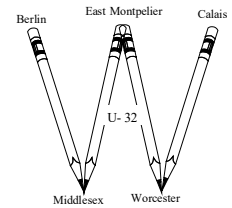


Washington Central Unified Union School District

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



**WCUUSD Policy Committee
Meeting Agenda
4.12.23 4:45-6:45 PM
Central Office, 1130 Gallison Hill Rd. Montpelier
Via Video Conference**

Virtual Meeting Information

<https://tinyurl.com/5n6fczz4>

Meeting ID: 812 0833 4894

Password: 184628

Dial by Your Location: 1-929-205-6099

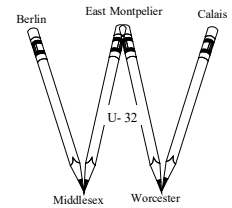
1. Call To Order
2. Approve Minutes of 1.11.23, 3.22.23 - pg. 2
3. Meeting Schedule (Discussion/Action)
4. Review Policies (Discussion/Action)
 - 4.1. District Equity Policy - pg. 7
 - 4.2. C5 Weapons and Firearms - pg. 10
 - 4.3. C20 Student Conduct - pg. 14
 - 4.4. E20 Building Use - pg. 19
5. Future Agenda Items
6. Adjourn

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Meagan Roy, Ed.D.
Superintendent



WCUUSD Policy Committee Meeting 1.11.23 4:45-6:00PM Central Office, 1130 Gallison Hill Rd. Montpelier Via Video Conference

Present: Superintendent Roy, Amy Molina, Chris McVeigh, Natasha Eckart Baning, Michelle Ksepka, Cat Fair

- 1. Call to Order: Chris McVeigh called the meeting to order at 4:47 p.m.** Chris McVeigh would like to add Equity Policy to the discussion.
- 2. Approve Minutes of 12.14.22: Natasha Eckart Baning moved to approve the minutes from December 14, 2022. Seconded by Chris McVeigh.** Discussion: Chris McVeigh asked for clarification: regarding the Drug and Alcohol Policy, were we going to get a revision regarding discipline (difference between possession and selling/ distributing/ sharing). He would like to include notification in the policy itself that first offense in the case of selling/ distributing/ sharing goes directly to expulsion hearing. He stated that it is clear in the handbook if you read closely, but would like it to be explicitly stated in the policy (about immediate expulsion). Amy Molina recalled that it was discussed that she would do that and edit the policy to reflect this. She will do that for the next meeting. **This motion carried unanimously.**
- 3. Review Policies**
 - 3.1. C5 Weapons and Firearms:** Superintendent Roy stated - for clarification about next steps with this policy: We will share out from the WCUUSD Board discussion around this policy. Also would like to update the committee on some new learning about this issue. This might not directly affect the policy language but will affect the implementation. Superintendent Roy shared that we have a policy that indicates we are not allowed to have firearms on the property. Most of Vermont education has operated under the assumption that this is Vermont law: no firearms on school property. However, we found out recently that law enforcement does not necessarily respond to the presence of firearms on the school property unless there is an intent to cause harm. The state police eventually came to the property but did not remove the firearm from the premises. She noted that we should be aware that when we call the police regarding firearm on our property, we might not get their direct support. She noted that Principal Dellinger-Pate has brought this issue to the VPA (VT Principals Association). Amy Molina stated that this impacts Part B of the policy. In order to enforce Part B, we might have to have signage very clearly posted at each of the school properties. Amy Molina also noted that one of the statutes quoted in the policy has been revised. Chris McVeigh stated that if the revised statute has the same number as its

earlier version then it should still be referenced in the policy; otherwise, the updated statute number should be referenced. Under Title 16, we call the police in the case of a firearm on school property. What we have learned is that the police won't necessarily come. It is still clearly illegal to have a firearm *on the school bus* or in *the school building*. The language around having a firearm *on the school property* includes an intent to harm. Is there a way to couple trespassing statute with having a weapon? If you are putting notice "no trespassing, including with a firearm" then you are clearly stating the rule. Chris McVeigh indicated that when we have notified the police, even if they don't come, then we have abided by our policy. He suggested that we confer with Heather Lynn about language related to how to display the rule that no firearms are allowed on campus. Amy Molina recalled that in the past, we were told that if we have a rule such as no dogs on campus, we should post it and not assume that people know it without having such notice. Natasha Eckart Baning asked - if only certain administrators know how to safely handle a gun, and none of them are there during the incident, what does that mean for the others that are on campus at the time? Meaghan Roy stated that this is the dilemma. She noted that the administrators had talked about this and would like to know that the law enforcement will come to the campus and help handle the situation. Superintendent Roy stated that Rob Mitchell of Community Care Network, advised that a Community of Care model would indicate that law enforcement will assist. Chris McVeigh wondered if we should explore a partnership with the Washington County Sheriff's Office. Superintendent Roy stated that a local police officer is going to be a participant in the District Safety Team. Natasha Eckart Baning shared discussion from the board meeting about the number of people who are involved in the decision making about some student discipline issues. Superintendent Roy stated that there was discussion about whether there would be a mechanism to notify the board, in cases where a hearing would not be held. She noted that since the board would like to examine student discipline data on a regular basis, this might be a built in way to notify the board. Natasha Eckart Baning recalled that the issue of discussion was less about the characteristic of the weapon and more about who - and how many - make(s) decisions about intent. (For example, if these issues are not brought to the board.) Some discussion followed about student discipline issues that can/ should be handled at the school level as opposed to those that should come to the board for a hearing. Chris McVeigh suggested, re: notification to the board, could the person who handles the situation fill out a form that will be collected and shared with the board on a regular basis. Superintendent Roy stated that we have mechanisms for collecting discipline data. Some discussion followed about different levels of discipline infractions and how to report to the board. Amy Molina stated that there is some nuance in many discipline offenses, such as weapons related or drug related. Amy Molina asked, for example, why is a student bringing a small knife that they don't realize or remember they have, an issue that comes to the board, and yet a student who brings drugs to school is not an issue that comes to the board? Superintendent Roy suggested that what we could offer for the second reading would be to add language that the superintendent or designee shall report annually, and this offers the transparency assurance that the board was asking for. Chris McVeigh agreed that adding this language to the policy and bringing it to the board for a second hearing would be appropriate.

Other language in the policy that Chris McVeigh questions:

- "dangerous weapon" - add "or" between each
- building intent into the action: "which in the manner it is used or is intended to be used..."

Amy Molina noted that the definition is the standard language that is in the model policy. Natasha Eckart Baning suggested inserting some clarification that if there is intent to do

harm, it is something that will come to the board for a hearing. Amy Molina stated that this is referenced in Policy C20. Some discussion followed around the possibility of breaking the definition into two parts regarding knife/ folding knife. Chris McVeigh questioned the use of the term “articles” - Can we use the word “items” instead? Some discussion followed about the verbiage in the policy that refers to firearms and destructive device: Does paragraph 2 conflict with PP 3? Amy Molina stated that they do not conflict; she provided an example for clarification. Chris McVeigh stated that his understanding is that for a destructive device there is some discretion. Amy Molina indicated that destructive device is treated the same as firearms. She provided examples: dangerous weapon: knife, destructive device: bomb, firearm: gun. Some discussion followed around referencing Policy C20 (Discipline) in the policy. Chris McVeigh suggested some language referencing mandatory sanctions but including the principal or designee’s discretion re: Policy C20. The committee agreed to bring this to the board for a reading.

3.2. E20 Building Use: Chris McVeigh stated that the feedback he got from town clerks was that when town meetings, governmental meetings etc. are scheduled, it is important they will not be “bumped” for any other events. He suggests inserting language into the policy to address this. Amy Molina and Superintendent Roy responded that inserting language that we will “never” cancel an event at the school seems too black and white, having no idea what types of extenuating circumstances might arise. Amy Molina suggested some grammatical corrections to the body of this policy. She will provide some suggested edits to this policy for consideration. The committee needs to take a look at building use waivers and fee structure. The committee will consider these aspects of the policy at the next policy committee meeting. Natasha Eckart Baning brought feedback from the board: add “maintaining confidentiality...”

3.3. A1 Board Conflict of Interest: (this was not addressed tonight)

3.4. Anti-Racism/ Equity Policy Update: Equity: Natasha Eckart Baning stated that the HJC had asked that the Policy Committee first draft a policy to begin the discussion. She had provided the committee with a first draft. Natasha Eckart Baning stated that the coalition would like something official indicating that the Policy Committee is asking/ charging the coalition with reviewing the Equity Policy. Chris McVeigh suggests a memo to that effect, and that we bring the memo to the board for its approval. Natasha Eckart Baning stated that something like a community forum (to consider a draft of this policy) might be too cumbersome at this time in the year, but are there already stakeholder groups that are currently functioning - We can bring a draft policy to these groups and ask for feedback (with some specific parameters for feedback.) Chris McVeigh and Natasha Eckart Baning will work out a memo to bring to the next board meeting for their review (regarding the above.) Superintendent Roy suggested embedding the Ed Quality Committee in the language in the policy about monitoring/ status report. Some discussion followed around applying the equity lens to other policies. The committee will start the discussion around the topic of implementation/ fleshing out each bullet point at the next meeting; Natasha Eckart Baning suggested also brainstorming the list of stakeholders. This policy is not ready for the board yet; Natasha Eckart Baning suggests that the stakeholders have an opportunity to provide feedback before it goes to the board for a first reading.

4. Future Agenda Items

4.1. Humanity and Justice Statement

5. Adjourn: The committee adjourned at 6:15 by consensus.

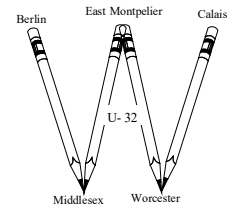
Respectfully submitted,
Lisa Grace, Committee Recording Secretary

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Meagan Roy, Ed.D.
Superintendent



WCUUSD Policy Committee Minutes 3.22.23 4:45-6:45 PM Central Office, 1130 Gallison Hill Rd. Montpelier Via Video Conference

Present: Superintendent Roy, Amy Molina, Chris McVeigh, Michelle Ksepka, Cat Fair

1. **Call to Order:** The meeting did not come to order as the committee did not have a quorum.

Chris McVeigh suggested having board members who are willing to be alternates to committees so that they can be reached under these types of circumstances, and step in so the committee can have a quorum and the meeting can carry on its business.

Chris McVeigh reminded Superintendent Roy that board members would like to see “red lined” versions of edited policies and it appears that the Weapons policy is not “red lined.”

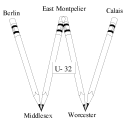
Chris McVeigh also asked Superintendent Roy to consider the request that administration report to the board in cases of students possessing knives on school property, for example, if a weapons violation does not rise to the criteria of a board hearing. How often do these types of violations occur and how much of an “ask” is it of administrators to prepare reports to the board?

The committee will reschedule.

2. **Approve Minutes of 1.11.23**
3. **Review Policies**
 - 3.1. **District Equity Policy**
 - 3.2. **C5 Weapons and Firearms**
 - 3.3. **C20 Student Conduct**
 - 3.4. **E20 Building Use**
4. **Future Agenda Items**
5. **Adjourn**

Respectfully submitted,

Lisa Grace, Committee Recording Secretary



To: WCUUSD Policy Committee
From: Meagan Roy
Re: Information for April 12 Policy Discussions

District Equity Policy: *Committee Discussion*

The committee initially discussed several draft equity policies at its December and January meetings. The committee agreed to review a draft equity policy after the Humanity & Justice Coalition had an opportunity to provide input. The HJC has had two discussions about the draft, one substantively about the policy and the other about additional ways to solicit input. This will be shared with the policy committee for discussion. The committee should also discuss a timeline for the input process to allow this policy to come before the Board before the close of the school year (ideally).

C5: Weapons & Firearms

The revised draft Weapons & Firearms policy was offered for a second reading and discussion at the January Board meeting. The policy was not adopted at that time, and was returned to this committee to review and discuss the feedback. Feedback centered primarily on how the Board would be made aware of weapons policy violations that would not, under the proposed language, require a Board hearing (e.g., could there be annual reporting language added to the policy). That draft is included in the packet.

In addition, we became aware that the VSBA revised its Student Conduct and Discipline model policy (formerly C20; now named [C15](#)). Because our C20 policy is referenced in the Weapons & Firearms policy, the policy committee should review our policy in light of the VSBA revisions. This is also included in the packet.

Building Use Policy

The tracked changes draft in the policy packet includes recommendations in two areas. The first is a recommendation to update the non-discrimination language to align with Vermont's law (which includes some identity categories not included in Federal language); this is reflected in the Conditions of Use section. In addition, there was feedback from the first reading discussion (and from Town Clerks) that the policy should not indicate that building principals can cancel a municipal vote or town meeting in the instance of inclement weather; draft language to that effect is also included under Priorities of Use. Both are being offered to the policy committee for consideration. Committee should then discuss whether the policy is ready for a second reading and adoption.

Required

**WASHINGTON CENTRAL UNIFIED
UNION SCHOOL DISTRICT**

**Board of Directors' Policy
District Equity Policy**

POLICY: _____
WARNED: _____
ADOPTED: _____
EFFECTIVE: _____

Purpose: **To actualize WCUUSD commitment/vision statement**

The Washington Central Unified Union School District is dedicated to taking concrete actions that provide a safer and more supportive learning environment that is free of barriers; one that affirms the identity of each of us and acknowledges and celebrates differences to create a sense of belonging for each person connected to our schools. The school district is committed to creating inclusive educational opportunities that are relevant both historically and culturally, addressing the impacts of bias, prejudice, and discrimination while building more opportunity for us to thrive rather than merely survive. ~~This statement represents a commitment within our school district to acknowledge and end oppression and oppressive systems, to center our full humanity of all in our community, and to keep broadening our perspectives. These identities—including and not limited to race, color, religion, creed, national origin, ethnicity, marital status, family composition, sex, sexual orientation, gender identity, varying physical and mental abilities, and socioeconomic status—carry socially constructed meaning and value. Our commitment is to the development of cultural humility and personal growth that is best supported in a climate that respects differences and~~ **provides a sense of belonging and inclusion.**

Definition:

of Educational Equity

Educational equity occurs when each child receives **what they need** to develop to their full academic and social-emotional potential. Equity goes beyond **formal equality** where all students are treated the same. Working towards equity in schools involves:

- **Ensuring equally high outcomes** for all participants in our educational system; *identifying and* removing the predictability of success or failures that currently correlates with any social or cultural factor;
- *Interrupting and removing* inequitable practices, examining biases, and creating **inclusive multicultural school environments** for adults and children;

- Providing every student with access to high quality culturally responsive educational experiences, curriculum, programs, educators and administrators, extracurricular activities and support services; and
- Discovering and cultivating the unique gifts, talents and interests that every human possesses.

Outcomes:

Inclusive:

Implementation:

To realize this commitment to equity, the District will:

- Systematically use District-wide and individual school-level data, disaggregated by **race**, ethnicity, language, ability, gender, and socioeconomic background *and any other meaningful identity markers* to inform District decision-making; (note: figure it out!!!)
- Provide every student with equitable access to high-quality and culturally relevant instruction, curriculum, support, facilities, technology and other educational resources that respect their individual identities, cultures, backgrounds, abilities and experiences;
- Monitor and evaluate the individual needs of schools and distribute resources and effective personnel based on those needs;
- Incorporate the voice, culture and perspectives of students, staff, families, and communities that reflect student demographics ~~and~~ to support and **enhance** student success;
- Identify and counteract biased practices that perpetuate *disparities in achievement and opportunities*; (*engage in a reflective practice that isn't only punitive but also transformative*)
- Provide ongoing and continuous professional development at all organizational levels to support employees to engage in culturally responsive practices and delivery of quality culturally relevant instruction;
- Incorporate the principle of equity into the District's strategic plan and *any other guiding document utilize by the district* identify measurable outcomes to prepare all students for college, career, and life.
- Apply an Equity Lens Tool ~~and a transparent equity process to~~ to evaluate policies, procedures and practices throughout the district ~~in all decision making and monitoring~~

The superintendent shall identify outcome indicators as necessary to monitor this policy and shall provide a _____ (monthly, quarterly, annually) status report to the Board. (connect to data broadly, to inform work that the board is doing to support equity policy.)

The Humanity and Justice Coalition will act in an advisory capacity to support the work of educational equity within the Washington Central UU School District.

The WCUUSD Leadership Team will report on their progress towards the outcome indicators on an annual basis to the Superintendent to help inform the Superintendent's report to the Board.

The equity policy will be reviewed on an annual basis.

Required

WASHINGTON CENTRAL UNIFIED
UNION SCHOOL DISTRICT

Board of Directors' Policy

POLICY: C5
WARNED: 4-19-23 5.15.20
ADOPTED: _____
EFFECTIVE: _____

WEAPONS / FIREARMS

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

1. Any folding knife with a blade less than two and one half inches, including a pocket knife and pen knife, shall be considered a dangerous or deadly weapon if it is used, threatened to be used, or possessed in a threatening manner or with the intent to cause harm to any person.
2. Any knife, dagger, switchblade or, a folding knife with a blade in excess of two and one-half inches.
3. Any other-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.~~
4. Items designed for other purposes but which could easily be used to inflict serious bodily harm and used by a pupil in a threatening manner. Examples are files, compasses, scissors, etc. A student who uses any article capable of inflicting serious bodily harm in an aggressive, belligerent or threatening manner, shall be deemed to be in possession of a weapon.

~~or~~

b. "Firearm/Destructive Device" means

1. 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.
- ~~2.~~ any destructive device, including explosives, incendiaries, or poison gas, including but not limited to: (i) bomb (ii) grenade (iii) rocket having a propellant charge of more than four ounces (iv) missile having an explosive or incendiary charge of more than one-quarter ounce; (v) mine; or (vi)

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similar device, unless such destructive device is under the supervision of a teacher and used as part of the curriculum.

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.

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d. "Expelled" means the termination of educational services to a student for greater than 10 days, and is determined by the board.

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Policy Statement

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PART A: WITH REGARDS TO STUDENTS

Dangerous Weapons - Sanctions

No student shall knowingly possess or use a dangerous weapon at school. 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.

The principal or his/her designee shall be responsible for carrying out discipline procedures, conforming with the guidelines established in WCUUSD Policy C20; Student Conduct and Discipline, for any student who knowingly possesses or uses a dangerous weapon at school.

Firearm/Destructive Device - Sanctions

No student shall possess or use a firearm or destructive device at school.

Any student who brings a firearm or destructive device to school, or who possesses a firearm or destructive device at school shall be immediately suspended and brought by the superintendent to the school board for an expulsion hearing. The principal or designee shall be responsible for carrying out discipline procedures, conforming with the guidelines established in WCUUSD Policy C20; Student Conduct and Discipline.

The superintendent shall refer to the appropriate law enforcement agency any student who brings a firearm or destructive device to a school under the control and supervision of the school district. The superintendent may also report any incident subject to this policy to the Department for Children and Families (DCF). A student found by the school board after a hearing to have brought a firearm or destructive device to school shall be expelled for at least one calendar year. However, the school board may modify the expulsion on a case-by-case basis when it finds circumstances such as, but not limited to:

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

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

~~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.~~

~~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.

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

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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

Recommended

**WASHINGTON CENTRAL UNIFIED
UNION SCHOOL DISTRICT**

Board of Directors' Policy

| | |
|-------------------|-----------------------|
| POLICY: | <u>C20</u> |
| WARNED: | <u>6/7/19</u> |
| ADOPTED: | <u>6/26/19</u> |
| EFFECTIVE: | <u>7/1/19</u> |

STUDENT CONDUCT AND DISCIPLINE

The Board of School Directors is committed to fostering healthy, safe places for children to learn and grow.

In the context of this purpose, discipline should be designed to help move a child from a dependency upon external controls for managing behavior to developing the internal controls necessary for managing one's own behavior.

Student Expectations: Students are expected to conduct themselves in a manner that is respectful of: others, property, and their own well-being. Students are expected to be responsible for attendance, work completion, and cooperation in the classroom and other school environments. Students are expected to follow the rules set forth in the family handbook and by the classroom teacher. Basic rules of student conduct will be stated in a family handbook and distributed to all families.

Responses to student misbehavior will be progressive in nature. When student misbehavior cannot be adequately addressed in the classroom, such options as time-out and planning room will be considered before school removal is contemplated (as delineated in articles 1 through 5).

The principal or his/her designee shall be responsible for carrying out discipline procedures conforming with the following guidelines.

When suspension or expulsion of students is deemed necessary, due process requirements will be followed. The term suspension means removal from school activities for a specified amount of time that is non-negotiable. Once the specified time has elapsed, the student will return to normal school activities, unless otherwise determined by the principal in consultation with the student's parent(s) and teacher(s).

1. **Emergency Removal:** A student who poses a continuing danger to persons or property, or an ongoing threat of disrupting the academic process of the school, shall be immediately removed from the school, or to a place within the school determined by the principal or his/her designee to be sufficiently secure to permit the academic process of the school to continue. The parent or guardian of a student who is to be removed from school will be notified by the principal, or his/her designee. If the parent or guardian cannot be located, the student will be detained at school for the remainder of the school day.

2. **In School Detention or Suspensions:** The principal or his/her designee may assign a student to in-school suspension for up to 10 consecutive days. The educational program of a student assigned to in-school suspension shall be continued to an extent determined to be feasible and appropriate by the principal. Students assigned to in-school detention shall be provided with a reasonable opportunity to complete academic assignments. The student and his/her parent or guardian must be given notice of the infraction, an explanation of the evidence against the student, an opportunity for the student to tell his/her side of the story, and a decision in writing to the parent or guardian. If appropriate, the school may provide counseling or related activities designed to bring about an improvement in their behavior. The school will request a parent conference before reinstating the student to pre-suspension status.

3. **Suspensions for < Ten Days:** The principal may suspend a student from school for a period of 10 days or less for violations of school rules. Prior to such a suspension, the student and his/her parent or guardian shall be given an opportunity for an informal hearing with the principal or his/her designee. The student and his/her parent or guardian must be given notice of the charges, an explanation of the evidence against the student, an opportunity for the student to tell his/her side of the story, and a decision in writing to the parent or guardian. The student will be responsible for class assignments during his/her period of suspension. The school will request a parent conference before reinstating the student to pre-suspension status.

4. **Suspensions for > Ten Days:** The principal may suspend a student for more than 10 days, but for a fixed period of time for misconduct when the misconduct makes the continued presence of the student harmful to the welfare of the school. Long-term suspension must be preceded by notice and formal due process procedures, including the opportunity for a hearing before the board. The student and his/her parents must be notified in writing of the date, time, and place of the hearing and given an opportunity to present evidence, cross-examine witnesses, to be represented by counsel, and receive a written decision within 10 days of the hearing. The notice shall also include a statement of the rule infraction(s) alleged, the potential consequences of the hearing, and a summary of the evidence to be introduced at the hearing. The student will be responsible for class assignments during his/her period of suspension. The school will request a parent conference before reinstating the student to pre-suspension status.

5. **Expulsion:** The superintendent or principal may recommend for expulsion any student whose misconduct makes the continued presence of the student harmful to the welfare of the school. A student may be expelled only after a majority vote of the board supporting the recommendation of the superintendent or principal, preceded by notice and a due process hearing conforming to the requirements set forth in paragraph 4 above.

6. A legal pupil who has a disability or suspected of having a disability that has yet to be diagnosed is subject to the due process protections outlined in Articles 1 through 13 of **Rule 4313: Discipline Procedures for Students Eligible for Special Education Services** of the Vermont Department of Education Special Education Regulations.

*Legal Reference(s): 16 V.S.A. §1161a, et seq.
Individuals with Disabilities Act, Section 504 of the Rehabilitation Act of 1973
Vt. State Board of Education Manual of Rules & Practices §4313*

STUDENT CONDUCT AND DISCIPLINE

ADOPTION NOTES – This text box and the disclaimer should be removed prior to adoption.

(a) General – As with all model policies, VSBA recommends that each board carefully review this model prior to adoption to assure suitability with the district’s own specific circumstances, internal coding system, current policies, and organizational structures. Highlighted language or blank, underscored spaces indicate areas which Boards must change/complete to reflect local personnel titles, policy references, duty assignments etc. There may also be optional language for the board to consider; in this case the word [OPTIONAL] should be removed.

(b) Legal references are listed for convenience, but do not need to be included in the policy as adopted.

(c) Any model policies listed under “cross-reference” indicate a reference to another related VSBA model policy. A district should check its own current policies to assure internal consistency.

(d) Withdrawn and earlier versions of revised policies should be maintained separately as part of the permanent records of the District.

Policy

It is the policy of the _____ School District (District) to maintain a safe, orderly, civil and positive learning environment via a system of classroom and school management practices, supported by consistent, clear and fair disciplinary procedures. The goal of this policy is to create an environment where the expectations for student behavior are clearly stated, are understood, and accepted by students and staff, and are applied in compliance with due process requirements and Vermont law and State Board of Education rules. This policy is to be applied in conjunction with the school's overall discipline plan developed pursuant to 16 V.S.A. § 1161a, the requirements of 16 V.S.A. § 1162, and in conformance with State Board Rule 4500, and any policies adopted by the District with regard to the Use of Restraint and Seclusion.

Definitions

1) *Weapon* means a device, instrument, material, or substance whether animate or inanimate, which, when used as it is intended to be used, is known to be capable of producing death or serious bodily injury.^[2]

2) *School* means any setting which is under the control and supervision of the School District. It includes school grounds, facilities, and school-sponsored events whether held on or

¹ There is no clear legal requirement for a school board policy on discipline. However, 16 V.S.A. § 1162(a) authorizes school superintendents or principals to suspend pupils for up to 10 school days “...pursuant to policies adopted by the school board...” 16 V.S.A. § 1161a requires that all schools “...adopt and implement a comprehensive plan for responding to student misbehavior...” The State Board of Education Manual of Rule 2122.1 states “Each school shall maintain a safe, orderly, civil, flexible and positive learning environment, which is free from hazing, harassment and bullying and based on sound instructional and classroom management practices and clear discipline and attendance policies that are consistently and effectively enforced.”

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

off of school grounds and vehicles used to transport students to and from school or school activities.^[3]

3) *Expelled* means the termination of educational services for the remainder of the school year or up to 90 school days, whichever is longer.^[4]

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

Student Responsibilities

It is the responsibility of each student to contribute to a safe and productive learning environment in the school by demonstrating respect and consideration for fellow students and adults. This includes complying with all policies and rules of conduct of the school district and individual classrooms.

Administrative Responsibilities

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

The Plan will include clear guidelines for student behavior. The Plan may include provisions for the suspension or expulsion of students who engage in misconduct on school property, on a school bus, or at a school sponsored activity when the misconduct makes the continued presence of the student harmful to the welfare of the school community. The Plan may also include provisions for the suspension or expulsion of students who engage in misconduct not on school property, on a school bus, or at a school sponsored activity where direct harm to the school can be demonstrated or where the misconduct can be shown to pose a clear and substantial interference with another student’s equal access to educational programs^[5] and/or where such student conduct violates the District’s policy for the prevention of harassment hazing and bullying, with respect to sexual harassment, or harassment, or hazing, and such discipline is reasonably designed to prevent a reoccurrence of such conduct.

The Plan shall include any prohibitions against possession by students of knives, weapons, and dangerous instruments while at school, and shall allow disciplinary action up to and including expulsion for violations of the prohibition against knives, weapons and dangerous instruments that are not possessed at school as part of an educational program sponsored or sanctioned by the school.^[6]

Expectations for behaviors, and the consequences of engaging in prohibited conduct, will be set forth in the student handbook and other publications distributed to students and parents/guardians.

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

4 16 V.S.A. §1162(a).

5 See 16 V.S.A. § 1162(a)(3)

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

The superintendent or designee shall ensure the analysis of student discipline data to identify and address any disproportionalities in discipline.

Notwithstanding anything to the contrary in a school's Plan, a student enrolled in a public school who is under eight years of age shall not be suspended or expelled from the school; provided, however, that the school may suspend or expel the student if the student poses an imminent threat of harm or danger to others in the school.^[7]

⁷ See 16 V.S.A. § 1162(d)

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| <i>VSBA Version:</i> | <i>November 2, 2022</i> |
| <i>Date Warned:</i> | |
| <i>Date Adopted:</i> | |
| <i>Legal Reference(s):</i> | <i>16 V.S.A. §1161a (discipline)</i> |
| | <i>16 V.S.A. §1162 (suspension and expulsion)</i> |
| | <i>20 U.S.C. §§1400 et seq. (IDEA)</i> |
| | <i>29 U.S.C. §794 (Section 504, Rehabilitation Act of 1973)</i> |
| | <i>VT State Board of Education Manual of Rules & Practices §§4311, 4312, 4313; 2120.8.12, 2122.1,4500.</i> |
| <i>Cross Reference:</i> | <i>Notice of Non-Discrimination</i> |
| | <i>Public Complaints About Personnel</i> |
| | <i>Searches and Seizure of Students by School Personnel</i> |
| | <i>Student Drugs & Alcohol</i> |
| | <i>Firearms</i> |
| | <i>Wellness and Comprehensive Health</i> |

DISCLAIMER: This model policy has been prepared by the Vermont School Boards Association for the sole and exclusive use of VSBA members, as a resource to assist member school boards with their policy development. School Districts should consult with legal counsel and revise model policies to address local facts and circumstances prior to adoption, unless the model policy states otherwise. VSBA continually makes revisions based on school districts' needs and local, state and federal laws, regulations and court decisions, and other relevant education activity.

Required

**WASHINGTON CENTRAL UNIFIED
UNION SCHOOL DISTRICT**

Board of Directors' Policy

USE OF SCHOOL FACILITIES POLICY

POLICY: E20

WARNED: 1.11.23

ADOPTED: _____

EFFECTIVE: _____

Purpose:

The Washington Central Unified Union School District is responsible for maintaining the school property and facilities in good condition of the public education of the students of the entire School District. The Board is also responsible for ensuring that budgeted funds approved by the taxpayers for public education are used as intended. The school property is public property, and the Board recognizes that some groups or individual may want to utilize the property for a variety of uses. This policy permits the use of District school property and facilities for other purposes, on an occasional basis, as long as the use is primarily for the benefit of the students and taxpayers of the School District and does not conflict with, detract from, or otherwise limit regular school programs or sponsored activities. This policy also establishes that use by other groups or entities, whose mission is more general than just serving the School district, whether for profit or not for profit, may be permitted under certain circumstances. This policy sets forth the priorities of uses and the conditions under which such uses are permitted.

Scope:

The facilities covered by this policy include all real estate, buildings, and property contents owned by the Washington Central Unified Union School District in each of its member Towns, and U-32.

The principal, or designee, shall manage and determine availability of, the facilities on an ongoing basis. The principal, or designee, shall establish a use permit process that may include variations by each category. This process shall be reviewed and approved by the board on an annual basis. It is required that groups or individuals in categories 2 through 6 follow the process in obtaining permission for use.

Some areas may be restricted from general public use for extended periods of time due to the necessity of maintaining or conserving those areas for current student activities, recovery efforts (i.e. grass on playing fields), for security reasons, or to maintain confidentiality.

Equipment use may be permitted under certain conditions but is not automatically included in permission for use of any space. Some equipment may be excluded from non-school program use at the discretion of the principal or designee due to reasons that include but are not limited to safety, liability, conservation for school programs and resources, or situations where depreciation of equipment may be difficult to assess.

Priorities of Use:

When the School District grounds or facility are subject to an easement, the principal's decision must comply with grounds or facility use outlined in the easement. In situations where easement rights apply, a user may appeal the principal's decision to the superintendent for decision.

Facilities shall be made available so as to preserve the following priority of uses:

Category 1. Town Government Bodies

First priority is given to town taxpayer-funded, municipal activities that are open to the public (e.g., town meetings, voting).

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Category ~~21~~. School-Related and School-Supporting School Activities and School Sponsored Activities

First priority is that all facilities be available for public school purposes, including, but not limited to, instruction, extra-curricular and co-curricular activities, and other school-sponsored activities and events. No school facility or portion thereof shall be contracted for, or dedicated to any other purpose, except on an occasional basis as further set forth below, so as to maintain this availability.

Category ~~32~~. School-Related and School-Supporting Activities

Second priority shall be use by the individual school's recreation or co-curricular department and school established organizations or groups, the express purpose of which is to provide benefit and support to the School District. Such uses may include, but are not limited to, use by parent-teacher organizations, booster clubs, recreational organizations that benefit students and/or taxpayers, and fundraising activities whose purpose is to benefit the School District.

Category ~~43~~. Other Groups or Individuals Providing Educational Benefits or Services on a Non Profit Basis to the School Community

Third priority shall be given to non-profit use by groups or individuals to provide curricular, extra- curricular or post-secondary educational opportunities of a kind or at a level not otherwise generally available to the School District population. Examples include, but are not limited to, classes, or non-- profit athletic, artistic or similar group endeavors offering activities that provide opportunities for enrichment to the School District community.

Category ~~54~~. Use by Other Public Entities

Fourth priority will be given to other public entities for events or programs that are open to the public. Such uses include use as a site for a public civil function, such as a public meeting on a legislative or municipal issue. Public entities include local, state, and federal governmental entities, including subdivisions, agencies, organizations, or programs operated by such entities.

Category ~~65~~. Other Occasional Uses

Use by an entity not described in the previous categories may be permitted by the principal, or designee, for an educational or community purpose, where such use does not conflict with the goals of this policy. The use is subject to specific terms and conditions consistent with the policy.

Implementation:

Conditions of Use –The following conditions shall be applied by the principal, or designee, in deciding what uses will be allowed and what terms and conditions will be applied to each specific use in granting permission. In the event of a conflict between potential users or uses, or if an issue arises concerning terms and conditions of use, the principal shall have the authority to decide the conflict.

1. **Nondiscrimination** – All users of school facilities must agree in writing to not unlawfully discriminate on the basis of disability, race, color, national origin, sex, age, religion, ancestry, sexual orientation, ~~or~~ place of birth, or membership in any other protected class. Failure to adhere to this agreement shall result in the cancellation or termination of the use.
2. **Lawful Use Only** - Compliance with School Policies -All users of the school facilities must agree in writing that their use will not violate any federal, state or local laws, including but not limited to: the use of tobacco, alcohol or other controlled substances; illegal gambling; possession of weapons. Users must also agree in writing to take responsibility for notifying attendees of this condition. Failure to comply with this agreement shall result in the cancellation or termination of the contracted use as well as denial of future use.
3. **Maintenance of the Facility** - All users shall agree in writing to use school facilities appropriately, to oversee treatment of the facilities by those involved in the use and to leave the facility in at least as good condition as it was in at the time they commenced their use. Additional fees will be assessed to any group for litter, and/or damage to the property.
4. **Non-Endorsement Clause** – Use of School District property or facilities by any group or entity other than those described in categories 1 or 2 above shall not constitute and shall not be considered an endorsement of said group or entity, or of its use or activity, policies, opinions, agendas, actions or beliefs. Any person or entity using the facility for a purpose other than categories 1 and 2 above shall clearly state the identity of the presenting entity or individual in all promotional materials, advertising, signs, ad descriptions of the activity or event, and shall not state or imply that the activity is sponsored or endorsed by the Washington Central Unified Union School District, unless such support or endorsement has been explicitly given in writing.
5. **Special Purpose vs. General Purpose Facilities** - Before committing any special purpose facility for use for a non-school purpose, particular care shall be taken to avoid creating a general unavailability of such facilities for high priority uses in category 1. This may mean taking measures to assure a strict limitation on the availability of a given special use facility to all outside users. Special use facilities include auditoriums, libraries, playing fields, gymnasiums, cafeterias, and other special purpose rooms and facilities.
6. **Schedule of Fees** - Consistent with the Board's responsibility to maintain the facilities for

use in educating the students of the School District, and that the tax monies appropriated by the school district are intended to be used for the education of those students, the principal with board approval shall develop and charge appropriate fees for use of school facilities and related equipment for uses in categories 2 through 6. The fees charged shall not be less than the actual cost of the use, taking into account costs such as utilities, custodial services, security, and maintenance. The principal may only waive fees subject to rules established by the Board. The board shall review the rules and fee structure annually.

7. **Insurance** - The principal or designee shall include as an express condition of use, for any user entity not covered under the School District's insurance policy, a requirement that the user entity submit proof of insurance as specified for the particular use, prior to commencement of the use, specifically listing the School District as additionally insured. The Board shall establish the standard limits of liability to be required each year.
8. **Written Use Agreements** - The principal shall prepare and maintain, with Board approval, a form of written use agreement that states all conditions of use. If a fee is charged, or proof of insurance required, with respect to a particular use, a written agreement shall be signed by the principal or designee and a duly authorized representative of the user, prior to commencement of the use, reciting all conditions of use and agreement to any fee imposed for the use. Each written agreement shall have attached to it a copy of this policy. It shall also include, in its specific terms, the conditions listed in this policy to the extent they are applicable to the particular use.
9. **Duration of Use** - Uses in categories 2 through 6 shall be limited to occasional use, meaning use of limited duration and frequency. When an occasional use by users in categories 2 through 6 involves a series of weekly activities or events on more than one date, such use shall not be more than a two-month period. Upon a showing of special circumstances, the principal or designee may extend the period by up to an additional two months.
10. **Cancellation or Postponement of a Scheduled Event** - The School District reserves the right to cancel a scheduled event (reoccurring or otherwise) if it conflicts with the rescheduling of a student event(s) made necessary by weather or other circumstances beyond the control of the School District. The School District reserves the right to cancel or postpone any scheduled event due to serious concerns for public safety, employee safety or security of the property. The principal or designee is authorized to order the cancellation or postponement of a scheduled event under these circumstances and shall make every effort to give reasonable notice to the party intending to use the property. The principal or designee shall also make every reasonable effort to reschedule postponed events. It is also understood that some municipal building uses (town meeting, voting, etc), cannot be cancelled and the principal would defer to the Town in such instances. The principal or designee shall also make every reasonable effort to reschedule postponed events.
11. **Equipment** - Users in categories 2 through 6 may only use equipment related to the facility if prior permission is obtained from the principal or designee. Equipment used

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shall be limited to that which is negotiated in the agreement with the principal or designee. The principal or designee shall factor in the cost of use of the equipment in the fees charged. Examples of equipment related to the facility are computers, sports equipment, scoreboards, theater lights, and sound equipment.

- 12. Outside Contractors** - All outside contractors, and specific contract agreements for services to be provided to an entity using School facilities, must be approved by the principal or designee in writing, prior to commencement of use of the facility. The user assumes all responsibility for any damages or additional costs related to the use of contractors.