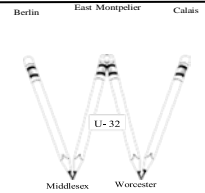


Washington Central Unified Union School District

WCUUSD exists to nurture and inspire in all students the passion, creativity and power to contribute to their local and global communities.

1130 Gallison Hill Road
Montpelier, VT 05602
Phone (802) 229-0553
Fax (802) 229-2761

Debra Taylor, Ph.D.
Interim Superintendent



Washington Central Unified Union School District Board Meeting Agenda

5.20.20 6:00 PM – 9:00 PM

Virtual Meeting Information:

<https://tinyurl.com/y9gpavra>

Meeting ID: 922 8493 7959

Password: 2eBrd0uSdv

Dial by Your Location 1-929-205-6099

Open Meeting Law temporary changes as of 3/30/20:

Boards are not required to designate a physical meeting location. Board members and staff are not required to be present at a designated meeting location.

Our building will not be open for meetings. All are welcome to attend virtually.

TIME

(in minutes)

5	1.0	Call to Order
20	2.0	Welcome
	2.1	Reception of Guests
	2.2	Agenda Revisions
	2.3	Public Comments
	2.4	Students' Report
30	3.0	Board Operations (Discussion/Action)
	3.1	Board Steering Team Membership
	3.2	Board Committee Schedules (Action) – pg. 3
	3.3	Superintendent Transition Update –July 1, 2020
	3.4	CV Fiber Letter of Support (Action) – pg. 4
	3.5	Teacher Appreciation
60	4.0	Reports (Discussion/Action)
	4.1	Superintendent – pg. 5
	4.1.1	COVID 19 Update
	4.1.2	Bid Recommendation (Action) – pg. 9
	4.1.3	Net Metering Contract (Action)
	4.2	Leadership Team – pg. 12
	4.3	Finance Committee (Action)
	4.3.1	Budget Information – pg. 15
	4.3.2	Proposal for Early Retirement (Action) – pg. 20
	4.3.3	Annual Fiscal Management Questionnaire (Action) – pg. 24
	4.3.4	Summer Meal Provision (Action) – pg. 26
	4.3.5	Energy Project Consultant (Action)
	4.4	ESP Negotiations – pg. 28

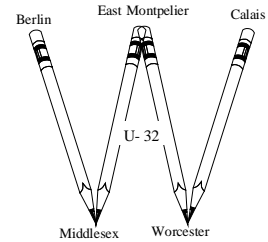
	4.5	Policy (Action) – pg. 29
	4.5.1	Second Reading of B3 Alcohol & Drug Free Workplace, C1 Student Education Records, C4 Limited English Proficiency Students Policies – pg. 32
	4.5.2	First Reading of C2 Student Alcohol & Drugs, C3 Transportation, C5 Weapons/Firearms, C6 Home Study Students, C7 Student Attendance, C8 Pupil Privacy Rights, C10 & C10P Prevention of Harassment, Hazing and Bullying Policy and Procedures, C11 Student Freedom of Expression in School-Sponsored Media, C30 Student Medication, C32 Eighteen Year-Old Students Policies – pg. 39
10	5.0	Consent Agenda (Action)
	5.1	Approve Minutes of 5.6.20 - pg. 93
	5.2	Approve Board Orders
10	6.0	Personnel (Action)
	6.1	Approve Hires, Resignations, Retirements
5	7.0	Future Agenda Items
20	8.0	Executive Session (Personnel)
	9.0	Adjournment

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Debra Taylor, Ph.D.
Interim Superintendent



MEMORANDUM

TO: Board of School Directors
FROM: Debra Taylor, Ph.D., Superintendent
DATE: May 15, 2020
RE: Board Committee Structure 20-21

At our March board reorganization meeting, the Board decided to appoint the following committees for 2020-21: Finance/Capital; Education Quality; Policy and Negotiations. Since that date, requests have been made to change the approved schedule. The table below provides the approved, current and proposed schedules.

Committee Schedule
Approved, Current and Proposed

Committee	Schedule Approved by Board in March	Current Variation (if any) (Blank means no current change)	Proposed Changes
Finance/Capital	First Wednesday of Month from 6:00-7:00 pm	First Wednesday of Month from 6:00-7:00 pm and Second Wednesday of Month from 5:00 pm to 6:00 pm	Maintain Second Wednesday of Month from 5:00 to 6:00 pm
Ed Quality	First Wednesday of Month from 6:00-7:00 pm		No Change
Policy	First Wednesday of Month from 6:00-7:00 pm	First Wednesday of Month from 6:00-7:00 pm AND Every Tuesday 4:30 to 6:30 PM through June, 2020	Change to Tuesdays
Negotiations	First Wednesday of Month from 6:00-7:00 pm		No Change

Recommendation:

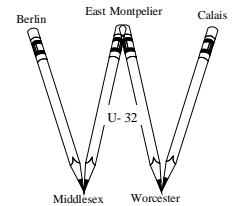
Adopt proposed Committee Schedule (green column).

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Debra Taylor, Ph.D.
Interim Superintendent



May 20, 2020

Office of the Federal Co-Chair
Northern Border Regional Commission
53 Pleasant Street, Suite 1501
Concord, NH 03301

Ted Brady, Deputy Secretary
Kristie Farnham, NBRC Program Manager at the Agency.
Vermont Agency of Commerce & Community Development
One National Life Drive
Deane C. Davis Building, 6th Floor
Montpelier, VT 05620-0501

This is a letter of support is for CVFiber's Grant Application for their Northern Border Regional Commission (NBRC) Application for an Economic and Infrastructure Development Investment Program Grant for the construction of a Pilot High-Speed Internet Project of their Phase I efforts as referenced in their recently completed Feasibility Study.

The towns of Berlin, Calais, East Montpelier, Middlesex, and Worcester are members of the CVFiber Communications Union District. We are in urgent need of high-speed broadband for the future vitality of our school district. The current COVID-19 Pandemic has greatly increased the urgency for this project. The current services, if offered at all, are totally inadequate. The need is urgent. We have local businesses who need high speed service to stay competitive. Many students and teachers are at a huge disadvantage trying to stay up with class work. It is essential to support telehealth. The new norm is high speed internet at every premises. This project would increase the accessibility of high-speed internet.

We wholeheartedly support their application for your Economic and Infrastructure Development Investment Program to construct their Phase I pilot project. This grant would help CVFiber advance moving forward with highspeed broadband to our entire community.

Sincerely yours,

Scott Thompson, Board Chair
On behalf of the Washington Central Unified Union School District (WCUUSD) School Board



Superintendent's Board Report

May 20, 2020

COVID 19 Update

School Calendar

The Agency of Education released calendar guidance concerning the end of the school year on May 8. This guidance requires school districts to maintain their current calendars through the end of this school year with changes subject to approval by the Secretary of Education.

Consequently, I sought and received a waiver from the Secretary to forgive the five inclement weather days, maintain our 175 instructional days and utilize the remaining five days for teachers professional development and curriculum planning for the coming school year. This maintains the state requirement and provides the district with the flexibility to develop curriculum and instructional contingency plans for the future year.

End of Year

While providing oversight to the daily remote learning work, our leadership team has turned their attention to planning for the end of year graduation and transition ceremonies, summer school and extended school year, and examining various contingency plans for the fall start of the school year. While we would all like nothing more than to return to normalcy, we recognize that we must make decisions based on current public health information (CDC and VPH) and guidance from the governor and secretary of education.

For graduation, there remains a 10 person group limit which is impacting our planning for graduation on June 12. Steven Dellinger-Pate has provided an outline of our plans in the leadership team report. Our plans are still in process at this time. Our elementary principals are also working together as we plan 6th grade transition ceremonies from elementary schools. We are examining how other schools in Vermont and nationally are approaching graduation during these challenging times. Our first priority is to ensure everyone's well-being by following health and safety guidance.

Remote Learning

As to the current remote learning instructional plan that is underway, our staff are working very hard to implement all aspects of our plan. The COVID-19 websites prepared for each school are a great place to check in and review the activities at the elementary level. U-32 teachers continue to provide course specific instruction. You may be interested in reviewing information concerning [Continuity of Learning Plan Exemplars statewide](#).

Summer Programming

Child care, afterschool and summer program guidance is still under development. Our team is examining the possibilities for summer. Our first priority is ensuring student safety. We will need to ensure that all of the required safety requirements/protocols are put in place. We anticipate a decision on these activities no later than June 1. We are working at the state and local level to secure more PPE and the availability of this equipment will be a major factor in the implementation of summer programming.

Plans for Fall

Looking ahead to frame our future fall reopening, the AOE is communicating and coordinating with other states and will continue to provide guidance as the public health situation evolves. VTVLC has expanded offerings including implementation of a learning management system which U-32 is evaluating for possible future use. The state is also addressing the need to build a better ecosystem with which to develop and share continuity of learning strategies across school districts in the state.

FY 19-20 Budget Update

The AOE has released guidance for special education reimbursement. We will use the time studies that were completed twice during the 19-20 school year as the basis for special education reimbursement. For those who have been assigned to other work during school closure, time studies are requested. The AOE will review these reports and determine eligibility for reimbursement during school closure period. We also received guidance concerning the contracts for services. Contracts should evolve based on student needs. We are working closely with our providers to make adjustments based on actual services rendered while considering future plans that will allow us to navigate our future together when school resumes.

FY 20-22 Budget Discussion

Federal funds for COVID relief will not be available to districts until after July 1 for two reasons. First, there is controversy concerning USDOE regulatory language which requires sharing funds with private schools. Second, there is a need to shore up the ED Fund, and a desire to consider clawing back these COVID federal funds to accomplish this. The Ways and Means Committee is interested in postponing the application of these funds until July 1, so that this revenue may align with education spending in the next fiscal year. This may change if we receive updated guidance or direction from Feds. The AOE and legislators need to determine how these can be maximized in light of future revenue shortfalls. .

In a discussion of fiscal year 20-21, the conversation is now focused on discussions of the Department of Administration and Agency of Education with the Ways and Means Committee. Secretary French and other administration officials met with the House Ways and Means Committee Meeting and their meeting may be viewed [HERE](#) (this includes plans to have districts re-vote budgets etc. The Administration's testimony starts at about the 31 minute mark). The Ways and Means Committee concluded that even with federal revenues, reductions in spending have to be part of the solution for the coming year. With unemployment at the same level as during the height of the Great Depression, the challenges of funding our colleges, universities, hospitals and public schools are at the forefront. It is unrealistic to think that the K-12 education

system will not be impacted. One proposal offered was that voters be directed to re-vote their budgets, perhaps as early as August for the upcoming school year. The rationale is that spending changes need to occur, when budgets were first proposed no one had an understanding of the COVID-19 reality. Another is to consider approaching budget management quarterly. Another approach is to set spending at the state level. This would require significant changes to statutory language. The complexities of implementation of these options are hard to imagine. Back to the larger point, reduced spending will have to become part of the solution at some point. Use of federal revenues to shore up expenditures along with borrowing will not be sufficient. Continuing on the current path could result in taxpayer increases of over 20 cents in the coming school year. At next Tuesday's Ways and Means Committee a revised revenue forecast will be presented. In the next few weeks, the legislature will move closer to determining how they will address school funding for the coming year.

At the district level, the leadership team has been examining options for short and long term budget adjustments to address the fiscal reality for the coming years. One example, which is outlined in the Board Finance Committee Report, is our consensus recommendation that the Board implement an Early Retirement Option. This will permit us with more flexibility in staffing and budget development for the future fiscal year 21-22 budget. Early adoption of this proposal will enable staff to consider the option and the Board and leadership team to make decisions this summer which will permit us to initiate our budget process in an informed manner. The proposal has been initially reviewed by the Board's attorney.

Staff Appreciation

I continue to be amazed by and very proud of the continuous excellent work of our school staff, the support of our students and families, and positive feedback from our communities. We all appreciate the ongoing confidence expressed by the Board as we continue to navigate these uncharted waters together.

Take care and be well everyone.

Respectfully Submitted,

Debra Taylor, Ph.D.

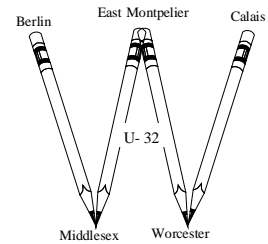
Superintendent of Schools

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Debra Taylor, Ph.D.
Interim Superintendent



MEMORANDUM

TO: Board of School Directors
FROM: Debra Taylor, Ph.D., Superintendent
DATE: May 15, 2020
RE: Bid Recommendation

On May 12 bid openings occurred to address school construction projects in Rumney, Calais and U-32. (Please see the attached meeting minutes) The key points are:

- There is sufficient money in the budgets.
- We will know more when the remaining bids are received.

The contract allocation is:

Rumney \$54,022 plus 10% \$5,402 =	\$59,424
Calais \$116,340 plus 10% \$11,634 =	127,974
U32 \$43,672 plus 10% \$4,367 =	<u>\$48,039</u>

Total Contract to Connor	\$214,034
--------------------------	-----------

plus 10 % estimate for change orders	+ \$21,403
Total=	<u>\$235,437</u>

Recommendation:

Approve Connor Contracting for construction in the combined projects noted above in the total amount of \$235,437.

Bid Opening Minutes

Rumney Memorial Acoustics , Calais Renovations, U-32 Kitchen

May 12,2020 3:00 p.m.

Attendees: Melissa Tuller, John Hemmelgarm (Black River Design), Bill Ford, Lori Bibeau, Michelle Ksepka, Cliff Nickerson (Black River Design), Polly Cetrano (Black River Design), Steve Connor (Connor Contracting), EF Wall listening via Zoom

The meeting was done via zoom. John Hemmelgarm of Black River Design opened and read the bids . Three bids were received . See attached bid sheet for results .

Contractor Bid Summary
WCUUSD 2020 Projects
Rumney Memorial School, Calais School, U32 Middle High School
May 12, 2020

			Conner Construction	Kingdom Construction	EF Wall		
BOND (Yes/No)			Yes	Yes	Yes		
ADDENDUM ONE, acknowledge receipt of (Yes/No)			Yes	Yes	Yes		
ADDENDUM TWO, acknowledge receipt of (Yes/No)			Yes	Yes	Yes		
ADDENDUM THREE, acknowledge receipt of (Yes/No)			Yes	Yes	Yes		
ADDENDUM FOUR, acknowledge receipt of (Yes/No)			Yes	Yes	Yes		
ADDENDUM FIVE, acknowledge receipt of (Yes/No)			Yes	No	Yes		
BASE BID			\$190,132	\$212,000	\$233,400		
ALTERNATES (numbers in parentheses are deducts)							
R1	Alternate No. 1: Measure 2A	1	\$4,992	\$5,600	\$6,100		
R2	Alternate No. 2: Measure 2B	1	\$5,575	\$7,600	\$10,300		
R3	Alternate No. 3: Measure 3	1	\$4,995	\$6,500	\$3,800		
R4	Alternate No. 4: Measure 4	1	\$4,990	\$6,900	\$5,100		
U1	Sprinkler above new U32 Kitchen Ceiling	1	\$3,350	\$4,500	\$5,600		
UNIT PRICES							
MARK-UP							
	Labor		15%	15%	15%		
	Material		12%	15%	15%		
	Subcontractors		12%	15%	15%		
DATE OF COMMENCEMENT							
SUBSTANTIAL COMPLETION (Days)							
PROJECT TEAM							
	Project Manager (At Contractor's Home Office)		Jason Young	Karl Chaffee	Don Ennis		
	Job Superintendent (At Project Site)		TBD	Kim Austin	Paul Kittredge or Michael Baribault		
MAJOR SUBCONTRACTORS							
	Site work Contractor		Conner Construction	Kingdom Construction	Dana Gravel		
	Contractor						
	Contractor						
PROPOSED CONTRACT SUM (amount with selected alternates)			\$214,034	\$243,100	\$264,300	\$0	\$0

Clarification
for bid
attached to bid

WCUUSD School Board Leadership Team Report
May 2020

Connecting with Students and Families During Continuity of Learning:

Berlin

- We've settled into a good routine and understanding how to better work in a remote learning environment. Teachers and staff have been going above and beyond in creating engaging lessons and activities and connecting with all students. They have become more comfortable with using technology in this way for learning.
- We conducted our second bus parade on May 14th. This is a great opportunity for students, families, and staff to see each other.
- Berlin continues to be a host site for essential employee childcare. Although we only serve a few families, we anticipate an increase as families return to work. We're honored to offer our facility.

Calais

- Calais Cougars are hitting their stride this month, having finally settled into a sense of routine with remote learning. There are certainly still some bumps in the road but our educators are adapting as well in this new setting to respond to each student and family's individual needs. This is allowing us to partner with families in much more depth than ever before and we think this makes us all the stronger for it.
- Our second bus parade occurred May 14th and was just as amazing as the first one. It filled our hearts to see so many students and families from Calais come out to say hello and wave. Even some of our high school students came out for this parade and it was fabulous to see faces we haven't seen in awhile.
- Elementary principals met this month to begin to talk about end of year traditions and celebrations like step up day and 6th grade graduation. Rituals and traditions are important so it's on all of us to be creative about how to honor those traditions in a way that feels special AND safe. We plan to reach out to 6th grade families in the coming week to talk about potential ideas for 6th graders transitioning to U-32 and will also meet with 6th graders via Zoom to gather their input. One of the traditions we have already been creative about...6th graders have historically toured U-32 in the spring to start getting a sense of the space and place. This year staff from U-32 have put together a virtual tour as a first step towards the transition. Click [here](#) for a link (We'll send to 6th graders as well) it's a little long given all there is to see and explore but really well done and worth the watch.

Doty

- We are continuing to adapt and evolve in our delivery of distance instruction. Teachers and administrators regularly seek feedback from both students and families and refine practices accordingly.
- We continue to maintain our commitment to a flexible, family centered approach. Families have been communicating with classroom teachers about family stress levels and maintain balance between learning and not overwhelming students and families.

East Montpelier

- We completed our second staff parade this afternoon. We spent about 4 hours driving around the town of East Montpelier, waving and honking at families, and were greeted by waves, smiles, and lots of very happy children. We're looking forward to doing this again before the end of the year!
- Our staff continues to participate in weekly professional development together. We have been working on classroom configurations and student placement for next year, and will soon be working on curriculum mapping for 2020-2021.
- We are excited to announce that 100% of our students and families now have access to remote online instruction at home. We had a few families we were working closely with to get high-speed internet up and running, and thankfully, it has now happened.
- During this time of closure we have heard from a dozen families wanting to register their children at EMES for next year - we are excited for the prospect of having new children join our school family!

Rumney

- We continue to learn more about technology each week as well as *what works* and *what doesn't work* for our students, families, and staff. Most of our students access online learning through Seesaw (preschool through grade 2) or Google Classroom (grades 3-6), as well as a variety of other online learning platforms. For families without internet access we are providing print-based materials, recorded lessons saved on USB drives, and are making regular connections by phone.
- On Thursday, May 7th, many of our staff participated in a car parade behind Middlesex 1 to greet our kids and families - it was the highlight of the past two months! We look forward to seeing our students and families on the Middlesex 2 route next week.

U-32

- We have a tentative plan for graduation that will consist of a Friday, June 12, evening live stream of our ceremony that includes the speakers and awards presentations. On Saturday and Sunday, we will have a drive through diploma pick up using the bus lane. Specific details on both events are still being worked out as of the writing of the report.

Extended School Year (ESY) and Summer School

Recent guidance has been released from the Agency of Education related to Extended School Year (ESY). A group of folks from across the district have met to consider how we might be able to provide services to students who are eligible. There are many things to consider related to CDC requirements, the safety of both students and staff, transportation, accessibility, etc. There is a well represented group that consists of members of the leadership team, school nurse, school psychologist, and representation from Community Connections. We will be extending the invite to a couple of special educators as well. We

anticipate having further information to share about summer programming in the coming weeks.

Upcoming events:

Berlin:

- We have no specific major events upcoming at this point in time.

Calais:

- We have no specific major events upcoming at this point in time.

Doty:

- May 22 - Staff parade behind Worcester meal bus
- May 26 - Construction begins on building envelope project

East Montpelier:

- We have no specific major events upcoming at this point in time.

Rumney:

- May 22nd - Staff Car Parade behind Middlesex 2 meal delivery route (*this is the rain date, originally scheduled for 5/15*)

U-32:

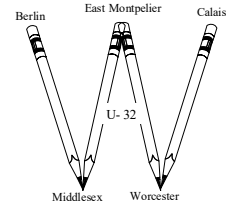
- Our [Tandem Calendar](#) is a great place to learn about all the Co-curricular activities at U-32 and to get up-to-the-minute information on cancellations and changes

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Debra Taylor
Interim Superintendent



TO: WCUUSD School Board
FROM: Debra Taylor, WCUUSD Superintendent
Lori T. Bibeau, WCUUSD Business Administrator
RE: Quarterly Financial and Covid-19 Update
DATE: April 30, 2020

Quarterly Financial Report

As there are several new board members, this month's report includes a summary of financial information for the year. In October 2019, the WCUUSD board decided to receive a summary financial report each quarter in the board packet. The financial report would take place during the second board meeting of the month. The months for financial reports are: October, January, April and June. Please note that April was deferred due to the additional work and financial questions associated with COVID-19.

This is the first year as a newly merged district so there are balances that transfer in as revenue which were previously reserved as fund balances. At Town Meeting this year, the voters approved reserving the audited fund balances and gave the WCUUSD School Board the authority to utilize the fund balances. Due to the merger, there have been costs that were paid ahead which resulted in one time savings this year. There have also been board actions to transfer funds to support Capital Projects for U-32 and Doty. The attached report provides the General Fund details by quarter. Here is a summary of the projections using the information as of April 30, 2020:

KEY: Increase (Decrease) to Fund Balance

Revenues Changes

- Increases to Fund Balance
 - Tuition \$168.7k
 - Transportation Aid \$133.2k
 - Special Education Reimbursements \$44.3k
 - Small School Grant \$8.7K
- Decreases To Fund Balance
 - Intercompany Accounts (\$15.8K)
 - Interest Income (\$37.6K)

Projected Revenue Increase to Fund Balance \$301.5K

Expense Changes

- Increases to Fund Balance
 - Staffing & Program Changes \$209.8k
 - Transfer to Fiscal Software Reserved Fund Balance \$100k
 - Expenses Paid in Prior Year \$48.3k
 - Interest Expense \$37.6k
 - Administrative \$28.5k
 - Operation of Plant \$26.7k
 - Intercompany Accounts \$15.8k
- Decreases To Fund Balance
 - Special Education (\$221.1k)
 - Board Authorized Transfers to Capital –U32& Doty (\$479.5k)

Projected Expense Decrease to Fund Balance (\$233.9k)

NET Projected Increase to Fund Balance \$67.6k

In summary:

- The beginning Fund Balance transferred in as Revenue in the amount of \$1,941,292
- NET projected increase to Fund Balance for FY19-20 \$67,591
 - Combined projected fund balance total is \$2,008,883
 - Less fund balances reserved for specific purposes (\$593,975)
 - Equals projected ending Fund Balance reserved for operations \$1,414,908
 - Target Fund Balance at 2% is \$677,095 which leaves a projected amount of \$737,813 beyond the target amount.

Other notes:

- This update focused on projecting Expenses.
- Revenue updates are needed primarily for special education and miscellaneous revenues.
- Fund Balance considerations:
 - At a future meeting the School Board will consider options for the audited Fund Balance.
 - Some ideas are to reserve Fund Balance for multi-year revenue shortfalls and/or to transfer an amount to the capital fund.
 - A more comprehensive recommendation will be developed as more information is shared at the state and federal level.

School Closure Financial Update

The WCUUSD Board requested an update of the financial impacts due to the school closure. We are still awaiting guidance from the Agency of Education regarding financial processing for staffing allocations, Special Education reimbursements and tracking COVID costs. Here is an update of the work that has been completed so far:

- The Fiscal Staff, Administrative Assistants and Washington Central Leadership Team have been busy closing down purchase orders that will no longer be needed.

- Using the latest information, we have updated the projections for contractual staff salaries and benefits.
- There are some projected savings due to school closure along with, new costs associated with school closure.
- Other considerations include the requirements in the Governor's Order for schools to provide remote learning, food distribution and childcare.
- We are in the process of collecting information regarding the new COVID-19 leave opportunities, including payment to staff for unscheduled work time. As this is work in progress, there are no financial estimates included in this month's report.

Using the information to date, here is a summary of the projections as of April 30, 2020:

*Please note: This fiscal year has two more months so these amounts are subject to change. These amounts are NOT included in this month's financial report. Based on the current information, the savings MAY offset the additional costs.

Programs with a projected savings of approximately \$589.5k*:

*Note: Some of the savings included in this estimate is due to unspent budgets not necessarily related to COVID-19 school closure.

- Substitutes
- Spring Athletics
- Student Transportation Services-(This savings may result in a loss of reimbursement for Budget FY 21-22)
- Instructional and Support Programs
- Note NOT included: Other savings that are in progress-Special Education contracts for student services. (This savings will result in a loss of reimbursement for FY19-20.)

Programs with a projected loss of revenues/new programs

NOTE: The NET Cost is approximately \$320k after projected new revenues:

- Loss of Revenues
 - School Food Programs
 - Community Connections Program
- New Costs and Revenues –Per Governor's Orders
 - New Food Distribution Program
 - New Childcare Program
 - Remote Learning
- Note NOT included: Special Education revenues may have a shortfall for the current year for staffing, contracts etc.

Due to the unique situation of the ongoing changes to the Governor's Orders, a more detailed report will be developed in the coming weeks.

Washington Central Unified Union School District
FUND BALANCE SUMMARY
Fiscal Year 2019-2020

NOTE: Fund Balance available to the School Board is the "After Audit Beginning Balance". The Projected Ending Fund Balance is an estimate using the current information. This amount becomes final after the school year ends and the audit is completed.

KEY: Increase (Decrease) to Fund Balance

GENERAL FUND (1)

Transfer from Reserve Accounts:		Month of Update		
Transfer from Reserve Accounts-WCSU & School Fund Balances		July 2019	\$1,460,037	
Transfer from Reserve Accounts-Technology Fund Balances		July 2019	\$481,255	* See Reserves Below
Subtotal Transfer from Reserve Accounts(A)			\$1,941,292	

Revenues Changes:		BUDGET 2020	CHANGE	PROJECTED 2020
Special Education Reimbursements	Sept 2019		\$146,462	* See Expenses Below
Interest Income	Sept 2019		-\$37,556	* See Expenses Below
Miscellaneous Income-Intercompany Shared Billing	Dec 2019		-\$15,800	* See Expenses Below
Tuition From Other School Districts(Budget was 50 actual is 58)	Dec 2019		\$151,939	
Small Schools Grant	Dec 2019		\$8,728	
Transportation Aid	Dec 2019		\$133,174	
Special Education Reimbursements & Prior Year	Dec 2019		-\$143,375	* See Expenses Below
Act 166 Tuition-Other SD	Dec 2019		\$16,780	
Special Education Reimbursements	March 2020		\$41,177	

TOTAL REVENUES(B)	\$33,854,769	\$301,529	\$34,156,298
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Expense Changes:		BUDGET 2020	CHANGE	PROJECTED 2020
Special Education changes-Primarily Addl-1:1 Paraeducators (5.4 FTES)	Sept 2019		-\$261,539	*See Revenues Above
Unfilled Positions & CFG Grant funded position-Professional (-1.7 FTE'S)	Sept 2019		\$147,805	
English Language Learner Position Additional .3FTE Salary and Benefits	Sept 2019		-\$30,232	
Salary & Benefit Staffing Update- FY19-20-Primarily Health Insurance	Sept 2019		\$731	
Expense Savings From Prior Fiscal Year	Sept 2019		\$52,076	
School-wide Expenses-PreK	Sept 2019		-\$22,600	
Interest Expense	Sept 2019		\$37,556	*See Revenues Above
Fund Transfer to U-32 Capital Fund-PER Board September 18, 2019	Dec 2019		-\$437,490	
Expenses From Prior Fiscal Year -Updated	Dec 2019		-\$3,787	
SU Intercompany-Shared Billing	Dec 2019		\$15,800	*See Revenues Above
School-wide Expenses-Primarily Pre K	Dec 2019		\$7,843	
Special Education Programs-Tuition & Professional Ed Svcs	Dec 2019		-\$49,043	*See Revenues Above
Fund Transfer to Doty Capital Fund-PER Board March 4, 2020	March 2020		-\$42,000	
Technology-Fiscal Software	March 2020		\$100,000	*See Res. Fund Balance
Special Education Update	March 2020		\$89,464	
Salary & Benefit Staffing Update- FY19-20-Primarily Health Insurance	March 2020		\$106,239	
Operation of Plant-savings-Primarily Utilities	March 2020		\$26,700	
Administrative Savings	March 2020		\$28,539	

TOTAL EXPENSES(C)	\$33,854,769	-\$233,938	\$34,088,707
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CURRENT YEAR OPERATIONS-REVENUE LESS EXPENSES (B-C)=D	\$67,591
BEGINNING BALANCE + CURRENT YEAR OPERATIONS(A+D)=E	\$2,008,883

Reserved Items:

Reserved for Technology Equipment	-\$278,255	* See Transfer Above
Reserved for Fiscal Software & Related Costs	-\$303,000	* See Transfer Above
Reserved for Retirement Expense-Year 3	-\$12,720	
Subtotal Reserved Items (F)	-\$593,975	

Other board considerations for fund balance(G):

	\$0
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PROJECTED ENDING BALANCE-Reserved For Operations(E+F)=G	\$1,414,908
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Note: Target Fund Balance at 2% of current year budget	\$677,095
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Amount Available Beyond the 2% Target	\$737,813
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Washington Central Unified Union School District
FUND BALANCE SUMMARY
Fiscal Year 2019-2020

SPECIAL REVENUE FUND(2)-GRANTS

Beginning Fund Balance	\$0
Projected Income	\$1,863,282
Projected Expense	<u>-\$1,863,282</u>
Projected Available Funds	\$0

CAPITAL PROJECTS FUND(3)

	Combined Totals	BERLIN	CALAIS	EAST MONTPELIER	MIDDLESEX	WORCESTER	U32	Central Office	WCUUSD
Transfer from Reserve Accounts:									
Transfer from Reserve Accounts(A)	\$2,826,095	\$434,336	\$191,947	\$878,621	\$268,560	\$236,623	\$717,038	\$98,970	\$0

Revenues:									
Interfund Transfers	\$636,522	\$25,000	\$43,000	\$71,522	\$40,000	\$0	\$437,000	\$20,000	\$0
Transfer from Operating Budget-Per Board Action Sept 18 2019	\$479,490	\$0	\$0	\$0	\$0	\$42,000	\$437,490	\$0	\$0
Miscellaneous Income-Vehicle Trade In	\$16,048	\$0	\$0	\$0	\$0	\$0	\$16,048	\$0	\$0
Interest Income	\$39,209	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$39,209
TOTAL REVENUES(B)	\$1,171,269	\$25,000	\$43,000	\$71,522	\$40,000	\$42,000	\$890,538	\$20,000	\$39,209

TOTAL TRANSFER FROM RES & REVENUES(A+B)=C	\$3,997,364	\$459,336	\$234,947	\$950,143	\$308,560	\$278,623	\$1,607,576	\$118,970	\$39,209
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Expenses:									
	Combined Totals	BERLIN	CALAIS	EAST MONTPELIER	MIDDLESEX	WORCESTER	U32	Central Office	WCUUSD
ACTUAL EXPENSES PAID TO DATE	\$1,319,791	\$2,865	\$99,621	\$42,474	\$186,023	\$23,163	\$954,780	\$1,600	\$9,265
ENCUMBERED PURCHASE ORDERS TO DATE	\$439,458	\$23,110	\$14,910	\$0	\$11,150	\$7,803	\$303,450	\$0	\$79,035
TOTAL EXPENSES(C)	\$1,759,249	\$25,975	\$114,531	\$42,474	\$197,173	\$30,966	\$1,258,230	\$1,600	\$88,300
CURRENT CAPITAL PROJECT BALANCE AVAILABLE	\$2,238,115	\$433,361	\$120,416	\$907,669	\$111,387	\$247,657	\$349,346	\$117,370	-\$49,091

ENTERPRISE FUND-FOOD SERVICES(3)

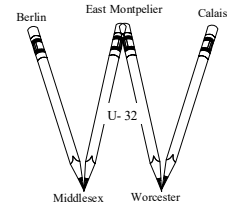
Fiscal Year 19-20 Transactions									
	Combined Totals	BERLIN	CALAIS	EAST MONTPELIER	MIDDLESEX	WORCESTER	U32	Central Office	WCUUSD
Transfer from Reserve Accounts	\$168,772	\$62,888	\$0	\$50,349	\$30,377	\$25,158	\$0	\$0	\$0
Interfund Transfers-From Operating Budget	\$109,403	\$25,000	\$21,000	\$10,000	\$19,000	\$3,346	\$31,057	\$0	
Projected Surplus (Deficit) for current year	<u>-\$306,308</u>	<u>-\$56,642</u>	<u>-\$46,927</u>	<u>-\$21,430</u>	<u>-\$35,234</u>	<u>-\$14,264</u>	<u>-\$133,973</u>	<u>\$0</u>	<u>\$2,162</u>
CURRENT FOOD SERVICE PROJ BALANCE	-\$28,133	\$31,246	-\$25,927	\$38,919	\$14,143	\$14,240	-\$102,916	\$0	\$2,162

Washington Central Unified Union School District

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Debra Taylor
Interim Superintendent



TO: WCUUSD School Board
FROM: Debra Taylor, Interim Superintendent
Lori T. Bibeau, WCUUSD Business Administrator
RE: Budget FY 21-22 & Early Retirement Program
DATE: May 15, 2020

On May 4, 2020, the Joint Fiscal Office shared information projecting a \$152.9 million deficit in the State of Vermont Education Fund. This deficit is expected to increase property taxes and reduce future revenues to schools. The state forecast is evolving, but the deficit is expected to impact both Budget FY20-21 and Budget FY 21-22.

The guidance from the May 4th seminar suggested schools begin to plan for the next budget cycle early. Per the request from the WCUUSD Board, we have been focused on closing this year and identifying staffing projections for next year. This should provide a foundation for the next budget cycle. The Leadership Team will be reviewing financial information on a regular basis. The Leadership Team will come up with ideas and recommendations for cost saving measures and reservations to fund balance for the WCUUSD School Board.

Here is some information to update the board regarding this matter:

- As WCUUSD begins the budget process for FY 21-22, we expect there will be the need to reduce spending.
- WCUUSD has surplus funds which could be earmarked for one-time expenses, reducing taxes etc.
- The Budget FY 21-22 will increase due salary and health insurance. For FY 20-21, that increase was \$1.183 million.
- For Budget 20-21, approximately \$947k was included for one-time items (U-32 bond savings and additional revenues for Tuition and Transportation) that offset the net tax impact to taxpayers.
- Historically, when faced with the potential for staff reductions, WCUUSD has opened the opportunity for staff to sign up for the early retirement program. Over the years, this program has primarily been offered on a limited basis to professional staff. Once or twice, it was offered on a wider scale to minimize the need for a reduction in force. As seven separate districts, this benefit was offered for a specific number of positions at each building. As a single district, the offering would be for a common parameter for the entire district.

- **In reviewing the option to offer an early retirement incentive with the Leadership Team, it was unanimously recommended for Budget FY21-22. Prior to any seniority-based reduction in force is considered, the Leadership Team prefers the early retirement incentive be offered earlier so the information is available in the Fall 2020. This will provide the administrators an opportunity to make staffing modifications due to the early retirements prior to making any other staffing cuts.**

We have researched the retirement program and here is a summary of the information:

- Historically, the program has been offered to staff who have 15 or more years at WCUUSD. The minimum length of service of 15 years has consistently been a requirement when the early retirement program has been offered to both union and nonunion staff.
- It provides:
 - A payment spread over 3 years at 50% of salary
 - 80/20 single plan for health insurance for 1 year.
 - After the first year, employees can remain on COBRA health insurance and pay 100% per COBRA requirements.
- Number of eligible staff:
 - For the criteria of a minimum of 15 years of service there are:
 - 53 professional & related staff and 33 educational support & related staff. The total eligible is 86 employees.
 - If this offering is only for employees who have a combination of age plus years of service(15+) =70 or more, there are:
 - 28 professional & related staff, 27 educational support staff. The total eligible is 55 employees.
 - We expect approximately 40% participation or 22 people.
 - We can run additional scenarios if requested.
 - The board decides how many and the positions who will be offered this early retirement benefit. The larger the pool of staff who are offered this benefit, the greater the potential for savings.
 - If there is a limit on the number of early retirements, there are several options for the board to consider. **The Leadership Team recommends that ALL employees who are offered the early retirement option be provided with this benefit if they complete the application per the deadline.**
 - How does this save money?
 - Here are the benefits of offering an early retirement program:
 - Some positions would not be filled.
 - This would provide an opportunity for workload restructure and the reassignment of staff.
 - Some positions would be filled for less than full-time.
 - Some positions would be filled with less expensive employees.
 - A reduction in staff typically is the least senior employee who is paid a lower salary.

- Other information:
 - If this is an annual opportunity, there is less participation.
 - The more participants, there is a potential for greater savings due to the economy of scale.
 - The larger the number of guaranteed slots, the greater the participation.
 - If the early retirement program is approved by the WCUUSD Board, the information would be helpful to have prior to developing the first budget draft for FY 21-22.
 - The earlier an announcement occurs, the more time people have to think about the opportunity and sign up. This would also provide earlier postings for vacancies that would be filled to achieve a better candidate pool.
- A suggested timeline would be :
 - Board decides if the Early Retirement Program will be offered for FY 21-22 and specific parameters- May 20, 2020.
 - If offered May 20th:
 - Eligible employees receive the offer June 20, 2020
 - Final deadline for applications September 15, 2020
 - Board is notified of final list of retirees September 16, 2020
 - September 17-October 30, 2020 Leadership Team reviews the final list of retirees and recommends positions that will not be filled. During this time, an additional list will be compiled of potential positions for a reduction in force.

Next steps:

- The WCUUSD Board decides if an Early Retirement program will be offered for FY 21-22. (If this decision is made early, the timeline could allow employees approximately 90 days to make a decision versus 30 days)

If approved, the following actions are needed:

- The WCUUSD Board would authorize a timeline for applications.
Recommendation: Offer to eligible staff no later than June 20, 2020 with a deadline of September 15, 2020
- The WCUUSD Board would:
 - Authorize the parameters including qualifications. **Recommendation: A combination of age plus years of service (15+) =70 or more for ALL contractual staff who meet this criteria.**
 - Authorize the maximum number of slots available. **Recommendation: 28 professional & related staff, 27 educational support & related staff. The total eligible is 55 employees.**

WCUUSD Employees with over 15 years of service
As of May 15 2020

Recommended Offer for Early Retirement:

Minimum 15 years of service and a combination of age plus years of service totalling 70 or more.

	Berlin	Calais	EMES	Rumney	Doty	U32	WCUUSD	Totals	IF 40% Accept Offer
Teachers & Related	5	0	5	4	3	10	1	28	11
ESP & Related	6	1	3	3	0	12	2	27	11
Total	11	1	8	7	3	22	3	55	22

OTHER SCENARIOS

	15YOS	#70+	#75+	#80+	IF 40% Accept Offer			
	15YOS	#70+	#75+	#80+	15YOS	#70+	#75+	#80+
Teachers & Related	53	28	18	11	21	11	7	4
ESP & Related	33	27	20	14	13	11	8	6
Total	86	55	38	25	34	22	15	10
%	23%	15%	10%	7%	9%	6%	4%	3%
Total contracts FY20	366							

Financial Management Questionnaire - School Districts, Supervisory Unions, Supervisory Districts
Washington Central Unified Union School District

	Yes	No	Don't know	By whom
Do you know by whom the following is maintained?				
School District Checkbook	x			SD Treasurer & Sr. Payroll Acct.
School District receipts	x			SD Treasurer & Sr. Payroll Acct.
Student Activity Cash/Check receipts	x			SD Treasurer & Sr. Payroll Acct.
School District payments:				
Payroll	x			Sr. Payroll Accountant & Human Res.
Accounts Payable	x			Accounts Payable Acct, Financial Acct. & Sr. Payroll Accountant
Bank Deposit slips	x			SD Treasurer & Sr. Payroll Acct.
Bank reconciliations	x			SD Treasurer & Sr. Payroll Acct. & Bus Administrator
Are the all bank statement and ledger balances reconciled monthly, by whom?	x			SD Treasurer & Sr. Payroll Acct. & Bus Administrator
Does someone other than the treasurer review bank reconciliations?	x			Sr. Payroll Acct. & Bus Administrator
Are checks always written to specified payees and not to cash?	x			Accounts Payable Acct
Are financial records maintained in a computerized system?	x			NEMRC
Are all payees registered in accounting software?	x			Accounts Payable Acct
Are all invoices, original, on vendor letterhead or format, with individual invoice number?	X			Accounts Payable Acct & School Admin. Asst. exceptions are faxed and emailed invoices
Are all payments recorded and mailed with notation to the associated invoice number?	x			Accounts Payable Acct
Does the School District hold current W9 forms for all vendors?	x			Accounts Payable Acct
Does the same individual open the mail and deposit checks?		X		Administrative Asst/ Sr. Payroll & Financial Clerical Asst.
Are pre-numbered checks used for all bank accounts?	x			Financial Accountant & Check supplier
Are unopened bank statements delivered directly to the treasurer as received?	x			Bank/Financial Institution
Have you borrowed money from the School District?		X		N/A
Do you know of anyone who has borrowed money from the School District?	X			Employee computer Purchase Program
Have School Board members attended financial trainings?	x			VSBA
Do the financial accounting personnel take regular vacations?	x			
Have you deposited School District monies anywhere other than a School District account?		X		
Have you deposited any non-School District monies into a School District account?		X		
Is it common practice for staff members to rotate responsibilities or cross train periodically?	x			Financial Accountant/Payroll/Accts Payable

	Yes	No	Don't know	By whom
Are student activity receipts deposited within 48 hours of the event?	x			Exception -Small deposits may be deposited weekly vs. 48 hours
Have you experienced a theft or embezzlement during the last five years?		X		
Does the School District have written policies and procedures for financial operations?	x			
Does each Town and School District official have copies of these policies and procedures?	x			Available on website: WCSUonline.org
Is there a standard procedure to ensure that gate receipts reflect the event's attendance?	x			Ticket sales/Signup forms
Is interest in School District accounts apportioned to each account?	x			Business Administrator
Have there been any changes in authorized signatures during the fiscal year?		X		
Has a signature stamp ever been used for any School District account?	x			School Treasurer and Asst Treasurer
Do you have pre-numbered receipt books for cash payments?		x		
Have you attended trainings on recordkeeping?	x			VASBO, GFOA
Are any School District financial records maintained in manual form?		x		
Do you maintain separate pages, columns or running balances for each fund?	x			NEMRC
Are checks written by the same individual who approves payments?		x		
Do you participate in any business which does business with the School District?		x		
Does any employee that you know of participate in any organization as a vendor?		x		
Have you questioned if the lifestyle of any associate reflects their normal income?		x		
Are bank accounts and fund balances reconciled on a monthly basis?	x			Sr. Payroll Acct/Bus Administrator
Does the School District loan money to town employees?		X		

As a signer below, I certify to the best of my knowledge that the answers provided in this self-assessment questionnaire are an accurate representation of the operation of the supervisory union, supervisory district, or school district of Washington Central Unified Union School District, East Montpelier, Vermont

Preparer: Lori T. Bibeau Printed Name: Lori T. Bibeau

Title: Business Administrator Date submitted: May 13, 2020

As an official of the district board, I certify that the board has reviewed this questionnaire within two months of receiving it from the superintendent.

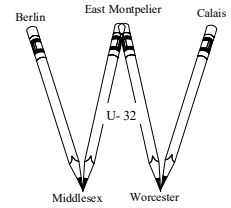
Name: _____ Title: _____ Date: _____

Washington Central Unified Union School District

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1130 Gallison Hill Road
Montpelier, VT 05602
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Debra Taylor
Interim Superintendent



TO: WCUUSD School Board
FROM: Debra Taylor, Interim Superintendent
Lori T. Bibeau, WCUUSD Business Administrator
RE: COVID-19 Food Service Meals Program
DATE: May 14, 2020

Since March 18, 2020, WCUUSD has been operating a COVID-19 Food Service Meals Program. This new program is planned to cease operations on the last scheduled day for staff and the bus contract for services. This date is Thursday, June 18th. The program is operating at U-32 and First student has been providing transportation services to deliver the food to families.

We have guidance that offers the opportunity for WCUUSD to extend food service through June 30, 2020 and continue to receive the same level of reimbursement. The Vermont Child Nutrition Program is requesting a waiver from the USDA to extend the reimbursement through the summer months. This is an option but a not a requirement. In considering this option, Jody Emerson, Michelle Ksepka and Lori Bibeau have been collection information for the board to consider.

Here are some of the considerations:

1. Do we have staff able to continue in this capacity?
2. We need to verify with primary food vendors of their ability to make food deliveries over the summer.
3. Is First Student able to continue to provide the transportation if it is required?
4. What location would this work take place as U-32 will be under construction?
5. Will the additional waiver to switch location be approved the state level?
6. What is the financial impact for this new service?

We are still collecting information which will be reported to the WCUUSD School Board for consideration. Attached is a financial summary with the latest projections for this year and to continue the program.

WCUUSD Food Service Program -COVID-19

Projected As of May 14, 2020

March 18- June 18 2020 March 18- August 21 2020

Combined Total

Number of Meal Days	65	112
Food Program Revenues-Reimburements	\$249,116	\$429,246

Staffing Costs	\$223,963	\$385,905
Food , Supplies Etc	\$66,783	\$115,072
Tranportation	\$80,691	\$139,037
Total Costs	\$371,437	\$640,015

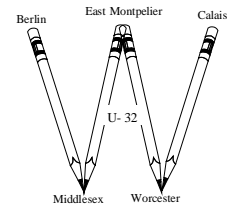
Shortfall	-\$122,321	-\$210,768
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Debra Taylor, Ph.D.
Interim Superintendent



WCUUSD ESP Negotiations Unapproved Minutes 5.11.20 5:00-8:00 pm

1. Call to Order

Jonas Eno-Van Fleet called the meeting to order at 5:39pm.

2. Approve Minutes

Lindy moved, Steven seconded the approval of the minutes of the April 27 meeting. The motion carried unanimously.

3. ESP Contract Negotiations

Lindy moved, Steven seconded, to go into executive session at 5:40pm. Motion carried unanimously. Lindy moved, Steven seconded, to leave executive session at 6:10. Motion carried unanimously.

Lindy moved, Steven seconded, to go into executive session at 6:22pm. Motion carried unanimously. Lindy moved, Steven seconded, to leave executive session at 6:30pm. Motion carried unanimously.

Lindy moved, Steven seconded, to go into executive session at 7:22pm. Motion carried unanimously. Lindy moved, Steven seconded, to leave executive session at 7:33pm. Motion carried unanimously.

In all executive sessions, the committee discussed negotiation strategy.

4. Adjourn

Meeting was adjourned by consensus at 7:47pm.

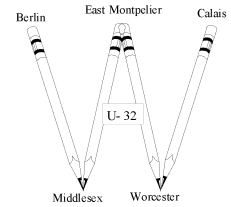
Notes provided by Jonas Eno-Van Fleet

Washington Central Unified Union School District

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Debra Taylor, Ph.D.
Interim Superintendent



WCUUSD Policy Committee Minutes - Unapproved 5.12.20 4:30-6:30 pm

Via Video Conference*

Present: Chris McVeigh (Chair), Marylynne Strachan, Jody Emerson, Jaiel Pulskamp, Ellen Knoedler, Aaron Boynton, Dorothy Naylor, Debra Taylor, and Scott Thompson

1. Call to Order: Jaiel Pulskamp called the meeting to order at 4:32 p.m.
2. Approve Minutes of 5.6.20 – **Jaiel Pulskamp moved to approve the minutes from May 6, 2020. Seconded by Dorothy Naylor , this motion carried unanimously.**
3. Discuss Committee Meeting Schedule: Marylynne Strachan expressed concern about the meeting schedule. Committee members discussed the pros and cons of separating the meetings or conducting them during the carousel. The committee decided to meet every Tuesday, from 4:30-6:30 p.m. until finished in June. Upcoming meetings Tuesday May 19, 2020 and May 26, 2020.
4. New Proposed Policy
 - 4.1 School Choice - Committee discussed current school choice and schedule at U-32. Debra Taylor said the earliest at the elementary would be 2021, but transportation and equity would be a factor. Debra Taylor suggested developing parameters for a parent survey. Chris McVeigh said transportation would be the biggest issue to address due to the cost associated with it. Debra Taylor suggested creating a rough estimate of cost. Dorothy Naylor wanted transportation to be included for equity. Jaiel Pulskamp would ask how many people wanted school choice and how many would need transportation. Chris asked about a lottery system. Debra Taylor and Dorothy Naylor agreed. Ellen Knoedler suggested school choice and transportation needs would change from year to year, and a Feb/March deadline was not enough time to arrange childcare. Debra Taylor said before and

after care at school could be provided. Committee discussed choices for all 5 elementary schools based on family preference. Jaiel Pulskamp was concerned with numbers and emissions. Debra Taylor suggested vans for efficiency. Marylynn Strachan was concerned with the cost of transportation and if vans helped with cost containment. Debra Taylor described how the high school has organized bussing from neighboring towns from a central location and suggested getting an estimate for routes. Debra Taylor said slots would be based on a percentage of enrollment, and not the same number for every school. All schools have space but some have larger class sizes than others. Jody Emerson explained how U-32 handled school choice.

Chris McVeigh asked for a summary of survey topics and target audience. Are you interested in school choice? Would you use school transportation and why are you interested? Debra Taylor suggested a second set of questions for community members, explained the difference between redistricting vs. school choice, and said there would always be 100% room for residents of each town and limited room for students of other towns. Debra Taylor said giving families options is democratic and with steady enrollment, school closure is not an issue at this point. Chris McVeigh asked if setting a minimum number is viable. Debra Taylor said a percentage would be more equitable. Dorothy Naylor suggested a percentage of a 3 year average. Debra Taylor will work with Dorothy Naylor to draft a survey and send it to the committee for feedback. Would you apply for school choice why/whynot? Would you apply for transportation? why or why not. What program at another school is drawing your interest?

5. Review Existing Policies

5.1 Section C – Students

5.1.1 Current

C10 & C10P - Chris McVeigh asked for comments. The committee discussed the Vermont constitution vs federal protections. Debra Taylor said case law informs application and can check on the reference. Chris McVeigh asked about the definition of bullying “repeated over time” and time limits. The committee explored the definition and the procedure. Jody Emerson and Aaron Boynton said the policy is clear and they receive regular training. Chris McVeigh suggested moving this to the full board for adoption as is, unless he heard about the VT constitution.

C11 - Aaron Boynton doesn't use much but Jody Emerson had. Debra Taylor said it required policy. Chris McVeigh referenced the VT constitution and recommended re-adoption for C11 to the full board.

C20 - Student conduct and discipline - No questions. Jody Emerson had no concerns. Aaron Boynton said it was good. Chris McVeigh asked about suspension. The board

discussed the process of suspension, and the outcomes. Jody Emerson explained restorative practices, and alternatives to suspension whenever possible. It was suggested to fix the language to be more restorative. Debra Taylor suggested they take it off the table for now, and work at the next meeting. Jody Emerson will work on draft language.

C21 - Search and Seizure - Jody Emerson had no issues and Aaron Boynton agreed. Chris McVeigh asked about referrals and guidelines. Jody Emerson explained how search and seizure worked. Marlynne asked about student cell phones and Jody Emerson explained the process. Debra said not required and would not recommend including it. Nothing invasive. Specific area of school. Jaiel concern of trauma for elementary students. Debra relies on administrators' understanding of child development. Marylynne asked about the education component. Chris McVeigh asked about clothing and the committee discussed the subject. Debra Taylor and Chris McVeigh will work on the wording.

C30 - Student Medication - Fine

C32 - 18 year old Students - Chris McVeigh asked about parent consent and Jody Emerson shared the process. This will go on to the full board.

6. Future Agenda Items - C20 - Student conduct and discipline - work on adding restorative language into the policy. Jody Emerson will work on the draft language. Chris McVeigh and Debra Taylor will work on the language for C21.

7. Adjourned by consensus at 6:29 p.m.

NEXT MEETING DATE: Tuesday, May 19, 2020 from 4:30-6:30 p.m.

Respectfully submitted,
Michele Tofel Murray

***Open Meeting Law temporary changes as of 3/30/20:**

Boards are not required to designate a physical meeting location. Board members and staff are not required to be present at a designated meeting location.

Our building will not be open for meetings. All are welcome to attend virtually.

^[1]
Required

**WASHINGTON CENTRAL UNIFIED
UNION SCHOOL DISTRICT**

Board of Directors' Policy

POLICY:	<u>B3</u>
WARNED:	<u>1.10.2020</u>
ADOPTED:	<u> </u>
EFFECTIVE:	<u> </u>

^[2]
ALCOHOL and DRUG-FREE WORKPLACE

Policy^[3]

It is the policy of the Washington Central Unified Union School District to maintain a workplace free of alcohol and drugs. No employee, volunteer or work study student ^[4] will unlawfully manufacture, distribute, dispense, possess or use alcohol or any drug on or in the workplace. Nor shall any employee, volunteer or work study student be in the workplace while under the ~~impairing~~ influence of ~~illegal~~ drugs or alcohol. If there are reasonable grounds to believe that an employee, volunteer or work study student is under the ~~impairing~~ influence of ~~illegal~~ drugs or alcohol while on or in the workplace, the person will be immediately removed from the performance of ~~his or her~~their duties.

Definitions

Drug means any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance as defined by state or federal statute or regulation ~~unless prescribed. If a prescribed medication is impairing an individual's ability to perform their duties, this policy applies.~~ ^[5]

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

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

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

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

Employee Responsibilities

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

An employee, volunteer or work study student who violates the terms of this policy may be asked to satisfactorily complete an alcohol or drug abuse assistance or rehabilitation program approved by the superintendent. In addition, an employee who violates the terms of this policy will be subject to disciplinary action, including but not limited to non-renewal, suspension or termination at the discretion of the superintendent or, if required, the board.^[9]

D8 Alcohol and Drug Free Workplace Notes and References:

^[1] Alcohol is not considered a “controlled substance” under federal law. The Drug Free Workplace Act therefore does not require that alcohol be included in an employer’s prohibition of drugs in the workplace. Vermont law does authorize employers to prohibit alcohol possession and/or use of alcohol in the workplace. The Vermont drug testing law defines “drug” broadly, and includes alcohol as a “drug.” 21 V.S.A. §511(3).

^[2] The Drug Free Workplace Act of 1988 applies to all individuals or organizations that receive federal grants and any individuals or organizations that are federal contractors whose contracts exceed \$100,000. The Act does not explicitly require a Drug Free Workplace policy, but it does require covered entities to “...establish a drug-free awareness program to inform employees about...the *grantee’s policy of maintaining a drug free workplace...*”. 41 U.S.C. §702(1)(b)(ii).

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

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

^[5] The Drug Free Workplace Act uses the term “controlled substance” as synonymous with the term “drug.” Controlled substances are listed in the federal law at 21 U.S.C. 812.

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

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

^[8] *See* 41 U.S.C. §702(a)(1)(D).

^[9] *See* 16 V.S.A. §242(3)(C) for authority of superintendent to dismiss employees subject to due process and other legal requirements.

^[1]
Required

**WASHINGTON CENTRAL UNIFIED
UNION SCHOOL DISTRICT**

Board of Directors' Policy

POLICY:	<u>B3</u>
WARNED:	<u>1.10.2020</u>
ADOPTED:	<u> </u>
EFFECTIVE:	<u> </u>

^[2]
ALCOHOL and DRUG-FREE WORKPLACE

Policy^[3]

It is the policy of the Washington Central Unified Union School District to maintain a workplace free of alcohol and drugs. No employee, volunteer or work study student ^[4] will unlawfully manufacture, distribute, dispense, possess or use alcohol or any drug on or in the workplace. Nor shall any employee, volunteer or work study student be in the workplace while under the influence of drugs or alcohol. If there are reasonable grounds to believe that an employee, volunteer or work study student is under the influence of drugs or alcohol while on or in the workplace, the person will be immediately removed from the performance of their duties.

Definitions

Drug means any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance as defined by state or federal statute or regulation. If a prescribed medication is impairing an individual's ability to perform their duties, this policy applies.^[5]

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

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

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

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

Employee Responsibilities

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

An employee, volunteer or work study student who violates the terms of this policy may be asked to satisfactorily complete an alcohol or drug abuse assistance or rehabilitation program approved by the superintendent. In addition, an employee who violates the terms of this policy will be subject to disciplinary action, including but not limited to non-renewal, suspension or termination at the discretion of the superintendent or, if required, the board.^[9]

D8 Alcohol and Drug Free Workplace Notes and References:

^[1] Alcohol is not considered a “controlled substance” under federal law. The Drug Free Workplace Act therefore does not require that alcohol be included in an employer’s prohibition of drugs in the workplace. Vermont law does authorize employers to prohibit alcohol possession and/or use of alcohol in the workplace. The Vermont drug testing law defines “drug” broadly, and includes alcohol as a “drug.” 21 V.S.A. §511(3).

^[2] The Drug Free Workplace Act of 1988 applies to all individuals or organizations that receive federal grants and any individuals or organizations that are federal contractors whose contracts exceed \$100,000. The Act does not explicitly require a Drug Free Workplace policy, but it does require covered entities to “...establish a drug-free awareness program to inform employees about...the *grantee’s policy of maintaining a drug free workplace...*”. 41 U.S.C. §702(1)(b)(ii).

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

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

^[5] The Drug Free Workplace Act uses the term “controlled substance” as synonymous with the term “drug.” Controlled substances are listed in the federal law at 21 U.S.C. 812.

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

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

^[8] *See* 41 U.S.C. §702(a)(1)(D).

^[9] *See* 16 V.S.A. §242(3)(C) for authority of superintendent to dismiss employees subject to due process and other legal requirements.

Required

WASHINGTON CENTRAL UNIFIED
UNION SCHOOL DISTRICT

Board of Directors' Policy

POLICY: C1

WARNED: 5.1.20

ADOPTED: _____

EFFECTIVE: _____

STUDENT EDUCATION RECORDS

Policy

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

The principles of accuracy and confidentiality underlie all policies and procedures for the collection, maintenance, disclosure and destruction of education records. It is the policy of the district to protect the confidentiality of education records and release information only as permitted by law. Annually or when the student enrolls, the district will inform³ parents, guardians, and students eighteen years and older of their right to inspect, review, and seek amendment of the student's education records. The district will inform parents, guardians, and students eighteen years and older of items considered directory information through notices distributed at the beginning of each school year or when a student enrolls.⁴

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

Definitions

All terms used in this policy, and the procedures developed for the implementation of this policy, shall be defined, where applicable, as those terms are defined in the Family Educational Rights and Privacy Act and in the federal regulations promulgated pursuant to that Act.⁵

¹ The federal Family Educational Rights and Privacy Act (FERPA) does not explicitly require a school board policy on the protection of student records. Its requirements are stated in the negative... "no funds shall be made available to any educational agency...which has a policy of denying...the right of parents...to review and inspect educational records. 20 U.S.C. 1232g; 34 C.F.R. Part 99. Nor does the State Board Manual of Rules and Practices explicitly require a school board policy on student records. "Each school shall develop and implement a system of maintaining student records...which is in compliance with FERPA." SBE Rule 2120.8.3.3.

² A "record" means any information recorded in any way, including but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm and microfiche. The term "education records" means those records that are (1) directly related to a student, and (2) maintained by the school district, a school within the district, or a party acting for the

school district or a school within the school district. It does not include a teacher's notes that are in the teacher's sole possession and shared only with a substitute teacher. 20 U.S.C. 1232g;

34 C.F.R. 99.3

³ *School districts are required to find an effective way to notify parents whose primary language is not English. 34 C.F.R. §99.9.*

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

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

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

Required**WASHINGTON CENTRAL UNIFIED
UNION SCHOOL DISTRICT****Board of Directors' Policy****POLICY:** C4**WARNED:** 5.1.20**ADOPTED:** _____**EFFECTIVE:** _____**LIMITED ENGLISH PROFICIENCY STUDENTS**

Policy

It is the policy of the Washington Central Unified Union School District to ensure that students whose primary or dominant language is not English, and who therefore have limited-English proficiency (LEP), have equitable access to school programs as required by law.

Implementation

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

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

Required

WASHINGTON CENTRAL UNIFIED
UNION SCHOOL DISTRICT

Board of Directors' Policy

STUDENT ALCOHOL & DRUGS

POLICY: C2

WARNED: 5.15.20

ADOPTED: _____

EFFECTIVE: _____

It is the policy of the Washington Central Unified Union School District that no student shall knowingly possess, use, sell, give or otherwise transmit, or be under the influence of any illegal drug, regulated substance, or alcohol on any school property, or at any school sponsored activity away from or within the school.¹ It is further the policy of the district to make appropriate referrals in cases of substance abuse.

Definitions

Substance Abuse is the ingestion of drugs and or alcohol in such a way that it interferes with a person's ability to perform physically, intellectually, emotionally, or socially.²

Drug means any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance as defined by state or federal regulation or statute.³

Since education is an essential element to discourage inappropriate alcohol and drug use, the superintendent shall report to the board during its regularly scheduled June meeting, what efforts in the district fulfill this developmentally appropriate educational goal, at each of the district's schools.

Educational Program. The (superintendent, principal, other) shall work with appropriate staff members to develop and conduct an alcohol and drug abuse educational program.⁴ The program shall be consistent with the Vermont Alcohol and Drug Education Curriculum Plan⁵. If the school district is a recipient of federal Safe and Drug-Free Schools and Communities Act funds, the Act will be considered in the development of the alcohol and drug abuse educational program.⁶

Support and Referral System. In each school the principal or ~~his or her~~their designee shall develop a support and referral system for screening students who refer themselves and students who are referred by staff for suspected drug and/or alcohol use and/or abuse problems.⁷ The support and referral system will include processes to determine the need for further screening, education, counseling or referral for treatment in each referred case.⁸ In addition, the principal shall establish procedures for administering emergency first aid related to alcohol and drug abuse.⁹

Cooperative Agreements.¹⁰ The (superintendent, principal, other) shall annually designate an individual to be responsible for providing information to students and parents or guardians about outside agencies that provide substance abuse prevention services and to encourage the use of their services and programs when appropriate.

The Washington Central Unified Union School District has a Substance Abuse Prevention (SAP) Counselor. They will provide substance abuse treatment to students who are referred through the school's support and referral system, or who refer themselves for treatment.

Staff Training. The (superintendent, principal, other) will work with appropriate staff to provide training for teachers and health and guidance personnel who teach or provide other services in the school's alcohol and drug abuse prevention education program. The training provided will meet the requirements of State Board Rules related to staff training.¹¹

Community Involvement. The (superintendent, principal, other) will work with school staff and community members to implement a program to inform the community about substance abuse issues in accord with State Board of Education rules.¹²

Annual Report. In a standard format provided by the Agency of Education, the (superintendent, principal, other) will submit an annual report to the Secretary of Education describing substance abuse education programs and their effectiveness.¹³

Notification. The (superintendent, principal, other) shall ensure that parents and students are given copies of the standards of conduct and disciplinary sanctions contained in the procedures related to this policy, and are notified that compliance with the standards of conduct is mandatory. Notice to students will, at a minimum, be provided through inclusion of these standards and sanctions in the student handbook distributed to all students at the beginning of each school year or when a student enrolls in the school.¹⁴

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

² Vermont State Board of Education Manual of Rules and Practices, Rule 4211

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

⁴ 16 V.S.A. §131(9); SBE Rule 4213.1

⁵ SBE Rule 4212.2 requiring that education program be consistent with this Plan.

⁶ 20 U.S.C. §§7101 et seq.

⁷ SBE Rule 4212.3

⁸ SBE Rule 4212.3D.

⁹ SBE Rule 4212.3B. SBE Rule 4212.3B requires that each "...school district policy...establish procedures for administering first aid related to alcohol and drug abuse. The procedures will define the roles of the personnel involved."

¹⁰ SBE Rule 4212.3.

¹¹ SBE Rule 4213.2. See also SBE Rule 4212.3C.

¹² SBE Rule 4214 does not require that this paragraph be included in a school board policy. The rule does require that schools engage in community programs "...to inform the community about the school's alcohol and drug prevention education program, alcohol and drug abuse prevention issues, and community-wide responsibility for effective alcohol and drug abuse prevention." This paragraph could be included in administrative procedures developed in conjunction with this policy.

¹³ SBE Rule 4215 does not require that this paragraph be included in a school board policy. The rule does require that the school's annual report include information on substance abuse education programs. This paragraph could be included in administrative procedures developed in conjunction with this policy.

¹⁴ This section is not required by law, but could be included in a school board policy to ensure that adequate notice of the school district's policy and procedures related to alcohol and drug abuse is given to students and parents.

Legal Reference(s): 20 U.S.C. §§7101 et seq. (Safe & Drug-Free Schools & Communities Act of 1994)
16 V.S.A. §909 (Drug & Alcohol Abuse Prevention Education Curriculum)
16 V.S.A. 131(9) (Comprehensive Health Education)
16 V.S.A. §1045(b)(Driver Training Course)
16 V.S.A. §1165 (Alcohol and drug abuse)
18 V.S.A. §4226 (Drugs: minors, treatment, consent)
Vt. State Board of Education Manual of Rules and Practices §§4200 -4215)

Required

WASHINGTON CENTRAL UNIFIED
UNION SCHOOL DISTRICT

Board of Directors' Policy

STUDENT ALCOHOL & DRUGS

POLICY: C2

WARNED: 5.15.20

ADOPTED: _____

EFFECTIVE: _____

It is the policy of the Washington Central Unified Union School District that no student shall knowingly possess, use, sell, give or otherwise transmit, or be under the influence of any illegal drug, regulated substance, or alcohol on any school property, or at any school sponsored activity away from or within the school.¹ It is further the policy of the district to make appropriate referrals in cases of substance abuse.

Definitions

Substance Abuse is the ingestion of drugs and or alcohol in such a way that it interferes with a person's ability to perform physically, intellectually, emotionally, or socially.²

Drug means any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance as defined by state or federal regulation or statute.³

Since education is an essential element to discourage inappropriate alcohol and drug use, the superintendent shall report to the board during its regularly scheduled June meeting, what efforts in the district fulfill this developmentally appropriate educational goal, at each of the district's schools.

Educational Program. The (superintendent, principal, other) shall work with appropriate staff members to develop and conduct an alcohol and drug abuse educational program.⁴ The program shall be consistent with the Vermont Alcohol and Drug Education Curriculum Plan⁵. If the school district is a recipient of federal Safe and Drug-Free Schools and Communities Act funds, the Act will be considered in the development of the alcohol and drug abuse educational program.⁶

Support and Referral System. In each school the principal or their designee shall develop a support and referral system for screening students who refer themselves and students who are referred by staff for suspected drug and/or alcohol use and/or abuse problems.⁷ The support and referral system will include processes to determine the need for further screening, education, counseling or referral for treatment in each referred case.⁸ In addition, the principal shall establish procedures for administering emergency first aid related to alcohol and drug abuse.⁹

Cooperative Agreements.¹⁰ The (superintendent, principal, other) shall annually designate an individual to be responsible for providing information to students and parents or guardians about outside agencies that provide substance abuse prevention services and to encourage the use of their services and programs when appropriate.

The Washington Central Unified Union School District has a Substance Abuse Prevention (SAP) Counselor. They will provide substance abuse treatment to students who are referred through the school's support and referral system, or who refer themselves for treatment.

Staff Training. The (superintendent, principal, other) will work with appropriate staff to provide training for teachers and health and guidance personnel who teach or provide other services in the school's alcohol and drug abuse prevention education program. The training provided will meet the requirements of State Board Rules related to staff training.¹¹

Community Involvement. The (superintendent, principal, other) will work with school staff and community members to implement a program to inform the community about substance abuse issues in accord with State Board of Education rules.¹²

Annual Report. In a standard format provided by the Agency of Education, the (superintendent, principal, other) will submit an annual report to the Secretary of Education describing substance abuse education programs and their effectiveness.¹³

Notification. The (superintendent, principal, other) shall ensure that parents and students are given copies of the standards of conduct and disciplinary sanctions contained in the procedures related to this policy, and are notified that compliance with the standards of conduct is mandatory. Notice to students will, at a minimum, be provided through inclusion of these standards and sanctions in the student handbook distributed to all students at the beginning of each school year or when a student enrolls in the school.¹⁴

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

² Vermont State Board of Education Manual of Rules and Practices, Rule 4211

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

⁴ 16 V.S.A. §131(9); SBE Rule 4213.1

⁵ SBE Rule 4212.2 requiring that education program be consistent with this Plan.

⁶ 20 U.S.C. §§7101 et seq.

⁷ SBE Rule 4212.3

⁸ SBE Rule 4212.3D.

⁹ SBE Rule 4212.3B. SBE Rule 4212.3B requires that each "...school district policy...establish procedures for administering first aid related to alcohol and drug abuse. The procedures will define the roles of the personnel involved."

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¹¹ SBE Rule 4213.2. See also SBE Rule 4212.3C.

¹² SBE Rule 4214 does not require that this paragraph be included in a school board policy. The rule does require that schools engage in community programs "...to inform the community about the school's alcohol and drug prevention education program, alcohol and drug abuse prevention issues, and community-wide responsibility for effective alcohol and drug abuse prevention." This paragraph could be included in administrative procedures developed in conjunction with this policy.

¹³ SBE Rule 4215 does not require that this paragraph be included in a school board policy. The rule does require that the school's annual report include information on substance abuse education programs. This paragraph could be included in administrative procedures developed in conjunction with this policy.

¹⁴ This section is not required by law, but could be included in a school board policy to ensure that adequate notice of the school district's policy and procedures related to alcohol and drug abuse is given to students and parents.

Legal Reference(s): 20 U.S.C. §§7101 et seq. (Safe & Drug-Free Schools & Communities Act of 1994)
16 V.S.A. §909 (Drug & Alcohol Abuse Prevention Education Curriculum)
16 V.S.A. 131(9) (Comprehensive Health Education)
16 V.S.A. §1045(b)(Driver Training Course)
16 V.S.A. §1165 (Alcohol and drug abuse)
18 V.S.A. §4226 (Drugs: minors, treatment, consent)
Vt. State Board of Education Manual of Rules and Practices §§4200 -4215)

Required

**WASHINGTON CENTRAL UNIFIED
UNION SCHOOL DISTRICT**

Board of Directors' Policy

POLICY: C3

WARNED: 5.15.20

ADOPTED: _____

EFFECTIVE: _____

TRANSPORTATION

Policy

Where it is reasonable and necessary to enable a student entitled or required to attend an elementary or a secondary school within the Washington Central Unified Union School District, the district may furnish transportation on public roads to students who reside within the district. The district may also provide transportation to non-resident students as authorized by the board. Accordingly, the Washington Central Unified Union School District has decided to furnish transportation under this policy.

The superintendent will establish routes and designate stops after considering both the safety of children and efficiency of operation. The superintendent will consider the following factors when determining routes and stops.

1. The age and health of pupils,
2. Distance to be traveled,
3. Condition of the road, and
4. Type of highway.

The superintendent may consider any other factors ~~he or she~~ they deems appropriate when establishing routes and designated stops.

The superintendent shall submit to the school board for approval any contracts, leases or purchases necessary to maintain and operate transportation equipment, and shall include in ~~his or her~~ their annual report to the board information as to all pupils transported by the school district and the expense thereof.

Legal Reference(s): 16 V.S.A. §§1221, 1222, 1224 (Student transportation)
16 V.S.A. §1551 (Technical center transport)

Required**WASHINGTON CENTRAL UNIFIED
UNION SCHOOL DISTRICT****Board of Directors' Policy****POLICY:** C3**WARNED:** 5.15.20**ADOPTED:** _____**EFFECTIVE:** _____**TRANSPORTATION**

Policy

Where it is reasonable and necessary to enable a student entitled or required to attend an elementary or a secondary school within the Washington Central Unified Union School District, the district may furnish transportation on public roads to students who reside within the district. The district may also provide transportation to non-resident students as authorized by the board. Accordingly, the Washington Central Unified Union School District has decided to furnish transportation under this policy.

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1. The age and health of pupils,
2. Distance to be traveled,
3. Condition of the road, and
4. Type of highway.

The superintendent may consider any other factors they deem appropriate when establishing routes and designated stops.

The superintendent shall submit to the school board for approval any contracts, leases or purchases necessary to maintain and operate transportation equipment, and shall include in their annual report to the board information as to all pupils transported by the school district and the expense thereof.

Legal Reference(s): 16 V.S.A. §§1221, 1222, 1224 (Student transportation)
16 V.S.A. §1551 (Technical center transport)

Required

WASHINGTON CENTRAL UNIFIED
UNION SCHOOL DISTRICT

Board of Directors' Policy

WEAPONS / FIREARMS

POLICY: C5

WARNED: 5.15.20

ADOPTED: _____

EFFECTIVE: _____

It is the intent of the board to comply with the federal Gun Free Schools Act of 1994, and the Vermont state laws (16 V.S.A. §1166 & §1162) requiring school districts to provide for the possible expulsion of students who bring or possess dangerous weapons or firearms at school. It is further the intent of the board to maintain a student discipline system consistent with the requirements of the federal Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act and the Vermont State Board of Education rules.

Definitions:

This policy shall define the terms "*dangerous weapons*", "*firearm*", "*at school*" and "*expelled*".

However, the school board may augment the definitions, provided they remain consistent with definitions required by state and federal law.

- a. The term "*dangerous weapon*" means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, designed for, or is readily capable of, causing death or serious bodily injury. This includes weapons that a student acquires at school or on the bus.
- b. "*Firearm*" means any weapon, whether loaded or unloaded, which will expel a projectile by the action of an explosive and includes any weapon commonly referred to as a pistol, revolver, rifle, gun, machine gun or shotgun.
- c. "*At school*" means any setting that is under the control and supervision of the school district. It includes school grounds, facilities and vehicles used to transport students to and from school or school activities.
- d. "*Expelled*" means the termination of educational services to a student for greater than 10 days, and is determined by the board.

Policy Statement

PART A: WITH REGARDS TO STUDENTS

Any student who brings to school or possesses a dangerous weapon while at school shall be brought by the superintendent to the school board for consideration of an expulsion hearing.

However, with the prior written consent of the superintendent or ~~his/her~~their designee, a student may possess a device that might be considered a dangerous weapon for a predetermined educational purpose.

If after a hearing, a student is found by the board to have brought or possessed a dangerous weapon while at school, the superintendent or principal may suspend the student for up to 10 school days, or the board may expel the student for up to the remainder of the school year, or up to 90 school days, whichever is longer, 16 V.S.A. §1162(a). Or, if after a hearing, a student is found by the board to have brought or possessed a firearm while at school, the student shall be expelled for no less than one calendar year,

16 V.S.A. §1166 (2). However, the school board may modify the expulsion on a case-by-case basis when it finds circumstances such as, but not limited to:

- a. The student was unaware that ~~he or she~~they had brought a weapon to school.
- b. The student did not intend to use the weapon or threaten or endanger others.
- c. The student is disabled and the misconduct is related to the disability.
- d. The student does not present an ongoing threat to others and a lengthy expulsion would not serve the best interests of the student nor substantially further the goal of ensuring a safe and fear free environment.

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

Policy Implementation

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

The superintendent may refer to the appropriate law enforcement agency any student who possesses or brings a dangerous weapon to a school under the control and supervision of the school district. The superintendent shall refer to the appropriate law enforcement agency any student who possesses or brings a firearm to a school under the control and supervision of the school district. In addition, the superintendent may report any incident subject to this policy to the Department of Children & Families.

As required by state law, the superintendent shall annually provide the Secretary of Education with descriptions of the circumstances surrounding expulsions imposed under this policy, the number of students expelled, and the type of dangerous weapons involved.

PART B: WITH REGARD TO PERSONS OTHER THAN STUDENTS

No person shall enter onto school grounds while in possession of a dangerous weapon or firearm as described above unless:

- a. The person has prior written approval from the superintendent or ~~his/her~~their designee to bring the weapon to school for authorized activities;
- b. The person is a law enforcement officer.

Legal Reference(s): 16 V.S.A. §1162 (Suspension or expulsion of pupils)
 16 V.S.A. §1166 (State law pursuant to Federal law)
 13 V.S.A. §§4004, 4016 (Criminal offenses)
 20 U.S.C. §7151 (Gun Free Schools Act)
 18 U.S.C. §921 (Gun Free Schools Act of 1990)
 20 U.S.C. §§ 1400 et seq. (IDEA)
 29 U.S.C. §794 (Section 504, Rehabilitation Act of 1973)
 Vt. State Board of Education Manual of Rules & Practices, §§4311, 4312

Required

WASHINGTON CENTRAL UNIFIED
UNION SCHOOL DISTRICT

Board of Directors' Policy

WEAPONS / FIREARMS

POLICY: C5

WARNED: 5.15.20

ADOPTED: _____

EFFECTIVE: _____

It is the intent of the board to comply with the federal Gun Free Schools Act of 1994, and the Vermont state laws (16 V.S.A. §1166 & §1162) requiring school districts to provide for the possible expulsion of students who bring or possess dangerous weapons or firearms at school. It is further the intent of the board to maintain a student discipline system consistent with the requirements of the federal Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act and the Vermont State Board of Education rules.

Definitions:

This policy shall define the terms “*dangerous weapons*”, “*firearm*”, “*at school*” and “*expelled*”.

However, the school board may augment the definitions, provided they remain consistent with definitions required by state and federal law.

- a. The term “*dangerous weapon*” means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, designed for, or is readily capable of, causing death or serious bodily injury. This includes weapons that a student acquires at school or on the bus.
- b. “*Firearm*” means any weapon, whether loaded or unloaded, which will expel a projectile by the action of an explosive and includes any weapon commonly referred to as a pistol, revolver, rifle, gun, machine gun or shotgun.
- c. “*At school*” means any setting that is under the control and supervision of the school district. It includes school grounds, facilities and vehicles used to transport students to and from school or school activities.
- d. “*Expelled*” means the termination of educational services to a student for greater than 10 days, and is determined by the board.

Policy Statement

PART A: WITH REGARDS TO STUDENTS

Any student who brings to school or possesses a dangerous weapon while at school shall be brought by the superintendent to the school board for consideration of an expulsion hearing.

However, with the prior written consent of the superintendent or their designee, a student may possess a device that might be considered a dangerous weapon for a predetermined educational purpose.

If after a hearing, a student is found by the board to have brought or possessed a dangerous weapon while at school, the superintendent or principal may suspend the student for up to 10 school days, or the board may expel the student for up to the remainder of the school year, or up to 90 school days, whichever is longer, 16 V.S.A. §1162(a). Or, if after a hearing, a student is found by the board to have brought or possessed a firearm while at school, the student shall be expelled for no less than one calendar year,

16 V.S.A. §1166 (2). However, the school board may modify the expulsion on a case-by-case basis when it finds circumstances such as, but not limited to:

- a. The student was unaware that they had brought a weapon to school.
- b. The student did not intend to use the weapon or threaten or endanger others.
- c. The student is disabled and the misconduct is related to the disability.
- d. The student does not present an ongoing threat to others and a lengthy expulsion would not serve the best interests of the student nor substantially further the goal of ensuring a safe and fear free environment.

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

Policy Implementation

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

The superintendent may refer to the appropriate law enforcement agency any student who possesses or brings a dangerous weapon to a school under the control and supervision of the school district. The superintendent shall refer to the appropriate law enforcement agency any student who possesses or brings a firearm to a school under the control and supervision of the school district. In addition, the superintendent may report any incident subject to this policy to the Department of Children & Families.

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- a. The person has prior written approval from the superintendent or their designee to bring the weapon to school for authorized activities;
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Legal Reference(s): 16 V.S.A. §1162 (Suspension or expulsion of pupils)
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 18 U.S.C. §921 (Gun Free Schools Act of 1990)
 20 U.S.C. §§ 1400 et seq. (IDEA)
 29 U.S.C. §794 (Section 504, Rehabilitation Act of 1973)
 Vt. State Board of Education Manual of Rules & Practices, §§4311, 4312

Required**WASHINGTON CENTRAL UNIFIED
UNION SCHOOL DISTRICT****Board of Directors' Policy****POLICY:** C6**WARNED:** 5.15.20**ADOPTED:** _____**EFFECTIVE:** _____**HOME STUDY STUDENTS**

Policy

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

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

*Legal Reference(s): 16 V.S.A. 563 (24) (Powers of school boards)
Vermont State Board of Education Manual of Rules & Practices §§4400, 9200.3.1, 2367
20 U.S.C. §§1400 et seq. (IDEA)
34 C.F.R. §§ 300.450-2, 76.650-662
16 V.S.A. 563(24). School boards are required to "... adopt a policy which, in accordance with rules adopted by the state board of education, will integrate home study students into its schools through enrollment in courses, participation in co-curricular and extra-curricular activities and use of facilities." See also SBE Rules 4400-4405.*

Required

WASHINGTON CENTRAL UNIFIED
UNION SCHOOL DISTRICT

Board of Directors' Policy

STUDENT ATTENDANCE

POLICY: C7

WARNED: 5.15.20

ADOPTED: _____

EFFECTIVE: _____

Policy

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

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

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

Administrative Rules and Procedures

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

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

Administrative Responsibilities

The principal is responsible for maintaining accurate and up-to-date records of student attendance.

The principal is responsible for assuring that the school has the appropriate family information that allows the school to contact the parent(s) or guardian(s) of all students whenever necessary.

Legal Reference(s): 16 V.S.A. §§1121 et seq. (Attendance required)
16 V.S.A. § 1125 (Truant officers)
VT State Board of Education Manual of Rules & Practices: §2120.8.3.3

Required¹

WASHINGTON CENTRAL UNIFIED
UNION SCHOOL DISTRICT

Board of Directors' Policy

POLICY: C8

WARNED: 5.15.20

ADOPTED: _____

EFFECTIVE: _____

PUPIL PRIVACY RIGHTS

Policy

It is the intent of the Washington Central Unified Union School District to comply with the provisions of the federal Pupil Privacy Rights Amendment (PPRA)^[2] and Vermont State Board of Education Rules^[3] governing the administration of certain student surveys, analyses or evaluations.^[4]

Administrative Responsibilities

The superintendent or their designee shall develop administrative procedures to ensure school district compliance with applicable federal and state laws related to pupil privacy. The administrative procedures shall include provisions related to the following legal requirements.^[5]

1. The right of parents or eligible students to inspect surveys created by third parties before administration or distribution of the surveys to students;
2. Any applicable procedures for granting request by a parent for access to such survey within reasonable time after a request is received;
3. Arrangements of protect student privacy in the event of the administration or distribution of a survey to a student containing one or more of the items listed in the federal Pupil Privacy Rights Amendment;^[6]
4. The right of a parent to inspect any instructional material used as part of the educational curriculum for the parent's child, and any applicable procedures for granting access to such material within a reasonable time after the request is received.^[7]
5. The administration of physical examinations or screenings that the school district may administer to a student;^[8]
6. The collection, disclosure or use of personal information collected from students for the purpose of marketing or for selling that information, including arrangements to protect student privacy in the event of such collection, disclosure or use.^[9]
7. The right of a parent of a student to inspect any instrument used in the collection of personal information under subparagraph (6) above, and any applicable procedures for granting a request for such inspection within a reasonable time after receiving the request;^[10]

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

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

^[2] See 20 U.S.C. 1232h.

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

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

^[5] See 20 U.S.C. §1232h(c)(1).

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

^[7] See 20 U.S.C. §1232h(c)(1)(C).

^[8] See 20 U.S.C. §1232h(c)(1)(D).

^[9] See 20 U.S.C. §1232h(c)(1)(E).

^[10] See 20 U.S.C. §1232h(c)(1)(F)

^[11] See 20 U.S.C. §1232h(c)(2).

Required

**WASHINGTON CENTRAL UNIFIED
UNION SCHOOL DISTRICT**

Board of Directors' Policy

POLICY: C10

WARNED: 5.15.20

ADOPTED: _____

EFFECTIVE: _____

**PREVENTION OF HARASSMENT,
HAZING AND BULLYING**

I. Statement of Policy

The Washington Central Unified Union School District ¹ (hereinafter “district”) is committed to providing all of its students with a safe and supportive school environment in which all members of the school community are treated with respect.

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

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

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

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

¹

Where language suggests a “district” will take action, it shall be the superintendent, or ~~his/her~~their designee.

II. Implementation

The superintendent or ~~his/her~~their designee shall:

1. Adopt a procedure directing staff, parents and guardians how to report violations of this policy and file complaints under this policy. (See Washington Central Unified Union School District Procedures on the Prevention of Harassment, Hazing and Bullying of Students.)
2. Annually, select two or more designated employees to receive complaints of hazing, bullying and/or harassment at each school campus and publicize their availability in any publication of the district that sets forth the comprehensive rules, procedures, and standards of conduct for the school.
3. Designate an Equity Coordinator to oversee all aspects of the implementation of this policy as it relates to obligations imposed by federal law regarding discrimination. This role may be also be assigned to one or both of the designated employees.
4. Respond to notifications of possible violations of this policy in order to promptly and effectively address all complaints of hazing, harassment, and/or bullying.
5. Take action on substantiated complaints. In cases where hazing, harassment and/or bullying is substantiated, the district shall take prompt and appropriate remedial action reasonably calculated to stop the hazing, harassment and/or bullying; prevent its recurrence; and to remedy the impact of the offending conduct on the victim(s), where appropriate. Such action may include a wide range of responses from education to serious discipline.

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

III. Constitutionally Protected Speech

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

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

A. “Bullying” means any overt act or combination of acts, including an act conducted by electronic means, directed against a student by another student or group of students and which:

- Is repeated over time;
- Is intended to ridicule, humiliate, or intimidate the student; and
- (i) occurs during the school day on school property, on a school bus, or at a school-sponsored activity, or before or after the school day on a school bus or at a school-sponsored activity; or
(ii) does not occur during the school day on school property, on a school bus or at a school-sponsored activity and can be shown to pose a clear and substantial interference with another student’s right to access educational programs.

B. “Complaint” means an oral or written report information provided by a student or any person to an employee alleging that a student has been subjected to conduct that may rise to the level of hazing, harassment or bullying.

C. “Complainant” means a student who has provided oral or written information about conduct that may rise to the level of hazing, harassment or bullying, or a student who is the target of alleged hazing, harassment or bullying.

D. “Designated employee” means an employee who has been designated by the school to receive complaints of hazing, harassment and bullying pursuant to subdivision 16 V.S.A. 570a(a)(7). The designated employees for each school building are identified in Appendix A of this policy.

E. “Employee” includes any person employed directly by or retained through a contract with the district, an agent of the school, a school board member, a student teacher, an intern or a school volunteer. For purposes of this policy, “agent of the school” includes ~~supervisory union~~district staff.

F. “Equity Coordinator” is the person responsible for implementation of Title IX (regarding sex-based discrimination) and Title VI (regarding race-based discrimination) for the district and for coordinating the district’s compliance with Title IX and Title VI in all areas covered by the implementing regulations. The equity coordinator is also responsible for overseeing

implementation of the district's *Preventing and Responding to Harassment of Students and Harassment of Employees* policies. This role may also be assigned to designated employees.

G. “Harassment” means an incident or incidents of verbal, written, visual, or physical conduct, including any incident conducted by electronic means, based on or motivated by a student's or a student's family member's actual or perceived race, creed, color, national origin, marital status, disability, sex, sexual orientation, or gender identity, that has the purpose or effect of objectively and substantially undermining and detracting from or interfering with a student's educational performance or access to school resources or creating an objectively intimidating hostile, or offensive environment.

Harassment includes conduct as defined above and may also constitute one or more of the following:

(1) Sexual harassment, which means unwelcome conduct of a sexual nature, that includes sexual violence/sexual assault, sexual advances, requests for sexual favors, and other verbal, written, visual or physical conduct of a sexual nature, and includes situations when one or both of the following occur:

- (i) Submission to that conduct is made either explicitly or implicitly a term or condition of a student's education, academic status, or progress; or
- (ii) Submission to or rejection of such conduct by a student is used as a component of the basis for decisions affecting that student.

Sexual harassment may also include student-on-student conduct or conduct of a non-employee third party that creates a hostile environment. A hostile environment exists where the harassing conduct is severe, persistent or pervasive so as to deny or limit the student's ability to participate in or benefit from the educational program on the basis of sex.

(2) Racial harassment, which means conduct directed at the characteristics of a student's or a student's family member's actual or perceived race or color, and includes the use of epithets, stereotypes, racial slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, display, or circulation of written or visual material, and taunts on manner of speech and negative references to cultural customs.

(3) Harassment of members of other protected categories, means conduct directed at the characteristics of a student's or a student's family member's actual or perceived creed, national origin, marital status, disability, sex, sexual orientation, or gender identity and includes the use of epithets, stereotypes, slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, display, or circulation of written or visual material, taunts on manner of speech, and negative references to customs related to any of these protected categories.

H. “Hazing” means any intentional, knowing or reckless act committed by a student, whether individually or in concert with others, against another student: In connection with pledging, being

initiated into, affiliating with, holding office in, or maintaining membership in any organization which is affiliated with the educational institution; and

- (i) Which is intended to have the effect of, or should reasonably be expected to have the effect of, endangering the mental or physical health of the student.

Hazing shall not include any activity or conduct that furthers legitimate curricular, extra-curricular, or military training program goals, provided that:

- (1) The goals are approved by the educational institution; and
- (2) The activity or conduct furthers the goals in a manner that is appropriate contemplated by the educational institution, and normal and customary for similar programs at other educational institutions.

With respect to Hazing, **“Student”** means any person who:

- (A) is registered in or in attendance at an educational institution;
- (B) has been accepted for admission at the educational institution where the hazing incident occurs; or
- (C) intends to attend an educational institution during any of its regular sessions after an official academic break.

I. “Notice” means a written complaint or oral information that hazing, harassment or bullying may have occurred which has been provided to a designated employee from another employee, the student allegedly subjected to the hazing, harassment or bullying, another student, a parent or guardian, or any other individual who has reasonable cause to believe the alleged conduct may have occurred. If the school learns of possible hazing, harassment or bullying through other means, for example, if information about hazing, harassment or bullying is received from a third party (such as from a witness to an incident or an anonymous letter or telephone call), different factors will affect the school’s response. These factors include the source and nature of the information; the seriousness of the alleged incident; the specificity of the information; the objectivity and credibility of the source of the report; whether any individuals can be identified who were subjected to the alleged harassment; and whether those individuals want to pursue the matter. In addition, for purposes of violations of federal anti-discrimination laws, notice may occur when an employee of the district, including any individual who a student could reasonably believe has this authority or responsibility, knows or in the exercise of reasonable care should have known about potential unlawful harassment or bullying.

J. “Organization” means a fraternity, sorority, athletic team, association, corporation, order, society, corps, cooperative, club, or other similar group, whose members primarily are students at an educational institution, and which is affiliated with the educational institution.

K. “Pledging” means any action or activity related to becoming a member of an organization.

L. “Retaliation” is any adverse action by any person against a person who has filed a complaint of harassment, hazing or bullying or against a person who assists or participates in an investigation, proceeding or hearing related to the harassment complaint. Such adverse action may include conduct by a school employee directed at a student in the form of intimidation or reprisal such as

diminishment of grades, suspension, expulsion, change in educational conditions, loss of privileges or benefits, or other unwarranted disciplinary action. Retaliation may also include conduct by a student directed at another student in the form of further harassment, intimidation, and reprisal.

M. “School administrator” means a superintendent, principal or ~~his/her~~their designee assistant principal/technical center director or ~~his/her~~their designee and/or the district’s equity coordinator.

N. “Student Conduct Form” is a form used by students, staff, or parents, to provide, in written form, information about inappropriate student behaviors that may constitute hazing, harassment and/or bullying.

APPENDIX A

Designated Employees:

The following employees of the Washington Central Unified Union School District have been designated by the district to receive complaints of bullying and/or harassment pursuant to this policy and 16 V.S.A. §570a(a)(7) and 16 V.S.A. §570c(7) and under federal anti-discrimination laws;

Name:

Title:

Contact Information:

Name:

Title:

Contact Information:

Required

**WASHINGTON CENTRAL UNIFIED
UNION SCHOOL DISTRICT**

Board of Directors' Policy

POLICY: C10

WARNED: 5.15.20

ADOPTED: _____

EFFECTIVE: _____

**PREVENTION OF HARASSMENT,
HAZING AND BULLYING**

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

¹

Where language suggests a “district” will take action, it shall be the superintendent, or their designee.

II. Implementation

The superintendent or their designee shall:

1. Adopt a procedure directing staff, parents and guardians how to report violations of this policy and file complaints under this policy. (See Washington Central Unified Union School District Procedures on the Prevention of Harassment, Hazing and Bullying of Students.)
2. Annually, select two or more designated employees to receive complaints of hazing, bullying and/or harassment at each school campus and publicize their availability in any publication of the district that sets forth the comprehensive rules, procedures, and standards of conduct for the school.
3. Designate an Equity Coordinator to oversee all aspects of the implementation of this policy as it relates to obligations imposed by federal law regarding discrimination. This role may be also be assigned to one or both of the designated employees.
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5. Take action on substantiated complaints. In cases where hazing, harassment and/or bullying is substantiated, the district shall take prompt and appropriate remedial action reasonably calculated to stop the hazing, harassment and/or bullying; prevent its recurrence; and to remedy the impact of the offending conduct on the victim(s), where appropriate. Such action may include a wide range of responses from education to serious discipline.

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

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

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- (i) occurs during the school day on school property, on a school bus, or at a school-sponsored activity, or before or after the school day on a school bus or at a school-sponsored activity; or
(ii) does not occur during the school day on school property, on a school bus or at a school-sponsored activity and can be shown to pose a clear and substantial interference with another student’s right to access educational programs.

B. “Complaint” means an oral or written report information provided by a student or any person to an employee alleging that a student has been subjected to conduct that may rise to the level of hazing, harassment or bullying.

C. “Complainant” means a student who has provided oral or written information about conduct that may rise to the level of hazing, harassment or bullying, or a student who is the target of alleged hazing, harassment or bullying.

D. “Designated employee” means an employee who has been designated by the school to receive complaints of hazing, harassment and bullying pursuant to subdivision 16 V.S.A. 570a(a)(7). The designated employees for each school building are identified in Appendix A of this policy.

E. “Employee” includes any person employed directly by or retained through a contract with the district, an agent of the school, a school board member, a student teacher, an intern or a school volunteer. For purposes of this policy, “agent of the school” includes district staff.

F. “Equity Coordinator” is the person responsible for implementation of Title IX (regarding sex-based discrimination) and Title VI (regarding race-based discrimination) for the district and for coordinating the district’s compliance with Title IX and Title VI in all areas covered by the implementing regulations. The equity coordinator is also responsible for overseeing implementation of the district’s *Preventing and Responding to Harassment of Students and Harassment of Employees* policies. This role may also be assigned to designated employees.

G. “Harassment” means an incident or incidents of verbal, written, visual, or physical conduct, including any incident conducted by electronic means, based on or motivated by a student’s or a student’s family member’s actual or perceived race, creed, color, national origin, marital status disability, sex, sexual orientation, or gender identity, that has the purpose or effect of objectively and substantially undermining and detracting from or interfering with a student’s educational performance or access to school resources or creating an objectively intimidating hostile, or offensive environment.

Harassment includes conduct as defined above and may also constitute one or more of the following:

(1) Sexual harassment, which means unwelcome conduct of a sexual nature, that includes sexual violence/sexual assault, sexual advances, requests for sexual favors, and other verbal, written, visual or physical conduct of a sexual nature, and includes situations when one or both of the following occur:

- (i) Submission to that conduct is made either explicitly or implicitly a term or condition of a student’s education, academic status, or progress; or
- (ii) Submission to or rejection of such conduct by a student is used as a component of the basis for decisions affecting that student.

Sexual harassment may also include student-on-student conduct or conduct of a non-employee third party that creates a hostile environment. A hostile environment exists where the harassing conduct is severe, persistent or pervasive so as to deny or limit the student’s ability to participate in or benefit from the educational program on the basis of sex.

(2) Racial harassment, which means conduct directed at the characteristics of a student’s or a student’s family member’s actual or perceived race or color, and includes the use of epithets, stereotypes, racial slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, display, or circulation of written or visual material, and taunts on manner of speech and negative references to cultural customs.

(3) Harassment of members of other protected categories, means conduct directed at the characteristics of a student’s or a student’s family member’s actual or perceived creed, national origin, marital status, disability, sex, sexual orientation, or gender identity and includes the use of epithets, stereotypes, slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, display, or circulation of written or visual material, taunts on manner of speech, and negative references to customs related to any of these protected categories.

H. “Hazing” means any intentional, knowing or reckless act committed by a student, whether individually or in concert with others, against another student: In connection with pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization which is affiliated with the educational institution; and

- (i) Which is intended to have the effect of, or should reasonably be expected to have the

effect of, endangering the mental or physical health of the student.

Hazing shall not include any activity or conduct that furthers legitimate curricular, extra-curricular, or military training program goals, provided that:

- (1) The goals are approved by the educational institution; and
- (2) The activity or conduct furthers the goals in a manner that is appropriate contemplated by the educational institution, and normal and customary for similar programs at other educational institutions.

With respect to Hazing, **“Student”** means any person who:

- (A) is registered in or in attendance at an educational institution;
- (B) has been accepted for admission at the educational institution where the hazing incident occurs; or
- (C) intends to attend an educational institution during any of its regular sessions after an official academic break.

I. “Notice” means a written complaint or oral information that hazing, harassment or bullying may have occurred which has been provided to a designated employee from another employee, the student allegedly subjected to the hazing, harassment or bullying, another student, a parent or guardian, or any other individual who has reasonable cause to believe the alleged conduct may have occurred. If the school learns of possible hazing, harassment or bullying through other means, for example, if information about hazing, harassment or bullying is received from a third party (such as from a witness to an incident or an anonymous letter or telephone call), different factors will affect the school’s response. These factors include the source and nature of the information; the seriousness of the alleged incident; the specificity of the information; the objectivity and credibility of the source of the report; whether any individuals can be identified who were subjected to the alleged harassment; and whether those individuals want to pursue the matter. In addition, for purposes of violations of federal anti-discrimination laws, notice may occur when an employee of the district, including any individual who a student could reasonably believe has this authority or responsibility, knows or in the exercise of reasonable care should have known about potential unlawful harassment or bullying.

J. “Organization” means a fraternity, sorority, athletic team, association, corporation, order, society, corps, cooperative, club, or other similar group, whose members primarily are students at an educational institution, and which is affiliated with the educational institution.

K. “Pledging” means any action or activity related to becoming a member of an organization.

L. “Retaliation” is any adverse action by any person against a person who has filed a complaint of harassment, hazing or bullying or against a person who assists or participates in an investigation, proceeding or hearing related to the harassment complaint. Such adverse action may include conduct by a school employee directed at a student in the form of intimidation or reprisal such as diminishment of grades, suspension, expulsion, change in educational conditions, loss of privileges or benefits, or other unwarranted disciplinary action. Retaliation may also include

conduct by a student directed at another student in the form of further harassment, intimidation, and reprisal.

M. “School administrator” means a superintendent, principal or their designee assistant principal//technical center director or their designee and/or the district’s equity coordinator.

N. “Student Conduct Form” is a form used by students, staff, or parents, to provide, in written form, information about inappropriate student behaviors that may constitute hazing, harassment and/or bullying.

APPENDIX A

Designated Employees:

The following employees of the Washington Central Unified Union School District have been designated by the district to receive complaints of bullying and/or harassment pursuant to this policy and 16 V.S.A. §570a(a)(7) and 16 V.S.A. §570c(7) and under federal anti-discrimination laws;

Name:

Title:

Contact Information:

Name:

Title:

Contact Information:

WASHINGTON CENTRAL UNIFIED UNION SCHOOL DISTRICT PROCEDURES ON THE PREVENTION OF HARASSMENT, HAZING AND BULLYING OF STUDENTS

I. Reporting Complaints of Hazing, Harassment and/or Bullying

- A. Student Reporting: Any student who believes that ~~s/he~~they have been hazed, harassed and/or bullied under this policy, or who witnesses or has knowledge of conduct that ~~s/he~~they reasonably believes might constitute hazing, harassment and or/bullying, should promptly report the conduct to a designated employee or any other school employee.
- B. School employee reporting: Any school employee who **witnesses conduct** that ~~s/he~~they reasonably believes might constitute hazing, harassment and/or bullying shall take reasonable action to stop the conduct and to prevent its recurrence and immediately report it to a designated employee and immediately complete a Student Conduct Form.

Any school employee **who overhears or directly receives information** about conduct that might constitute hazing, harassment and/or bullying shall immediately report the information to a designated employee and immediately complete a Student Conduct Form. If one of the designated employees is a person alleged to be engaged in the conduct complained of, the incident shall be immediately reported to the other designated employee or the school administrator.

- C. Other reporting: Any other person who witnesses conduct that ~~s/he~~they reasonably believes might constitute hazing, harassment and/or bullying under this policy should promptly report the conduct to a designated employee.
- D. Documentation of the report: If the complaint is oral, the designated employee shall promptly reduce the complaint to writing in a Student Conduct Form, including the time, place, and nature of the alleged conduct, the identity of the complainant, alleged perpetrator, and any witnesses. Both the complainant and the alleged perpetrator will have the right to present witnesses and other evidence in support of their position.
- E. False complaint: Any person who knowingly makes a false accusation regarding hazing, harassment and/or bullying may be subject to disciplinary action up to and including suspension and expulsion with regard to students, or up to and including discharge with regard to employees. There shall be no adverse action taken against a person for reporting a complaint of hazing, harassment and/or bullying when the person has a good faith belief that hazing, harassment and/or bullying occurred or is occurring.
- F. Rights to Alternative Complaint Process: In addition to, or as an alternative to filing a harassment complaint pursuant to this policy, a person may file a harassment complaint with the Vermont Human Rights Commission or the

Office for Civil Rights of the U.S. Department of Education at the addresses noted below:

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

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

II. Responding to Notice of Possible Policy Violation(s)

- A.** Upon notice of information that hazing, harassment and/or bullying may have occurred the designated employee shall:
 - i. Promptly reduce any oral information to writing, including the time, place, and nature of the conduct, and the identity of the participants and complainant.
 - ii. Promptly inform the school administrator(s) of the information;
 - iii. If in the judgment of the school administrator, the information alleges conduct which may constitute harassment, hazing or bullying, the school administrator shall, as soon as reasonably possible, provide a copy of the policy on hazing, harassment and bullying and these procedures to the complainant and accused individual, or if either is a minor, cause a copy to be provided or delivered to their respective parent or guardian.
- B.** Upon initiation of an investigation, the designated employee shall:
 - i. Notify in writing both the complainant and accused individual (or if either is a minor inform their respective parent or guardian) that:
 - 1. an investigation has been initiated;
 - 2. retaliation is prohibited;
 - 3. all parties have certain confidentiality rights; and
 - 4. they will be informed in writing of the outcome of the investigation.
- C.** All notifications shall be subject to state and/or federal laws protecting the confidentiality of personally identifiable student information. Pursuant to 34 CFR Part 99.30, a school administrator may seek the consent of the parent/guardian of the accused student, or the accused eligible student (if 18 or older, the accused student has the ability to consent), in order to inform the complainant of any

disciplinary action taken in cases where the school determined that an act(s) of harassment, hazing, and/or bullying, or other misconduct occurred. The parent/guardian or eligible student shall provide a signed and dated written consent before an educational agency or institution discloses personally identifiable information from the student's education records.

III. Investigating Hazing, Harassment and/or Bullying Complaints

- A. Initiation of Investigation - Timing.** Unless special circumstances are present and documented, such as reports to the Department for Children and Families (“DCF”) or the police, the school administrator shall, no later than one school day after notice to a designated employee, initiate or cause to be initiated, an investigation of the allegations, which the school administrator reasonably believes may constitute harassment, hazing or bullying.
- B. Investigator Assignment.** The school administrator shall assign a person to conduct the investigation; nothing herein shall be construed to preclude the school administrator from assigning ~~him/herself~~themselves or a designated employee as the investigator. No person who is the subject of a complaint shall conduct such an investigation.
- C. Interim Measures.** It may be appropriate for the school to take interim measures during the investigation of a complaint. For instance, if a student alleges that ~~he~~or she has they have been sexually assaulted by another student, the school may decide to place the students immediately in separate classes and/or transportation pending the results of the school’s investigation. Similarly, if the alleged harasser is a teacher, allowing the student to transfer to a different class may be appropriate. In all cases, the school will make every effort to prevent disclosure of the names of all parties involved – the complainant, the witnesses, and the accused -- except to the extent necessary to carry out the investigation. In all cases where physical harm has resulted and/or where the targeted student is known to be expressing suicidal ideation, or experiencing serious emotional harm, a safety plan will be put in place. Safety plans must also be considered in cases where the targeted student is known to have difficulty accessing the educational programs at the school as a result of the inappropriate behavior. No contact orders, or their enforcement, may also be appropriate interim measures.
- D. Due Process.** The United States Constitution guarantees due process to students and district employees who are accused of certain types of infractions, including but not limited to sexual harassment under Federal Title IX. The rights established under Title IX must be interpreted consistent with any federally guaranteed due process rights involved in a complaint proceeding, including but not limited to the ability of the complainant and the accused to present witnesses and other evidence during an investigation. The district will ensure that steps to accord due process rights do not restrict or unnecessarily delay the protections provided by Title IX to the complainant.

- E.** Standard Used to Assess Conduct. In determining whether the conduct constitutes a violation of this policy, the investigator shall consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. The complainant and accused will be provided the opportunity to present witnesses and other evidence during an investigation. The school will also consider the impact of relevant off-campus conduct on the school environment where direct harm to the welfare of the school can be demonstrated or the conduct can be shown to pose a clear and substantial interference with another student's equal access to educational programs. Whether a particular action constitutes a violation of this policy requires determination based on all the facts and surrounding circumstances.
- F.** Completion of Investigation – Timing. No later than five school days from the filing of the complaint with the designated employee, unless special circumstances are present and documented, the investigator shall submit a written initial determination to the school administrator.
- G.** Investigation Report. The investigator shall prepare a written report to include a statement of the findings of the investigator as to whether the allegations have been substantiated, and as to whether the alleged conduct constitutes hazing, harassment and/or bullying. The report, when referencing student conduct, is a student record and therefore confidential. It will be made available to investigators in the context of a review conducted by either Vermont AOE, or investigations of harassment conducted by the Vermont Human Rights Commission or U.S. Department of Education Office of Civil Rights.
- H.** Notice to Students/Parents/Guardians. Within five school days of the conclusion of the investigation, the designated employee shall:
- i. Notify in writing both the complainant and accused individual (or if either is a minor inform their respective parent or guardian) that:
 1. the investigation has been completed;
 2. whether or not the investigation concluded that a policy violation occurred (and which policy term was violated, i.e. harassment, hazing and/or bullying);
 3. that federal privacy law prevents disclosure of any discipline imposed as a result of the investigation unless the parent/guardian of the accused student and/or the accused eligible student consents to such disclosure, pursuant to 34 CFR Part 99.30, as set forth in Section II, Part C, above.
 - ii. Notify the Complainant Student - or if a minor, their parent(s) or guardian - in writing of their rights to:
 1. an internal review by the school of its initial determination as a result of its investigation as to whether harassment occurred;
 2. request an Independent Review of the school's "final" determination as to whether harassment occurred within thirty (30) days of the final determination or although a "final" determination was made that harassment indeed occurred the school's response to that harassment was inadequate to correct

the problem; and that the review will be conducted by an investigator to be selected by the superintendent from a list developed by the Agency of Education;

3. file complaints of harassment with either the Vermont Human Rights Commission and/or the federal Department of Education's Office of Civil Rights.

iii. Notify the Accused Student – or if a minor, their parent(s) or guardian - in writing of their right to appeal as set forth in Section V of these procedures.

I. Violations of Other Policies. In cases where the investigation has identified other conduct that may constitute a violation of other school disciplinary policies or codes of conduct, the designated employee shall report such conduct to the school administrator for action in accordance with relevant school policies or codes of conduct.

IV. Responding to Substantiated Claims

A. Scope of Response. After a final determination that an act(s) of hazing, harassment and/or bullying has been committed, the school shall take prompt and appropriate disciplinary and/or remedial action reasonably calculated to stop the hazing, harassment and/or bullying and prevent any recurrence of harassment, hazing and/or bullying, and remedy its effects on the victim(s). In so doing, the following should be considered:

i. Potential Remedial Actions. Remedial action may include but not be limited to an age appropriate warning, reprimand, education, training and counseling, transfer, suspension, and/or expulsion of a student, and warning, reprimand, education, training and counseling, transfer, suspension and/or termination of an employee. A series of escalating consequences may be necessary if the initial steps are ineffective in stopping the hazing, harassment and/or bullying. To prevent recurrences counseling for the offender may be appropriate to ensure that ~~he or she~~they understands what constitutes hazing/harassment and/or bullying and the effects it can have. Depending on how widespread the hazing/harassment/bullying was and whether there have been any prior incidents, the school may need to provide training for the larger school community to ensure that students, parents and teachers can recognize hazing/harassment/bullying if it recurs and know how to respond.

ii. School Access/Environment Considerations. The district will also take efforts to support victims' access to the district's programs, services and activities and consider and implement school-wide remedies, where appropriate. Accordingly, steps will be taken to eliminate any hostile and/or threatening environment that has been created. For example, if a female student has been subjected to harassment/bullying by a group of other students in a class, the school may need to deliver special training or other interventions for that class to repair the educational environment. If the school offers the student the option of withdrawing from a class in which a hostile environment/bullying occurred, the district will assist the student in making program or schedule changes and ensure that none of the changes adversely affect the student's

academic record. Other measures may include, if appropriate, directing a bully/harasser to apologize to the affected student. If a hostile environment has affected the entire school or campus, an effective response may need to include dissemination of information, the issuance of new policy statements or other steps that are designed to clearly communicate the message that the school does not tolerate harassment and/or bullying and will be responsive to any student who reports that conduct.

- iii. Hazing Case Considerations. Appropriate penalties or sanctions or both for organizations that or individuals who engage in hazing and revocation or suspension of an organization's permission to operate or exist within the institution's purview if that organization knowingly permits, authorizes, or condones hazing.
- iv. Other Remedies: Other remedies may include providing counseling to the victim(s) and/or the perpetrator(s), and additional safety planning measures for the victim(s).

- B. Retaliation Prevention.** It is unlawful for any person to retaliate against a person who has filed a complaint of harassment or against a person who assists or participates in an investigation, proceeding or hearing related to the harassment complaint. A person may violate this anti-retaliation provision regardless of whether the underlying complaint of harassment is substantiated.

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

- C. Alternative Dispute Resolution.** At all stages of the investigation and determination process, school officials are encouraged to make available to complainants alternative dispute resolution methods, such as mediation, for resolving complaints. Certain considerations should be made before pursuing alternative dispute resolution methods, including, but not limited to:
- (1) the nature of the accusations (for example, face-to-face mediation is not appropriate for sexual violence cases),
 - (2) the age of the complainant and the accused individual,
 - (3) the agreement of the complainant, and
 - (4) other relevant factors such as any disability of the target or accused individual, safety issues, the relationship and relative power differential between the target and accused individual, or any history of repeated misconduct/harassment by the accused individual.

V. Post Investigative Reviews

Rights of Complainants

A. Internal Review of Initial Harassment Determinations By Complainant.

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

B. Independent Reviews of Final Harassment Determinations By Complainant.

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

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

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

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

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

Vermont Human Rights Commission
14-16 Baldwin Street
Montpelier, VT 05633-6301
(800) 416-2010 or (802) 828-2480 (voice)
(877) 294-9200 (tty)

(802) 828-2481 (fax)
Email: human.rights@state.vt.us

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

Rights of Accused Students

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

VI. Confidentiality and Record Keeping

- A. Privacy Concerns.** The privacy of the complainant, the accused individual, and the witnesses shall be maintained consistent with the district's obligations to

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

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

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

- B. Document Maintenance. The superintendent or school administrator shall assure that a record of any complaint, its investigation and disposition, as well as any disciplinary or remedial action taken following the completion of the investigation, is maintained by the district in a confidential file accessible only to authorized persons. All investigation records created in conformance with this policy and procedures, including but not limited to, the complaint form, interview notes, additional evidence, and the investigative report, shall be kept by the equity coordinator, designated employees and district central office for at least six years after the investigation is completed.

VII. Reporting to Other Agencies

- A. Reports to Department of Children and Families. When a complaint made pursuant to this policy includes allegations of child abuse, any person responsible for reporting suspected child abuse under 33 V.S.A. § 4911, et seq. must report the allegation to the Commissioner of DCF. If the victim is over the age of 18 and

a report of abuse is warranted, the report shall be made to Adult Protective Services in accordance with 33 V.S.A. § 6901 et seq.

- B. Reports to Vermont Agency of Education.** If a harassment complaint is made in a public school about conduct by a licensed educator that might be grounds under Vermont law for licensing action, the principal shall report the alleged conduct to the superintendent and the superintendent shall report the alleged conduct to the commissioner. If a harassment complaint is made in an independent school about conduct by a licensed educator that might be grounds under Vermont law for licensing action, the head of school is encouraged to report the alleged conduct to the Secretary of Education.
- C. Reporting Incidents to Police**
- a. **FERPA Rights.** Information obtained and documented by school administration regarding the school's response to notice of student conduct that may constitute hazing, harassment and/or bullying may constitute an "educational record" regarding the student or student(s) involved as defined by the Family Education Rights and Privacy Act. Accordingly, such information may not be disclosed without prior parent approval to local law enforcement except in response to a lawfully issued subpoena, or in connection with an emergency if disclosure is necessary to protect the health or safety of the student or other individuals.
 - b. **First Hand Reports.** Nothing in this policy shall preclude persons from reporting incidents and/or conduct witnessed first-hand that may be considered to be a criminal act to law enforcement officials.
 - c. **Hazing Incidents.** It is unlawful to (1) engage in hazing; (2) solicit direct, aid, or attempt to aid, or abet another person engaged in hazing; or (3) knowingly fail to take reasonable measures within the scope of the person's authority to prevent hazing. It is not a defense in an action under this section that the person against whom the hazing was directed consented to or acquiesced in the hazing activity. Hazing incidents will be reported to the police in a manner consistent with the confidentiality rights set forth above in this section.
- D. Continuing Obligation to Investigate.** Reports made to either DCF or law enforcement shall not be considered to absolve the school administrators of their obligations under this policy to pursue and complete an investigation upon receipt of notice of conduct which may constitute hazing, harassment and/or bullying.

VIII. Disseminating Information, Training, and Data Reporting

- A. Disseminating Information.** Annually, prior to the commencement of curricular and co-curricular activities, the district shall provide notice of this policy and procedures to students, custodial parents or guardians of students, and staff members, including references to the consequences of misbehavior contained in the plan required by 16 V.S.A. 1161a. Notice to students shall be in age-appropriate language and include examples of hazing, harassment and bullying. At a minimum, this notice shall appear in any publication of the district that sets

forth the comprehensive rules, procedures and standards of conduct for the district.

- B. Student Training.** The school administrator shall use ~~his/her~~their discretion in developing age-appropriate methods of discussing the meaning and substance of this policy with students to help prevent hazing, harassment and bullying.
- C. Staff Training.** The board or its designee shall ensure that teachers and other staff receive training in preventing, recognizing and responding to hazing, harassment and bullying.
- D. Data Gathering.** Public school districts shall provide the Vermont Agency of Education with data requested by the Secretary of Education.

Legal References:

Title V, Section B, 504 of the Rehabilitation Act of 1973, 29 U.S.C. §794 et seq.;

Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d;

Title IX of the Educational Amendments Act of 1972, 20 U.S.C. §§ 1681 et seq.; Family Education Rights Privacy Act; 20 U.S.C. §1232g;

Public Accommodations Act, 9 V.S.A. §§4500 et seq.;

Education, Classifications and Definitions, 16 V.S.A. §11(26);(30)(A);(32); Education, 16 V.S.A. §140(a)(1); Education, 16 V.S.A. §166(e);

Education, Bullying, 16 V.S.A. §570c;

Education, Harassment, Hazing and Bullying, 16 V.S.A. § 570; Education, Harassment, 16 V.S.A. §570a;

Education, Harassment, 16 V.S.A. §570c; Education, Harassment, 16 V.S.A. §570f;

Education, Hazing, 16 V.S.A. §570b; Education, Hazing, 16 V.S.A. §570f Education, Discipline, 16 V.S.A. §1161a;

Education, Suspension or Expulsion of Pupils; 16 V.S.A. §1162; Child Abuse, 33 V.S.A. §§4911 et seq.;

Adult Protective Services, 33 V.S.A. §6901 et seq., all as they may be amended from time to time.

Washington v. Pierce, 179 VT 318 (2005).

WASHINGTON CENTRAL UNIFIED UNION SCHOOL DISTRICT PROCEDURES ON THE PREVENTION OF HARASSMENT, HAZING AND BULLYING OF STUDENTS

I. Reporting Complaints of Hazing, Harassment and/or Bullying

- A. Student Reporting: Any student who believes that they have been hazed, harassed and/or bullied under this policy, or who witnesses or has knowledge of conduct that they reasonably believe might constitute hazing, harassment and or/bullying, should promptly report the conduct to a designated employee or any other school employee.
- B. School employee reporting: Any school employee who **witnesses conduct** that they reasonably believe might constitute hazing, harassment and/or bullying shall take reasonable action to stop the conduct and to prevent its recurrence and immediately report it to a designated employee and immediately complete a Student Conduct Form.

Any school employee **who overhears or directly receives information** about conduct that might constitute hazing, harassment and/or bullying shall immediately report the information to a designated employee and immediately complete a Student Conduct Form. If one of the designated employees is a person alleged to be engaged in the conduct complained of, the incident shall be immediately reported to the other designated employee or the school administrator.
- C. Other reporting: Any other person who witnesses conduct that they reasonably believe might constitute hazing, harassment and/or bullying under this policy should promptly report the conduct to a designated employee.
- D. Documentation of the report: If the complaint is oral, the designated employee shall promptly reduce the complaint to writing in a Student Conduct Form, including the time, place, and nature of the alleged conduct, the identity of the complainant, alleged perpetrator, and any witnesses. Both the complainant and the alleged perpetrator will have the right to present witnesses and other evidence in support of their position.
- E. False complaint: Any person who knowingly makes a false accusation regarding hazing, harassment and/or bullying may be subject to disciplinary action up to and including suspension and expulsion with regard to students, or up to and including discharge with regard to employees. There shall be no adverse action taken against a person for reporting a complaint of hazing, harassment and/or bullying when the person has a good faith belief that hazing, harassment and/or bullying occurred or is occurring.
- F. Rights to Alternative Complaint Process: In addition to, or as an alternative to filing a harassment complaint pursuant to this policy, a person may file a harassment complaint with the Vermont Human Rights Commission or the

Office for Civil Rights of the U.S. Department of Education at the addresses noted below:

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

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

II. Responding to Notice of Possible Policy Violation(s)

- A.** Upon notice of information that hazing, harassment and/or bullying may have occurred the designated employee shall:
 - i. Promptly reduce any oral information to writing, including the time, place, and nature of the conduct, and the identity of the participants and complainant.
 - ii. Promptly inform the school administrator(s) of the information;
 - iii. If in the judgment of the school administrator, the information alleges conduct which may constitute harassment, hazing or bullying, the school administrator shall, as soon as reasonably possible, provide a copy of the policy on hazing, harassment and bullying and these procedures to the complainant and accused individual, or if either is a minor, cause a copy to be provided or delivered to their respective parent or guardian.
- B.** Upon initiation of an investigation, the designated employee shall:
 - i. Notify in writing both the complainant and accused individual (or if either is a minor inform their respective parent or guardian) that:
 - 1. an investigation has been initiated;
 - 2. retaliation is prohibited;
 - 3. all parties have certain confidentiality rights; and
 - 4. they will be informed in writing of the outcome of the investigation.
- C.** All notifications shall be subject to state and/or federal laws protecting the confidentiality of personally identifiable student information. Pursuant to 34 CFR Part 99.30, a school administrator may seek the consent of the parent/guardian of the accused student, or the accused eligible student (if 18 or older, the accused student has the ability to consent), in order to inform the complainant of any

disciplinary action taken in cases where the school determined that an act(s) of harassment, hazing, and/or bullying, or other misconduct occurred. The parent/guardian or eligible student shall provide a signed and dated written consent before an educational agency or institution discloses personally identifiable information from the student's education records.

III. Investigating Hazing, Harassment and/or Bullying Complaints

- A. Initiation of Investigation - Timing.** Unless special circumstances are present and documented, such as reports to the Department for Children and Families (“DCF”) or the police, the school administrator shall, no later than one school day after notice to a designated employee, initiate or cause to be initiated, an investigation of the allegations, which the school administrator reasonably believes may constitute harassment, hazing or bullying.
- B. Investigator Assignment.** The school administrator shall assign a person to conduct the investigation; nothing herein shall be construed to preclude the school administrator from assigning themselves or a designated employee as the investigator. No person who is the subject of a complaint shall conduct such an investigation.
- C. Interim Measures.** It may be appropriate for the school to take interim measures during the investigation of a complaint. For instance, if a student alleges that they have been sexually assaulted by another student, the school may decide to place the students immediately in separate classes and/or transportation pending the results of the school’s investigation. Similarly, if the alleged harasser is a teacher, allowing the student to transfer to a different class may be appropriate. In all cases, the school will make every effort to prevent disclosure of the names of all parties involved – the complainant, the witnesses, and the accused -- except to the extent necessary to carry out the investigation. In all cases where physical harm has resulted and/or where the targeted student is known to be expressing suicidal ideation, or experiencing serious emotional harm, a safety plan will be put in place. Safety plans must also be considered in cases where the targeted student is known to have difficulty accessing the educational programs at the school as a result of the inappropriate behavior. No contact orders, or their enforcement, may also be appropriate interim measures.
- D. Due Process.** The United States Constitution guarantees due process to students and district employees who are accused of certain types of infractions, including but not limited to sexual harassment under Federal Title IX. The rights established under Title IX must be interpreted consistent with any federally guaranteed due process rights involved in a complaint proceeding, including but not limited to the ability of the complainant and the accused to present witnesses and other evidence during an investigation. The district will ensure that steps to accord due process rights do not restrict or unnecessarily delay the protections provided by Title IX to the complainant.

- E.** Standard Used to Assess Conduct. In determining whether the conduct constitutes a violation of this policy, the investigator shall consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. The complainant and accused will be provided the opportunity to present witnesses and other evidence during an investigation. The school will also consider the impact of relevant off-campus conduct on the school environment where direct harm to the welfare of the school can be demonstrated or the conduct can be shown to pose a clear and substantial interference with another student's equal access to educational programs. Whether a particular action constitutes a violation of this policy requires determination based on all the facts and surrounding circumstances.
- F.** Completion of Investigation – Timing. No later than five school days from the filing of the complaint with the designated employee, unless special circumstances are present and documented, the investigator shall submit a written initial determination to the school administrator.
- G.** Investigation Report. The investigator shall prepare a written report to include a statement of the findings of the investigator as to whether the allegations have been substantiated, and as to whether the alleged conduct constitutes hazing, harassment and/or bullying. The report, when referencing student conduct, is a student record and therefore confidential. It will be made available to investigators in the context of a review conducted by either Vermont AOE, or investigations of harassment conducted by the Vermont Human Rights Commission or U.S. Department of Education Office of Civil Rights.
- H.** Notice to Students/Parents/Guardians. Within five school days of the conclusion of the investigation, the designated employee shall:
- i. Notify in writing both the complainant and accused individual (or if either is a minor inform their respective parent or guardian) that:
 1. the investigation has been completed;
 2. whether or not the investigation concluded that a policy violation occurred (and which policy term was violated, i.e. harassment, hazing and/or bullying);
 3. that federal privacy law prevents disclosure of any discipline imposed as a result of the investigation unless the parent/guardian of the accused student and/or the accused eligible student consents to such disclosure, pursuant to 34 CFR Part 99.30, as set forth in Section II, Part C, above.
 - ii. Notify the Complainant Student - or if a minor, their parent(s) or guardian - in writing of their rights to:
 1. an internal review by the school of its initial determination as a result of its investigation as to whether harassment occurred;
 2. request an Independent Review of the school's "final" determination as to whether harassment occurred within thirty (30) days of the final determination or although a "final" determination was made that harassment indeed occurred the school's response to that harassment was inadequate to correct

the problem; and that the review will be conducted by an investigator to be selected by the superintendent from a list developed by the Agency of Education;

3. file complaints of harassment with either the Vermont Human Rights Commission and/or the federal Department of Education's Office of Civil Rights.

iii. Notify the Accused Student – or if a minor, their parent(s) or guardian - in writing of their right to appeal as set forth in Section V of these procedures.

I. Violations of Other Policies. In cases where the investigation has identified other conduct that may constitute a violation of other school disciplinary policies or codes of conduct, the designated employee shall report such conduct to the school administrator for action in accordance with relevant school policies or codes of conduct.

IV. Responding to Substantiated Claims

A. Scope of Response. After a final determination that an act(s) of hazing, harassment and/or bullying has been committed, the school shall take prompt and appropriate disciplinary and/or remedial action reasonably calculated to stop the hazing, harassment and/or bullying and prevent any recurrence of harassment, hazing and/or bullying, and remedy its effects on the victim(s). In so doing, the following should be considered:

- i. **Potential Remedial Actions.** Remedial action may include but not be limited to an age appropriate warning, reprimand, education, training and counseling, transfer, suspension, and/or expulsion of a student, and warning, reprimand, education, training and counseling, transfer, suspension and/or termination of an employee. A series of escalating consequences may be necessary if the initial steps are ineffective in stopping the hazing, harassment and/or bullying. To prevent recurrences counseling for the offender may be appropriate to ensure that they understand what constitutes hazing/harassment and/or bullying and the effects it can have. Depending on how widespread the hazing/harassment/bullying was and whether there have been any prior incidents, the school may need to provide training for the larger school community to ensure that students, parents and teachers can recognize hazing/harassment/bullying if it recurs and know how to respond.
- ii. **School Access/Environment Considerations.** The district will also take efforts to support victims' access to the district's programs, services and activities and consider and implement school-wide remedies, where appropriate. Accordingly, steps will be taken to eliminate any hostile and/or threatening environment that has been created. For example, if a female student has been subjected to harassment/bullying by a group of other students in a class, the school may need to deliver special training or other interventions for that class to repair the educational environment. If the school offers the student the option of withdrawing from a class in which a hostile environment/bullying occurred, the district will assist the student in making program or schedule changes and ensure that none of the changes adversely affect the student's

academic record. Other measures may include, if appropriate, directing a bully/harasser to apologize to the affected student. If a hostile environment has affected the entire school or campus, an effective response may need to include dissemination of information, the issuance of new policy statements or other steps that are designed to clearly communicate the message that the school does not tolerate harassment and/or bullying and will be responsive to any student who reports that conduct.

- iii. Hazing Case Considerations. Appropriate penalties or sanctions or both for organizations that or individuals who engage in hazing and revocation or suspension of an organization's permission to operate or exist within the institution's purview if that organization knowingly permits, authorizes, or condones hazing.
- iv. Other Remedies: Other remedies may include providing counseling to the victim(s) and/or the perpetrator(s), and additional safety planning measures for the victim(s).

- B. Retaliation Prevention.** It is unlawful for any person to retaliate against a person who has filed a complaint of harassment or against a person who assists or participates in an investigation, proceeding or hearing related to the harassment complaint. A person may violate this anti-retaliation provision regardless of whether the underlying complaint of harassment is substantiated.

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

- C. Alternative Dispute Resolution.** At all stages of the investigation and determination process, school officials are encouraged to make available to complainants alternative dispute resolution methods, such as mediation, for resolving complaints. Certain considerations should be made before pursuing alternative dispute resolution methods, including, but not limited to:
- (1) the nature of the accusations (for example, face-to-face mediation is not appropriate for sexual violence cases),
 - (2) the age of the complainant and the accused individual,
 - (3) the agreement of the complainant, and
 - (4) other relevant factors such as any disability of the target or accused individual, safety issues, the relationship and relative power differential between the target and accused individual, or any history of repeated misconduct/harassment by the accused individual.

V. Post Investigative Reviews

Rights of Complainants

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

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

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

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

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

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

Vermont Human Rights Commission
14-16 Baldwin Street
Montpelier, VT 05633-6301
(800) 416-2010 or (802) 828-2480 (voice)
(877) 294-9200 (tty)

(802) 828-2481 (fax)
Email: human.rights@state.vt.us

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

Rights of Accused Students

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

VI. Confidentiality and Record Keeping

- A. Privacy Concerns.** The privacy of the complainant, the accused individual, and the witnesses shall be maintained consistent with the district's obligations to

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

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

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

- B. Document Maintenance. The superintendent or school administrator shall assure that a record of any complaint, its investigation and disposition, as well as any disciplinary or remedial action taken following the completion of the investigation, is maintained by the district in a confidential file accessible only to authorized persons. All investigation records created in conformance with this policy and procedures, including but not limited to, the complaint form, interview notes, additional evidence, and the investigative report, shall be kept by the equity coordinator, designated employees and district central office for at least six years after the investigation is completed.

VII. Reporting to Other Agencies

- A. Reports to Department of Children and Families. When a complaint made pursuant to this policy includes allegations of child abuse, any person responsible for reporting suspected child abuse under 33 V.S.A. § 4911, et seq. must report the allegation to the Commissioner of DCF. If the victim is over the age of 18 and a report of abuse is warranted, the report shall be made to Adult Protective Services in accordance with 33 V.S.A. § 6901 et seq.

- B. Reports to Vermont Agency of Education.** If a harassment complaint is made in a public school about conduct by a licensed educator that might be grounds under Vermont law for licensing action, the principal shall report the alleged conduct to the superintendent and the superintendent shall report the alleged conduct to the commissioner. If a harassment complaint is made in an independent school about conduct by a licensed educator that might be grounds under Vermont law for licensing action, the head of school is encouraged to report the alleged conduct to the Secretary of Education.
- C. Reporting Incidents to Police**
- a. **FERPA Rights.** Information obtained and documented by school administration regarding the school's response to notice of student conduct that may constitute hazing, harassment and/or bullying may constitute an "educational record" regarding the student or student(s) involved as defined by the Family Education Rights and Privacy Act. Accordingly, such information may not be disclosed without prior parent approval to local law enforcement except in response to a lawfully issued subpoena, or in connection with an emergency if disclosure is necessary to protect the health or safety of the student or other individuals.
 - b. **First Hand Reports.** Nothing in this policy shall preclude persons from reporting incidents and/or conduct witnessed first-hand that may be considered to be a criminal act to law enforcement officials.
 - c. **Hazing Incidents.** It is unlawful to (1) engage in hazing; (2) solicit direct, aid, or attempt to aid, or abet another person engaged in hazing; or (3) knowingly fail to take reasonable measures within the scope of the person's authority to prevent hazing. It is not a defense in an action under this section that the person against whom the hazing was directed consented to or acquiesced in the hazing activity. Hazing incidents will be reported to the police in a manner consistent with the confidentiality rights set forth above in this section.
- D. Continuing Obligation to Investigate.** Reports made to either DCF or law enforcement shall not be considered to absolve the school administrators of their obligations under this policy to pursue and complete an investigation upon receipt of notice of conduct which may constitute hazing, harassment and/or bullying.

VIII. Disseminating Information, Training, and Data Reporting

- A. Disseminating Information.** Annually, prior to the commencement of curricular and co-curricular activities, the district shall provide notice of this policy and procedures to students, custodial parents or guardians of students, and staff members, including references to the consequences of misbehavior contained in the plan required by 16 V.S.A. 1161a. Notice to students shall be in age-appropriate language and include examples of hazing, harassment and bullying. At a minimum, this notice shall appear in any publication of the district that sets forth the comprehensive rules, procedures and standards of conduct for the district.

- B. Student Training.** The school administrator shall use their discretion in developing age-appropriate methods of discussing the meaning and substance of this policy with students to help prevent hazing, harassment and bullying.
- C. Staff Training.** The board or its designee shall ensure that teachers and other staff receive training in preventing, recognizing and responding to hazing, harassment and bullying.
- D. Data Gathering.** Public school districts shall provide the Vermont Agency of Education with data requested by the Secretary of Education.

Legal References:

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

Required

WASHINGTON CENTRAL UNIFIED
UNION SCHOOL DISTRICT

Board of Directors' Policy

POLICY: C11

WARNED: 5.15.20

ADOPTED: _____

EFFECTIVE: _____

STUDENT FREEDOM OF EXPRESSION IN SCHOOL-SPONSORED MEDIA

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

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

Definitions

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

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

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

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

Implementation

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

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

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

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

Content in school-sponsored media will not be restrained solely because it involves political or controversial subject matter, or is critical of the school or its administration. A student journalist may not be disciplined for acting in accordance with this policy.

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

Legal Reference: 16 V.S.A. § 1623

Required**WASHINGTON CENTRAL UNIFIED
UNION SCHOOL DISTRICT****Board of Directors' Policy****POLICY:** C11**WARNED:** 5.15.20**ADOPTED:** _____**EFFECTIVE:** _____**STUDENT FREEDOM OF EXPRESSION
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4. May be defined as harassment, hazing, or bullying under Title 16 § 11;
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Legal Reference: 16 V.S.A. § 1623

**WASHINGTON CENTRAL UNIFIED
UNION SCHOOL DISTRICT**

Board of Directors' Policy

POLICY: C30

WARNED: 5.15.20

ADOPTED: _____

EFFECTIVE: _____

STUDENT MEDICATION

Washington Central Unified Union School District recognizes that some students are able to attend school because of the effective use of prescription and over the counter medication in the treatment of chronic or acute disabilities or illnesses. It is more desirable for medication to be administered at home; however, any student who needs to take medication during the regular school day must comply with school procedures. It is the policy of the Washington Central Unified Union School District to have procedures in place to assure that medication required by students during the school day will be administered and maintained in a safe manner as directed by the school nurse in collaboration with the student's parent/guardian and health care provider.

**WASHINGTON CENTRAL UNIFIED
UNION SCHOOL DISTRICT**

Board of Directors' Policy

POLICY: C32

WARNED: 5.15.20

ADOPTED: _____

EFFECTIVE: _____

EIGHTEEN YEAR-OLD STUDENTS

Policy

Eighteen year-old students are subject to all school policies, rules and standards. Except as provided in this policy, report cards, discipline reports and other communications from the school will be provided to responsible parents or guardians of all students regardless of the age of those students.

Permission

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

Communications with Parents/Guardians

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

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

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

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

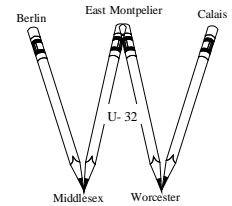
Legal Reference(s): 20 U.S.C. §§1232f-1232j (Family Educational Rights & Privacy Act of 1974)
34 C.F.R. Part 99
15 V.S.A. §670 (Access to records by divorced parents)

Washington Central Unified Union School District

WCUUSD exists to nurture and inspire in all students the passion, creativity and power to contribute to their local and global communities.

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Debra Taylor, Ph.D.
Interim Superintendent



Washington Central Unified Union School District Board

Unapproved Minutes

May 6, 2020

6:00 PM – 9:00 PM

Via Video Conference*

Board Members: Flor Diaz Smith, Lindy Johnson, Scott Thompson, Diane Nichols-Fleming, Dorothy Naylor, Stephen Looke, Chris McVeigh, Marylynne Strachan, Kari Bradley, Jill Olson, Jonas Eno-Van Fleet, Jaiel Pulskamp Student Rep. Mia Smith and Townes DeGroot

Administrators: Superintendent Debra Taylor, Business Administrator Lori Bibeau, Technology Director Keith MacMartin, Berlin Principal Aaron Boynton, Calais Principal Cat Fair, Director of Curriculum Jen Miller-Arsenault, Director of Student Services Kelly Bushey, Doty Principal Gillian Fuqua, EMES Principal Alicia Lyford, U-32 Principal Steven Dellinger-Pate, U-32 Associate Principals Jody Emerson and Bill Deiss, Rumney Principal Casey Provost, U-32 Student Affairs Director Amy Molina

Other: Corinne Stridsberg, ORCA videographer, Dave Delcore (Times Argus), Elizabeth Wirth, several members of the public were present via Zoom by phone, Robert Porter, David Lawrence, Daisy Scarzello, Maria Melekos

1.0 Call to Order: Scott Thompson called the meeting to order at 6:02 p.m.

2.0 Committee Meetings – Were held in breakout sessions

- 2.1 Policy
- 2.2 Quality Education
- 2.3 Finance
- 2.4 Negotiations

3.0 Welcome

3.1 Reception of Guests: Scott Thompson welcomed guests. Board members thanked staff in light of Teacher Appreciation Week.

3.2 Agenda Revisions: an Executive Session will be needed at the end of the meeting. Flor Diaz Smith stated that she would like to discuss teacher appreciation (this was added to the agenda: 7.2)

3.3 Public Comments: Scott Thompson invited public comments

4.0 Board Operations (Discussion/Action)

4.1 Board Steering Team: Chris McVeigh suggested expanding the steering team to a membership of five members, one from each town, as this team/ committee seems to be acting in place of an executive committee. He would like to discuss what the role of the steering committee is. Board members expressed their support in creating a steering committee as suggested, with membership from each town. Scott Thompson shared that he had hoped to avoid an executive committee-type component in the board structure. Lindy Johnson shared that she would be comfortable with having representation from each town. Kari Bradley asked if agenda planning is the only role of the committee. Scott Thompson indicated that it is supposed to be. Jonas Eno-Van Fleet indicated that he would decline being on the committee.

Jill Olson stated that what she understands about the discussion is to expand membership on the committee but the role of the committee will continue to be to create agendas.

Flor Diaz Smith stated that she feels that a board retreat is needed; she is in agreement with expanding membership of the steering team but she encourages the board to find opportunities to build trust as a unit.

Jaiel Pulskamp indicated that she does not feel that she can commit to this expanded team either; this would leave Worcester without representation.

Chris McVeigh moved to formally recognize a steering/ agenda committee, and that we expand to five committee members, one from each town. Seconded by Jill Olson. Flor Diaz Smith stated that she believes the committee should include the Chair, Vice Chair and Clerk. The board had decided to discuss the composition/ membership of the committee at a later date. This motion carried unanimously.

4.2 Superintendent Transition Update –July 1, 2020: Scott Thompson reported that Bryan, the future superintendent, has moved to Plainfield. He shared that he is currently creating an entry plan but welcomes input from the board. Kari Bradley had suggested creating a video interview, with a student acting as interviewer. Diane Nichols-Fleming asked whether board members can see a draft of his plan. Chris McVeigh suggested asking the superintendent what he needs from the board to support his transition planning.

Debra Taylor shared that there is a two day retreat planned for the end of June; she has plans to schedule time with him to work together as part of the transition. Lori Bibeau shared that in the past the new administrator would earn “comp time” that they might use later in the summer, when they work before their start day.

Jonas Eno-Van Fleet asked Scott Thompson whether he can share some of the conversations that he has had with the incoming superintendent. Some discussion followed. Scott Thompson indicated that the superintendent is an extrovert and is very interested in the “human factors,” and he is interested in trying to soak up what he can. Meeting with each board member is part of his entry plan. Flor Diaz Smith shared that Bryan had asked for a list of people that he could reach out to, to get to know the district.

5.0 Reports (Discussion/Action)

5.1 Superintendent

5.1.1 Student Last Day of School: Superintendent Taylor asked the board to consider June 11 as the last student day. She has discussed this with the leadership team, and she noted that parents and teachers are asking.

Mia Smith asked whether June 11 would be the end for all students, or if the seniors would have a different end date. Steven Dellinger-Pate indicated that this day would pertain to seniors as well, since all students are required to attend 175 days.

Chris McVeigh moved to waive snow days for students, in the current school year. Seconded by Jaiel Pulskamp, this motion carried unanimously.

5.1.2 COVID 19 Update: Debra Taylor had provided a written report.

She reviewed some of the details in the report; she indicated that we have over 96% participation, overall, regarding student attendance. She provided thanks to teachers, support staff and administrators for their effort. She spoke about the meal delivery program which has grown to delivering library books as well as materials/ technology as needed. She thanked the bus drivers, cafeteria staff and support staff. She also commended Amy Molina for her work around facilities and safety. She thanked Kelly Bushey for helping with special education and with negotiations as well. She thanked Jen Miller-Arsenault for her work during this distance learning time. She invited questions from board members. Chris McVeigh asked whether the meals delivery is going to continue beyond the end of the school year. She stated that we still have not received information from the state that would help determine this (e.g., regarding funding.) Chris McVeigh asked when the board's position would be warranted around this issue. She stated that the board's input is always welcome but there are still questions as to whether we have the capacity to sustain.

5.1.3 Future Planning Literacy and Special Education Review: Debra Taylor stated that earlier this year we had begun to discuss implementing this review in the spring. She recommends that this wait until the fall when students and teachers are back in the buildings.

Marylynne Strachan asked, who is the consultant? Jen Miller-Arsenault: Partnership for Literacy and Learning had been in the beginnings of discussion. Debra Taylor suggested that the quality committee revisit this in the fall; she will share what information she has to date about conversations.

Scott Thompson suggested that this might be a topic that we bring up with the new superintendent. Diane Nichols Fleming reminded the board that this might need to be discussed further, as we don't have a lot of information right now about the financial situation in the coming year.

5.2 Policy (Action)

5.2.1 First Reading of B40 Non-Retribution/Retaliation, C1 Student Education Records, C4 Limited English Proficiency Students Policies. Chris McVeigh introduced these policies and invited comments from board members. Lindy Johnson asked whether B40 is a model policy; Chris McVeigh indicated that it is not based on a model policy. Flor Diaz Smith asked whether it has been vetted by legal counsel yet. It has not. The board is in support of this policy moving forward to legal counsel for vetting.

C1 & C4: Chris McVeigh asked for comments about these policies which are fairly straight-forward.

Lindy Johnson moved to adopt policies C1 and C4. Seconded by Flor Diaz Smith. Jonas Eno-Van Fleet indicated that the key phrases in both of these policies are "as required by law." This motion carried unanimously.

5.3 Quality Education: Kari Bradley shared that the committee had worked on a proposed charter to bring to the board. He noted that the committee had looked at data tonight about student outcomes. The committee will propose a draft monitoring calendar to the board, and will work with the agenda setting committee to plan for participation at future meetings.

5.4 Finance – Flor Diaz Smith reported from the Finance Committee meeting.

5.4.1 Approve Rumney Roof Project Bid (Action): Superintendent Taylor indicated that one bidder was received for this project.

Chris McVeigh moved to accept the bid from Beauregard Construction for the roof project, in the amount of \$39,500. Seconded by Jill Olsen, this motion carried unanimously.

5.4.2 Approve Energy Project Consultant (Action): Debra Taylor shared that the board attorney suggests hiring a consultant before making a long term decision around energy savings initiatives. Robert Porter spoke to the board; he described net metering, which is essentially an accounting agreement. He shared that Kari Bradley had suggested creating a short term contract/ agreement, while discussion and decision making is under way about a bigger picture plan.

He spoke about the idea of a consultant, and the difference between agreeing to net metering and considering the broader topic of an energy audit or energy efficiency measures.

Chris McVeigh asked Debra Taylor whether there is an idea about a timeline for a consultant. Flor Diaz Smith noted that the finance committee meets later this month and can discuss this further.

Debra Taylor suggested that Robert draft a contract that she can share with legal counsel and that the board can consider.

Stephen Looke stated that he does not think it is appropriate for a school board to be engaging with a provider and making a decision at a board meeting in this way. He suggested that the board consider a contract at the next board meeting. Robert Porter is going to follow up with Superintendent Taylor, with a draft contract.

Robert Porter explained to the board why this is not considered a contract that needs to go out to bid.

5.4.3 Overview of Budget Projection (Discussion): Lori Bibeau invited questions from board members with any specific questions from her finance reports tonight. She reported on the fund balance, currently, which is projected to be strong. She stated that we have saved a significant amount of money due to school closure; she reported about costs associated with foodservice, child care, and remote learning.

6.0 Consent Agenda (Action)

6.1 Approve Minutes of 4.15.20: Jill Olsen moved to approve the minutes of April 15, 2020. Seconded by Lindy Johnson. Scott Thompson noted that “Board members” should be listed before “Administrators” on the minutes. This motion carried unanimously.

6.2 Approve Board Orders: Chris McVeigh moved to approve the following board orders: \$354,001.83 Check Warrant General 04/16/20-05/06/20, \$23,597.22 Check Warrant Capital 04/16/20-05/06/20. Seconded by Flor Diaz Smith, this motion carried unanimously. The following board members voted in favor: Flor Diaz Smith, Lindy Johnson, Scott Thompson, Diane Nichols-Fleming, Dorothy Naylor, Stephen Looke, Chris McVeigh, Marylynne Strachan, Kari Bradley, Jill Olson, Jonas Eno-Van Fleet, Jaiel Pulskamp.

Mia Smith shared a student update under the circumstances of COVID19.

7.0 Personnel (Action)

7.1 Approve Hires, Resignations, Retirements: Superintendent Taylor commended the building principals and central office administrators for the work that has gone into presenting the list of hires.

Kari Bradley moved to accept the recommendation of the administration to hire the following:

- **Julia Pritchard – Special Service Coordinator (WCUUSD/U-32)**
- **Jamie Spector – School Social Worker/Behavior Specialist (WCUUSD)**
- **Alison Byrnes – Math Teacher (U-32)**
- **Hayley Fitzgerald – Special Education (WCUUSD/U-32)**
- **Michael Sutherby - PE Teacher (.7 Rumney/.3 Doty)**
- **Bonne Dunham - Assoc. School Nurse (Rumney)**
- **Amy Urling - Science Teacher (U-32 HS)**
- **Noelle Pinard - Classroom Teacher 2nd grade (EMES)**
- **James Warden - Classroom Teacher 5/6 grade (Calais)**

Seconded by Lindy Johnson. This motion carried unanimously.

Jonas Eno-Van Fleet moved to approve the resignation of Brianne Healy. Seconded by Flor Diaz Smith, this motion carried unanimously.

Chris McVeigh moved to approve the leave of absence starting in late September request of Christine Hertz Hausman, and to also grant the request to reduce FTE from 1.0 to 0.5. Seconded by Diane Nichols-Fleming. This motion carried unanimously.

Lindy Johnson moved to approve the change in FTE status of Maria Melekos, to a combined 1.0 FTE. Seconded by Jill Olson, this motion carried unanimously.

7.2 Flor Diaz Smith suggested that the board could consider a gesture to teachers that is above and beyond previous years, given the unique circumstances. Debra Taylor indicated that building principals have provided gift cards to staff. Marylynne Strachan expressed support for Flor's plan to make a gesture on behalf of the board, in addition to what principals are doing.

Chris McVeigh moved to spend \$20 on each personnel to show appreciation during this Teacher Appreciation week, as this has been a challenging year. Stephen Looke indicated that we can't take action on a budget item without a board warning. Marylynne Strachan suggested writing a card to each school. Lindy Johnson suggested considering an end of year gesture. Diane Nichols-Fleming stated that it would be nice to do some sort of "parade" or driving caravan to recognize/ thank staff. Rumney and Calais are both planning "parades" in the next couple of weeks. This motion was not seconded and did not go forward.

Executive Session: Kari Bradley moved to go into Executive Session at 9:52pm for a contractual matter. Seconded by Chris McVeigh, this motion carried unanimously.

At 10:18pm MaryLynne Strachan moved to come out of Executive Session. Seconded by Lindy Johnson, this motion carried unanimously.

During Executive Session the board discussed a contractual matter. No action was taken.

Diane Nichols-Fleming said that if there is a team creating the agenda, then that is the agenda that should stay until it comes to a board meeting, and there is an opportunity for the whole board to approve a change to the agenda, and that the board should follow that procedure. Scott Thompson said that normally, once the agenda is set it stays set, but there are occasions where there are very serious issues that are also very urgent issues that have to be dealt with, it's a bit of a judgement call. Diane Nichols-Fleming responded that when something comes under the name of the chair it gives the impression that the process was followed, and that it was confusing as the board tries to manage lots of different information. Lindy Johnson clarified that when administrators add lines to the agenda that those are appropriate additions to the agenda, in an effort to make sure personnel are able to be brought on board.

8.0 Future Agenda Items There were no future agenda items.

9.0 Adjournment: The board adjourned by consensus at 10:22 pm.

Respectfully submitted,
Lisa Stoudt, Board Recording Secretary
and Jonas Eno-Van Fleet, Board Clerk

***Open Meeting Law temporary changes as of 3/30/20:** Boards are not required to designate a physical meeting location. Board members and staff are not required to be present at a designated meeting location. **Our building will not be open for meetings. All are welcome to attend virtually.**