some Boards do approve procedures, and he stressed that the Board needs to read and know all of the procedures and the Board is responsible for knowing that procedures are being carried out. The VSBA website (webinar) also suggests that it is wise for Boards to approve procedures, though the BUUSD Board has never approved them in the past. Mrs. Farrell queried regarding whether there was confusion with the policy pertaining to ADA grievances, and that the VSBA version seemed to contain procedures and the Committee was debating whether or not those should be included in the policy. Mr. Reil advised that much discussion was held at the February Policy Committee meeting, and he supports the Board reviewing procedures because the District is behind on procedures and it would be nice to know what the procedures are. Ms. Parker advised that Mr. Aither provides regular updates regarding procedure updates and development. Mr. Hennessey advised that representatives from each of the schools are working on procedural manuals and are updating everything, though that group has been dormant since late May or early June. Mrs. Spaulding queried whether or not Mr. Reil is suggesting that the policy be updated to include that procedures should come before the Board to be approved. Mr. Reil advised that at the very least the procedures should be reviewed by the Board. Mr. Reil noted that based on input from counsel at the February meeting, he believes the Board should hold a broader discussion (on procedures) based on concerns raised by counsel and suggested the policy be sent back to the Policy Committee. Mrs. Parker raised concern regarding changing the District's policy to be different from the VSBA policy. Mrs. Spaulding noted that tonight's presentation is for a First Reading and additional information can be provided at the second reading. Mr. Reil is agreeable to that approach, but reiterated that procedures are important and have been 'a gap for us' and deserves more attention. It was noted that this policy also needs a minor change to align with the Model Policy. It was suggested that these issues could be avoided if the Policy Committee reviewed the VSBA Model Policies, rather than trying to change existing policies to match VSBA policies. Mr. Malone believes the Board should review procedures and keep 'eyes on' (whether or not they are approving them), to see that procedures have been implemented and see how effective they are. Ms. Parker noted that there is a section on the web site for procedures, and that there has been discussion on adding more as procedures are written. In response to a query from Mrs. Leclerc regarding the existence of procedures for all policies, Mr. Hennessey advised that some policies are 'cut and dry' and don't require procedures. In response to a query from Mrs. Leclerc, Mr. Hennessey advised that all policies are available online for viewing (by staff etc.), and advised that there are personnel who work on procedures year round to see that they are up to date and accurate. Ms. Parker noted an additional minor change that needs to be added to the policy (for alignment with the VSBA Model Policy). Mrs. Spaulding provided a summary of the proposed amendments. Mrs. Pregent, reading from the February Policy Committee Meeting minutes noted that Mr. Lynn advised that the Board needs to see procedures, know what they are, and know that they are being complied with, and cautioned that the Board not make changes from the VSBA version and that if substantial changes are made, the policies need to be legally vetted. Ms. Parker noted that the policy being presented pertains to adoption of policies not procedures. Mr. Reil queried whether the District is drastically behind in written procedures for many policies. Mr. Hennessey does not believe the District is very behind with written procedures, noting that some procedures need to be updated and advised that

# DRAFT

procedures are continuously evolving. Mr. Reil reiterated that the District can't effectively apply a policy if written procedures are not in place. In response to a query, Mr. Hennessey advised that though some procedures need updates, he believes all procedures are in place. Mrs. Poulin reiterated that legal counsel stressed the importance of procedures, and that years ago (pre-COVID) the Board had asked that all procedures be put in writing and as soon as written be added to the web site. Mrs. Poulin is concerned that no procedures have been added to the web site since Superintendent Pandolfo left the District. Mrs. Poulin voiced concern that the Board directive was not followed, that the Board did not follow up on its directive, legal counsel has stressed the importance of written procedures and she feels the District is lacking if the procedures are not available on line for everyone to see (as was the Board's directive). It was suggested that Procedures be added as a future agenda item.

**On a motion by Mrs. Farrell, seconded by Mr. Malone, the Board voted 7 to 1 to approve the First Reading of the Role and Adoption of School Board Policies Policy (A30). Mr. Reil voted against the motion.**

## **6.8 First Reading Board Member Education Policy (A31)**

Ms. Parker provided an overview of the policy changes. Mr. Reil voiced concern that there are conflicting statements within the policy (encouraged vs will). This is a 'to be considered' policy (not required) and the District does have a version of this policy in place. Brief discussion was held and it was noted that this is only the First Reading of the policy. Mr. Reil suggested that the policy be sent back to Committee to that they can touch base with VSBA for clarification. **Mrs. Pregent called the question.**

**On a motion by Mr. Malone, seconded by Mrs. Farrell, the Board voted 7 to 1 to approve the First Reading of the Board Member Education Policy (A31). Mr. Reil voted against the motion.**

## **6.9 First Reading Policy Section 504 and ADA Grievance Protocol for Students and Staff Policy (C14)**

Ms. Parker advised that the District does not currently have this legally required policy and noted that the Grievance form and list of contact information still need to be added (prior to the Second and Final Reading). Mrs. Leclerc queried regarding the inclusion of the words 'his and her' in the policy. Mrs. Spaulding advised that the verbiage may be required under the law. Before the second reading, the District will inquire regarding this matter. Mrs. Poulin queried regarding the VSBA policy which refers to both Building and District level Coordinators and whether or not the policy meets legal requirements if it does not contain both of those individuals. Ms. Parker noted that there were some concerns regarding adding specific names to policies, as the policy would need to be changed when personnel change. Mrs. Spaulding requested that VSBA be contacted for clarification regarding the inclusion of various coordinators and whether there is a requirement to provide names of coordinators. It was noted that name changes are not substantive changes and do not require that policies be re-adopted.

**On a motion by Mr. Malone, seconded by Mrs. Leclerc, the Board unanimously voted to approve the First Reading of the Policy Section 504 and ADA Grievance Protocol for Students and Staff Policy (C14).**

## **6.10 Meeting Format - Documentation**

Mrs. Spaulding advised that this agenda item is the result of a request from Mrs. Leclerc. Mrs. Spaulding would like to balance the need to provide information, while not being wasteful by having too many copies. Mrs. Poulin advised that the past practice was to bring a limited number of copies to the meeting and make additional copies as necessary. Ms. Leclerc queried regarding displaying packet information on a screen during the meeting. It was noted that the Board does have a policy that paper copies will be provided to those who request it. Mrs. Spaulding would like to be accommodating, but not wasteful. Mrs. Spaulding suggested that 'requested' copies and a couple extra copies be brought to the meeting, and that additional copies be made as necessary (all meeting rooms have copiers in them). The Board agreed to this method. Mrs. Leclerc suggested that in an effort to save time, the Board Norms not be read at the start of each meeting. Board Members expressed differing preferences on this matter. Discussion of Meeting Norms will be added to a future agenda. Regarding the general agenda item, Mrs. Poulin cautioned that links in the packet that lead to documents that can change, pose an issue (data integrity). If information in a linked document is changed any time after a meeting, the District has not preserved the legal documentation of information as it was presented at the meeting. Mrs. Leclerc queried regarding any policy and procedures/protocols relating to questions posed by community members and how all Board Members are advised regarding responses. Mrs. Leclerc wants assurance that all community questions are answered by the appropriate personnel. Mrs. Spaulding advised that there are many different scenarios and noted that when individuals do not provide contact information, she has no way to respond to them. Mrs. Leclerc queried regarding the existence of procedures and that the procedures assure that all Board Members are apprised of responses to the public. Mrs. Leclerc queried regarding how decisions on public requests for agenda items are handled. It was noted that there is a document that outlines the timeframe in which responses are to be given and that documentation indicates that all responses to the public (via email) are copied to all Board Members. Mrs. Farrell queried regarding whether or not a response was sent to Pete Fournier. Mrs. Spaulding advised that there was no return address in the letter and she did not receive the envelope, thus she did not have information regarding where to send a response.

## **6.11 Clarification of Salary Metric**

Mr. Reil advised that at the last meeting, it was asked that this item be added to tonight's agenda and it was not. Mr. Reil believes that given the discussion at the Finance Committee, this item needs to be discussed by the full Board. Mr. Reil requested that the Salary

# DRAFT

Metric and all supporting documentation be provided to all Board Members. Mrs. Spaulding agrees that this item can most likely be added to the next Agenda. Mrs. Farrell advised that Board Members are receiving questions that they cannot answer, that the new Salary Metric will impact the FY23 budget, and requested that all information be provided to Board Members within 3 days, advising that Board Members have been asking for additional information since May. Mr. Hennessey advised that he believes all Board Members have or have access to the information and that this matter was discussed at length at the Finance Committee meeting. Mrs. Farrell advised that the Board needs more information regarding how the new metric was developed. Mr. Hennessey believes the best course of action would be for him provide the Board with the same presentation he made to the Finance Committee. Mrs. Pregent advised that she does not believe the Board has ever reviewed salaries for non-contracted personnel. It is Mrs. Pregent's understanding that the Board sets the budget and the metric falls within the budget and queried if it is the Board's purview to micromanage everybody's salaries. Mrs. Farrell advised that the request does not equate to micromanaging, but is informational and she is frustrated that that the Board needs to continually ask for information, noting that the information provided to the Board was minimal (a spreadsheet). Mrs. Farrell advised that under 563 section 8, the Board needs to be aware with what is going on with the budget and the District's money. Mr. Reil advised that since the metric was provided to the Board, it has changed multiple times, and it has even changed since the last Board meeting. Mr. Reil advised that the most recent copy, with updated figures, needs to be distributed. Mrs. Spaulding will add this item to a future agenda, with her intent that it be included in the next meeting.

## 7. Old Business

### 7.1 Update Enrollment/Home Study Reports

Copies of District Enrollment/Staffing Reports for June and August 2022 were distributed.

A copy of the Home Study Report (AOE provided data) was distributed.

Mr. Hennessey advised regarding a small error on the report, and advised that overall, the numbers are shifting, but are trending fairly steadily. Mr. Reil noted that the average class sizes for BCEMS and BTMES are generally below the ideal level and queried regarding this affording the opportunity to shift classes to accommodate areas that are short staffed. Mr. Hennessey advised that this is happening to some degree, and advised regarding a shift at BTMES. This item will be added to a November meeting

**On a motion by Mr. Cecchinelli, seconded by Mr. Malone, the Board unanimously voted to discuss Agenda Item 7.5 Employee Exit Survey out of order, immediately following Agenda Item 7.1, in an effort to allow Mrs. Marold to leave the meeting.**

### 7.2 Summer Projects Update

A document titled 'BUUSD FY23 RFP Schedule, Facility Projects, etc...Spring/Summer 2022, August 9, 2022' was distributed.

Brief discussion was held on the report and it was noted that the document needs to be updated.

### 7.3 Approval of 2<sup>nd</sup> HHB Designee for BCMES for Policy C10)

A copy of the Policy on the Prevention of Harassment, Hazing, and Bullying of Students' was distributed.

In response to a query, it was noted that it is believed that the SEA Building does not require a designee. Mr. Aither reported at the Policy Committee meeting that SEA students would be covered under SHS. As the statute refers to designees for each campus, Mrs. Poulin queried regarding whether including the SEA Building (a separate physical location) under SHS was legally vetted.

Mrs. Leclerc suggested that SEA be added to the policy and was advised that it was not necessary because the employees and students are SHS employees and students.

**On a motion by Mrs. Pregent, seconded by Mr. Cecchinelli, the Board unanimously voted to appoint Kristin Morrison as the 2<sup>nd</sup> HHB Designee for BCEMS.**

### —7.4 Board Development Workshop

A copy of an email from Sonya Spaulding to the Board, titled 'Board Development Recommendation' (dated 08/05/22) was distributed. This Agenda Item is being moved to the Parking Lot.

### 7.5 Employee Exit Survey

A document titled 'Exit Interview Questionnaire' was distributed.

Mrs. Marold advised regarding the process, noting that exit interviews are normally an internal tool. Mrs. Marold apologized to all employees who took the survey, not realizing it would be a public document, and advised that she believe employees thought the data was only going to be used internally. Mrs. Marold has changed the survey so that it reflects that information may be shared.

Mrs. Marold advised that the survey information was only collected from full time employees (no substitutes, bus drivers etc.).

The return rate is approximately 43%. There were 55 responses, 37 of which were teachers, representing 67% of teachers who resigned. Mrs. Marold noted that the last question had fewer than 55 responses as it was added at a later date. Mrs. Marold advised that typical turnover is 20% and this year, turnover was at 22% to 24%. 129 employees left over the course of the year. Mrs. Marold volunteered to generate a Climate Survey to assist the Board in understanding employee satisfaction. Mrs. Marold noted that she received a question from a Board Member relating to a survey comment pertaining to 'slackers and sexual harassment', and she advised that she always addresses these types of issues when they are reported. In FY20, 36 professional staff left the district, in FY21 it was



# DRAFT

51, and in FY22, 69 professionals left the District. Mrs. Marold believes that a normal turnover rate is 20% and she believes that it's reasonable to expect that going forward. In response to a query from Mr. Boltin, Mrs. Marold confirmed that there are standard procedures in place for when employees report harassment and other types of grievances. It would be a misconduct issue if someone did not report harassment concerns to HR. In response to a query, Mrs. Marold advised that one trend that she anticipates will continue is that employees have a choice of where they want to go. Mrs. Marold believes retention is one of the most important things the District can do (recruiting and retention). Mrs. Marold advised that the District needs to allow employees opportunities for growth. Mrs. Marold provided information regarding a recent AOE effort, supporting internal growth for hourly employees. Mr. Hennessey advised that the reliance on support staff is no longer working as there is much difficulty hiring for those positions. The District is being forced into a positive direction, relying on more professional positions. In response to a query, Mrs. Marold believes people are leaving the profession mainly for financial reasons, not COVID, though she does not believe para-educators are leaving because of the pay. Mrs. Farrell queried regarding how administrators plan to utilize the gathered information to make improvements, making note of the climate question (approximately 70% rated 3 or below on a 1 to 5 scale). Mrs. Marold believes administrators are listening and trying to make improvements. In response to a query, Mrs. Marold advised that she does not have a breakdown of results by school. Additional discussion was held including ways in which additional information might help identify why individuals are leaving and what could be done to encourage individuals to stay. Mrs. Spaulding believes it would be beneficial to speak with long term employees to understand why they have stayed as long as they have, and also noted that the Board can also assist in retaining employees, including during negotiations.

## 8. Reports

### 8.1 Superintendents Report

A copy of the Superintendent's Report dated 08/19/22 was distributed.

Mr. Hennessey read a prepared statement relating to his belief that the Board is working in direct conflict with the District's efforts to attract young families to move to Barre (students and staff) as well as other concerns, and his expectations from the Board moving forward. Mr. Hennessey will share a copy of the prepared statement with Board Members and staff. A copy is included in the minutes as Attachment A.

Mr. Howard thanked Mr. Hennessey for receipt of the BTMES staff count that was requested by the PTO.

Mr. Howard voiced concern regarding 'trust', as he believes the Board and community members were misled when the Superintendent advised that there were no additional employee payouts similar to the one for Mr. Wells. Mr. Howard advised that an FOIA request shows there was a payment to another employee in November 2021. Mr. Howard requested that Mr. Hennessey provide information regarding this matter. Mr. Hennessey advised that Mr. Howard's statement is false and he will not address it.

Kristin Martin and Roberta Melnick thanked Mr. Hennessey for sharing his statement and agree that everyone should 'come to the table' modeling respectful behavior.

Mrs. Pregent thanked Mr. Hennessey for outlining (in his report), all of the things the District is doing to try to attract staff.

Mrs. Spaulding appreciates the video that went out to the community (highlighting the schools and the Strategic Plan).

Discussion moved to Agenda Item 6.2.

### 8.2 Building Reports: BCEMS, BTMES, SHS, SEA

Copies of the Building Reports were distributed.

BCEMS - Brief discussion was held regarding an After School Program, though lack of available staff remains an issue.

Mr. Hennessey suggested that Mrs. Nye and Mrs. Waterhouse have some time to collaborate on this matter. In response to a query, Mr. Hennessey advised that a more detailed report can be provided in the future.

BTMES – Appreciation was expressed for the time spent teaching students routines and expectations, and for the list of fundraising at the school. It was suggested that items purchased for Crops-For-Kids be funded through the science budget line, and that the general budget include all classroom supplies, rather than having them funded by the Schoolstore fundraiser. In response to a query, Mr. Hennessey advised that paper copies of Student/Parent handbooks are available and individuals should contact their respective school office if they would like to receive one.

SHS – Mrs. Pregent likes the format of this report. Mr. Reil noted that the report invites Board Members to visit the school.

Mr. Reil and Mrs. Leclerc requested that administrators contact them via email regarding scheduling a visit. Mr. Malone suggested that all Board Members visit each of the schools. Mr. Maylor will send out email invitations. Mr. Maylor reported that the in-service day was a great success and teachers are energized to return to school.

# DRAFT

SEA – Most discussion was held under Agenda Item 6.2. In response to a query regarding meeting requirements that SEA students be integrated with general education students, Mr. Derner advised that many students participate in Driver's Education, and students do have access to the main stream for other elements that cannot be provided at SEA.

Discussion moved to Agenda Item 6.1

## **8.3 CVCCSD Board Report**

Mrs. Farrell reported that the CVCCSD Board has not met since she last reported, and advised that they have now filled all of the positions they needed to fill. Mr. Hennessey advised that BUUSD counsel is reviewing the lease and should have that work completed by the end of next week.

## **8.4 Finance Committee**

Minutes from the August 9, 2022 meeting were distributed.

Mrs. Leclerc provided an overview of the minutes and advised that much of this has been discussed during this meeting.

The next meeting is Thursday, September 15, 2022 at 6:00 p.m. in the Spaulding High School Library and via video conference.

## **8.5 Facilities & Transportation Committee**

Minutes from the August 1, 2022 meeting were distributed.

Mr. Cecchinelli advised that the Committee's discussion was covered at the previous Board meeting where the HVAC project was approved.

The next meeting is Monday, September 12, 2022 at 6:00 p.m. in the Spaulding High School Library and via video conference.

## **8.6 Policy Committee**

Minutes from the August 15, 2022 meeting were distributed.

Ms. Parker reported that it has been very beneficial to work with Sandra Cameron (at VSBA), and that the Committee is starting to work on issues in the Parking Lot.

The next meeting is Monday, September 19, 2022 at 6:00 p.m. in the Spaulding High School Library and via video conference.

## **8.7 Curriculum Committee**

Minutes from the August 4, 2022 meeting were distributed.

Mrs. Pregent advised that the Committee postponed reorganization until a new Board Member was assigned to the Committee, and provided an overview of the minutes, including; a review of SBAC data, Effective Practices as a Universal Focus, and Progress Monitoring. Mr. Malone requested a copy of the information provided at the last meeting.

The next meeting is Thursday, September 1, 2022 at 6:00 p.m. in the Spaulding High School Library and via video conference.

## **8.8 Negotiations Committee**

The next meeting date is to be determined

## **9. Other Business/Round Table**

Mrs. Pregent advised that she and another individual served popcorn at the new staff luncheon and also advised that long time Barre Town Principal Dr. Theodore Riggen has passed away.

Mrs. Leclerc wishes all students and staff well as they begin the school year.

Mrs. Farrell advised that she does not believe the Superintendent's statement from earlier in the meeting should be ignored. She believes there are accusations and innuendos in the statement that she believes need to be discussed. Mrs. Farrell asked if there was an email that was sent to staff asking them to show up at the meeting because there was a fear that there might be some discussion of the Superintendent? Mr. Hennessey advised that there was not, he did not send any email, and he has no knowledge of any such e-mail.

Mrs. Spaulding advised that she watched the video of the previous meeting, and welcomed Mr. Malone back to the Board and thanked all those who submitted letters of interest. Mrs. Spaulding hopes that rather than talk about the Superintendent's Statement, she would like to discuss a Board Development Workshop where some of his concerns could be addressed.

Mrs. Farrell advised that there is currently a Quality Standards for Boards Task Force, and it might be wise to hold off on Board Development until the Standards are produced. The Standards should be ready by mid-September. Mrs. Farrell stands firm that the Board needs to address the Superintendent's Statement.

Mrs. Poulin advised that based on research, she has found that the AOE or State web site continues to have a version of the BUUSD Articles of Agreement that are blatantly wrong, including that the Board is made up of four members and all voting is done at large.

# DRAFT

This issue has been brought up several times and it needs to be addressed. Anyone reviewing that data for informational purposes or legal opinions is looking at the wrong information. Mrs. Poulin provided clarity between the difference between the Board Clerk (Ms. Parker) and the District Clerk (Tina Lunt). The Board Clerk is appointed/elected at the Board Reorganization meeting, the District Clerk is elected/appointed at the District's Annual Meeting (Australian Ballot was used during COVID when the Annual Meeting could not be held). There is also a District Treasurer (Carol Dawes was elected to that position). The statute pertaining to appointing Board Members to vacant seats advises that the District Clerk, not the Board Clerk, was to notify the Select Board. Mrs. Poulin advised that there have been numerous violations of Roberts Rules this evening, including; individual speaking out when they are not the recognized speaker, individuals who are speaking are addressing someone other than the Chair (all comments are to be directed to the Board Chair, no one is allowed to address the public, staff or other Board Members), any individual who wants to speak must be recognized by the Chair. Mrs. Poulin has asked that individuals try to reign themselves in and only speak when recognized, as this will assist with keeping meetings to a more reasonable timeframe. In response to a query, it was noted that Robert's Rules of Order pertain to the meeting itself, and during the meeting, all participants need to abide by Robert's Rules (not just Board Members). Robert's Rules is how the meeting is to be run and applies to anyone attending the meeting. Additionally, Robert's Rules dictate that the Chair is the facilitator and only the Chair can recognize individuals to speak. There have been multiple meetings where individuals other than the Chair are recognizing people to speak.

## 10. Future Agenda Items

- Values and Goals for Budget Development (September)
- Salary Metric (September – from Parking Lot)
- Superintendent's Statement (September)
- New Hires (September)
- Policy Second Readings (September)
- Behavioral Task Force Reporting (September – from Parking Lot)
- Student Behavior and Discipline (September – from Parking Lot)
- Procedures (TBD)
- Meeting Norms (TBD)
- Board Development Workshop (back to Parking Lot)
- Strategic Plan (early fall – already in Parking Lot)
- Barre City Before and After School Care Concept or Plan (TBD)
- Expanded Special Education Report (TBD)
- Interview and Appoint Barre Town Finance Committee Member (October)

## 11. Next Meeting Dates

Thursday, September 8, 2022 at 6:00 p.m. at BCEMS in the James Taffel Library and via video conference.

Thursday, September 22, 2022 at 6:00 p.m. at BCEMS in the James Taffel Library and via video conference.

## 12. Executive Session as Needed

### 12.1 Personnel Issue Related to a dismissal, resignation, and or complaint

A personnel issue related to a dismissal, resignation, and or complaint was proposed for discussion in Executive Session

**On a motion by Mrs. Farrell, seconded by Mr. Cecchinelli, the Board unanimously voted to enter into Executive Session, with Mr. Hennessey in attendance, at 11:09 p.m. under the provisions of 1 VSA section 313 to discuss the items proposed for discussion.**

The remaining information was provided by the Board Clerk.

**On a motion by Mr. Malone, seconded by Mrs. Leclerc, the Board unanimously voted to exit Executive Session at 11:21 p.m.**

## 13. Adjournment

**On a motion by Mrs. Farrell, seconded by Mrs. Leclerc, the Board unanimously voted to adjourn at 11:22 p.m.**

Respectfully submitted,

*Andrea Poulin*

# DRAFT

## Attachment A

August 25, 2022

Good evening, and thank you all for respectfully listening to our administrators, staff, and community members tonight. Sharing the negative impact these meetings are having on our morale, our health, and our work in such a public way has required incredible courage, and I am grateful for the candor my colleagues have shown tonight.

At a time when our administration and staff have been celebrating an incredibly exciting, inspirational, and successful week of preparing for opening day, the reality we face is that what is occurring in our school board meetings is currently working in direct conflict with our efforts to attract young families to move to Barre, to recruit teachers and staff to join our district, and most importantly to improve outcomes for all of our students.

We repeatedly hear from some of our most steady critics that their intention is to actually support our schools and that they are simply trying to help improve things. Well, we are clearly no longer in a place where we can excuse unacceptable words and actions simply because the person intends to be helpful - our focus going forward is going to be on the *impact* of those words and actions. And, to be clear, the impact of what goes on in our board meetings has had a devastating effect on both our district's reputation and the morale of our administration, faculty, and staff. I also want to be clear that our board chair's efforts to make our board meetings true public meetings were one of the main reasons I decided to take on this job. However, the relentless efforts on some people's parts to undermine that work week after week have been very discouraging to all of us.

Like virtually all districts in the country, we recognize we need to continuously improve our efforts to better the academic and social/emotional performance of all of our students. That is the work! As I've repeatedly said, we are not closed to hearing hard questions and being held to account. That too is the work. However, the board needs to understand and accept that the relentless narrative of school failure that comes from many of you and some of our community members both in our board meetings and on social media is taking a tremendous toll on our employees morale, mental health, and ability to do our jobs. As I hope you have heard tonight, this narrative of failure is completely unsustainable and will no longer be tolerated by us.

Less than 24 hours ago, I heard directly from two board members who responded to the Welcome Back message we shared with our community yesterday. I shared both with our administrative team, and both responses had a huge impact on us.

The first board member simply thanked us for our efforts and shared that her school district gave us a shout out during their opening kick off with their staff. She made it clear that our efforts to engage with our community are being both appreciated by her and noticed by other districts in the region.

The second board member simply stated, "Maybe you can make one of those fun little videos about not bullying - you know something important."

It would be easy to infer that the intent of the second comment indicated that welcoming our kids and community back to school and introducing our strategic plan to them was somehow not important. But, again, the intent really isn't what matters here - it's the *impact* of both statements that matter. I can assure you that both statements from our board members had a major impact on our team. And on me.

So going forward, which of these impact statements is going to be the acceptable norm for this school board? Unfortunately, the second one has really been taken by our team and all of our staff as a symbol of what it's like to experience these board meetings: demeaning and insulting;

# DRAFT

openly questioning our competence, motives, and integrity. We can no longer accept this as normal, and going forward, I will no longer quietly accept that a school board can tolerate and even encourage this behavior.

I want to be as clear as possible what our team is going to need to see for us to get to a place where we can trust our school board and see that they indeed have the best interests of our students, staff, and schools at the forefront of their work. Again, to be clear, we are not "hoping" what follows will happen, we are expecting that it happens.

1) The board will agree to participate in all recommended trainings from the VSBA and our legal counsel. Most recently, at least three board members emailed the board chair this summer indicating they had no interest in participating in the training offered by VSBA Director of Board Services Phil Gore earlier in the summer. What is considered by other districts as a matter of course and completely normal is for some reason considered optional and unnecessary by our board. This is unacceptable, and though the dates that Mr. Gore offered have long passed, it is our expectation that the board regroup and set up a time to engage in his training early this fall. I would be happy to help facilitate this.

2) The board will agree to participate in a training and protocol facilitated by me and Director of Curriculum Karen Fredericks to dive deep into the BUUSD Strategic Plan. This protocol would take about 45 minutes, and we would encourage the public to listen and participate. As the plan clearly states, "Our strategic plan guides the work of every member of our community." It is our expectation that this training occurs very early in the school year; Karen and I can be ready as early as our September 8 board meeting, but we can't go later than September 22. The work conducted in our board and committee meetings needs to be directly tied to the goals of the Strategic Plan.

3) Following successful completion of the VSBA training offered by Director Gore, the board will agree to participate in a discussion about the roles and responsibilities of our various board committees. This topic is a source of great concern for me and our leadership team, and it has been for many years. I shared in a board retreat last year that it is well known in the Vermont educational community that our district is an outlier in terms of the number of committees we have, how often we meet, and, most importantly, what role the committee members play in the day to day operations and planning for our schools. We understand that this won't be easy, but we expect clarity on the roles and responsibilities of each committee early in the fall.

I understand that what you have heard tonight from all of us is a lot to consider, and we all understand that our leadership team and I have no ability to force our board to follow these expectations. It will be on you as a board to come together to determine if meeting these expectations will help you grow and serve our community in the way we expect.

However, as I mentioned earlier, the stakes are very high now. I will not risk speaking for our team, and I will only speak for myself here...

Despite all of the obvious challenges I face every day, I truly love this work, my job, and our community. I hope it shows. Though I had never planned on being a superintendent, I am fully committed to getting better at my job while reflecting every day on how I can build trust with our school community. I fully understand the impact of my decisions on all of you, and regardless of how good my intentions have always been, I know that some of those decisions have made some of you question my motives. I am prepared to be reflective and open to feedback on all of this, and it is my expectation that the board does the same. However, I will no longer compromise my values in doing so.

Though I am highly concerned with the direction of the board these last six months, I am also highly optimistic that following our team's expectations for the board outlined earlier will help

# DRAFT

bring us to a place where we can truly work together in the best interests of our students. We want to work with you. Together.

I urge you all to take time in the next few weeks to individually and collectively slow down and truly reflect on what you've heard tonight. It was shared earlier by Josh Allen that what goes on in our board meetings is not "normal." Well, I fully understand that how we are addressing you this evening is also not "normal." But that's how high the stakes are for our community at this moment.

My hope is that our administration and staff will share the impact of the board on their morale, health, and work in an increasingly positive way in the months ahead, and that can happen as early as our next meeting in September. Let's begin that work tonight and focus on celebrating the opening of the 2022-23 school year together.

Thank you for listening.

# Vision, Mission & Beliefs

*Barre Unified Union School District*

## Vision

A rock-solid education for a lifetime of discovery.

## Mission

To build a community of curious learners that empowers student voice and exploration through education, character development, and perseverance, so our students can take on the world's greatest challenges.

## Beliefs

- Students matter.
- Staff matter.
- Students and staff are invaluable to the community.
- All students and staff deserve a learning environment that fosters physical and emotional health.
- Environmental stewardship is a responsibility for all.
- The delivery of education resources should be student-focused to maintain a culture where every student can achieve.
- Every student has different needs and their needs should be met no matter where they are from or which school they attend.
- Students are most successful when there is mutual respect and active collaboration between students, teachers, parents, and the community.
- Educators and families together inspire students to confidently advocate for and design growth experiences that help them define who they are and where they are headed as adults.
- Educators teach students transferable skills that enable them to become creative and resilient thinkers, to sustain their own sense of purpose and life path, and to balance academic and social-emotional growth.
- All staff deserve deep investments in training, professional development, and support.

# Goals

*Barre Unified Union School District*

## **Equitable Access**

Ensure students have equitable access to learning resources.

## **Communications & Relationships**

Create communication systems that foster collaborative internal & external community relationships.

## **Curriculum & Career Pathways**

Develop creative and flexible curriculum and career pathways that enable students to become successful citizens and skillful workers.

## **Student Wellness**

Provide the physical, mental, emotional, and environmental wellness resources that students need for successful learning and wellbeing.

## **Student Engagement**

Promote student engagement and ownership in their learning.



# Equitable Access

*Strategic Objectives*

## **Closing Gaps**

1.A. Close student learning gaps by addressing poverty, race, and gender learning barriers.

## **Quality Resources**

1.B. Ensure all students and staff have access to quality learning resources.

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# Communications & Relationships

*Strategic Objectives*

## **Improve Communications**

2.A. Improve communications between families and schools.

## **Explore Branding**

2.C. Explore branding options for the District.

## **Engage Families**

2.B. Engage families and community about curriculum goals and student learning outcomes.

# Curriculum & Career Pathways

## *Strategic Objectives*

### **Summer Services**

3.A. Provide summer academic and recreation services for students.

### **Assessment Framework**

3.B. Complete detailed student assessment framework.

### **Multiple Modes of Instruction**

3.C. Implement Multiple Modes of instruction to reach all levels of students (Ex: Universal Design for Learning (UDL) in all classrooms).

### **Alternative Pathways**

3.D. Expand alternative pathways to graduation.

### **Scope & Sequence**

3.E. Create clear scope and sequence and aligned curriculum.

### **Math & Literacy Proficiency**

3.F. By the end of grade three, all students meet or exceed learning standards in math and literacy.

### **Personal Learning Plans**

3.G. Create Personal Learning Plan (PLP) for all students in grades 7-12.

### **Career Exposure**

3.H. Provide age-appropriate career cluster exposure in the curriculum for middle and high school students.

### **Professional Development**

3.I. Provide all staff and administrators with deep investments in training, professional development, and support.

### **Supporting Administrators**

3.J. Support administrators to increase their capacity as instruction leaders.

# Student Wellness

## *Strategic Objectives*

### **Social-emotional Learning**

4.A. Provide social-emotional learning resources for students across all grades.

### **Support Diverse Needs**

4.B. Staff acquire skills and resources to support the diverse academic and social learning needs of all students.

### **Health Services**

4.C. Provide access to health and dental services for all students.

### **Physical Activity & Nutrition**

4.D. Focus on student wellness issues that include physical activity and nutrition.

# Student Engagement

## *Strategic Objectives*

### **Interdisciplinary Units**

5.A. Create integrated interdisciplinary units of learning.

### **Student Ownership**

5.B. Increase student ownership in accomplishing learning goals.

### **Critical Thinking**

5.C. Expand student critical thinking skills.

### **Multi-Tiered Systems of Support**

5.D. Develop Multi-Tiered Systems of Support (MTSS) initiative.

### **Student Voice**

5.E. Develop a system that promotes student voice.

### **Climate & Culture**

5.F. Assess school culture and climate from student, teacher, and family perspectives.

### **Personal Learning Plans**

5.G. Create Personal Learning Plan (PLP) for all students in grades 7-12.

**BUUSD Salary Schedules**

Assistant Principal		
Administrative Years Experience	Salary 210 Day Contract	261 Day Contract
1	79,116	84,767
2	80,581	86,336
3	82,045	87,905
4	83,512	89,450
5	84,977	91,046
6	86,442	92,616
7	87,907	94,186

Principal Director	
Administrative Years Experience**	Salary
1-2	104,000 - 106,000
3-5	108,150 - 111,000
6-9	111,000 - 118,000
10-13	118,000 - 123,000
14-17	123,000 - 130,000

Based on 261 contract days

\*\*Administrative years of experience has the following qualifications:  
 1 year of Principal/Director experience equals 1 year of admin experience.  
 2 years of AP experiences equals 1 year of administrative experience.  
 Dir of EE does fall under P/D and is 210

Non Contracted Hourly						
Step	Column A	Column B	Column C	Column D	Column E	Step
1	\$17.30	\$19.30	\$21.30	\$23.30	\$25.30	1
2	\$17.64	\$19.68	\$21.72	\$23.76	\$25.80	2
3	\$18.00	\$20.07	\$22.15	\$24.23	\$26.31	3
4	\$18.34	\$20.46	\$22.58	\$24.70	\$26.82	4
5	\$18.69	\$20.85	\$23.01	\$25.17	\$27.33	5
6	\$19.04	\$21.24	\$23.44	\$25.64	\$27.84	6
7	\$19.39	\$21.63	\$23.87	\$26.11	\$28.35	7
8	\$19.74	\$22.02	\$24.30	\$26.58	\$28.86	8
9	\$20.09	\$22.41	\$24.73	\$27.05	\$29.37	9
10	\$20.44	\$22.80	\$25.16	\$27.52	\$29.88	10
11	\$20.79	\$23.19	\$25.59	\$27.99	\$30.39	11
12	\$21.14	\$23.58	\$26.02	\$28.46	\$30.90	12
13	\$21.49	\$23.97	\$26.45	\$28.93	\$31.41	13
14	\$21.84	\$24.36	\$26.88	\$29.40	\$31.92	14
15	\$22.19	\$24.75	\$27.31	\$29.87	\$32.43	15
16	\$22.54	\$25.14	\$27.74	\$30.34	\$32.94	16
17	\$22.89	\$25.53	\$28.17	\$30.81	\$33.45	17
18	\$23.24	\$25.92	\$28.60	\$31.28	\$33.96	18
19	\$23.59	\$26.31	\$29.03	\$31.75	\$34.47	19
20	\$23.94	\$26.70	\$29.46	\$32.22	\$34.98	20
21	\$24.29	\$27.09	\$29.89	\$32.69	\$35.49	21

Non Contracted Salary						
NONCONB	School Year Exempt/Salary	Base Increase	Year 22/23	MA	MA15	MA30
		STEP	BA	MA	MA15	MA30
				Follows	Teachers	Contract
		1	\$45,667			
		2	\$47,432			
		3	\$49,196			
		4	\$50,961			
		5	\$52,725			
		6	\$54,489			
		7	\$56,254			
		8	\$58,018			
		9	\$59,782			
		10	\$61,547			
		11	\$63,311			
		12	\$65,076			
		13	\$67,255			

PHYSICAL THERAPIST - HOURLY %

9/2/2022

**Non-Contracted Column Descriptions**

Column	Description
A	Performs many different tasks in processing different kinds of forms or transactions; work requires good understanding of structure and workflow in the organization served Routine assignments are performed independently unless problems occur; supervisor gives instructions on new assignments and reviews more difficult work; a large number of procedural guides apply, some of which are memorized.
B	Performs a full range of assignments consisting of related steps, processes or methods; responses differ in nature and sequence; requires knowledge of an organization's programs and operations, rules and processes. Exercises initiative in completing recurring assignments; uses judgment in selecting appropriate guidelines and procedures from among a number of specific references.
C	Performs standard and nonstandard assignments involving different and unrelated processes or methods in varying sequence; work requires extensive knowledge of rules, operations, or business practices. Follows accepted practices in resolving non-recurring problems and meeting deadlines; completed products are evaluated for effectiveness in meeting goals; extensive guidelines in the form of instructions, manuals, and regulations are applied.
D	Processes a wide variety of transactions subject to different sets of rules and regulations. b. Technical Work: Performs a segment of the evaluative work of an administrative function; identifies issues or problems and seeks alternative solutions consistent with applicable regulations. a. The employee is regarded as an expert source of information on processing transactions; completed work is reviewed for conformance with policy and regulatory requirements; numerous and varied guidelines are adapted and applied. b. Works independently in completing assignments; completed work is reviewed for effectiveness in meeting goals; guidelines such as regulations, evaluation criteria, and precedents have gaps in specificity.
E	Performs specialized duties in a defined functional or program area involving a wide variety of problems or situations; develops information, identifies interrelationships, and takes actions consistent with objectives of the function or program served. Work is assigned in terms of objectives, priorities, and deadlines; the employee works independently in resolving most conflicts; completed work is evaluated for conformance to policy; guidelines, such as regulations, precedent cases and policy statements require considerable interpretation and adaptation. Work to be performed will be audited from other governmental entities and independent auditors.

**BARRE UNIFIED UNION SCHOOL DISTRICT # 097  
POLICY****CODE: B 1****1<sup>ST</sup> READING: 08/25/2022****2<sup>ND</sup> READING: 09/08/2022****ADOPTED:**

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**SUBSTITUTE TEACHERS****Policy**

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

**Qualifications**

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

**Unlicensed Persons**

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

**Licensed Educators**

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

**Administrative Responsibilities**

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

The superintendent or designee will provide substitute teachers with information on the prevention, identification, and reporting of child sexual abuse, as required by 16 V.S.A. § 563a.

Each teacher under contract will compile a packet of information containing pertinent information for the substitute teacher as defined by the principal.

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

**BARRE UNIFIED UNION SCHOOL DISTRICT # 097  
POLICY**

**CODE: A30**

**1<sup>ST</sup> READING: 08/25/2022**

**2<sup>ND</sup> READING: 09/08/2022**

**ADOPTED:**

**ROLE AND ADOPTION OF SCHOOL BOARD POLICIES**

**POLICY**

It is the intent of the Barre Unified Union School District (BUUSD) board to outline direction and goals for the successful, consistent, and efficient operation of the district through the adoption of policies. BUUSD policies will be in writing, codified, and made available to the public and will be in compliance with Vermont and federal law and regulations.

**DEFINITIONS**

- **Policies** guide the school board, administrators and other district employees, students, parents/guardians 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 designee to provide for the management of the public schools in the SU/SD by describing how tasks will be carried out and board policies will be implemented.

**POLICY DEVELOPMENT**

In order to ensure efficient development and implementation of school board policies in the Barre Unified Union School District, the BUUSD Board, or a subcommittee thereof, will determine when BUUSD Policies should be developed or revised. The Superintendent or designee will assist the BUUSD Board in determining the need for policy development or revision in specific areas and will advise the BUUSD Board on policy content.

Comment and information may be sought in areas such as the following:

1. The specific need for the policy
2. The scope of the policy with regard to establishing appropriate roles for the board and the administration
3. The effect of the proposed policy on administrators, students, teaching staff and the community
4. Samples of similar policies of other boards
5. Applicable provisions of state and federal law



6. The anticipated costs and benefits of implementing, enforcing and evaluating the proposed policy

## **POLICY ADOPTION**

Policies will be adopted by the BUUSD Board using the following steps:

- a. The policy is developed or revised by the BUUSD Policy Committee
- b. A 1<sup>st</sup> Reading is passed by the BUUSD Board
- c. A 2<sup>nd</sup> Reading/Adoption is passed by the BUUSD Board

## **POLICY DISSEMINATION, ADMINISTRATION & REVIEW**

**Dissemination** - When policies are adopted, the Superintendent will publish and make them available to the public, students, and school personnel. A copy of the BUUSD Policy Manual will be available on the BUUSD website. The student handbooks will include BUUSD Policies related to student activities and conduct. The teacher handbooks will include BUUSD Policies related to teachers' responsibilities.

**Administration** - BUUSD Policies will be administered through procedures and directives of the Superintendent and administrators.

**Review** - The superintendent will advise the BUUSD Board when revisions to adopted policies are required or otherwise appropriate. In addition, the BUUSD Board, or subcommittee thereof, will develop a policy review schedule to ensure that all BUUSD 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.

**BARRE UNIFIED UNION SCHOOL DISTRICT #097  
POLICY**

**CODE: A31**

**1<sup>ST</sup> READING: 08/25/2022**

**2<sup>ND</sup> READING: 09/08/2022**

**ADOPTED:**

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**BOARD MEMBER EDUCATION**

**Policy**

It is the policy of the Barre Unified Union School District 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, Vermont Agency of Education functions and legislative activities. In developing professional training for school board members, the board may consider topics such as educational equity, dispute resolution, conflict of interest. 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.

At least annually, the chairs of each school board within a supervisory union/supervisory district, the chair of the supervisory union/supervisory district board, and the superintendent will jointly participate in at least eight (8) hours of professional training that addresses educational leadership, roles and responsibilities of the SU/SD board, school district boards and the superintendent, Vermont Open Meeting Law, Vermont law regarding access to public records, collective bargaining, and education funding and school finance laws.

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.

**BARRE UNIFIED UNION SCHOOL DISTRICT #097  
POLICY**

**CODE: C 14**

**1<sup>ST</sup> READING: 08/25/2022**

**2<sup>ND</sup> READING: 09/08/2022**

**ADOPTED:**

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**Policy on Section 504 and ADA Grievance Protocol for Students and Staff**

It is the policy of Barre Unified Union School District (BUUSD) not to discriminate on the basis of disability. The District has adopted this internal protocol for prompt handling and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990 (ADA). Section 504 and the ADA prohibit discrimination on the basis of disability in any program or activity receiving Federal financial assistance. The District further provides assurance that strictly prohibits any form of retaliation against persons who utilize this Protocol. To the extent possible, confidentiality will be maintained throughout the investigation of a complaint of unlawful discrimination. Nevertheless, a person is not required to use this protocol and may instead file a complaint directly with the U.S. Department of Education's Office for Civil Rights, Office for Civil Rights, Boston Office:

U.S. Department of Education  
8th Floor  
5 Post Office Square  
Boston, MA 02109-3921

The following protocol is available and shall be distributed to all third parties for their use in filing complaints of discrimination based on disability.

This protocol will be distributed by the Building 504 Coordinators or their designees to all employees prior to the start of co-curricular activities every school year, preferably during the August In – Service, and again with the recommencement of co-curricular activities immediately following the December vacation.

It will also be distributed by Building 504 Coordinators, or their designees, to all third parties, at the time of their engagement for services.

Step 1 A person (an employee, student, or third party) who believes that he/she has been discriminated against by the District is encouraged, but is not required, to discuss the matter informally with the appropriate building principal (when the person is a student) or with his/her immediate supervisor (when the person is an employee). NOTE: If the building principal or the

immediate supervisor is the subject of the complaint, or the grievant is not a student or employee, the grievant may, instead, contact the District Section 504 Coordinator. The person receiving the complaint, or their designee, shall investigate and then verbally convey his/her findings to both the person who alleged the violation and the person who is the subject of the complaint within 10 business days.

Step 2 If the informal Step 1 process does not resolve the matter, OR if the grievant does not wish to use the informal procedures set forth in Step 1, a written complaint may be submitted to either the District Section 504 Coordinator or the appropriate school specific Building 504 Coordinator (see list at the end of this document for contact information) who will investigate the complaint. [NOTE: If the Section 504 Coordinator is the subject of the complaint, the complaint should be submitted to the Superintendent who will appoint another administrator (or third party) to conduct the investigation. If both the Section 504 Coordinator and the Superintendent have involvement with the complaint, the written complaint may be submitted to the Director of Human Resources.]

The complaint shall be in writing and signed by the grievant and include:

1. the grievant's name and contact information;
2. the facts of the incident or action complained about;
3. the date of the incident or action giving rise to the complaint;
4. the type of discrimination alleged to have occurred;
5. and the specific relief sought;

Or, alternatively, the grievant may use the 504 Complaint Form (attached). Names of witnesses and other evidence as deemed appropriate by the grievant may also be submitted. An investigation of the complaint will begin within 10 business days following the submission of the written complaint.

The investigation may be informal, but it must be thorough and shall include an interview of the parties and witnesses, a review of relevant evidence, and any other steps necessary to ensure a prompt and thorough investigation of the complaint.

A written disposition of the complaint shall be issued within 10 business days of completion of the investigation, unless a specific written extension of time is provided to the parties.

Copies of the disposition, subject to FERPA confidentiality, will be given to both the grievant and the person who is the subject of the complaint. If discrimination was found to have occurred, the disposition will include the steps that the District will take to prevent recurrence of any discrimination and to correct its discriminatory effects on the grievant and others, if appropriate.

Step 3 If the grievant wishes to appeal the decision in Step 2, he/she may submit a signed, written appeal to the Superintendent (or Board if the Superintendent is the subject of the complaint) within 15 business days after receipt of the written disposition. The Superintendent/Board or his/her designee shall respond to the complaint, in writing, within 30 business days of the date of the appeal. Copies of the response shall be provided to both the grievant and the person who is the subject of the complaint.

The ADA/504 Coordinator(s) will maintain the files and records related to any complaints filed under this protocol.

If you have questions regarding these procedures or desire to file a complaint, please contact either the District 504 Coordinator or Building Section 504 Coordinator.

**Barre Unified Union School District  
Section 504 Procedures and Safeguards**

# Special Note

The U.S. Department of Education's Office for Civil Rights (OCR) has jurisdiction over Section 504. Its primary responsibilities include investigating complaints, conducting compliance reviews, and providing technical assistance. These materials serve as guidance only and should not replace legal advice. These guidelines might not reflect the opinion of the Office for Civil Rights and/or current court cases. Civil Rights laws and regulations change periodically and will change interpretations of various rules and regulations. Always check with your school (district) legal counsel regarding specific policies and procedures. The national OCR office is located at

U.S. Department of Education  
Office for Civil Rights  
400 Maryland Avenue, SW  
Washington, D.C. 20202-1100  
(800) 421-3481, TTD (877) 521-2172  
Website: <http://www.ed.gov/about/offices/list/ocr/index.html>

## Contents

Overview	4
Levels of Protection for Individuals with Disabilities	5
Definitions	6
Medical Conditions	8
Discipline	9
Summary of Procedural Safeguards for Students and Parents under Section 504	12
Contact Information for Parent Concerns	14
Frequently Asked Questions	15
Section 504 of the Rehabilitation Act of 1973 — Regulations	16
Appendix A - Evaluation Referral Form	20
Appendix B - Grievance Form	21



## Overview

Section 504 is federal civil rights law under the Rehabilitation Act of 1973. It provides protection against discrimination for individuals with disabilities. This section has multiple parts that impact schools:

Subpart A - General provisions

Subpart B - Employment

Subpart C - Program accessibility

**Subpart D - Pre-school, elementary, middle level, and secondary education**

Subpart E - Post secondary education

Students in school settings fall under the civil rights protection of Section 504, subpart D and are the responsibility of regular education. The law and regulations prohibit discrimination on the basis of disability from all school programs and activities in both public and private schools that receive direct or indirect federal funding. Section 504 is designed to provide **equal access** and fairness in general education to students with disabilities; it is not designed to enhance a student's performance.

A student is entitled to Section 504 protections and accommodations if they have been identified and an evaluation shows that the individual has a **mental or physical impairment that substantially limits one or more major life activities**. This determination is made by a team of knowledgeable individuals, including the parents, who are familiar with the student and his/her disability.

Referrals for evaluation under Section 504 may be made by parents, teachers, school nurses, guidance counselors, and other interested parties who suspect such a disability. Parents will be invited to participate on their child's 504 team, and to provide consent if additional testing is necessary. Confidentiality of all information is maintained. Periodic re-evaluations by the 504 team occur to determine if the child continues to have a Section 504 disability, and Section 504 plans are reviewed periodically to ensure that they continue to be appropriate. Section 504 team members, in addition to parents, are appointed by the building Section 504 Coordinator or designee.

Referrals must be made in writing to the school's 504 coordinator (Appendix A, page 20). Questions can be directed to the school's Principal/Director of the school.

## **Levels of Protection for Individuals with Disabilities**

### American with Disabilities Act (ADA)

The ADA is federal law which provides civil rights protections to all individuals with impairments in our society similar to those provided to individuals on the basis of race, color, sex, national origin, age, and religion. It guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, State and local government services, and telecommunications. ADA was recently amended; please refer to the ADA amendments.

<http://www.ada.gov/>

### Section 504

Congress created Section 504 to be consistent with the Individuals with Disabilities Education Act (IDEA), however, Section 504 is more encompassing. The Section 504 definition of impairment is much broader, including any physical or mental disability that substantially limits one or more major life activities, including, but not limited to, learning. For public schools, Section 504 covers all students who meet this definition, even if they do not fall within an IDEA disability category. Students who qualify for Section 504 services do not automatically qualify for special education under IDEA. The identification for Section 504 services must be based upon evaluations and conducted by a team of individuals knowledgeable about the student. Students who qualify for Section 504 may require accommodations or services through a Section 504 Plan developed by the school's 504 Team.

### Individuals with Disabilities Education Act (IDEA)

The IDEA defines eligible students as those have specific types of disabilities and who, because of those conditions, need special education (specially-designed instruction) and related services, provided through an Individualized Education Program (IEP), in order to benefit from their education.

## Definitions

### Physical or Mental Impairment

The regulations of Section 504 define the terms as:

a) any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory including speech organs, cardiovascular, reproductive, digestive, genito urinary, hemic and lymphatic; skin; and endocrine; or

b) any mental or psychological disorder such as intellectual disability, organic brain syndrome, emotional or mental illness, attention deficit disorder, and specific learning disability.

### Major Life Activity

Major life activity means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, concentrating, reading or thinking. This list is not exhaustive. The term includes those basic activities that the average person in the general population can perform with little or no difficulty. A number of bodily functions are considered major life activities, such as functions of the immune system, digestion, neurological functions, respiratory functions, and brain functions.

Major life activities include functions such as:

Caring for oneself	Bending
Performing manual tasks	Speaking
Seeing	Breathing
Hearing	Learning
Eating	Reading
Sleeping	Concentrating
Walking	Thinking
Standing	Communicating
Lifting	Working

### Substantial Limitation

Substantial Limitation is the inability to perform a major life activity that the average person in the general population can perform without the use of mitigating measures (such as medication or hearing aids), and includes impairments that are episodic or in remission (eg. arthritis flare-ups). Neither Section 504 nor its regulations define the term "substantial", instead, OCR has ruled that the phrase is to be defined by the school district consistent with the intent and language of the ADA.

### Mitigating Measures Defined

Mitigating measures include interventions such as medication, hearing aids, or other devices or practices which serve the purpose of reducing the impact of the identified condition. Exceptions to the mitigating measures rule are ordinary glasses and contact lenses. Students who use these latter devices to successfully correct their vision may be found ineligible under Section 504 if they have no other identifiable needs.

### Mitigating Measures and Eligibility

Teams must examine the degree of limitation on a major life activity, estimating the impact of the disabling condition as if the mitigating measure were not in effect. In many instances, it will be helpful to review the student's records to estimate his or her functioning prior to the onset of medication or other mitigating measure.

### Mitigating Measures and Plan Development

A student may be determined to have a disabling condition and be considered eligible for the non-discrimination protections of Section 504, but may not necessarily require accommodations or services in order to have equal educational opportunity. Thus, students with disabilities may qualify for the nondiscriminatory protections provided by Section 504, but may not require an accommodation plan if there are mitigating measures which sufficiently lessen (ameliorate) the effects of the disability.

### 504 Plan

If eligible, a student's team may create a plan which outlines services, accommodations, and/or modifications which allow the students to have equal access to their education. The plan must be reviewed periodically by the student's team.

Services are actions that are provided to accommodate for the effects of the disability (e.g. transportation for a student in a wheelchair). These are different from "specialized instruction" which is provided through an Individualized Education Plan (IEP) and target academic deficits in a basic skill area (e.g. reading comprehension).

Accommodations are changes to how a student accesses or demonstrates learning. They are based on individual strengths and may vary in intensity and degree, but do not substantially change instructional level or content. Examples are providing standing work stations, preferential seating, audio versions of text, or speech to text technology.

Modifications are changes to what a student is expected to learn or demonstrate. Modifications may alter the instructional level, the benchmarks or standards expected, or otherwise modify the course content. Modifications are more likely to be found in an IEP, but in rare circumstances may be covered in a 504 plan.

## **Medical Conditions**

The existence of a health condition, in and of itself, does not necessitate the development of a 504 plan. However, under Section 504, a student with a health care plan is entitled to all of the non discriminatory protections of that statute.

If required, a document that reflects the student's medical needs will be developed by the school nurse in conjunction with parents/guardians, physicians or other appropriate service providers, teachers, school administrators, and other school staff pertinent to the concerns (such as cafeteria workers). This document is called a "health care plan," and is maintained in the student's health records. It is shared with school staff that interact with the student, on an as-needed basis. Many students with asthma, diabetes, allergies or other conditions have such plans, which are considered to be a specific type of 504 Plan. Having been developed by a group of persons knowledgeable about the student, the condition, and available services, this process is consistent with Section 504 requirements.

### Temporary Health/Medical Conditions

A temporary impairment may constitute a disability for purposes of Section 504 if it results in a substantial limitation of one or more major life activities for a significant period of time. The issue of whether a temporary impairment is substantial enough to be a disability must be resolved on a case-by-case basis, taking into consideration both the duration (or expected duration) of the impairment, the extent to which it actually limits a major life activity of the affected individual, and the impact of the impairment on the student's ability to participate in the district's education program. Even when an impairment does not qualify as a disability (e.g., a broken arm that is expected to fully heal within 6 weeks), staff should generally provide assistance; however, it should be made clear to the parent/guardian that the services are not being provided under Section 504. For students with episodic conditions, or conditions in remission, the determination of eligibility should be made as if the condition were in full effect. In some cases, a non-permanent or episodic impairment may have a significant impact on a student's education. This must be determined on a case-by-case basis by the school team.

## Discipline

The Vermont State Board of Education has adopted rules governing disciplinary procedures for all students, as well as special procedures for students with disabilities. Vermont statutes on student discipline must be read in conjunction with the Vermont State Board of Education rules, SBEM Rule 4312, concerning students who are receiving, or may be eligible for, 504 protections. The State Board rule governing discipline procedures for Section 504 students provides for due process hearings to resolve disagreements between parents and school districts over discipline. Parents may also seek redress through the OCR complaint process.

### Suspensions

In general, students with disabilities are subject to the same disciplinary consequences as their peers who do not have a disability, with regard to short term (less than 10 days) suspensions. A “suspension” is a removal from a student’s current educational placement to a setting where they are no longer able to benefit from the accommodations provided under their Section 504 plan and make reasonable progress in the general curriculum. An in-school suspension may be a change in placement if the suspension deprives the student of access to the general curriculum, or does not allow them to participate with peers in nonacademic settings, such as the school lunchroom. It is important to note that a suspension for part of a day counts as a full day for purposes of “change of placement.”

A “change of placement” occurs whenever a student who is protected by IDEA-B or Section 504 is suspended for 10 or more consecutive days (in a row), or 10 or more cumulative days (total) in a school year (if those behaviors and consequences constitute a pattern). For all eligible students there must be a determination by the student’s 504 team as to whether specific misconduct is caused by the child’s disability.

A “manifestation determination” is made by a team who is knowledgeable about the student, their disability, and how the disability affects their behavior. Information about the student’s disability and its impact on behavior must be recent enough to apply to the student’s current behavior. If such information does not exist, the team must complete a re-evaluation prior to conducting the manifestation determination meeting, and prior to the suspension. The “manifestation determination” may not be made until an initial evaluation or re-evaluation is completed as necessary. If there is suspicion that a student may be eligible for 504 protections, and a proposed suspension would constitute a change of placement, the district must conduct an initial evaluation and manifestation determination prior to instituting the suspension.

During a manifestation determination meeting, the team will consider:

1. Whether or not the student was informed and understood the expectations that were violated
2. If they had previously demonstrated the ability to control their behavior and meet the expectations in question
3. If the disability likely had a substantial impact on the behavior

If it is determined that the misconduct was substantially impacted by the disability, the Section 504 team must consider alterations to the child’s Section 504 plan, and may change the student’s educational placement if a change is found by the team to be appropriate. The team may also consider the implementation and enforcement of a behavior management plan as part of the student’s overall Section 504 plan. If the team determines that the misconduct was not significantly

impacted by the student's disability, the student may be disciplined in the same manner as a student without 504 protections.

SBEM Rule 4311.1, applicable to all students, concerns short-term suspensions from school. In such instances the student and his/her parent or guardian must be given the opportunity for an informal hearing before an appropriately designated school official. This is an opportunity for the student and parent/s to be informed of the charges and the evidence against the student and for the student to tell his/her side of the story. A written decision regarding the disciplinary outcome must then be provided to the student's parent/s or guardian/s.

SBEM Rule 4311.2, applicable to all students, concerns long term suspensions (more than 10 school days) or expulsions. In these instances the student and his/her parents or guardians must be given an opportunity for a formal evidentiary hearing before the school board. Parents/guardians have the right to advance notice of the charges, they may have an attorney present to represent the student, and they have the opportunity to present evidence and cross examine witnesses. Such hearings are held in executive session. However, if a student is currently eligible for 504 protections, the school district must conduct a reevaluation prior to removing them .

A Vermont statute, 16 V.S.A. § 1162 (a), concerning discipline generally allows for the immediate removal of a student from school when the student is a "continuing danger to persons or property or an ongoing threat of disrupting the academic process of the school." However, the general procedural safeguards requirements under Section 504 (notice, an opportunity for the parents or guardian of the child to examine relevant records, an opportunity for an impartial hearing with representation by counsel and a review procedure) apply to a change in educational placement.

### Weapons

If a student with 504 protections possesses or carries a weapon to school or a school function, the student may be placed in an interim alternative educational setting (IAES) for up to 45 days, determined by the 504 team, without regard to a manifestation determination. The team shall also determine the services to be provided in this setting. If the parent disagrees with the disciplinary action taken by the school they may request a due process hearing or, in lieu of such hearing, they may file a complaint with OCR. A hearing officer, in an expedited due process hearing may order a change in placement to an appropriate IAES for not more than 45 calendar days if the hearing officer finds by a preponderance of the evidence that:

1. Maintaining the student in his or her current placement is substantially likely to result in injury to the child or others and
2. The proposed IAES will enable the student to progress in the general curriculum.

The services and modifications made for the student in the IAEP must be designed to address and prevent the students offending behavior. The 504 team must meet prior to the end of the 45 day interim placement to determine the student's ultimate placement.

In addition, if a student brings a firearm (as that term is defined in the federal Gun-Free School Act) to school, Vermont statute 16 V.S.A. § 1166, requires the school district to report the student to a law enforcement agency and expel the student for not less than one calendar year. The statute allows the school board, in its discretion, to modify the expulsion, on a case by case basis. One of the stated circumstances which might warrant modification would be that the student is disabled and the misconduct is related to the disability.

### Drugs/Alcohol

The disciplinary protections of 504 do not apply if a student is being disciplined for use or possession of illegal drugs or alcohol at school or at a school function and the student is a current user of illegal drugs or alcohol.



## **Summary of Procedural Safeguards for Students and Parents under Section 504**

The following is a summary of rights granted under federal law to qualified students with disabilities and their parents. The full provisions of the federal law creating these rights can be found at 29 U.S.C. Section 794 (Section 504 of the Rehabilitation Act of 1973) and 34 C. F.R. Part 104 et seq. and in the Americans with Disabilities Act and its regulations. Copies of the district 504/ADA procedures are available from the student's building principal or 504 Coordinator.

### Qualified Students with Disabilities:

1. May not, on the basis of disability, be excluded from participation in, or denied the benefits of, programs or activities offered by the district, or otherwise be discriminated against on the basis of their disability in connection with any district program or activity;
2. Have a right to be educated in facilities and receive services comparable to those provided for students without disabilities;
3. Have a right to be educated with students who are not individuals with disabilities to the maximum extent appropriate;
4. Have a right to receive a free appropriate public education (i.e., FAPE, the provision of regular or special education and related aids and services that are designed to meet the individual educational needs of the qualified student with a disability as adequately as the needs of the students who are not individuals with disabilities are met);
5. Have a right to an equal opportunity to participate with students who are not individuals with disabilities in the district's non-academic and extra-curricular services and activities;
6. Have a right to have evaluation, educational, and placement decisions made based upon information from a variety of sources; to periodic reevaluations and an evaluation before any significant change in placement in a regular or special education program; and to have placement decisions made by a group of persons, including persons knowledgeable about the student, the meaning of the evaluation data and the placement options;
7. Have a right to be placed in a regular educational environment operated by the district, unless the district demonstrates that the education of the student in the regular education environment, with the use of supplementary aids/services, cannot be achieved satisfactorily;
8. Have a right to be advised by the district regarding the district's Section 504 duties.

### Parents Have a Right:

1. To be advised by the district regarding the district's duties under Section 504 regulations;
2. To examine their child's education records;
3. To receive notice with respect to identification, evaluation, or placement of their child (such notice to be in parent's native language and primary mode of communication);
4. To file a local grievance;
5. To request mediation through the Vermont Agency of Education, and/or to request an impartial hearing before a state hearing officer and/or any other means available through state or federal law, in the event that they disagree with an action regarding identification, evaluation, services or placement of the child; and a right to a review of such decision. In such a hearing, parents shall have the opportunity to participate and be represented by counsel at their own expense. (Mediation requests should be addressed to, and due process hearing requests should be filed with, the Commissioner of the Vermont Agency of Education, 120 State Street, Montpelier, VT 05602.)

### Local Grievance Procedures

A student and/or parents may file a local grievance claim against a school if they believe the qualifying student has experienced discrimination based on their disability. Grievances may be in reference to Identification, Evaluation, or Educational Placement of a student with a disability being served or considered for Section 504.

### Local Grievance Process

1. Written complaints (Appendix B) shall be submitted to the 504 Grievance Coordinator who will investigate the claim(s), and reply in writing within 10 (ten) business days.
2. If the complainant wishes to appeal the decision of the 504 Grievance Coordinator, they may submit a signed statement of appeal to the Superintendent of Schools within 10 (ten) business days of receipt of the 504 Coordinators response. The Superintendent of Schools shall meet with relevant parties and respond to the complainant in writing within 10 (ten) business days of the appeal.
3. If the complainant remains unsatisfied, they may submit a signed statement of appeal to the School's Board of Directors within 10 (ten) business days of receipt of the Superintendent's response. The Board of Directors shall meet with the complainant within 40 (forty) days of receipt of the appeal and the Board's decision shall be sent to all relevant parties within 10 (ten) business days of the meeting.

### Time for Filing Claims

Under Vermont law, 16 VSA §2957 and VDE Rule 1253, an action and/or due process proceeding to enforce Section 504 and/or the ADA against this school district must be commenced within two years of the alleged violations, and not after. If reimbursement is sought for the costs of a unilateral placement by the parents, a due process hearing request seeking reimbursement must be filed with the Commissioner of Education within ninety days of the unilateral placement, and not after.

This notice shall not be construed to create any right or any claim or cause of action not otherwise provided by law.

### Mediation

Mediation is a completely voluntary process which should not interfere with any procedural safeguards including filing a grievance, requesting a due process hearing, or filing a complaint with the Office of Civil Rights. Mediation involves a neutral third party who has no authority to make decisions. The mediator will listen to both parties to guide them toward a mutually satisfactory solution. Mediation costs are the responsibility of the school.

### Due Process Hearing

Due Process is defined as an opportunity to resolve a dispute between parents and the school over the decision made and/or procedures used by the school under section 504. A Due Process Hearing may be initiated by the school, or the parent, guardian, or surrogate parent of the student.

The Section 504 and ADA Coordinator responsible for assuring that the district complies with Section 504 of the Rehabilitation Act and the American Disabilities Act is: **Luke Aither.**

## Contact Information for Parent Questions

If you have questions or concerns about your student's 504 evaluation, accommodations, or team decisions, contact your student's case manager, then the school's 504 coordinator. If you need further assistance, contact Luke Aither at Spaulding High School.

Barre City Elementary School - Brenda Waterhouse

Barre City Middle School - Pierre LaFlamme

Barre Town Elementary School - Jennifer Nye

Barre Town Middle School - Erica Pearson

Spaulding High School - Luke Aither

BUUSD - Chris Hennessey, Superintendent

BUUSD <https://www.buusd.org/>

Vermont Agency of Education <https://education.vermont.gov/>

Office of Civil Rights <https://www2.ed.gov/about/offices/list/ocr/index.html>

## Frequently Asked Questions

### Can my student have accommodations for their State Standardized Tests?

If a student is scheduled to take one of the State Standardized Tests, such as the SBAC, the 504 team should consider if accommodations are needed for the student to have an equal opportunity to demonstrate their knowledge, and if so, those accommodations should be explicitly stated in the plan. If appropriate, the 504 case manager/school counselor/designated school employee will complete the appropriate documentation for the accommodations.

### Is my student ensured accommodations for other standardized tests, such as the SAT, ACT, or AP exams?

No. Parents can request that the school release pertinent information to the organization which oversees the test. Each individual organization will make final determinations about accommodations to their test.

### Do section 504 plans transfer from one school to another or from high school to college?

No. Each school or college is responsible for determining eligibility and accommodations on an individual basis. Public primary and secondary schools are responsible for identifying students who may have a disability under ["Child Find"](#), however, parents should notify the receiving school of any existing needs or plans currently in place at the sending school. It is the responsibility of the student to notify colleges and universities of their existing plan so that the school may consider whether the student is eligible for a 504 protections at their institution.

### Is the school required to provide an evaluation for a student who is graduating?

Schools are required to reassess and determine eligibility "periodically", and to meet at least annually to review the student's needs and accommodations. The school is not required to evaluate a student solely for the purposes of preparing them for transition into post-secondary life. Students and parents are encouraged to familiarize themselves with Section 504 - Subpart E, which specifically addresses secondary schools.

### If my student is no longer eligible for an IEP, are they automatically eligible for a 504 plan?

No. If a student is no longer eligible for an IEP, they are not guaranteed to be eligible for a section 504 plan. The IEP team can make a referral for a 504 team to determine eligibility; that team may use existing assessments and current Special Education information in their determination for 504 eligibility.

## Section 504 of the Rehabilitation Act of 1973 — Regulations

### 34 CFR Chapter 1, Section 104.31

#### Subpart D—Preschool, Elementary, and Secondary Education (December 13, 2000)

##### **§ 104.31 Application of this subpart.**

Subpart D applies to preschool, elementary, secondary, and adult education programs or activities that receive Federal financial assistance and to recipients that operate, or that receive Federal financial assistance for the operation of, such programs or activities.

##### **§ 104.32 Location and notification.**

A recipient that operates a public elementary or secondary education program or activity shall annually:

- (a) Undertake to identify and locate every qualified handicapped person residing in the recipient's jurisdiction who is not receiving a public education; and
- (b) Take appropriate steps to notify handicapped persons and their parents or guardians of the recipient's duty under this subpart.

##### **§ 104.33 Free appropriate public education.**

- (a) General. A recipient that operates a public elementary or secondary education program or activity shall provide a free appropriate public education to each qualified handicapped person who is in the recipient's jurisdiction, regardless of the nature or severity of the person's handicap.
- (b) Appropriate education. (1) For the purpose of this subpart, the provision of an appropriate education is the provision of regular or special education and related aids and services that (i) are designed to meet individual educational needs of handicapped persons as adequately as the needs of nonhandicapped persons are met and (ii) are based upon adherence to procedures that satisfy the requirements of §§ 104.34, 104.35, and 104.36. (2) Implementation of an Individualized Education Program developed in accordance with the Education of the Handicapped Act is one means of meeting the standard established in paragraph (b)(1)(i) of this section. (3) A recipient may place a handicapped person or refer such a person for aid, benefits, or services other than those that it operates or provides as its means of carrying out the requirements of this subpart. If so, the recipient remains responsible for ensuring that the requirements of this subpart are met with respect to any handicapped person so placed or referred.
- (c) Free education--(1) General. For the purpose of this section, the provision of a free education is the provision of educational and related services without cost to the handicapped person or to his or her parents or guardian, except for those fees that are imposed on non-handicapped persons or their parents or guardians. It may consist either of the provision of free services or, if a recipient places a handicapped person or refers such person for aid, benefits, or services not operated or provided by the recipient as its means of carrying out the requirements of this subpart, of payment for the costs of the aid, benefits, or services. Funds available from any public or private agency may be used to meet the requirements of this subpart. Nothing in this section shall be construed to relieve an insurer or similar third party from an otherwise valid obligation to provide or pay for services provided to a handicapped person. (2) Transportation. If a recipient places a handicapped person or refers such person for

aid, benefits, or services not operated or provided by the recipient as its means of carrying out the requirements of this subpart, the recipient shall ensure that adequate transportation to and from the aid, benefits, or services is provided at no greater cost than would be incurred by the person or his or her parents or guardian if the person were placed in the aid, benefits, or services operated by the recipient.

(3) Residential placement. If a public or private residential placement is necessary to provide a free appropriate public education to a handicapped person because of his or her handicap, the placement, including non-medical care and room and board, shall be provided at no cost to the person or his or her parents or guardian.

(4) Placement of handicapped persons by parents. If a recipient has made available, in conformance with the requirements of this section and §104.34, a free appropriate public education to a handicapped person and the person's parents or guardian choose to place the person in a private school, the recipient is not required to pay for the person's education in the private school. Disagreements between a parent or guardian and a recipient regarding whether the recipient has made a free appropriate public education available or otherwise regarding the question of financial responsibility are subject to the due process procedures of §104.36.

(d) Compliance. A recipient may not exclude any qualified handicapped person from a public elementary or secondary education after the effective date of this part. A recipient that is not, on the effective date of this regulation, in full compliance with the other requirements of the preceding paragraphs of this section shall meet such requirements at the earliest practicable time and in no event later than September 1, 1978.

#### **§ 104.34 Educational setting.**

- (a) Academic setting. A recipient to which this subpart applies shall educate, or shall provide for the education of, each qualified handicapped person in its jurisdiction with persons who are not handicapped to the maximum extent appropriate to the needs of the handicapped person. A recipient shall place a handicapped person in the regular educational environment operated by the recipient unless it is demonstrated by the recipient that the education of the person in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. Whenever a recipient places a person in a setting other than the regular educational environment pursuant to this paragraph, it shall take into account the proximity of the alternate setting to the person's home.
- (b) Nonacademic settings. In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and the services and activities set forth in § 104.37(a)(2), a recipient shall ensure that handicapped persons participate with nonhandicapped persons in such activities and services to the maximum extent appropriate to the needs of the handicapped person in question.
- (c) Comparable facilities. If a recipient, in compliance with paragraph (a) of this section, operates a facility that is identifiable as being for handicapped persons, the recipient shall ensure that the facility and the services and activities provided therein are comparable to the other facilities, services, and activities of the recipient.

#### **§ 104.35 Evaluation and placement.**

- (a) Pre Placement evaluation. A recipient that operates a public elementary or secondary education program or activity shall conduct an evaluation in accordance with the requirements of paragraph (b) of this section of any person who, because of handicap, needs or is believed to need special education or related services before taking any action with respect to the initial placement of the person in regular or special education

and any subsequent significant change in placement.

- (b) Evaluation procedures. A recipient to which this subpart applies shall establish standards and procedures for the evaluation and placement of persons who, because of handicap, need or are believed to need special education or related services which ensure that:
  - (1) Tests and other evaluation materials have been validated for the specific purpose for which they are used and are administered by trained personnel in conformance with the instructions provided by their producer;
  - (2) Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient; and
  - (3) Tests are selected and administered so as best to ensure that, when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever other factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure).
- (c) Placement procedures. In interpreting evaluation data and in making placement decisions, a recipient shall (1) draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior, (2) establish procedures to ensure that information obtained from all such sources is documented and carefully considered, (3) ensure that the placement decision is made by a group of persons, including persons knowledgeable about the child, the meaning of the evaluation data, and the placement options, and (4) ensure that the placement decision is made in conformity with § 104.34.
- (d) Reevaluation. A recipient to which this section applies shall establish procedures, in accordance with paragraph (b) of this section, for periodic reevaluation of students who have been provided special education and related services. A reevaluation procedure consistent with the Education for the Handicapped Act is one means of meeting this requirement.

#### **§ 104.36 Procedural safeguards.**

A recipient that operates a public elementary or secondary education program or activity shall establish and implement, with respect to actions regarding the identification, evaluation, or educational placement of persons who, because of handicap, need or are believed to need special instruction or related services, a system of procedural safeguards that includes notice, an opportunity for the parents or guardian of the person to examine relevant records, an impartial hearing with opportunity for participation by the person's parents or guardian and representation by counsel, and a review procedure. Compliance with the procedural safeguards of section 615 of the Education of the Handicapped Act is one means of meeting this requirement.

#### **§ 104.37 Nonacademic services.**

- (a) General. (1) A recipient to which this subpart applies shall provide non-academic and extracurricular services and activities in such manner as is necessary to afford handicapped students an equal opportunity for participation in such services and activities. (2) Nonacademic and extracurricular services and activities may include counseling services, physical recreational athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the recipients, referrals to agencies which provide assistance to handicapped persons, and employment of students, including both employment by the recipient and assistance in making available outside employment.

- (b) Counseling services. A recipient to which this subpart applies that provides personal, academic, or vocational counseling, guidance, or placement services to its students shall provide these services without discrimination on the basis of handicap. The recipient shall ensure that qualified handicapped students are not counseled toward more restrictive career objectives than are nonhandicapped students with similar interests and abilities.
- (c) Physical education and athletics. (1) In providing physical education courses and athletics and similar aid, benefits, or services to any of its students, a recipient to which this subpart applies may not discriminate on the basis of handicap. A recipient that offers physical education courses or that operates or sponsors interscholastic, club, or intramural athletics shall provide to qualified handicapped students an equal opportunity for participation. (2) A recipient may offer to handicapped students physical education and athletic activities that are separate or different from those offered to nonhandicapped students only if separation or differentiation is consistent with the requirements of §104.34 and only if no qualified handicapped student is denied the opportunity to compete for teams or to participate in courses that are not separate or different.

**§ 104.38 Preschool and adult education.**

A recipient to which this subpart applies that provides preschool education or day care or adult education may not, on the basis of handicap, exclude qualified handicapped persons and shall take into account the needs of such persons in determining the aid, benefits, or services to be provided.

**§ 104.39 Private education.**

- (a) A recipient that provides private elementary or secondary education may not, on the basis of handicap, exclude a qualified handicapped person if the person can, with minor adjustments, be provided an appropriate education, as defined in §104.33(b)(1), within that recipient's program or activity.
- (b) A recipient to which this section applies may not charge more for the provision of an appropriate education to handicapped persons than to nonhandicapped persons except to the extent that any additional charge is justified by a substantial increase in cost to the recipient
- (c) A recipient to which this section applies that provides special education shall do so in accordance with the provisions of §§ 104.35 and 104.36. Each recipient to which this section applies is subject to the provisions of §§ 104.34, 104.37, and 104.38.



**Section 504 Evaluation Referral**

Student's Name: \_\_\_\_\_ School: \_\_\_\_\_

Referring Individual: \_\_\_\_\_ Role: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Summary of the referral - What is/are the concern/impairment(s)? \_\_\_\_\_

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What is/are the substantially limited major life activities? \_\_\_\_\_

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What supports have been tried in the past? Which ones were effective and which ones were not? \_\_\_\_\_

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Referring Individual's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Received by 504 Coordinator: \_\_\_\_\_ Date: \_\_\_\_\_

CC: Parent  
Student file

**Section 504 Grievance Form**

Student's Name: \_\_\_\_\_ School: \_\_\_\_\_

Parent's name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Summary of the Grievance - What is the concern or discrimination? What are the facts, including dates? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Who have you spoken to at the school about this issue, and what was the result? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

How can the problem be solved? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Please attach any additional information or documentation you wish the district to consider. You also have the right to file a complaint with the regional office of the US Department of Education's Office for Civil Rights (OCR) without going through the district's grievance process.

Parent Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Received by 504 Coordinator: \_\_\_\_\_ Date: \_\_\_\_\_

CC: Parent  
Student file