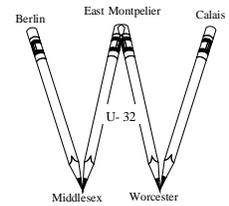


# Washington Central Unified Union School District

*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  
4.12.22 4:30-6:30 PM  
Central Office, 1130 Gallison Hill Rd. Montpelier  
Via Video Conference**

**Virtual Meeting Information**

**<https://tinyurl.com/yxz7t9ab>**

**Meeting ID: 837 8353 2112**

**Password: 284992**

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

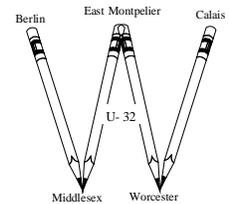
1. Call To Order
2. Approve Minutes of 3.8.22 – pg. 2
3. Use of School Property
4. New Policies
  - 4.1. C14 Policy on Section 504 and ADA Grievance Protocol – pg. 6
5. Required Policies Updated by the VSBA
  - 5.1. C1 Education Record - pg. 12
  - 5.2. C7 Student Attendance – pg. 16
  - 5.3. C8 Pupil Privacy Rights – pg. 19
6. Future Agenda Items
  - 6.1. School Choice
  - 6.2. Humanity & Justice
7. Adjourn

# Washington Central Unified Union School District

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Jennifer Miller-Arsenault  
Interim Superintendent



## **WCUUSD Policy Committee Minutes 3.8.22 4:30-6:30 PM Central Office, 1130 Gallison Hill Rd. Montpelier Via Video Conference**

**Present:** Chris McVeigh, Jonathan Goddard, Dennis Hill, Jen Miller-Arsenault, Aaron Boynton, Amy Molina, Michelle Ksepka

- 1. Call to Order: Jen Miller-Arsenault called the meeting to order at 4:32 p.m. Dennis Hill moved to appoint Chris McVeigh as chair of the Policy Committee. Seconded by Jonathan Goddard, this motion carried unanimously.**
- 2. Approve Minutes of 2.8.22: Chris McVeigh moved to approve these minutes as presented. This motion carried unanimously.**
- 3. Develop Policy Committee Work Plan:** Dennis Hill asked, what is the mechanism for a policy coming to this committee? Chris McVeigh explained that we continue to update policies according to how old they are, as well as to consider policies according to current issues as they arise. Introductions were made. Jen Miller-Arsenault shared that Michelle Ksepka had set up a system for the committee to consider policies. The two had worked together to prioritize the list. Chris McVeigh suggested beginning with required policies, having three or four on each agenda, and having Jen and Michelle provide their prioritized list. Chris will meet with Jen and Michelle to create a prioritized list and a work plan for the year ahead.
- 4. Review Policies**
  - 4.1. C5 Weapons/Firearms:** Jen Miller-Arsenault shared that the current firearms policy is based on federal law. The VSBA is currently working on a separate policy (C20) that addresses weapons. She suggests that the committee wait until the VSBA's model policy is ready for consideration, so the committee can consider both, a Firearms policy and a policy (C20) dealing with student conduct, which will include weapons (except firearms). In the meantime she suggests that we keep these policies in place "as is." Chris McVeigh had shared information with the committee to discuss when considering student conduct (e.g. substance violations or weapons, aggression, etc.) - the topic of accumulation of "infractions," and how far back the data should reach. For the purpose of expulsion, he suggested that infractions further back beyond two years should not be included in the consideration. Dennis Hill stated that he supports discussing this and possibly considering exceptions to the rule, etc. Michelle Ksepka noted that the VSBA is currently updating this policy and she suggests that we wait to consider these changes, until the VSBA has provided a model. Jonathan Goddard spoke about circumstances when there have been threats of

violence with a weapon; he thinks this might be an exception, and in this case, infractions from further back might be appropriate to consider. Some discussion followed around expulsions or other discipline cases that come before the board. Jen Miller-Arsenault suggested that the updated policies will address some of the issues that are being discussed tonight; and that she feels to this date, addressing many of these incidents on a case-by-case basis has worked. She suggested that what we are doing, for the most part, is working. She stated that she feels that a relative increase recently in behavior incidents has more to do with the stress on the system as a whole, rather than reflecting our policies being inadequate. Chris McVeigh suggested, what if the behavior that we put the “two year” limit onto was related to possession of drugs or alcohol? Dennis Hill suggested that it is important to give the board the discretion, with input from the administration, and some of the specifics could be worked out in procedure. He would like to focus on providing support and treatment when it comes to addressing drug and alcohol violations. The committee agreed to reconsider this language when the VSBA policy C20 is ready for consideration. Jonathan Goddard suggested that we can add verbiage that indicates that the board can, at its discretion, request information from prior similar incidents. He thinks that the school administration does a great job bringing information to the board in cases where discipline comes to the board, and that while the board usually accepts the administration’s recommendation, this is not always the case. Jen Miller-Arsenault suggested that what she is hearing is that the board would like to be made aware of relevant factors related to supportive measures/ history of what has been put in place. She can incorporate that into the template that is used when student discipline cases are brought to the board.

- 4.2. Honoring Policy:** Chris McVeigh stated that, based on board discussion, he gathered that more specificity is desired related to this policy. Dennis Hill expressed that he is always wary of unknown or unforeseen bits of history or background that could come back around and reflect controversially on the board or the school, where they honor a person. He spoke about the idea of doing a thorough background check to avoid this situation, but that would be intrusive and may not be appropriate/ may be a violation of privacy. Chris McVeigh stated that one of the components of this policy is that a petition would need to come to the board. He suggested adding verbiage like “the person who is to be honored would need to consent to a background check.” Amy Molina shared what she had heard from colleagues around the country. She stated that most people have reported that they are discussing and struggling with this, as well. She shared that one colleague had shared that they are considering offering an open time period where people could provide feedback (even anonymous feedback) when a situation is proposed to honor someone. Aaron Boynton shared that as he has given it thought, he leans more toward not favoring the practice of honoring people by naming buildings or things after them. He stated that we need to decide where we are willing to spend our time and energy and that this might be something that takes undue time and energy. Jonathan Goddard stated that he is more in favor of putting a plaque by a tree or a bench or some other living thing, rather than naming a building or another entity after someone. Amy Molina suggested honoring people in ways that are less permanent and less grandiose; she noted some of the traditions from the past, such as banners in the gymnasium. The committee agreed, going forward, to recommend a policy that there is no naming parts of the building or facilities after individuals, but we may opt to honor them in some other way (recognizing that, e.g. the track has already been named but that was under a different board.) Jen Miller-Arsenault suggested bringing this to the board for consideration.



grievant may, instead, contact the District Section 504 Coordinator, [INSERT 504 COORDINATOR CONTACT INFORMATION]. The person receiving the complaint, or their designee, shall investigate and then verbally convey his/her findings to both the person who alleged the violation and the person who **is the subject of the complaint within 10 business days.**

**Step 2** If the informal Step 1 process does not resolve the matter, OR if the grievant does not wish to use the informal procedures set forth in Step 1, a written complaint may be submitted to the either the District Section 504 Coordinator, [INSERT 504 COORDINATOR CONTACT INFORMATION] or the appropriate school specific Building 504 Coordinator (see list at the end of this document for contact information) who will investigate the complaint. [NOTE: If the Section 504 Coordinator is the subject of the complaint, the complaint should be submitted to the Superintendent who will appoint another administrator (or third party) to conduct the investigation. If both the Section 504 Coordinator and the Superintendent have involvement with the complaint, the written complaint may be submitted to the Human Resources Coordinator, Carla Messier 1130 Gallison Hill Rd, Montpelier, VT 05602

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

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

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

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

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

Copies of the disposition, subject to FERPA confidentiality,<sup>3</sup> will be given to both the grievant and the person who is the subject of the complaint. If discrimination was found to have occurred, the disposition will include the steps that the District will take to prevent recurrence of any discrimination and to correct its discriminatory effects on the grievant and others, if appropriate.

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

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

The District hereby provides assurance that it strictly prohibits any form of retaliation against persons who utilize this Protocol. The District will make appropriate arrangements to ensure that disabled persons are provided other accommodations, if needed, to participate in this grievance process. Such arrangements may include but are not limited to, providing interpreters for the deaf, providing taped cassettes of material for the blind, or assuring a barrier-free location for the proceedings. The Section 504 Coordinator will be responsible for such arrangements.

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

**[INCLUDE BUILDING 504 COORDINATOR CONTACT INFORMATION]**

<i>VSBA Version:</i>	<i>January 25, 2022</i>
<i>Date Warned:</i>	
<i>Date Adopted:</i>	
<i>Legal Reference(s):</i>	<i>20 U.S.C. § 1232f 28 C.F.R. § 35.101 28 C.F.R. § 35.107(b) 29 U.S.C. § 794 34 C.F.R. § 99.1 34 C.F.R. § 104.4 34 C.F.R. §§ 104.7(b), 104.61 34 C.F.R. § 100.6(d) 42 U.S.C. § 12132</i>
<i>Cross Reference:</i>	

**CODE C14  
(REQUIRED)**

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

***Instructions: Please edit prompts in brackets before adopting the policy.***

It is the policy of \_\_\_\_\_ School District not to discriminate on the basis of disability. The District has adopted this internal protocol for prompt handling and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990 (ADA). Section 504 and the ADA prohibit discrimination on the basis of disability in any program or activity receiving Federal financial assistance.<sup>1</sup> The District further provides assurance that strictly prohibits any form of retaliation against persons who utilize this Protocol. To the extent possible, confidentiality will be maintained throughout the investigation of a complaint of unlawful discrimination. **Nevertheless, a person is not required to use this protocol and may instead file a complaint directly with the U.S. Department of Education's Office for Civil Rights, Office for Civil Rights, Boston Office:**

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

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

**This protocol will be distributed by the Building 504 Coordinators or their designees to all employees prior to the start of co-curricular activities every school year, preferably during the August In – Service, and again with the recommencement of co-curricular activities immediately following the December vacation.<sup>2</sup>**

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

**<sup>1</sup>Step 1 A person (an employee, student, or third party) who believes that he/she has been discriminated against by the District is encouraged, but is not required, to discuss the matter informally with the appropriate building principal (when the person is a student) or with his/her immediate supervisor (when the person is an employee). NOTE: If the building principal or the immediate supervisor is the subject of the complaint, or the grievant is not a student or employee, the grievant may, instead, contact the District Section 504 Coordinator, [INSERT 504 COORDINATOR CONTACT INFORMATION]. The person receiving the complaint, or their designee, shall investigate and then verbally convey his/her findings to both the person who alleged the violation and the person who is the subject of the complaint within 10 business days.**

**Step 2** If the informal Step 1 process does not resolve the matter, OR if the grievant does not wish to use the informal procedures set forth in Step 1, a written complaint may be submitted to the either the District Section 504 Coordinator, [INSERT 504 COORDINATOR CONTACT

<sup>1</sup> 29 U.S.C. § 794; 42 U.S.C. § 12132; 34 C.F.R. § 104.4; 28 C.F.R. § 35.101

<sup>2</sup> 28 C.F.R. § 35.107(b); 34 C.F.R. §§ 100.6(d), 104.7(b), 104.61

INFORMATION] or the appropriate school specific Building 504 Coordinator (see list at the end of this document for contact information) who will investigate the complaint. [NOTE: If the Section 504 Coordinator is the subject of the complaint, the complaint should be submitted to the Superintendent who will appoint another administrator (or third party) to conduct the investigation. If both the Section 504 Coordinator and the Superintendent have involvement with the complaint, the written complaint may be submitted to the Director of Human Resources, [INSERT HR DIRECTOR CONTACT INFORMATION]

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

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

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

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

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

Copies of the disposition, subject to FERPA confidentiality,<sup>3</sup> will be given to both the grievant and the person who is the subject of the complaint. If discrimination was found to have occurred, the disposition will include the steps that the District will take to prevent recurrence of any discrimination and to correct its discriminatory effects on the grievant and others, if appropriate.

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

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

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<sup>3</sup> 20 U.S.C. § 1232f; 34 C.F.R. § 99.1

The District hereby provides assurance that it strictly prohibits any form of retaliation against persons who utilize this Protocol. The District will make appropriate arrangements to ensure that disabled persons are provided other accommodations, if needed, to participate in this grievance process. Such arrangements may include but are not limited to, providing interpreters for the deaf, providing taped cassettes of material for the blind, or assuring a barrier-free location for the proceedings. The Section 504 Coordinator will be responsible for such arrangements.

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

[INCLUDE BUILDING 504 COORDINATOR CONTACT INFORMATION]

<i>VSBA Version:</i>	<i>January 25, 2022</i>
<i>Date Warned:</i>	
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<i>Legal Reference(s):</i>	<i>20 U.S.C. § 1232f 28 C.F.R. § 35.101 28 C.F.R. § 35.107(b) 29 U.S.C. § 794 34 C.F.R. § 99.1 34 C.F.R. § 104.4 34 C.F.R. §§ 104.7(b), 104.61 34 C.F.R. § 100.6(d) 42 U.S.C. § 12132</i>
<i>Cross Reference:</i>	

## Policy Comparison

<p>C1 Student Education Records</p>	<ol style="list-style-type: none"> <li>1. Title from VSBA is just Education Records</li> <li>2. Paragraphs 1, 3, and 4 of our currently policy match the VSBA.</li> <li>3. Paragraph 2 the first 2 sentences are the same in both policies and then everything else it different.</li> <li>4. The VSBA policy has a title for paragraph 3.</li> </ol>
<p>C7 Student Attendance</p>	<ol style="list-style-type: none"> <li>1. Paragraph 1 the first sentence is the same in both and then everything else is slightly different.</li> <li>2. The VSBA has added a Definitions section</li> <li>3. The second paragraph of WCUUSD is the same as the Implementation Section of the VSBA. The only difference is the July date in the VSBA.</li> <li>4. The sentences under Administrative Rules and Procedures is different in both but the list is the same.</li> <li>5. Administrative Responsibilities is the same.</li> </ol>
<p>C8 Pupil Privacy Rights</p>	<ol style="list-style-type: none"> <li>1. Paragraph 1 is the same in both.</li> <li>2. The first sentence under Administrative Responsibilities in the VSBA has “and parents’ access to information regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams.”</li> <li>3. In the VSBA policy, numbers 1, 4 and 7 have the word “upon request”</li> <li>4. In the VSBA policy, number 6 has “(or otherwise providing that information to others for that purpose)”</li> <li>5. Number 8 in the VSBA is different at the “but not limited to”</li> <li>6. Number 9 in the VSBA is new.</li> </ol>

**Required**

**WASHINGTON CENTRAL UNIFIED  
UNION SCHOOL DISTRICT**

**Board of Directors' Policy**

<b>POLICY:</b>	<u>C1</u>
<b>WARNED:</b>	<u>5.1.2020</u>
<b>ADOPTED:</b>	<u>5.20.2020</u>
<b>EFFECTIVE:</b>	<u>5.30.2020</u>

**STUDENT EDUCATION RECORDS**

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**Policy**

The Washington Central Unified Union School District recognizes the importance of keeping accurate and appropriate education records<sup>2</sup> 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 inform<sup>3</sup> 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.<sup>4</sup>

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.<sup>5</sup>

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<sup>1</sup> 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.

<sup>2</sup> 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*

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

<sup>4</sup> *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.*

<sup>5</sup> *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*

## EDUCATION RECORDS

### **Policy**

The Washington Central Unified Union School District (District) recognizes the importance of keeping accurate and appropriate education records<sup>2</sup> 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 inform<sup>3</sup> parents, guardians, and students eighteen years and older of their rights with respect to the student's education records and the available procedures for exercising those rights. This shall include notification of the following:

1. The right to inspect and review the student's education records within 45 days after the day the district receives a request for access.
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights.
3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that the law authorizes disclosure without consent.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of the Family Educational Rights and Privacy Act (FERPA).
5. The procedure for exercising the right to inspect and review education records.
6. The procedure for requesting amendment of records.
7. The types of personally identifiable information that the district has designated as directory information, and a parent or eligible student's right to opt out of the disclosure of directory information.<sup>4</sup>
8. The procedure for a parent or eligible student to notify the district that they want to opt out of the district's disclosure of directory information.
9. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest as defined by FERPA.<sup>5</sup>

### **Administrative Responsibilities**

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.<sup>6</sup>

<sup>1</sup> 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 supervisory union shall develop, and each school shall implement, a system of maintaining student records that aligns with Agency of Education statewide data collections; which enables accurate and timely reporting in connection with state and federal data collection requirements; and ensures the accuracy, relevancy and confidentiality thereof, and accessibility thereto; and which is in compliance with the federal Family Education Rights and Privacy Act of 1974 (P.L. 95-380 as amended from time to time.” SBE Rule 2113.

<sup>2</sup> 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 or records that are exempted from the definition under 34 C.F.R. § 99.3(b). 20 U.S.C. § 1232g; 34 C.F.R. § 99.3.

<sup>3</sup> School districts are required to find an effective way to notify parents or eligible students who are disabled, and parents whose primary language is not English. 20 U.S.C. § 1232g; 34 C.F.R. § 99.7(b).

<sup>4</sup> 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, grade level, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees, honors, 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.

<sup>5</sup> The Family Educational Rights and Privacy Act allows schools to disclose student personally identifiable information to school officials with legitimate educational interests. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest must be set forth in the district’s annual notification for FERPA rights. A school official typically includes a person employed by the school or school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer, contractor, consultant, or other party who, while not employed by the school, performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. 12 U.S.C. § 1232g; 34 C.F.R. § 99.3; 34 CFR § 99.31(a).

<sup>6</sup> 12 U.S.C. § 1232g; 34 C.F.R. § 99.3.

VSBA Revision:	February 8, 2022
Date Warned:	
Date Adopted:	
Legal Reference(s):	20 U.S.C. §§ 1232g (Federal Family Educational Rights and Privacy Act)
	20 U.S.C. § 7908
	16 V.S.A. § 563(27) (NCLBA Armed Forces Recruiter/Higher Education)
	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 § 2113

## Required

WASHINGTON CENTRAL UNIFIED  
UNION SCHOOL DISTRICT

Board of Directors' Policy

STUDENT ATTENDANCE

POLICY: C7

WARNED: 10.12.20

ADOPTED: 11.4.2020

EFFECTIVE: 11.4.2020

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### 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.

Students intending to miss school for religious holidays shall notify the school of their intention, at least one day in advance of their absence, and the absence shall be considered an excused absence.

### 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

CODE C7  
(Required)

## STUDENT ATTENDANCE

It is the policy of the \_\_\_\_\_ School District to set high expectations for consistent student school attendance in accordance with Vermont law in order to facilitate and enhance student learning. Students who are (i) children between the ages of six and 16 years who are residents of the district; (ii) non-resident pupils who enroll in district schools; and (iii) children over the age of 16 who are enrolled in a district school, 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.<sup>1</sup>

### Definitions

For the purpose of this policy, “truant” shall mean:

- 1) A student between the ages of six and sixteen years, who is not excused from school attendance and fails to enter school at the beginning of the academic year or, being enrolled, fails to attend school.
- or,
- 2) A student who is at least 16 years of age and is enrolled in public school and fails to attend, and is not excused from school attendance.

A student may be excused from compulsory attendance if the student:

- 1) Is mentally or physically unable to attend;
- 2) Has completed the tenth grade and is not enrolled in public school;
- 3) Is excused by the superintendent or a majority of the school directors; or
- 4) Is enrolled in and attending a postsecondary school which is approved or accredited in Vermont or another state.<sup>2</sup>

### Implementation

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 on or before July 3.<sup>3</sup>

### Administrative Rules and Procedures

The superintendent shall develop administrative rules and procedures to ensure the implementation of this policy. The procedures will address the following issues:

1. written excuses;
2. tardiness;
3. notification of parents/guardian;
4. signing out of school;
5. excessive absenteeism;

<sup>1</sup> 16 V.S.A. §§ 1121 (Attendance by Children of School Age Required), 1122 (Students over 16)

<sup>2</sup> 16 V.S.A. § 1126

<sup>3</sup> 16 V.S.A. § 1125

6. homebound and hospitalized students;
7. early dismissals;
8. homework assignments; and
9. making up work.

The procedures may address other issues as well, including educational neglect.

**Administrative Responsibilities**

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

VSBA Version:	02/15/2022
Date Warned:	
Date Adopted:	
Legal Reference(s):	16 V.S.A. §§ 1121 et seq. (Attendance by Children of School Age Required)
	16 V.S.A. §§ 1122 (Students over 16)
	16 V.S.A. § 1125 (Truant Officers)
	16 V.S.A. § 1126 (Failure to Attend; Notice)
Cross Reference:	

## Required<sup>1</sup>

WASHINGTON CENTRAL UNIFIED  
UNION SCHOOL DISTRICT

Board of Directors' Policy

<b>POLICY:</b>	<u>C8</u>
<b>WARNED:</b>	<u>5.15.20</u>
<b>ADOPTED:</b>	<u>6.3.20</u>
<b>EFFECTIVE:</b>	<u>6.13.2020</u>

## PUPIL PRIVACY RIGHTS

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### 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)<sup>[2]</sup> and Vermont State Board of Education Rules<sup>[3]</sup> governing the administration of certain student surveys, analyses or evaluations.<sup>[4]</sup>

### 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.<sup>[5]</sup>

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;<sup>[6]</sup>
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.<sup>[7]</sup>
5. The administration of physical examinations or screenings that the school district may administer to a student;<sup>[8]</sup>
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.<sup>[9]</sup>
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,<sup>[10]</sup>

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.<sup>[11]</sup>

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<sup>[1]</sup> 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).

<sup>[2]</sup> See 20 U.S.C. 1232h.

<sup>[3]</sup> See Vermont State Board of Education Rule 2120.8.12(f).

<sup>[4]</sup> 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.

<sup>[5]</sup> See 20 U.S.C. §1232h(c)(1).

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

<sup>[7]</sup> See 20 U.S.C. §1232h(c)(1)(C).

<sup>[8]</sup> See 20 U.S.C. §1232h(c)(1)(D).

<sup>[9]</sup> See 20 U.S.C. §1232h(c)(1)(E).

<sup>[10]</sup> See 20 U.S.C. §1232h(c)(1)(F)

<sup>[11]</sup> See 20 U.S.C. §1232h(c)(2).

## **PUPIL PRIVACY RIGHTS**

### **Policy**

It is the intent of the \_\_\_\_\_ School District to comply with the provisions of the federal Pupil Privacy Rights Amendment (PPRA)<sup>[2]</sup> and Vermont State Board of Education Rules<sup>[3]</sup> governing the administration of certain student surveys, analyses or evaluations.<sup>[4]</sup>

### **Administrative Responsibilities**

The superintendent or designee shall develop administrative procedures to ensure school district compliance with applicable federal and state laws related to pupil privacy and parents' access to information regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. The administrative procedures shall include provisions that address the following legal requirements:<sup>[5]</sup>

1. The right of parents of a student to inspect, upon request, surveys created by third parties before the administration of the surveys to the student.
2. Any applicable procedures for granting a request by a parent for access to such survey within reasonable time after a request is received.
3. Arrangements to protect student privacy in the event of the administration or distribution of a survey to a student containing one or more of the items listed in the federal PPRA.<sup>[6]</sup>
4. The right of a parent to inspect, upon request, 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.<sup>[7]</sup>
5. The administration of physical examinations or screenings that the school district may administer to a student.<sup>[8]</sup>
6. The collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose), including arrangements to protect student privacy in the event of such collection, disclosure, or use.<sup>[9]</sup>
7. The right of a parent of a student to inspect, upon request, any instrument used in the collection of personal information under subparagraph (6) above before the instrument is administered to a student, and any applicable procedures for granting a request for such inspection within a reasonable time after receiving the request.<sup>[10]</sup>
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, annual notice of such policies and procedures; notification and an opportunity for the parent to opt the student out of participation in activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or selling that information (or otherwise providing that information to others for that purpose); notification and an opportunity for the parent to opt the student out of participation in the administration of surveys containing items specifically listed in the Pupil Privacy Rights Amendment; and notification and an opportunity for the parent to opt the student out of participation in any nonemergency, invasive physical examination or screening that is (1) required as a condition of attendance; (2) administered by the school and scheduled by the school in advance; and (3) not necessary to protect the immediate health and safety of the student, or of other students.<sup>[11]</sup>
9. The rights of a parent under the PPRA transfer to a student who is 18 years old or an emancipated minor under state law.

[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 2113.

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

[3] See Vermont State Board of Education Rule 2113.

[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).

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