

***“Never doubt that a small group of committed citizens can change the world. Indeed, it is the only thing that ever has.” Margaret Mead***

**Aug 26, 2024**

Dear Parents and Students:

On behalf of faculty and staff, I wish to welcome parents and students to the Cambridge Elementary School community. The Cambridge Elementary family is made up of students, teachers, parents and community members working together toward a common commitment. It is our belief that motivated students, caring teachers, parent partners and a supportive community is what makes a successful education for our students.

This parent handbook has been prepared for your benefit. In it you will find many of the answers to questions that may arise this school year. School information including copies of forms can also be found on our website: **[www.cesvt.net](http://www.cesvt.net)**. Please feel free to call me at school with any questions or comments (521-5602).

Sincerely,

Mary Anderson, Principal

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**AUGUST**

M	T	W	Th	F
			1	2
5	6	7	8	9
12	13	14	15	16
19	20	21	22	23
26	27	28	29	30

In-session days: 4 Y-T-D: 4  
 8/19-23 No School  
 8/26-School begins for grades 1-6  
 8/28 School begins for Kindergarten  
 8/30 No School

**SEPTEMBER**

M	T	W	Th	F
2	3	4	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	26	27
30				

In-session days: 20 Y-T-D: 24  
 9/2 No School  
 9/3 School begins for PreK

**OCTOBER**

M	T	W	Th
	1	2	3
7	8	9	10
14	15	16	17
21	22	23	24
28	29	30	31

In-session days: 21 Y-T-D:  
 10/10 Early Dismissal  
 10/11-14 No School  
 10/17 Open House 6-7pm

**NOVEMBER**

M	T	W	Th	F
				1
4	5	6	7	8
11	12	13	14	15
18	19	20	21	22
25	26	27	28	29

In-session days: 15 Y-T-D: 60  
 11/11 No School  
 11/15 Trimester 1 ends  
 11/27-29 Fall break

**DECEMBER**

M	T	W	Th	F
2	3	4	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	26	27
30	31			

In-session days: 14 Y-T-D: 74  
 12/5 Early dismissal  
 12/6 No School  
 12/12 Report cards sent home  
 12/23-12/31 December break

**JANUARY 2025**

M	T	W	Th	F
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	31

In-session days: 21 Y-T-D: 95  
 1/1 No School  
 1/20 No School

**FEBRUARY**

M	T	W	Th
3	4	5	6
10	11	12	13
17	18	19	20
24	25	26	27

In-session days: 14 Y-T-D:  
 2/6 Early dismissal  
 2/7 No School  
 2/24-28 Winter break

**MARCH**

M	T	W	Th	F
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28
31				

In-session days: 18 Y-T-D: 127  
 3/3-34 No School

**APRIL**

M	T	W	Th	F
	1	2	3	4
7	8	9	10	11
14	15	16	17	18
21	22	23	24	25
28	29	30		

In-session days: 17 Y-T-D: 144  
 4/1 Report cards sent home

**MAY**

M	T	W	Th	F
			1	2
5	6	7	8	9
12	13	14	15	16
19	20	21	22	23
26	27	28	29	30

In-session days: 21 Y-T-D: 165  
 5/16 Early Release

**JUNE**

M	T	W	Th
2	3	4	5
9	10	11	12
16	17	18	19
23	24	25	26
30			

In-session days: 10 Y-T-D:  
 6/13 Tentative last day of school

## 2. CES Staff

### Principal

Mary Anderson

### Classroom Teachers

Pre-K	C.G. Finigan	Erin Vaillencourt	
Kindergarten	Laura Edgerton	Cristiana Franklin	Sophie Ramos
Grade 1	Amanda Collis	Colleen Devins	
Grade 2	Eliza Martin	Kim McGuiness	
Grade 3	Cassidy Button	Molly Spillane	
Grade 4	Sarah Boucher	Allyson Spanier	
Grade 5	Jeff Guillemette	Vicki Pinault	Jake Stalnaker
Grade 6	Paul Legris	Courtney Leitz	

### Guidance

Pam Cushman, Guidance	Andy Marchand/Mike Fazzino/Emily Benoit,
Cassie Calabrese, Guidance	Student Support Center Coordinators
Sara Luneau, Behaviorist	Santha Dahlin, Helping Center
Anastasia Zeglen/Behavior Interventionist	

### Art, PE, Music and Special Programs

Marie Dunbar-Cloutier, Music	Amanda Graner, Phys. Ed	Danielle Oldenburg, Art
Faith Horton, Enrichment/Tech Integration	Theresa Aiosa, Reading and Math Support	Sarah Ehrlich, Reading and Math Support
		Brittany Kirby, Reading and Math Support
Ellen Koier, Enrichment	Catrina McKnight, Reading and Math Support	Nancy Randall, Reading support
Deb Nevil, After School & Summer Program Coordinator		Stephanie Veit, Occupational Therapist

### Special Education

Jacqueline Brosseau, Special Education Teacher	Sarah Grunwell, Speech Special Ed teacher	Nichole Maroney-Noce, Case Manager
Jennifer Holtzman Speech Language Pathologist		
Cathy Howell, Speech Language	Lauren Welch, Case Manager, Special Education Teacher	Teri Sibenaller, Early Childhood Special Educator

**Library/Media**

Morgan Baumann, Library-Media Specialist

**Special Education, Speech/Language, and Preschool Instructional Assistants/Behavior Interventionists**

Hesi Correa, Santha Dahlin, Rachel Drew, Kelly Hart, Tabitha Hatin, Ellen Holmes-Henry, Megan Magnanelli, Melissa Mix, Amy Naylor, Diane O’Neil, Chelsey Robert, Kayla Royal, Deanna Stebbins, Wendy St. Gelais,

**Administration**

Jordynn Brisbin, Facilities Operations Manager

Sarah Kartluke, Nurse

Jeremy LaClair, Technology Coordinator  
Shayne Spence, Technology Assistant  
Ben Shortsleeve, Campus Safety Associate

Beth Brown, Secretary/Registrar  
Santha Dahlin, Afternoon Receptionist

**Bus Driver**

Denee Albee  
Lisa Rosenlund

Gerard Elliot

Tom Lachance

Tina Hernandez, bus monitor  
Anastasia Zeglen, bus monitor  
Tabbitha Hatin, bus monitor

**Maintenance**

Al Young, Dir. Maintenance  
Dondi Lafountain

Martha Duffy  
Ben Shortsleeve

Steve Duffy

**School Board**

Mark Stebbins, Chair  
Rachael Mascolino

Denise Webster, Clerk  
Jan Sander

Lori Hebert

**3. PARENT-SCHOOL COMPACT**

It is important that families and schools work together to help students achieve high academic standards. Through ongoing discussions that include teachers, families, students, the school board, and other interested community members, the following are roles and responsibilities that we, as partners in the education of the children of Cambridge, agree to carry out to support student success in school and in life.

**Staff Pledge:**

**The staff of the Cambridge Elementary School agree to carry out the following responsibilities to the best of our abilities:**

- ◆ Teach classes through interesting and challenging lessons that promote student achievement.
- ◆ Endeavor to motivate our students to learn.
- ◆ Have high expectations, and help every child to develop a love of learning.
- ◆ Communicate regularly with families about student progress.
- ◆ Provide an inviting, safe, and caring learning environment.
- ◆ Provide meaningful, daily homework assignments to reinforce and extend learning
- ◆ Participate in professional development opportunities that improve teaching and learning and support the formation of partnerships with families and the community.
- ◆ Actively participate in collaborative decision-making and consistently work with families and colleagues to make our school an accessible and welcoming place for families and that help each student achieve the school's high academic standards.
- ◆ Respect the school, students, staff, and families.

**Student Pledge:**

**The students of the Cambridge Elementary School agree to carry out the following responsibilities to the best of their abilities:**

- ◆ Come to school ready to learn and work hard.
- ◆ Bring necessary materials, completed assignments, and homework.
- ◆ Know and follow school and class rules.
- ◆ Communicate regularly with our parents and teachers about school experiences so that they can help us to be successful in school.
- ◆ Limit TV and electronics watching and study or read every day after school.
- ◆ Respect the school, our classmates, the school's staff, and families.

**Family/Parent Pledge:**

**The parents/families of Cambridge Elementary School students agree to carry out the following responsibilities to the best of their abilities:**

- ◆ Provide a quiet time and place for homework, and monitor TV viewing and use of electronics and the internet.
- ◆ Read to our children or encourage them child to read independently every day.
- ◆ Ensure that our children attend school every day, get adequate sleep, regular medical attention, and proper nutrition.
- ◆ Regularly monitor our children's progress in school.
- ◆ Participate at school in activities such as the PTA, volunteering, chaperoning field trips and special events, attending parent-teacher conferences, and attending school board meetings.

- ◆ Communicate the importance of education and learning to our children.
- ◆ Respect the school, staff, students, and families.

**CODE H2**

#### **4. CAMBRIDGE TOWN SCHOOL DISTRICT PARENTAL INVOLVEMENT**

##### **Policy**

It is the policy of the Cambridge Town School District to encourage and support the involvement of parents in their children's education.

##### **Background**

Research has shown that parent involvement is a key factor in the academic and social success of students. The Board believes it is important that parents are involved in their child's education at home, in school, and within the larger community. New educational initiatives mandate or encourage the strengthening of the parent/school/community relationship.

##### **Implementation**

The Superintendent shall develop and implement programs and procedures to accomplish the following objectives:

1. Parents should be informed about their children's educational programs, instructional methods and objectives, and notified directly of any significant changes.
2. Parents should be provided with opportunities to become informed about program design, operation and evaluation, and to communicate with educators on these subjects.
3. Parents should be encouraged to observe instructional activities, attend program meetings, discuss concerns with educators, participate in program evaluation and improvement efforts, and give recommendations to school staff, administration, and Board members.
4. Parents should be provided with information and opportunities intended to improve their abilities to work with their children at home and in school, and to build partnerships between homes and schools.
5. Professional and non-professional staff members, administrators, School Board members, and school-community partners should be provided with training opportunities intended to improve their abilities to build more effective relationships with parents.

*Date Warned: 1/23/13*

*Date Adopted: 8/7/13*

*Legal Reference(s): 16 V.S.A. §165 (School Quality Standards)*

*Cross Reference: Visits to Schools (H5)  
School Community Relations (H1)*

#### **5. COMMUNICATING WITH SCHOOL**

If during the course of the school year you have any concerns regarding your child, his/her teacher or any other aspects of the school, you are requested to follow the procedure in sequential order as listed below. We hope this method of handling problems expedites matters.

1. SEE THE TEACHER – Make an appointment or telephone and discuss your concern with the teacher. It is sometimes helpful to have the child present for purposes of clarification.



2. SEE THE PRINCIPAL – If the situation has not been resolved to your satisfaction by a discussion with the teacher, make an appointment with the Principal.
3. SEE THE SUPERINTENDENT – If you still feel the need for further discussion about the problem, an appointment can be scheduled with the Superintendent of Schools.
4. SEE THE SCHOOL BOARD – If the problem is not resolved at other levels.

## **6. COMPLAINT RESOLUTION PROCEDURE**

This complaint resolution procedure applies to all programs administered by the U.S. Department of Elementary and Secondary Education under the No Child Left Behind Act (NCLBA) as well as all other programs related to Cambridge Elementary School.

For purposes of this policy, a complaint is a formal allegation that a specific federal or state law or regulation pertaining to such programs has been violated, misapplied, or misinterpreted by school district personnel or by Vermont Department of Education personnel.

Any parent or guardian, surrogate parent, teacher, administrator, school board member, or other person directly involved with an activity, program or project operated under the general supervision of the Department of Elementary and Secondary Education pursuant to NCLBA may file a complaint. Such a complaint:

- must be in writing and signed;
- must provide specific details of the situation; and
- must indicate the law or regulation that is allegedly being violated, misapplied, or misinterpreted.

The written, signed complaint must be filed and the resolution pursued in accordance with local school district policy, which normally requires that the complaint first be submitted to the Principal. If the party submitting the complaint is not satisfied with the Principal's response, then the complaint may be referred to the Superintendent, and if not satisfactorily resolved by the Superintendent, it may be referred to the School Board. If still not satisfied, then the complainant may file a complaint with the Vermont Department of Education. If there is no evidence that the parties have attempted in good faith to resolve the complaint at the local level, the Department may require the parties to do so and may provide technical assistance to facilitate such resolution.

Any persons directly affected by the actions of the Department of Education may file a similarly written complaint if they believe state or federal laws or regulations have been violated, misapplied, or misinterpreted by the Department itself.

Anyone wishing more information about this policy or complaint procedure may contact the Principal, Superintendent, or Vermont Department of Education. Inquiries to the latter may be directed to:

Secretary of Education  
Vermont Department of Education  
120 State Street  
Montpelier, VT 05620

This policy language has been uniformly adopted by all school districts within the LNSU to which it applies.

## **7. ATTENDANCE–ABSENCE-TRUANCY**

### **ATTENDANCE**

**It is the policy of Lamoille North Supervisory Union to set high expectations for consistent student school attendance in accordance with Vermont law (V.S.A. Title 16, Chapter 25) in order to facilitate and enhance student learning.**

#### **Introduction:**

Vermont law (Title 16, Section 1121) requires children between the ages of 6 and 16 to attend a public school. In addition to the legal responsibility, regular school attendance is important for a number of other reasons. First, it is critical to the academic and social/emotional growth of all children. Second, regular and punctual attendance fosters the development of responsible and effective work/study habits. Clear expectations regarding student attendance support this shared responsibility (exceptions to this statute as per Title 16, Sections 1121 & 1123). Finally, education is a responsibility shared by individual students, families, schools and communities.

## **RESPONSIBILITIES**

### **Parents/Guardians**

Vermont law states that it is the responsibility of a child’s parent or guardian to cause their children to attend and participate in school on a regular basis. It is also their responsibility to provide written notification of a child’s absence.

### **School and District**

Vermont law states that the Principal or designee will make reasonable effort to contact and work with parents/guardians to implement necessary supports to have children attend school on a regular basis. The principal or designee will document all student absences and will determine the thresholds for interventions. The Superintendent shall seek corroboration of mental or physical unfitness to attend school when appropriate.

## **ATTENDANCE PROCEDURES**

Student attendance will be recorded daily; for the purposes of communication, parents will receive an “BLIMessaging” notification each day a student is not present by 7:50. Any student who arrives after 7:50 will be required to sign in with the attendance secretary upon arrival. Parents/guardians of students who do not sign in will receive an “BLIMessaging” notification each day a student is determined to be absent from their first class.

<b>5 Days Absent</b>	<b>10 Days Absent</b>	<b>15 Days Absent</b>	<b>Beyond 15 Days Absent (but not more than 20 days)</b>
Notification mailed to parent/guardian	Notification mailed to parent/guardian	Notification mailed to parent/guardian	Determination Letter to parent/guardian via certified mail
	Notification includes support services offered	Notification includes support services offered	Determination letter includes support services offered
	Notification w/potential consequences	Notification includes potential truancy consequences	Determination Letter w/ specific consequences
	Notification copied to (LCTP) and Supt	Notification copied to LCTP and Superintendent	Determination Letter copied to LCTP and Superintendent
		Notification requests a meeting between family, school, and LCTP	Determination Letter provides evidence of areas not met in Attendance Plan
		Attendance Plan is developed and implemented	Determination Letter is forwarded to Division of Child and Family Services and Vermont State Attorney Office

### **Excused Absences**

In certain instances a student’s absence from school cannot be avoided. A student may be excused for absences related to:

- Illness - absences that exceed 10 days per year must be documented by a medical professional including CES Nurse, Case Manager or School counselor. Undocumented absences beyond 10 days per year will be considered unexcused.
- Family emergency or death in immediate family
- Religious observance

- Appointments with professional health care providers - including mental health providers which cannot be scheduled during non-school hours - if a student has a medical appointment they should bring in a note from the health care office when they return to school or the absence will be considered unexcused

Unexcused Absences

- *Transportation: missed bus, car failures, etc.*
- *Non-school related enrichment programs ex: Forest school, Smuggs Academy*
- *Personal: vacation, planned absences for personal reasons*

Tardiness

It is essential that students walking or being driven to school arrive in their classrooms no later than 7:50. The school day officially starts at 7:50, and most classrooms begin their Morning Meeting with their class at this time. This community time is important for children to feel part of their class, feel connected to their teacher and peers. It is also a time where students receive important information about their day. Teachers often incorporate important instructional components (literacy, shared reading and writing, math activities) into their Morning Meeting. Students who are habitually late miss this important time and often also miss literacy or math instruction, which are usually taught first thing in the morning. We understand that occasional things come up with families and children, but if a teacher feels that a student's habitual tardiness is affecting their learning, they may bring it to the principal's attention. The principal may request a parent conference to try to resolve the matter.

**8. STUDENT BEHAVIOR AND DISCIPLINE PHILOSOPHY**  
**STUDENT CONDUCT AND DISCIPLINE**

CODE C20 (Recommended)<sup>1</sup>  
STUDENT CONDUCT AND DISCIPLINE

**Policy**

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

**Definitions**

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.<sup>2</sup>

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 off of school grounds and vehicles used to transport students to and from school or school activities.<sup>3</sup>

3) **Expelled** means the termination of educational services for the remainder of the school year or up to 90 school days, whichever is longer.<sup>4</sup>

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

5) **Dangerous Device** includes any object that is used in the manner for which it is not intended but instead used in a manner which could cause serious bodily injury or fear of serious bodily injury.

**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.

*<sup>1</sup> 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 Rules and Practices includes a school quality standard that refers to a “safe and orderly school environment,” and refers to the required discipline plan, but does not require a policy. The Vermont Department of Education has posted guidelines for discipline plan development and several other resources on student discipline issues on its website at [http://www.state.vt.us/educ/new/html/pgm\\_safeschools/pubs.html#resource](http://www.state.vt.us/educ/new/html/pgm_safeschools/pubs.html#resource)*

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

*<sup>3</sup> 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).*

### **Administrative Responsibilities**

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

The plan will include clear guidelines for student behavior. The guidelines may include provisions for the suspension or expulsion of students who engage in misconduct on school property, on a school bus, or at a school sponsored activity when the misconduct makes the continued presence of the student harmful to the welfare of the school. The guidelines may also include provisions for the suspension or expulsion of students who engage in misconduct not on school property, on a school bus, or at a school sponsored activity where direct harm to the school can be demonstrated or where the misconduct can be shown to pose a clear and substantial interference with another student’s equal access to educational programs.<sup>5</sup>

The guidelines for student behavior will also include prohibitions against the possession by students of knives, weapons and dangerous instruments while at school, and shall allow disciplinary action up to and including expulsion for violations of the prohibition against knives, weapons and dangerous instruments that are not possessed at school as part of an educational program sponsored or sanctioned by the school.<sup>6</sup>

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

Date Warned: 7/24/17

Date Adopted: 8/14/17

Legal Reference(s):

16 V.S.A. §1161a (discipline)  
16 V.S.A. §1162 (suspension and expulsion)  
20 U.S.C. §§1400 et seq.(IDEA)  
29 U.S.C. §794 (Section 504, Rehabilitation Act of 1973)  
VT State Board of Education Manual of Rules & Practices §4311, 4312,  
4313; 2120.8.12  
Cross Reference: Board Commitment to Non-Discrimination  
Public Complaints About Personnel  
Interrogations or Searches of Students by Law Enforcement)  
Officers or Other Non-School Personnel  
Search and Seizure  
Alcohol and Drug Abuse  
Weapons

<sup>5</sup> See 16 V.S.A. § 1162(a)(3)

<sup>6</sup> The “knives, weapons and dangerous instruments” prohibition in this model

## **CAMBRIDGE ELEMENTARY SCHOOL DISCIPLINE PROCEDURE:**

Cambridge Elementary School is committed to establishing an environment that will enhance the development of our students, school personnel and parents. It is our belief that the discipline process should be a learning experience, including problem solving and personal growth. This process will emphasize student responsibility and ownership, instruction, consistency, respect and dignity, fairness and safety. At Cambridge Elementary School:

- Discipline will preserve the dignity of all individuals
- Appropriate behavior will be modeled by all staff
- Everyone will take responsibility for their actions
- Discipline fosters internal controls for student responsibilities
- Parents play a primary role in making the system work
- Rules will be clearly stated and consequence applied fairly and consistently
- Staff must consistently employ appropriate methods of classroom management
- Establishing, maintaining and restoring relationship is an essential part of the discipline process

PARENTS WILL BE NOTIFIED OF THE DISCIPLINE POLICY AND PROCEDURES VIA THE STUDENT HANDBOOK, WHICH IS POSTED ON THE WEBSITE AT THE BEGINNING OF EACH SCHOOL YEAR. PARENTS ARE ENCOURAGED TO READ AND DISCUSS THE SCHOOL RULES WITH THEIR CHILD.

## **SCHOOL RULES AND STUDENT RESPONSIBILITIES**

Principles and Rules serve a purpose. The purpose is to make our classrooms and school a good and safe place for children and staff. There are school wide principles and rules, which are the foundation for all areas of the school such as the classrooms, hallways, cafeteria, gym, library, playground and buses. The **School wide Principles and Rules are:**

- **Act in ways that make our school safe, caring and welcoming**
- **Do your best learning and help others do their best**
- **Take care of our school and classroom materials**

The rules serve as guidelines for how we behave. We use them to help us determine how to act and how we might change our behavior. Classroom teachers will spend time the first few days and weeks of school developing specific classroom rules and rules for all areas of the school with their students. Children are learning and experimenting with their behavior and when rules are broken or need reinforcing there are logical steps and consequences for teaching children to be responsible for their actions. Students are given the opportunity to learn from their mistakes, making mistakes is a lifelong process in which new skills and strategies are learned. The school provides opportunities for all students to learn anger management, conflict resolution, mediation and social skills. The Guidance Counselor coordinates instructional and non-instructional activities of the school to ensure that students are provided with these opportunities as part of their school day as well as during after school activities sponsored by Cambridge Elementary.

## **STRATEGIES AND CONSEQUENCES**

Cambridge Elementary School has been working toward creating a caring school community. Using guidelines of the Vermont Department of Education and working with The Responsive Classroom Model, Cambridge is committed to creating a positive and safe school climate for all. These are strategies we use for creating this environment.

- Students are given cues about appropriate behavior in the classroom.
- A brief time-out or thinking time will be arranged for the student to gain self-control, after which the student will return to the lesson or activity. (Flagrant or repeated misbehavior may eliminate the reminder step). If the student continues to behave inappropriately, the classroom teacher will use a “buddy teacher.”
- Oral Plans: Teachers have students identify which rule has been broken and provide the student the support necessary to develop a plan to change their behavior. A student who denies the behavior and/or doesn't understand which rule has been broken will be given information to assist them in identifying what rule was broken and what could be done differently. Students who are not able to work with the teacher to change their behavior will be asked to go to the Helping Center.
- Teachers may use the buddy teacher support system as another means for a child to gain self-control.
- Helping Center: The Helping Center provides students with additional academic, social and behavioral supports. The Helping Center Process involves a number of supports or possible consequences to help students be successful in making appropriate choices and to learn. **Parents are important to the Helping Center process. Children are more likely to be successful if they know their parents think the consequence is a good one and that the parents support the school's discipline program.**
- In extreme situations, where a student may be physically out of control, a teacher may remove his/her class from the situation and ask for security assistance from the Principal and/or members of the school's crisis response team who are trained in physical restraint. In these cases, every attempt to notify the parent to retrieve the child will be made as soon as physical restraint becomes necessary. In extreme circumstances, law enforcement may be contacted for assistance.
- It is the intent of CES to emphasize the use of positive behavioral interventions and supports and to avoid the use of physical restraint or seclusion to address targeted behavior.

The above procedure is utilized for rule breaking behavior to allow the student to regain their self-control in the shortest time possible. Other logical consequences such as loss of privilege or an “apology of action” may be suitable for other misbehaviors. In such cases teachers work with students to improve their behavior through these and other appropriate means that are responsible and respectful of the student's needs.

For some children, these strategies to self-control may not be enough or may not be successful. In such cases, specific behavior management plans may be developed with the knowledge and help of parents, teachers, specialists, and administrators. Counseling or evaluations may also be suggested. In these cases, parents will be requested to attend an education support team meeting to discuss next steps to help the child manage and overcome their behavior problem. Some behaviors may result in in-school detention, suspension or expulsion. (See list of behaviors mentioned in behaviors that may lead to suspension or expulsion section).

### **CONSEQUENCES FOR STUDENT BEHAVIOR**

Consequences such as the following, depending on the situation, may happen:

- The student develops a written Behavior form
- The student may spend time in In-school detention or suspension
- The student is referred to the Principal
- The student is sent home from school to serve out of school suspension
- The student performs a task or service
- The student writes a letter of apology
- The student goes through the conflict resolution process
- The student participates in a pro-social skills and/or restorative group
- The student repairs damages or replaces lost item
- The student loses recess
- The student loses privileges
- The student stays after school
- The student participates in a parent/teacher conference

**Student Behavior Forms:** When a student is sent to the helping Center, they may be required to complete a student behavior form. The purpose of this plan is for the child to reflect on the behavior that resulted in them being sent to the helping Center.

Once the student has completed the plan to change their behavior, the student will return to the activity or the classroom as long as they are displaying self control. Completed written plans will be sent home for a parent

signature and are expected to be returned the next day to the Helping Center staff. To help students learn responsibility, the next day the student may miss recess if a signed plan doesn't come back.

A student who is angry or frustrated is not able to work on a plan and is given the opportunity to calm down and take the necessary time prior to working on their plan. The behavior form may be sent home for completion if unable to finish in the Helping Center. If the plans are not returned promptly a phone call or email will be made

**In-school detention/suspension:** In-school detention/suspension consists of a room within the Helping Center or the Principal's office where a student may be sent to sit quietly and think about their behavior. Students also spend time completing their schoolwork. The amount of time spent in this room can vary.

**Out of School Suspension:** We have heard from many parents concerned about the increase in school aggression and violence in our society. We hope that you believe as we do that our school must be a civil, caring and safe place for everyone. Because we want our school to be a safe place for everyone there are times in which a child should **not** stay in school. We ask parents for your support when those tough decisions to send a child home are necessary.

### **BEHAVIORS THAT MAY LEAD TO SUSPENSION OR EXPULSION**

There are circumstances when it will be necessary to send a child immediately home from school. The following behaviors are prohibited at the Cambridge Elementary School and can lead to in school detention, out of school suspension or expulsion:

- Destruction of physical property
- Possession of a weapon
- Physical or verbal assault
- Harassment of any form
- Bullying
- Hazing
- Threats of violence
- Lewd and lascivious conduct
- Use of excessive profane language
- Drug or alcohol use and/or possession
- Theft
- Cheating

Note that according to the Gun-Free Schools Act of 1994, any student in possession of a firearm on school property will be expelled from school for a period of not less than one year.

Students exhibiting aggressive actions to others will be immediately sent to the Helping Center and/or In-school detention depending upon the severity of their actions. A decision to send a child home will be made by the principal. School authorities may discipline a student for misconduct that does not occur on school property, on a school bus, or at a school sponsored activity where direct harm to the welfare of the school can be shown. For purposes of this plan, such misconduct is referred to as "off-campus misconduct." When discipline for off-campus misconduct is necessary to protect the student's own physical or emotional safety, or when the misconduct has a direct and immediate tendency to subvert the authority of the school by encouraging disorder or insubordination, discipline up to and including suspension or expulsion for the remainder of the school year or up to 90 school days whichever is longer may be imposed. Examples of off-campus conduct that impacts on the school and may result in disciplinary action include but are not limited to:

1. possession, consumption or sale of illegal substances;
2. harassment;
3. hazing;
4. bullying;
5. physical or verbal assault;
6. lewd and lascivious conduct;
7. destruction of physical property;
8. theft;
9. criminal conduct;
10. violations of rules governing eligibility to participate in school sponsored activities.

When suspensions or expulsions are imposed for off-campus misconduct, the same procedural safeguards will be afforded students as are afforded students subjected to suspensions or expulsions for misconduct at school or school sponsored activities.

After consultation with the principal or his/her designee, a faculty activity-sponsor or coach may make rules (e.g., training rules) governing eligibility to participate in an activity. Students may be required to show that they have discussed the eligibility rules with their parents or guardians prior to participating in an activity. For example, parents may be asked to sign a form indicating that they are aware of the rules governing participation in the activity.

Participants in school sponsored activities, members of athletic teams or clubs, and students planning to attend field trips may be barred or suspended from those activities or otherwise disciplined by school authorities for off-campus misconduct that violates the rules governing participation in those activities.

A student who is barred or suspended from participation in school sponsored activities due to misconduct, but is not suspended from school, may appeal the action to the principal. The principal or, if the principal is not available, his/her designee, will discuss the circumstances of the action and the allegations of misconduct with the student and, if requested by the student or parent, with the student's parents or guardian within 48 hours of the action. The principal may ask others who have relevant information to be present for the discussion. The suspension will remain in effect until the principal has discussed the incident with the student and has explained his/her decision to the student.

If the student is dissatisfied with the decision of the principal, the student may ask the superintendent to review the decision. Within 10 days of the request, the superintendent will provide the student and the student's parents or guardian with an opportunity to present their version of the incident and the opportunity to solicit relevant information from others who have knowledge of the allegations of misconduct or of factors that should be considered in deciding whether the action should be upheld. The superintendent will explain his/her decision to the student as soon as possible after meeting with the student, and will provide a written decision if requested to do so by the student or the student's parents or guardian. Unless otherwise determined by the superintendent due to unusual circumstances, the action will remain in effect until the superintendent makes a decision. The superintendent's decision will be final.

## CONSEQUENCES FOR AGGRESSIVE BEHAVIOR

Behavior	First Time	Second Time	Third Time	Fourth Time	Fifth Time	After Five Times
<p><b>Teasing</b>                      *name calling                      *insulting *gossiping                      *rumor spreading                      *exclusion                      *relational aggression</p> <p><b>Provocation</b></p>	<p>Written Warning/plan</p> <p>A plan for parent signature sent home</p>	<p>1 inside recess and/or lunch;</p> <p>Could start an investigation if behavior has happened more than once.</p>	<p>3 inside recesses and/or lunch:</p>	<p>5 inside recesses and/or lunches:</p> <p>Principal &amp; school counselor notified for possible individual plan and/or counseling</p>	<p>Class instruction only, for 3 days (class work &amp; free time not with class)</p> <p>Meeting w/Principal, student, parent, teacher, &amp; counselor may be set up</p>	<p>Class instruction only, for 1 week (class work &amp; free time not with class)</p> <p>Parents will be notified</p>
<p><b>Threats</b>                      *Verbal                      *Written Threats                      *Physical Threats</p> <p><b>*Intimidating</b></p>	<p>1 inside recess and/or lunch/out of classroom</p> <p>Principal &amp; guidance counselor notified</p>	<p>3 days of inside recesses and/or lunch:</p> <p>Principal &amp; school counselor notified</p>	<p>5 days of inside recesses and/or lunches:</p> <p>Principal &amp; school counselor notified</p>	<p>Class instruction only, for 3 days (class work &amp; free time not with class)</p> <p>A call home made</p> <p>Counseling</p>	<p>Class instruction only, for a week (class work &amp; free time not with class)</p> <p>Meeting w/Principal, student, parent, teacher, and counselor may be set up</p>	<p>In school Detention</p> <p>Amount of time Determined by team and/or principal.</p> <p>Parents will be notified by Principal or Counselor</p>
<p><b>Inappropriate Talk / Lang. / Touch</b></p> <p>Principal &amp; school counselor notified                      Could go into the Harassment / Bullying Category</p>	<p>Written Plan</p> <p>Education with school counselor</p> <p>*See below</p>	<p>2 days of inside recesses and/or lunch:</p>	<p>3 days of inside recesses and/or lunch:</p>	<p>In school Detention</p> <p>Amount of time Determined by team and/or principal.</p>		
<p><b>Physical Behavior</b></p>		<p>1 inside recess</p>				<p>In school</p>



*hitting, *pushing *slapping, *grabbing, *spitting, *poking, *kicking, *pinching, *biting *punching *throwing something at a person	Written Warning/plan  a plan for parent signature sent home	and/or lunch;	3 inside recesses and/or lunch:	5 days inside recesses and/or lunches:  A Behavior Plan to be considered.	Class instruction only, for 3 days (class work & free time not with class)  A call home made & meeting set up	Detention  Amount of time Determined by team and/or principal.  Parents will be notified by Principal or Counselor
<b>Severe Physical Behavior</b>  hitting, punching, kicking, and similar behavior that may injure others.	3 inside recesses and/or lunch Possible re-entry meeting	5 inside recesses and/or lunches:	Class instruction only, for 1 or more days depending on the behavior	Class instruction only, for 3 or more days depending on the behavior  A Behavior Plan to be considered.	Class instruction only, for 1 week  Individual plan  Meeting with parents	Indefinite class instruction only or In School Detention  Meeting w/parents to revisit Behavior Plan.
<b>Harassment Complaints</b> racial, ethnic, sexual name calling, disability, other severe harassment  <b>Bullying Complaints</b> Repeated overtime is intended to ridicule, humiliate, or intimidate  <b>This includes cyber Bullying and Harassment complaints</b>	Investigation takes place and Policies sent home if warranted.  Parents of both parties notified.  Consequence determined at conclusion of investigation					
<b>Retaliation or Any Kind of Weapons</b>	Written plan to go home / Call home from principal  Consequence to be established after investigation					

\*Additional consequences for any behavior will be left up to the discretion of the administrator (i.e. out-of-school suspension or in-school detention). K-2 grades may warrant additional reminders/education before these consequences apply.

## **9. THE RESPONSIVE CLASSROOM® APPROACH**

### ***What is the Responsive Classroom approach?***

It is a way of teaching that creates a safe, challenging, and joyful classroom and schoolwide climate for all students. Teachers who use the *Responsive Classroom* approach understand that all of students' needs—academic, social, emotional, and physical—are important. Elementary and middle school teachers create an environment that responds to all of those needs so that your child can do his or her best learning.

The *Responsive Classroom* approach develops teachers' competencies in four key areas:

**n Engaging Academics**—Teachers create learning tasks that are active, interactive, appropriately challenging, purposeful, and connected to students' interests.

**n Positive Community**—Teachers nurture a sense of belonging, significance, and emotional safety so that students feel comfortable taking risks and working with a variety of peers.

**n Effective Management**—Teachers create a calm, orderly environment that promotes autonomy and allows students to focus on learning.

**n Developmentally Responsive Teaching**—Teachers use knowledge of child development, along with observations of students, to create a developmentally appropriate learning environment.

### ***How might the Responsive Classroom approach look and sound in my child's classroom?***

The *Responsive Classroom* approach offers practical strategies for teaching, rather than formulas

telling teachers what they must do in the classroom. Teachers adapt the strategies as needed to address their students' needs, so things may look a bit different in each classroom. But you'll usually see and hear teachers:

**n Leading a daily Morning Meeting in the elementary setting and a Responsive Advisory Meeting in the middle school setting.** These routines set a positive tone and build a sense of community and belonging while giving students practice in key academic and social skills.

**n Teaching students the specific skills they need to participate successfully,** from how to respond to a signal for quiet to how to respectfully disagree with a classmate.

**n Treating mistakes in a positive way.** Teachers see mistakes (in academics and in behavior) as important steps in learning. They encourage students to learn from their mistakes and "try again." They offer support and reteach as needed. At the same time, teachers provide clear expectations for behavior and stop misbehavior quickly so that students can focus on learning.

**Using positive language.** Teachers choose words and tone that encourage students to work hard, enjoy learning, and persist through difficulties.

**n Teaching in ways that build excitement about learning.** Teachers give students some choices in their learning. They also plan active lessons (ones that get students up and moving) and interactive lessons (ones that encourage students to share their information, ideas, and questions).

**n Giving students opportunities to reflect on their learning.** Teachers ask students to think about what they've learned, both individually and as a group, because doing so helps students learn more and builds community.

**n Reaching out to parents.** Teachers communicate often with parents and welcome them as partners in their child's education.

#### ***How do you know it works?***

Over the past thirty years, teachers who use *Responsive Classroom* strategies have reported significant improvements in their students' learning and behavior. And researchers, as well as teachers, have found that students:

**n** Achieve higher scores on math and reading tests

**n** Have better social skills (listening, disagreeing respectfully, waiting for a turn, etc.)

**n** Feel more positive about school, teachers, and peers

#### ***Where did the Responsive Classroom approach come from?***

A group of public school educators began developing it in 1981, building on the best research about how children learn. Over the years, the approach has been refined to reflect the most current and useful knowledge about children.

#### ***What social skills do teachers focus on?***

Students learn academics most easily when they have strong social skills that let them take a positive role in classroom life. For example, the social skill of listening respectfully helps students learn from classmates' oral reports, get information from their teacher about how to solve a math problem, and enjoy a book the teacher reads aloud to the class.

Here are some of the specific social skills that teachers focus on throughout the year, with special emphasis during the early weeks of school:

**n** Cooperation (working smoothly with others)

**n** Assertiveness (confidently putting forth your ideas and opinions)

**n** Responsibility (taking charge of yourself and working hard at your learning)

**n** Self-control (thinking before acting)

**n** Empathy (listening to others and understanding how they might respond to your words or actions)

#### ***How do teachers teach these skills?***

Teachers understand that students may not come to their classrooms knowing how to take turns, listen, disagree respectfully, walk quietly in a hallway, or do many other things that reflect positive school behavior. To help the students learn, teachers will carefully:

**n** Break skills and tasks into small parts

**n** Briefly describe the behavior they're looking for

**n** Model the behavior

**n** Give students plenty of practice and feedback

**n** Reteach as necessary throughout the year

#### ***When do teachers teach these skills?***

Teachers weave social skills teaching into everything the students do—academics, recess, lunch, and even entering and leaving the school building and classroom. During a math lesson, for example, third graders learn how to count money while also learning how to

listen respectfully to a classmate's idea for how to solve a problem. During recess, students of all ages learn how to include everyone in their games.

Although teachers help students learn social skills throughout the school year, they focus most strongly on teaching these skills during the early weeks of school. It's during this time that expectations for behavior are clearly laid out and students are taught how to meet these expectations. When teachers take the time to teach and model these skills well in the beginning of the year, they spend less time on behavior problems and more time on learning all year long.

#### ***What about classroom rules?***

During the early weeks of school, teacher and students create rules based on the students' goals for learning.

Students follow the rules more willingly because they helped to make them. Teachers refer to the rules many times throughout the day and year, helping students understand how following the rules helps everyone to learn. Some schools also have a few basic schoolwide rules that everyone follows in the hallways, lunchroom, and other common spaces.

#### ***What do teachers do when children break the rules?***

Teachers understand that all students will, at one time or another, test or break the rules. When that happens, teachers discipline firmly but kindly and positively. The goals are (1) to stop the misbehavior as quickly as possible so that the child (and classmates) can get back to learning and (2) to teach the child to reflect on and control his or her own behavior.

The *Responsive Classroom* approach offers teachers many tools to help students control their own behavior and contribute to the classroom community. One very important tool is clear, positive language. When students are just beginning to go off course, teachers use reminding language (Karen, what should you be doing right now?). When students are clearly misbehaving, teachers use redirecting language (Mike, hands in your lap). And when students are doing well, teachers use reinforcing language (I noticed that you cleaned up very quickly today). Teachers also make sure that the consequences for misbehavior are related to the misbehavior and respectful of the child.

Many teachers also use positive time-out (although the class may decide on a different name, such as take-a-break) to help students regain control when they're just beginning to lose it. Time-out offers students a quick way to calm down, reset, and rejoin the class with dignity—it's not a punishment.

#### ***How can I learn more about the Responsive Classroom approach?***

- n Visit the *Responsive Classroom* website: [www.responsiveclassroom.org](http://www.responsiveclassroom.org)
- n Sign up on the website for the free monthly email newsletter that features articles from the Information Library
- n Follow *Responsive Classroom* on Facebook or Twitter

## **10. POLICY AND PROCEDURES ON THE PREVENTION OF HARASSMENT, HAZING AND BULLYING OF STUDENTS**

### Cambridge Town School District

F30

#### Policy on the Prevention of Harassment, Hazing and Bullying of Students

##### I. Statement of Policy

The Cambridge Town School District (hereinafter "District") is committed to providing all of its students with a safe and supportive school environment in which all members of the school community are treated with respect.

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

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

The District shall address all complaints of harassment, hazing and bullying according to the procedures accompanying this policy, and shall take appropriate action against any person - subject to the jurisdiction of the board - who violates this policy. Nothing herein shall be construed to prohibit punishment of a student for conduct which, although it does not rise to the level of harassment, bullying, or hazing as defined herein, otherwise violates one or more of the board's disciplinary policies or the school's code of conduct. The Model Procedures are expressly incorporated by reference as though fully included within this Model Policy. The Model Procedures are separated from the policy for ease of use as may be required.

## II. Implementation

The superintendent or his/her designee shall:

I Adopt a procedure directing staff, parents and guardians how to report violations of this policy and file complaints under this policy. (See Model Procedures on the Prevention of Harassment, Hazing and Bullying of Students)

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1 Throughout this model policy and the related procedures, "District" shall apply to Independent Schools and should be substituted as appropriate. References to the Superintendent shall equate to "Head of School" or "Headmaster" as appropriate, with regard to Independent Schools. Where language suggests a "District" will take action, it shall be the Superintendent, the Head of School, the Headmaster or his/her designee.

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

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

## III. Constitutionally Protected Speech

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

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

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

- a. Is repeated over time;
  - b. Is intended to ridicule, humiliate, or intimidate the student; and
  - c. (i) occurs during the school day on school property, on a school bus, or at a school-sponsored activity, or before or after the school day on a school bus or at a school sponsored activity; or  
(ii) does not occur during the school day on school property, on a school bus or at a school sponsored activity and can be shown to pose a clear and substantial interference with another student's right to access educational programs.
- B. "Complaint" means an oral or written report information provided by a student or any person to an employee alleging that a student has been subjected to conduct that may rise to the level of hazing, harassment or bullying.
- C. "Complainant" means a student who has provided oral or written information about conduct that may rise to the level of hazing, harassment or bullying, or a student who is the target of alleged hazing, harassment or bullying.
- D. "Designated employee" means an employee who has been designated by the school to receive complaints of hazing, harassment and bullying pursuant to subdivision 16 V.S.A. 570a(a)(7). The designated employees for each school building are identified in Appendix A of this policy.
- E. "Employee" includes any person employed directly by or retained through a contract with the District, an agent of the school, a school board member, a student teacher, an intern or a school volunteer. For purposes of this policy, "agent of the school" includes supervisory union staff.
- F. "Equity Coordinator" is the person responsible for implementation of Title IX (regarding sex-based discrimination) and Title VI (regarding racebased discrimination) for the District and for coordinating the District's compliance with Title and Title VI in all areas covered by the implementing regulations. The Equity Coordinator is also responsible for overseeing implementation of the District's Preventing and Responding to Harassment of Students and Harassment of Employees policies. This role may also be assigned to Designated Employees.
- G. "Harassment" means an incident or incidents of verbal, written, visual, or physical conduct, including any incident conducted by electronic means, based on or motivated by a student's or a student's family member's actual or perceived race, creed, color, national origin, marital status disability, sex, sexual orientation, or gender identity, that has the purpose or effect of objectively and substantially undermining and detracting from or interfering with a student's educational performance or access to school resources or creating an objectively intimidating hostile, or offensive environment.

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

- (1) Sexual harassment, which means unwelcome conduct of a sexual nature, that includes sexual violence/sexual assault, sexual advances, requests for sexual favors, and other verbal, written, visual or physical conduct of a sexual nature, and includes situations when one or both of the following occur:
- (i) Submission to that conduct is made either explicitly or **mplicitly** a term or condition of a student's education, academic status, or progress; or
  - (ii) Submission to or rejection of such conduct by a student is used as a component of the basis for decisions affecting that student.

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

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

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

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

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

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

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

With respect to Hazing, "Student" means any person who:

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

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

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

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

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

M. "School administrator" means a superintendent, principal or his/her designee assistant principal/technical Center director or his/her designee and/or the District's Equity Coordinator.

N."Student Conduct Form" is a form used by students, staff, or parents, to provide, in written form, information about inappropriate student behaviors that may constitute hazing, harassment and/or bullying. Wamed: August 12, 2015 Adopted: August 25, 2015

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

Name: Mary Anderson  
Title: Principal  
Contact: 644-8821x101  
Name: Pam Cushman  
Title: School Counselor  
Contact: 521-5624

## **Model Procedures on the Prevention of Harassment, Hazing and Bullying of Students**

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

A. Student Reporting: Any student who believes that s/he has been hazed, harassed and/or bullied under this policy, or who witnesses or has knowledge of conduct that s/he reasonably believes might constitute hazing, harassment and or/bullying, should promptly report the conduct to a designated employee or any other school employee.

B. School employee reporting: Any school employee who **witnesses conduct** that s/he reasonably believes might constitute hazing, harassment and/or bullying shall take reasonable action to stop the conduct and to prevent its recurrence and immediately report it to a designated employee and immediately complete a Student Conduct Form.

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

C. Other reporting: Any other person who witnesses conduct that s/he reasonably believes might constitute hazing, harassment and/or bullying under this policy should promptly report the conduct to a designated employee.

D. Documentation of the report: If the complaint is oral, the designated employee shall promptly reduce the complaint to writing in a Student Conduct Form, including the time, place, and nature of the alleged conduct, the identity of the complainant, alleged perpetrator, and any witnesses. Both the complainant and the alleged perpetrator will have the right to present witnesses and other evidence in support of their position.

E. False complaint: Any person who knowingly makes a false accusation regarding hazing, harassment and/or bullying may be subject to disciplinary action up to and including suspension and expulsion with regard to students, or up to and including discharge with regard to employees. There shall be no adverse action taken against a person for reporting a complaint of hazing, harassment and/or bullying when the person has a good faith belief that hazing, harassment and/or bullying occurred or is occurring.

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

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

Office for Civil Rights, Boston Office

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

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

A. Upon **notice of information** that hazing, harassment and/or bullying may have occurred the designated employee shall:

- i. Promptly reduce any oral information to writing, including the time, place, and nature of the conduct, and the identity of the participants and complainant.
- ii. Promptly inform the school administrator(s) of the information;
- iii. If in the judgment of the school administrator, the information alleges conduct which may constitute harassment, hazing or bullying, the school administrator shall, as soon as reasonably possible, provide a copy of the policy on hazing, harassment and bullying and these procedures to the complainant and accused individual, or if either is a minor, cause a copy to be provided or delivered to their respective parent or guardian.

B. Upon **initiation of an investigation**, the designated employee shall:

- i. Notify in writing both the complainant and accused individual (or if either is a minor inform their respective parent or guardian) that:
  1. an investigation has been initiated;
  2. retaliation is prohibited;
  3. all parties have certain confidentiality rights; and
  4. they will be informed in writing of the outcome of the investigation.

C. All notifications shall be subject to state and/or federal laws protecting the confidentiality of personally identifiable student information. Pursuant to 34 CFR Part 99.30, a school administrator may seek the consent of the parent/guardian of the accused student, or the accused eligible student (if 18 or older, the accused student has the ability to consent), in order to inform the complainant of any disciplinary action taken in cases where the school determined that an act(s) of harassment, hazing, and/or bullying, or other misconduct occurred. The parent/guardian or eligible student shall provide a signed and dated written consent before an educational agency or institution discloses personally identifiable information from the student's education records.

## III. Investigating Hazing, Harassment and/or Bullying Complaints

A. Initiation of Investigation - Timing. Unless special circumstances are present and documented, such as reports to the Department for Children and Families ("DCF") or the police, the school administrator shall, no later than one school day after Notice to a designated employee, initiate or cause to be initiated, an investigation of the allegations, which the school administrator reasonably believes may constitute harassment, hazing or bullying.

B. Investigator Assignment. The school administrator shall assign a person to conduct the investigation; nothing herein shall be construed to preclude the school administrator from assigning him/herself or a designated employee as the investigator. No person who is the subject of a complaint shall conduct such an investigation.

C. Interim Measures. It may be appropriate for the school to take interim measures during the investigation of a complaint. For instance, if a student alleges that he or she has been sexually assaulted by another student, the school may decide to place the students immediately in separate classes and/or transportation pending the results of the school's investigation. Similarly, if the alleged harasser is a teacher, allowing the student to transfer to a different class may be appropriate. In all cases, the school will make every effort to prevent disclosure of the names of all parties involved – the complainant, the witnesses, and the accused -- except to the extent necessary to carry out the investigation. In all cases where physical harm has resulted and/or where the targeted student is known to be expressing suicidal ideation, or experiencing serious emotional harm, a safety plan will be put in place. Safety plans must also be considered in cases where the targeted student is known to have difficulty accessing the educational programs at the school as a result of the inappropriate behavior. No contact orders, or their enforcement, may also be appropriate interim measures.

D. Due Process. The United States Constitution guarantees due process to students and District employees who are accused of certain types of infractions, including but not limited to sexual harassment under Federal Title IX. The rights established under Title IX must be interpreted consistent with any federally guaranteed due process rights involved in a complaint proceeding, including but not limited to the ability of the complainant and the accused to



present witnesses and other evidence during an investigation. The District will ensure that steps to accord due process rights do not restrict or unnecessarily delay the protections provided by Title IX to the complainant.

E. Standard Used to Assess Conduct. In determining whether the conduct constitutes a violation of this policy, the investigator shall consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. The complainant and accused will be provided the opportunity to present witnesses and other evidence during an investigation. The school will also consider the impact of relevant offcampus conduct on the school environment where direct harm to the welfare of the school can be demonstrated or the conduct can be shown to pose a clear and substantial interference with another student's equal access to educational programs. Whether a particular action constitutes a violation of this policy requires determination based on all the facts and surrounding circumstances.

F. Completion of Investigation – Timing. No later than five school days from the filing of the complaint with the designated employee, unless special circumstances are present and documented, the investigator shall submit a written initial determination to the school administrator.

G. Investigation Report. The investigator shall prepare a written report to include a statement of the findings of the investigator as to whether the allegations have been substantiated, and as to whether the alleged conduct constitutes hazing, harassment and/or bullying. The report, when referencing student conduct, is a student record and therefore confidential. It will be made available to investigators in the context of a review conducted by either Vermont AOE, or investigations of harassment conducted by the Vermont Human Rights Commission or U.S. Department of Education Office of Civil Rights.

H. Notice to Students/Parents/Guardians. Within five school days of the conclusion of the investigation, the designated employee shall:

i. Notify in writing both the complainant and accused individual (or if either is a minor inform their respective parent or guardian) that:

1. the investigation has been completed;
2. whether or not the investigation concluded that a policy violation occurred (and which policy term was violated, i.e. harassment, hazing and/or bullying);
3. that federal privacy law prevents disclosure of any discipline imposed as a result of the investigation unless the

parent/guardian of the accused student and/or the accused eligible student consents to such disclosure, pursuant to 34 CFR Part 99.30, as set forth in Section II, Part C, above.

ii. Notify the Complainant Student - or if a minor, their parent(s) or guardian - in writing of their rights to:

1. an internal review by the school of its initial determination as a result of its investigation as to whether harassment occurred;
2. request an Independent Review of the school's "final" determination as to whether harassment occurred within thirty (30) days of the final determination or although a "final" determination was made that harassment indeed occurred the school's response to that harassment was inadequate to correct the problem; and that the review will be conducted by an investigator to be selected by the superintendent from a list developed by the Agency of Education;
3. file complaints of harassment with either the Vermont Human Rights Commission and/or the federal Department of Education's Office of Civil Rights.

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

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

#### **IV. Responding to Substantiated Claims**

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

- (i) Potential Remedial Actions. Remedial action may include but not be limited to an age appropriate warning, reprimand, education, training and counseling, transfer, suspension, and/or expulsion of a student, and warning, reprimand, education, training and

counseling, transfer, suspension and/or termination of an employee. A series of escalating consequences may be necessary if the initial steps are ineffective in stopping the hazing, harassment and/or bullying. To prevent recurrences counseling for the offender may be appropriate to ensure that he or she understands what constitutes hazing/harassment and/or bullying and the effects it can have. Depending on how widespread the hazing/harassment/bullying was and whether there have been any prior incidents, the school may need to provide training for the larger school community to ensure that students, parents and teachers can recognize hazing/harassment/bullying if it recurs and know how to respond.

- (ii) School Access/Environment Considerations. The District will also take efforts to support victims' access to the District's programs, services and activities and consider and implement school-wide remedies, where appropriate. Accordingly, steps will be taken to eliminate any hostile and/or threatening environment that has been created. For example, if a female student has been subjected to harassment/bullying by a group of other students in a class, the school may need to deliver special training or other interventions for that class to repair the educational environment. If the school offers the student the option of withdrawing from a class in which a hostile environment/bullying occurred, the District will assist the student in making program or schedule changes and ensure that none of the changes adversely affect the student's academic record. Other measures may include, if appropriate, directing a bully/harasser to apologize to the affected student. If a hostile environment has affected the entire school or campus, an effective response may need to include dissemination of information, the issuance of new policy statements or other steps that are designed to clearly communicate the message that the school does not tolerate harassment and/or bullying and will be responsive to any student who reports that conduct.

(iii) Hazing Case Considerations. Appropriate penalties or sanctions or both for organizations that or individuals who engage in hazing and revocation or suspension of an organization's permission to operate or exist within the institution's purview if that organization knowingly permits, authorizes, or condones hazing.

(iv) Other Remedies: Other remedies may include providing counseling to the victim(s) and/or the perpetrator(s), and additional safety planning measures for the victim(s).

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

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

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

## **V. Post Investigative Reviews**

### Rights of Complainants

#### **A. Internal Review of Initial Harassment Determinations By Complainant.**

A complainant or parent of a complainant may request internal review by the District of a designee's initial determination (following investigation) that harassment has not occurred via written request submitted to the District superintendent. All levels of internal review of the investigator's initial determination, and the

issuance of a final decision, shall, unless special circumstances are present and documented by the District, be completed within 30 calendar days after review is requested.

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

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

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

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

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

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

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

#### Rights of Accused Students

A. Appeal. Any person determined to have engaged in an act(s) of hazing, harassment and/or bullying may appeal the determination and/or any related disciplinary action(s) taken, directly to the school board of the school district. The school board shall conduct a review on the record. The standard of review by the school board shall be whether the finding that an act(s) of hazing, harassment, and/or bullying has been committed constitutes an abuse of discretion by the school level fact finder. Appeals should be made to the school board within ten (10) calendar days of receiving the determination that an act(s) of hazing, harassment and/or bullying has occurred and/or any announced discipline. The school board shall set the matter for a review hearing at the next scheduled school board meeting to the extent practicable, but not later than 30 days from receipt of the appeal filing.

B. Accused Student/Appellant Access to Investigative Reports/Findings. The school district shall make available upon request of the Accused Student/Appellant, any relevant information, documents, materials,

etc. related to the investigation and related finding on appeal that can be redacted and de-identified in compliance with the requirements set forth at 34 CFR Part 99. For those documents that cannot be provided due to the requirements set forth at 34 CFR Part 99, when an Accused Student/Appellant seeks a review on the record before the school board of the school district, a school administrator may seek the consent of the parent/guardian of the targeted student, or the accused eligible targeted student (if 18 or older, the targeted student has the ability to consent), in order to inform the accused student of the findings which gave rise to the school's determination that an act(s) of harassment, hazing, and/or bullying occurred. The parent/guardian or eligible student shall provide a signed and dated written consent before an educational agency or institution discloses personally identifiable information from the student's education records.

## **VI. Confidentiality and Record Keeping**

**A. Privacy Concerns.** The privacy of the complainant, the accused individual, and the witnesses shall be maintained consistent with the District's obligations to investigate, to take appropriate action, and to comply with laws governing the disclosure of student records or other applicable discovery or disclosure obligations.

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

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

**B. Document Maintenance.** The Superintendent or school administrator shall assure that a record of any complaint, its investigation and disposition, as well as any disciplinary or remedial action taken following the completion of the investigation, is maintained by the District in a confidential file accessible only to authorized persons. All investigation records created in conformance with this model policy and model procedures, including but not limited to, the complaint form, interview notes, additional evidence, and the investigative report, shall be kept by the Equity Coordinator, Designated Employees and District/Supervisory Union Central Office for at least six years after the investigation is completed.

## **VII. Reporting to Other Agencies**

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

**B. Reports to Vermont Agency of Education.** If a harassment complaint is made in a public school about conduct by a licensed educator that might be grounds under Vermont law for licensing action, the principal shall report the alleged conduct to the Superintendent and the Superintendent shall report the alleged conduct to the Commissioner. If a harassment complaint is made in an independent school about conduct by a licensed educator that might be grounds under

Vermont law for licensing action, the head of school is encouraged to report the alleged conduct to the Secretary of Education.

### C. Reporting Incidents to Police

a. FERPA Rights. Information obtained and documented by school administration regarding the school's response to notice of student conduct that may constitute hazing, harassment and/or bullying may constitute an "educational record" regarding the student or student(s) involved as defined by the Family Education Rights and Privacy Act. Accordingly, such information may not be disclosed without prior parent approval to local law enforcement except in response to a lawfully issued subpoena, or in connection with an emergency if disclosure is necessary to protect the health or safety of the student or other individuals.

b. First Hand Reports. Nothing in this policy shall preclude persons from reporting incidents and/or conduct witnessed first-hand that may be considered to be a criminal act to law enforcement officials.

c. Hazing Incidents. It is unlawful to (1) engage in hazing; (2) solicit direct, aid, or attempt to aid, or abet another person engaged in hazing; or (3) knowingly fail to take reasonable measures within the scope of the person's authority to prevent hazing. It is not a defense in an action under this section that the person against whom the hazing was directed consented to or acquiesced in the hazing activity. Hazing incidents will be reported to the police in a manner consistent with the confidentiality rights set forth above in this section.

D. Continuing Obligation to Investigate. Reports made to either DCF or law enforcement shall not be considered to absolve the school administrators of their obligations under this policy to pursue and complete an investigation upon receipt of notice of conduct which may constitute hazing, harassment and/or bullying.

## VIII. Disseminating Information, Training, and Data Reporting

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

B. Student Training. The school administrator shall use his/her discretion in developing age-appropriate methods of discussing the meaning and substance of this policy with students to help prevent hazing, harassment and bullying.

C. Staff Training. The board or its designee shall ensure that teachers and other staff receive training in preventing, recognizing and responding to hazing, harassment and bullying.

E. Data Gathering. Public school districts shall provide the Vermont Agency of Education with data requested by the Secretary of Education.

### Legal References:

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

## **Code: C13**

### **Required**

## **Prevention of Sexual Harassment As Prohibited by Title IX**

### **I. Statement of Policy.**

**A. Prohibiting Title IX Sexual Harassment.** Per Title IX of the Education Amendments Act of 1972 (“Title IX”) the District does not discriminate on the basis of sex in its educational programs and activities, including employment and admissions. All forms of sex-based discrimination, including sexual harassment, are prohibited in the District. A District with actual knowledge of sexual harassment in an educational program or activity of the District against a person in the United States must respond promptly in a manner that is not deliberately indifferent. A District is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances. A District may be deemed to have been deliberately indifferent based on its restriction of rights protected under the U.S. Constitution, including the First, Fifth and Fourteenth Amendments.

**B. Retaliation.** Retaliation as defined by this Policy is expressly prohibited. Complaints alleging retaliation may be filed according to the Title IX Grievance Procedures set forth in Section IV.

**C. Concurrent Statutory Obligations.** While all forms of sex-based discrimination are prohibited in the District, the purpose of this policy is to address, and only address, sexual harassment as defined in Title IX and Section II.M. below. For conduct which satisfies that definition, a school’s response is governed by this policy, and in those cases for which they have received a filing of a formal complaint of same, as set forth under the Title IX Grievance Process set forth in Section IV below. For other forms of inappropriate conduct, or conduct which may satisfy the definition of harassment on the basis of sex under Vermont law, including student misconduct and employment based statutes prohibiting unlawful harassment and other forms of misconduct, the District may have the separate obligation to address those behaviors as required by other school policies and applicable laws.

**C. Covered Parties.** This Policy shall apply to all students, employees and any third party who contracts with the District to provide services to District students or employees, upon District property or during any school program or activity. A third party under supervision and control of the school system will be subject to termination of contracts/agreements, restricted from access to school property, and/or subject to other consequences, as appropriate.

### **II. Definitions**

As used in this Policy and during the Title IX Grievance Process, the terms below shall have the meaning ascribed.

**A. “Actual Knowledge”** means “notice” of “sexual harassment” or allegations of “sexual harassment” to either (a) a recipient’s Title IX Coordinator; or (b) any official of the recipient who has the authority to institute corrective measures on behalf of the recipient; or (c) to any employee of an elementary and secondary school.

a. For purposes of this paragraph “sexual harassment” refers to the definition as contained within this policy. For other forms of inappropriate conduct, or conduct which may satisfy the definition of harassment on the basis of sex as recognized under Vermont law, schools retain the option and in

some cases the obligation, to address those behaviors as required by policy and law.

b. Actual knowledge shall not be deemed to exist when the only official of the recipient with actual knowledge is the respondent.

c. “Notice” as used in this paragraph includes, but is not limited to, a Report of Sexual Harassment to the Title IX Coordinator as described Section IV.B.

d. Notice sufficient to trigger an obligation under this policy only shall exist where any employee has sufficient personal knowledge of alleged facts to be aware that if such facts were found to be true it would constitute a violation of this policy.

e. Imputation of knowledge based solely on vicarious liability OR constructive notice shall be insufficient to establish or constitute actual knowledge.

**B. “Complainant”** is an individual who is alleged to be the victim of conduct that could constitute “sexual harassment” under this Policy. In order for an individual to be considered to be a Complainant they need not file Report of Sexual Harassment, nor a Formal Complaint of Sexual Harassment. Where the Title IX Coordinator signs a Formal Complaint of Sexual Harassment, the Title IX Coordinator is not considered a “Complainant.”

**C. “Days”** shall mean calendar days, but shall exclude non-weekend days on which the District office is closed (e.g. holidays, office-wide vacations), or any weekday during the school year on which school is closed (e.g. snow days).

**D. “Decision-Maker”** means persons tasked with either the responsibility of

making determinations of responsibility (referred to as “Initial Decision-Maker”); or the responsibility to decide any appeal (referred to as “Appellate

Decision-Maker”) with respect to Formal Complaints of Sexual Harassment in accordance with the Title IX Grievance Process.

**E. “Determination of Responsibility”** is the formal finding by the decision-maker on each allegation of Sexual Harassment contained in a Formal

complaint that the Respondent did or did not engage in conduct constituting Sexual Harassment under Title IX.

**F. “Disciplinary sanctions”** are consequences imposed on a Respondent when s/he is determined responsible for sexual harassment prohibited under this Policy.

**F. “Emergency Removal”** for purposes of this Policy shall mean removing a respondent from the District’s education program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. Emergency Removals as permitted by this Policy shall not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

**G. “Formal Complaint of Sexual Harassment”** means a document filed by either (a) a complainant (or complainant’s parent/guardian); or (b) the Title IX Coordinator, alleging sexual harassment against a respondent AND

requesting that the District investigate the allegation of sexual harassment. The issuance or receipt of a Formal Complaint of Sexual Harassment formally triggers the Title IX Grievance Process set forth in Section IV. of this Policy.

**H. “Investigation of Title IX Sexual Harassment”** Before the District can conduct an Investigation of Sexual Harassment under this Policy, against a Respondent, a Formal Complaint of Sexual Harassment that contains an allegation of sexual harassment and a request that the District investigate the allegations is required. Such investigation is a part of the Title IX Grievance Process, as set forth in Section IV.E.

**I. “Remedial actions”** are actions intended to restore or preserve a complainant’s equal access to the educational programs and activities of the District.

**J. “Report of Sexual Harassment”** is any report which provides the District with actual knowledge of sexual harassment or allegations of sexual harassment. Such a report may or may not be accompanied by a Formal Complaint of Sexual Harassment. Without such a Complaint, the Title IX Grievance Process is not triggered. See Section IV.A and IV.B. regarding the process for initiating that process.

**K. “Respondent”** means an individual who has been reported to be the individual accused (i.e. perpetrator) of conduct that could constitute sexual harassment as defined under this policy.

**L. “Retaliation”** means intimidation, threats, coercion, or discrimination by either the District or any other person, against any individual for the purpose of interfering with any right or privilege secured by Title IX and/or this Policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing in connection with this Policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sexual discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this policy, constitutes retaliation.

Limitation in Scope.

**i. Material False Statements.** Actions taken in response to materially false statements made in bad faith, or to submitting materially false information in bad faith, as part of a report or during the Title IX Grievance Process do not constitute retaliation. A determination of responsibility alone is insufficient to conclude that a person made a materially false statement in bad faith.

**ii. 1st Amendment Protections.** The exercise of rights protected under the First Amendment does not constitute retaliation prohibited by this Policy.

**M. “Sexual harassment”** prohibited under Title IX and by this Policy is conduct on the basis of sex, occurring in an education program or activity of the District, against a person in the United States, that satisfies one or more of the following:

**1.** A school district employee conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct; OR



**2.** Unwelcome conduct determined by a reasonable person to be so severe, pervasive, AND objectively offensive that it effectively denies a person equal access to the District's education program or activity; OR

**3.** Or any conduct which would satisfies one or more of the following definitions:

a. Sexual assault: Any sexual act(s) directed at another person without consent of the victim, including instances where the victim is unable to lawfully give consent because of age or cognitive ability. Consent to a sexual act exists where words, actions or other non-verbal conduct objectively communicates a desire to participate in the sexual act(s). Consent to some sexual act(s) does not indicate consent to all sexual acts. Consent may be withdrawn at any time by objectively

communicating through words, actions or other non-verbal conduct  
AND/OR

b. Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or an intimate nature with the victim. The existence of the relationship shall be considered with reference to the length of the relationship, the type of relationship and the frequency of the interactions between the persons involved in the relationship. AND/OR

c. Domestic violence: Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner or any other persons protected under 15 V.S.A. section 1101 from domestic abuse. AND/OR

d. Stalking: A course of conduct by a person directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.

Limitation in Scope. For purposes of this policy conduct shall not be deemed to satisfy Title IX's definition of "sexual harassment" if the conduct occurred either (1) outside of the United States and/or (2) includes locations, events or circumstances over which the District did not exercise substantial control over both the respondent and the context in which the harassment occurred.

**N. "Supportive Measures"** are non-disciplinary, non-punitive, individualized services, offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment. These measures may include, but are not limited to, the following:

- 1.counseling;
- 2.extensions of deadlines or other course-related adjustments;
- 3.modifications of work or class schedules;
- 4.campus escort services;
- 5.mutual restrictions on contact between the parties;
- 6.changes in work or housing locations;
- 7.leaves of absence;

- 8.increased security and monitoring of certain areas of the district campus;
- 9.and other similar measures.

### **III. Duties**

#### **A. Reports of Sexual Harassment**

**1. Any Person May Make a 'Report of Sexual Harassment'.** Any person may report sexual harassment whether relating to her/himself or another person. A Report of Sexual Harassment may be made at any time, in person, by mail, by telephone, electronic mail, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

**a. Any Staff Member May Receive Reports.** Additionally, while the District strongly encourages Reports of Sexual Harassment to be made directly to the Title IX Coordinator, the report may be made to any District staff member, including, for instance, a counselor, teacher or principal.

**b. In Cases where Title IX Coordinator is Alleged Respondent.** If the Title IX Coordinator is the alleged respondent, in such cases either the Report of Sexual Harassment or Formal Complaint of Sexual Harassment may be made directly to the Superintendent, who shall thereafter fulfill the functions of the Title IX Coordinator regarding that Report/Complaint, or delegate the function to another person.

#### **B. District Response to Report of Sexual Harassment.**

**1. Duty to respond.** The District will promptly respond when there is Actual Knowledge of sexual harassment, even if a Formal Complaint of Sexual Harassment has not been filed.

**a. District Response Must Be Equitable.** In its response the District shall treat Complainants and Respondents equitably by providing supportive measures to the Complainant and by following the Title IX Grievance Process prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a Respondent.

**b. Reports of Harassment Received by District Employees Shall Be Referred to Title IX Coordinator.** Where any District employee – other than the employee harasser, or the Title IX Coordinator – receives information of conduct which may constitute sexual harassment under this Policy, s/he shall, without delay, inform the Title IX Coordinator of the alleged sexual harassment. Failure to report will subject the employee to discipline up to and including dismissal.

**c. Complainant Contact.** As soon as reasonably possible after receiving a Report of Sexual Harassment from another District employee or after receiving a report directly through any means, the Title IX Coordinator shall contact the Complainant [and parent/guardian in cases where the complainant is a student under the age of 18] to:

- i. discuss the availability of and offer supportive measures;
- ii. consider the complainant's wishes with respect to supportive measures;
- iii. inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and
- iv. explain to the complainant the process for filing a Formal Complaint of Sexual Harassment.

**2. Formal Investigation of Sexual Harassment.** Before the District may conduct a formal investigation of sexual harassment or take any action (other than supportive measures) against a Respondent, a Formal Complaint that

contains an allegation of sexual harassment and a request that the District investigate the allegations is required and must be filed by either the Complainant, the Complainant's Parent/Guardian, or the Title IX Coordinator, as set forth under Section IV.B. below.

**3. Initiating the Title IX Grievance Process.** A Report of Sexual Harassment alone does not initiate a Title IX Grievance Process. Before the District may initiate that process, a Formal Complaint of Sexual Harassment must be filed under the procedures set out in IV.A. ("Title IX Grievance Process").

C. Formal Complaints of Sexual Harassment.

**1. Process for Filing a Formal Complaint of Sexual Harassment.** The process for filing a Formal Complaint of Sexual Harassment is set forth in Section IV.A. ("Title IX Grievance Process").

**2. District Response to Receipt of Formal Complaint.**

**a. Investigation of Sexual Harassment.** The District must investigate the allegations of a Formal Complaint unless both parties voluntarily consent to engage in Informal Resolution, or Dismissal otherwise occurs under Section IV. G. below.

**2. District Written Notification to Parties in Response to Receipt of Formal Complaint.** Upon receipt of a Formal Complaint, the District must provide written notice as set forth in Section IV.C. below of the Title IX Grievance Process.

In response to a Formal Complaint of Sexual Harassment, the District must follow the Title IX Grievance Process set forth in Section IV.

D. District Duty to Respond When Determination of Responsibility For Sexual Harassment Has Been Made Against a Respondent. The District must provide remedies to a Complainant where a determination of responsibility for sexual harassment has been made against a Respondent designed to restore or preserve equal access to the District's education program or activity. Such

remedies may include "supportive measures" but also need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent.

E. Reporting to Other Agencies.

**1. Reports to Department of Children and Families.** When a report made pursuant to this policy includes allegations of child abuse, any person responsible for reporting suspected child abuse under 33 V.S.A. § 4491, et seq. must report the allegation to the Commission or DCF. If the victim is over the age of 18 and a report of abuse is warranted, the report shall be made to Adult Protective Services in accordance with 33 V.S.A. § 6901 et seq.

**2. Reports to Vermont Agency of Education.** If a report of sexual harassment is made to the District about conduct by a licensed educator that might be grounds under Vermont law for licensing action, the principal shall report the

**alleged conduct to the Superintendent and the Superintendent shall report the alleged conduct to the Secretary. [If a report of sexual harassment is made in an independent school about conduct by a licensed educator that might be grounds under Vermont law for licensing action, the head of school is encouraged to report the alleged conduct to the Secretary of Education.]**

**3. Reporting Incidents to Police.**

**a. FERPA Rights.** Information obtained and documented by school administration regarding the school's response to notice of student

conduct that may constitute sexual harassment may constitute an “educational record” regarding the student or student(s) involved as defined by the Family Education Rights and Privacy Act. Accordingly, such information may not be disclosed without prior parent approval to local law enforcement except in response to a lawfully issued subpoena, or in connection with an emergency if disclosure is necessary to protect the health or safety of the student or other individuals.

**b. First Hand Reports.** Nothing in this policy shall preclude persons from reporting incidents and/or conduct witnessed first-hand that may be considered to be a criminal act to law enforcement officials.

**4. Continuing Obligation to Investigate.** Reports made to DCF, AOE or law enforcement shall not be considered to absolve the school administrators of their obligations under this policy, or other school policies where appropriate, to respond, and when appropriate to investigate and follow the Title IX Grievance Process.

**F. Disseminating Information and Notice.**

**1. Notice of Title IX Policy.** The District will make this Policy publicly available on the District’s website (OR if the District does not maintain a website, available upon request for inspection by members of the public).

**2. Notice of Title IX Obligations and Coordinator Information.** The District shall include in all student and employee handbooks, and shall make publicly available on the district’s website (OR if the District does not maintain a website, available for inspection to members of the public upon request) the following information:

**a.** The District’s policy of non-discrimination on the basis of sex, that it is required by Title IX not to discriminate in such a manner, and that such requirement not to discriminate in the education program or activity of the District extends to admission and employment (all to be prominently displayed on both the website and in publications):

**b.** The title, name, office address, email address, and telephone number of the District’s Title IX Coordinator (all to be prominently displayed on both the website and in publications);

**c.** A statement that Title IX inquiries may be referred to either the District’s Title IX Coordinator or to the Assistant Secretary for Civil Rights.

The same information shall be otherwise provided to students, employees, unions or professional organizations holding collective bargaining or professional agreements with the District, and all persons seeking

employment with the District, or seeking to enroll or participate in the District’s educational programs or activities. Those persons shall also be informed of the grievance procedures and process provided for under Section IV. of this Policy, including how to file either a Report of Sexual Harassment or Formal Complaint of Harassment, and the response the District will take in response to such filings.

**3. Training Materials.** Additionally, the District will make any materials used to train personnel as required under Sec. V.F. publicly available on the District’s website (OR if the District does not maintain a website, available upon request for inspection by members of the public).

**G. Record Keeping**

**The District shall maintain for a period of seven years records of**

**1. Sexual Harassment Investigations.** The District shall maintain records of any:

- a) determination regarding responsibility;
- b) any disciplinary sanctions imposed on the respondent;
- c) any remedies provided to the complainant designed to restore or preserve equal access to the recipient's education program or activity; and
- d) any appeal and result therefrom.

**2. Any informal resolution and the result therefrom.**

**3. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.**

**4. For each response required of the District by this Policy to Actual Knowledge of Sexual Harassment, the District must create and maintain for a period of seven years the following:**

A) Records of any actions, including any supportive measures, taken in response to a Report of Sexual Harassment or Formal Complaint of Harassment. In each instance the District must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the District's educational program or activity. Where a District does not provide a Complainant with supportive measures, then the District must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the District in the future from providing additional explanations or detailing additional measures taken.

**H. Confidentiality**

**1. Duty to Maintain Confidentiality.**

The District must keep confidential the identity of any individual who has made a Report of Sexual Harassment or Formal Complaint of Sexual Harassment under this Policy, any Complainant, Respondent, and any witness, except either:

1. As may be permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 C.F.R. part 99;
2. or as required by law, such as reports to DCF, law enforcement or the Agency of Education as set forth in Section III.E above;
3. or to carry out the purposes of 34 C.F.R. part 106, including the conduct of any investigation, hearing or judicial proceeding arising thereunder, as set forth in this policy (Section IV.C.2, IV.E.7,8, and 10, IV.F.5., IV.G.3., and IV.H.7.);
4. where maintaining confidentiality with respect to supportive measures offered to the Complainant or Respondent would impair the ability of the school district to provide the supportive measures;

**IV. TITLE IX GRIEVANCE PROCESS.**

**A. General Provisions.**

**1. Triggers for Implementation.** The Title IX Grievance Process is used only upon the filing of a Formal Complaint of sexual harassment as described below. This process must be followed before any discipline of a Respondent to allegations of Sexual Harassment may be imposed by the District.

**2. Protections for Equitable Treatment in The Handling of Formal Complaints by District.** The District response to a Formal Complaint of Sexual Harassment

shall treat Complainant and Respondents equitably. In particular, this Title IX Grievance Process shall require:

- a) **“Presumption of Non Responsibility”** presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the Title IX Grievance Process;
- b) **“Objectivity”** an objective evaluation of all relevant evidence - including both inculpatory and exculpatory evidence - and provide that credibility determinations may not be based on a person’s status as a Complainant, Respondent, or Witness;
- c) **“Conflict and Bias Free Personnel”** that individuals designated by the District to act as Title IX Coordinator, investigator, decision-makers, or to facilitate an informal resolution process, shall have no conflict of interest nor bias for or against a Complainant or Respondent individually, or complainants or respondents generally;
- d) **“No Interference with Legal Privileges”** such that at no point in the grievance process will the Title IX Coordinator, the investigator, any decision maker, or any other person participating on behalf of the District, require, allow, rely upon, or otherwise use questions or evidence that constitutes, or seeks disclosure of, information protected under a legally recognized privilege (e.g., doctor/patient, attorney/client, clergy, etc.), unless the person holding such privilege (parent/guardian for minor student) has waived the privilege in writing to use the information with respect to the Title IX Grievance Process;
- e) **“Proof of Responsibility for Sexual Harassment by a Preponderance of the Evidence,”** which is only met when the party with the burden convinces the fact finder (the Initial Decision- Maker) that there is a

greater than 50% chance that the claim is true (i.e., more likely than not). This standard shall be applied to all Formal Complaints of Sexual Harassment, whether they involve students or faculty; and

**f) “Reasonably Prompt Time Frames for Conclusion of the Title IX Grievance Process.”** The District shall make a good faith effort to conduct a fair, impartial grievance process in a reasonably prompt manner designed to provide all parties with a prompt and equitable resolution. It is expected that in most cases, the grievance process will be concluded - through at least the determination of responsibility decision - within 80 days after filing the Formal Complaint of Sexual Harassment. However, more complex cases or other case specific circumstances, may require additional time beyond that timeframe. In such cases, good cause must be shown and written notice provided.

#### **1. Grievance Process Timeline.**

- a. Investigation 20 +/- days (as the complexity of the case demands);
- b. 10 days for reviewing information prior to conclusion of investigation;
- c. 10 days after receiving investigative report -by either- party to respond;
- d. 10 days for decision maker to allow initial questions;
- e. 10 days for responses to questions;
- f. 10 days for questions and responses to follow-up questions;
- f. 10 days for determination of responsibility decision;
- g. 10 days for appeal (6 additional days for administrative steps);
- h. 10 days for argument/statement challenging or supporting determination;

i. 10 days for decision on appeal.

**2. Delays and Extensions of Time.** At any stage of the grievance process, the District (through the Superintendent, or if the Superintendent is the respondent, the Title IX Coordinator or designee) may for good cause allow for temporary delays or extensions of time upon request of either party, or on his/her own initiative. Examples of good cause may include such things as availability of parties, party advisors, witnesses, school or school administrative office holidays or vacations, referral back to an earlier stage of the grievance process, concurrent law enforcement or other agency activity, or need to obtain language interpreters or accommodation of disabilities. For any such delay or extension of time, the Superintendent or the Title IX Coordinator will provide simultaneous written notice to the parties of the delay/extension and the reason(s).

**3. Delivery of Copies and Notices.** Except as specifically stated elsewhere in this Policy, for any document, information or material required to be delivered to a party or to a person assigned with responsibility under the Title IX Grievance Process, the manner of transmittal may be by electronic mail, regular mail or such other manner reasonably calculated to assure prompt delivery with evidence thereof (such as a commercial carrier or other receipted delivery).

Hand delivery will only be permitted if made to the District official charged with the specific function under this Policy (e.g., Title IX Coordinator, Superintendent, investigator, decision maker(s), etc.).

Any document required to be delivered to a minor or other non-eligible student, must also be delivered to the minor's parent/guardian. Copies should also be sent to a party's advisor if the information for the advisor has been previously communicated to the sending party.

Under federal regulations, copies of the investigative evidence, as well as the investigative report, must be forwarded to a party's advisor.

**4. Notice of Range of Disciplinary Sanctions and Remedial Actions Upon Final Determination of Responsibility.**

a. **Employee Respondents.** "Disciplinary sanctions" against an employee respondent may include any available sanction available for the discipline of employees, up to and including dismissal or non-renewal for any other violation of Board policy,, applicable individual or collective bargaining contract, or state or federal laws or regulations.

b. **Student Respondents.** "Disciplinary sanctions" against a student may include any available discipline or sanction, up to and including expulsion, permitted by District policies, and any other District rules and procedures or student code of conduct.

c. **Remedial Actions.** Remedial actions as to a Respondent after a Title IX Sexual Harassment Final Decision, whether employee or student, may include the imposition upon a responsible respondent of any additional non-disciplinary measures appropriate to effecting a remedy for sexual harassment, and may include such measures as no-contact requirements, scheduling adjustments, removal or exclusion from extracurricular activities, class reassignments, limits on future class registrations, restrictions on access to various spaces in the school buildings, reassignment of attendance, and

similar measures fine-tuned to respond appropriately to the circumstances surrounding a successful complainant's right to access the district's program and activity. Additional remedial actions may include recommendations that a school-wide or system-wide response is needed in order to respond to the sexual harassment in a way that is not clearly unreasonable under the circumstances. In such cases, the Superintendent shall provide additional staff training, harassment prevention programs, or such other measures as determined appropriate to protect the safety of the educational environment and/or to deter sexual harassment.

5. Emergency Removal. Nothing in this Policy, or Title IX Grievance Process, precludes a District from removing a Respondent from the District's education program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of

sexual harassment justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act. Such removal shall not be disciplinary.

6. Administrative Leave. Nothing in this Policy precludes a recipient from placing a non-student employee respondent on administrative leave during the pendency of the Title IX Grievance Process. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

**B. Formal Complaints of Sexual Harassment.** The Title IX Grievance Process is initiated by way of a Formal Complaint ("complaint" or "formal complaint") filed by the Complainant, the Complainant's parent/guardian, or the Title IX Coordinator.

1. Complainant Options. In cases of Actual Knowledge (and/OR) Reports of Sexual Harassment, the Complainant retains the option to either file a Complaint of Sexual Harassment or choose not to and instead simply receive the supportive measures, except as set forth below.

a. Filings by Title IX Coordinator. In cases where the Complainant does not file a Formal Complaint of Sexual Harassment, the Title IX Coordinator may nevertheless choose to sign and thus initiate a Formal Complaint of Harassment, but only if:

i. initiating the grievance process against the respondent is not clearly unreasonable in light of the known circumstances;

ii. in other cases where, in the exercise of good judgment and in consultation with the District's attorney as appropriate, the Title IX Coordinator determines that a grievance process is necessary to comply with the obligation not to be deliberately indifferent to Actual Knowledge of sexual harassment.

iii. If the Complaint is filed by the Title IX Coordinator, he/she is not a party to the action, and the District must comply with all of the provisions of the Title IX Grievance Process relative to respondents and complainants.

b. Supportive Measures. The Title IX Coordinator will contact the Complainant



to discuss and offer supportive measures.

2. Respondent Rights. In cases where no Formal Complaint of Sexual Harassment is either filed by the Complainant or the Title IX Coordinator **no disciplinary action may be taken** against the Respondent based upon conduct that would constitute sexual harassment under this policy.

Nevertheless, the Title IX Coordinator may contact the respondent to discuss, and or impose, non-disciplinary supportive measures.

3. Timeliness of Formal Complaints of Sexual Harassment. Although the District will initiate the Title IX Grievance Process regardless of when the Formal Complaint of Sexual Harassment is submitted, delays in reporting may

significantly impair the ability of school officials to investigate and respond to the allegations.

4. Jurisdiction Over Parties. Although there is no time limit per se to filing a Formal Complaint of Sexual Harassment, Complaints may be dismissed if either the Complainant or Respondent is no longer enrolled or employed by the District.

5. Manner of Filing and Content of Formal Complaints of Sexual Harassment.

Formal Complaints of Sexual Harassment may be filed with the Title IX coordinator in person, by mail, or by email and must be in writing. While forms may be obtained from the Title IX Coordinator or on the District or school website, at a minimum, a Formal Complaint of Sexual Harassment must:

- a. contain the name and address of the Complainant and the student's parent or guardian if the complainant is a minor student;
- b. describe the alleged sexual harassment;
- c. request an investigation of the matter;
- d. when filed by the Complainant be signed by the Complainant or otherwise indicate that the complainant is the person filing the complaint, or if not filed by the Complainant be signed by the Title IX Coordinator.

6. Consolidation of Complaints. The District may consolidate formal complaints of allegations of sexual harassment where the allegations of sexual harassment arise out of the same facts or circumstances and the formal complaints are against more than one respondent; or by more than one complainant against one or more respondents; or by one party against the other party. When the District has consolidated formal complaints so that the grievance process involves more than one complainant or more than one respondent, references to the singular "party", "complainant", or "respondent" include the plural, as applicable.

**C. Notification of Formal Complaint to Parties ("Notification")**. Upon receipt of a Formal Complaint of Sexual Harassment, the District must provide the following written notice to the parties who are known:

1. Notice of the District's Title IX Grievance Process (Section IV), including any informal resolution process.
  2. Notice of the allegations potentially constituting sexual harassment as defined by Section II.M., including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment as defined by Section II.M., and the date and location of the alleged conduct, if known.
- a. Supplemental Notice Required Upon Change in Investigative Scope. If, in

the course of an investigation the District decides to investigate allegations about the Complainant or Respondent that are not included in the original Notification, the District must provide simultaneous notice of the additional allegations to the parties whose identities are known.

3. The written notice must include a statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the Title IX Grievance Process set forth in Section IV. of the Policy.
4. The written notice must inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney (who may be present during any Grievance proceeding, including any related meeting or proceeding). The District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
5. The written notice must inform the parties of any provision in the District's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

**D. Informal Resolution.** At any time prior to reaching a determination regarding responsibility (but only after the filing of a formal complaint), the District may offer an optional informal resolution process (e.g., mediation, arbitration), provided that the District:

1. May not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to a Sexual Harassment Investigation of a Formal Complaint of Sexual Harassment, such as may occur through Informal Resolution;
2. May not offer an informal resolution process unless a Formal Complaint of Sexual Harassment is filed;
3. Provides written notice to the parties disclosing:
  - a) The allegations of the Formal Complaint of Sexual Harassment;
  - b) The requirements of the information resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to an informal final resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and
  - c) Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
4. Obtains the parties' voluntary written consent to the informal resolution process; and
5. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

**E. Sexual Harassment Investigation.**

The Title IX Coordinator shall designate a qualified, trained, person to investigate. The investigation must:

1. Include objective evaluation of all relevant evidence, including inculpatory and exculpatory evidence. (Evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such evidence

about the complainant's prior sexual behavior is offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the evidence concerns specific incidents of the complainant's prior sexual behavior with respect to the respondent and is offered to prove consent.)

2. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District and not on either of the parties;
3. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
5. Provide the parties with the same opportunities to have others present during any interview or other part of the investigation, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
6. Provide, to a party (e.g., Respondent or Complainant – and parent/guardian as appropriate) whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
7. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the recipient does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation;
8. PRIOR to completion of the Sexual Harassment Investigative Report, the District, through the Title IX Coordinator, must send to each party and party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report;
9. Prepare a written Sexual Harassment Investigative Report that fairly summarizes relevant evidence, including, without limitation, witness credibility, discrepancies, inculpatory and exculpatory information, and relevant District policies, rules and regulations, and the manner in which the same were made known to the pertinent school populations or specific parties. The investigative report shall include a description of the procedural steps taken, starting with the receipt of the formal complaint, and continuing through the preparation of the investigative report, including any notifications to the parties, interview with parties and witnesses, site visit, and methods used to gather evidence.

10. The investigator shall provide the Investigative Report in hard copy or electronic format to the Title IX Coordinator, to each party and each party's advisor, if any. Each party will have 10 days from receipt to provide the Title IX Coordinator a written response to the Investigative Report.

**F. Initial Determination of Responsibility.** The initial determination of respons-

ibility of the respondent shall be made by the Initial Decision-Maker.

1. Initial Decision-Maker. The Initial Decision-Maker cannot be the same person(s) as the IX Coordinator or the Investigator(s).

2. Opportunity for Relevant Party Questions. After the Investigator Report has been sent to the parties pursuant to Section IV. E.10 (above), and PRIOR to making a determination of responsibility, the Initial Decision-Maker will afford each party 10 days to submit written, relevant questions to the Initial Decision-Maker that the party wants asked of any party or witness. Only relevant questions may be posed. The Initial Decision-Maker shall explain to the party proposing the questions any decision to exclude a question as deemed “not relevant.”

a. Irrelevant Questions and Evidence. Questions and evidence about the Complainant’s sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant’s prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the Complainant, or if the question and evidence concern specific incidents of the Complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent.

b. Written Responses to Questions. The Initial Decision-Maker will provide the questions to the party/witness, with copies to each party, and provide no less than 10 days for written responses, likewise to be provided to each party.

c. Opportunity for Limited Supplemental Questions. The Initial Decision-Maker will provide 5 days each for supplementary, limited follow-up

questions and 5 days for answers, and may provide for additional rounds of follow-up questions, as long as the provision is extended to both parties equally.

3. Prohibition on Negative Inferences. The Initial Decision-Maker may not make any credibility determinations based on the person’s status as a complainant, respondent or witness.

4. Presumption of Non-Responsibility. The Respondent must be deemed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the Title IX Grievance Process.

5. Written Initial Determination Regarding Responsibility. Within 10 days following the close of the period set for responses to the last round of follow-up questions, the Initial Decision-Maker must issue a Written Initial Determination to the Title IX Coordinator, the Superintendent and the parties simultaneously, which, while applying the preponderance of the evidence standard, must include:

a. Identification of the allegations potentially constituting Sexual Harassment as defined in this Policy, section II.M.;

b. A description of the procedural steps taken from the receipt of the formal complaint through the Initial Determination Regarding Responsibility, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;

c. Findings of fact supporting the Written Initial Determination Regarding Responsibility;

d. Conclusions regarding the application of the District’s applicable codes of

conduct, policies, administrative regulations or rules to the facts;

e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility (i.e., whether or not the respondent is responsible for sexual harassment), any disciplinary sanctions the District imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the District to the Complainant; and

f. The District's procedures and permissible bases for the Complainant and Respondent to appeal (as set forth in Section IV.H, below).

6. Finality of Decision. The Initial Determination Regarding Responsibility becomes final, and identified as the Title IX Sexual Harassment Final Decision either:

a. On the date that District provides the parties with Written Determination of the Appeal, if an appeal is taken as set forth in Section IV.H. (below); OR

b. Where no appeal is taken, the date on which an appeal would no longer be considered timely.

7. Duty to Effectuate Title IX Sexual Harassment Final Decision.

a. District Response to Sexual Harassment. Once a Title IX Sexual Harassment Final Decision is issued, the District may implement remedies as set forth in Section III.D. above, and action as necessary to respond in a manner not deliberately indifferent in light of the known circumstances in cases of a Determination of Title IX Sexual Harassment Final Decision concluding responsibility for Sexual Harassment. The issue of responsibility for the conduct at issue shall not be subject to further review or appeal within the District (except as provided by District policy or collective bargaining agreement or applicable law). Appeals of disciplinary sanctions may be made pursuant to the District's ordinary review process for discipline, or to the extent applicable through any statutory or other processes provided under collective bargaining agreements or individual contracts.

b. Responsibility for Response. The Title IX Coordinator is responsible for effective implementation of remedies.

c. Other Actions Pursuant to Applicable Code of Conduct, Policies, Agreements, Contracts. The District may also proceed against the Respondent or Complainant pursuant to the District's applicable code of conduct or other Board policies, collective bargaining agreement, individual contract or administrative rules/regulations/procedures.

G. Dismissal of a Formal Complaint.

1. The District must dismiss a formal complaint with regard to Title IX sexual harassment if the alleged conduct:

a. Would not constitute sexual harassment, even if proved;

b. Did not occur in the District's education program or activity; or

c. Did not occur against a person in the United States.

2. The District may dismiss a formal complaint with regard to Title IX sexual harassment if at any time during the investigation or determination of responsibility stage(s):

a. A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;

b. The respondent is no longer enrolled or employed by the District; or

c. Specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

3. Upon dismissal of a formal complaint, the District must promptly send written notice of the dismissal and the reason(s) therefore simultaneously to the parties.

4. The dismissal of a formal complaint under Title IX does not preclude the District from continuing any investigation or taking action under other District policies, code of conduct or administrative rules/regulations. In some cases, the District may have an obligation to continue an investigation and proceed under a different policy or mandated process.

H. Appeals. The District must offer both parties an appeal from a Initial Determination Regarding Responsibility, and from a Dismissal of a Formal Complaint, or any allegations therein.

1. Method of Filing. Either party may appeal the Initial Determination of Responsibility or the dismissal of a Formal Complaint of Sexual Harassment (or any allegations therein) by notifying the Superintendent in writing (“written appeal”), with a copy to the Title IX Coordinator. If there are multiple determinations of responsibility, the written appeal shall specify which ones are included in the appeal.

2. Deadline for Notice of Appeal. The Notice of Appeal must be in writing and received by the Superintendent, with a copy to the Title IX Coordinator, within 10 days of either the Initial Determination of Responsibility or the written Notice of Dismissal being communicated to the parties, as appropriate.

3. Grounds For Appeal. Either party may only appeal the Initial Determination of Responsibility or the Dismissal of a Formal Complaint of Sexual Harassment (or any allegations therein) based upon one or more of the following grounds, which must be stated specifically in the party’s written appeal:

a. Procedural irregularity that affected the outcome of the matter;  
b. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or

c. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

4. Appellate Decision-Maker. The Appellate Decision-Maker shall not be the same person as the Initial Decision-Maker that reached the determination regarding responsibility or the Dismissal of a Formal Complaint of Sexual Harassment, the Investigator(s) or the Title IX Coordinator. The Appellate Decision-Maker shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. The Appellate Decision-Maker shall be trained as set forth in section V.F.2. and 3.

5. District Notification of Appeal and Duty to Equitable Treatment of Parties During Appeal. The District must notify the both parties in writing when an appeal is filed and implement appeal procedures equally for both parties.

6. Opportunity to Brief Appellate Decision-Maker.

a. Deadline In Cases Other than Newly Available Evidence. Except in cases of newly available evidence, each party shall have 10 days “reasonable and equal opportunity] from the date of the Notification of Appeal under section H.5. above, to submit to the Appellate Decision-Maker a written statement in support of, or challenging, the Initial Determination Regarding Responsibility.

b. **Deadline in Cases of Newly Available Evidence.** In cases where the basis of the appeal is newly available evidence affecting the outcome, the party relying upon such evidence shall submit to the Appellate Decision-Maker such evidence or a summary of such evidence along with the party's appeal statement first and within 7 days from the date of the Notification of the Appeal. In such instances the Appellate Decision-Maker shall then forward such documentation on to the opposing party, whereupon the opposing party shall thereafter have 7 days to review and submit their Brief to the Appellate Decision-Maker.

#### 7. Written Determination of the Appeal

a. The Appellate Decision-Maker shall provide a Written Determination of the Appeal after considering the record and the parties' appeal statements, describing the result of the appeal and the rationale of the result. The appeals decision maker will only overturn the Initial Determination of Responsibility upon a conclusion that it was clearly erroneous (i.e., either made on unreasonable grounds, or without any proper consideration of the circumstances). If the basis or one of the bases for the appeal was new evidence, the appeals decision maker may either make a determination of responsibility regarding that evidence or refer it back to the appropriate stage of the Title IX Grievance Process. The Appellate Decision shall be provided simultaneously to both parties, with a copy to the Title IX Coordinator and the Superintendent of Schools.

b. Upon issuance of the Written Determination of the Appeal, it becomes a Title IX Sexual Harassment Final Decision, as set forth in Section

IV.F.6, with commensurate Title IX obligations for the District to act as set forth in Section IV.F.7.

#### V. Responsible Personnel.

##### A. Bias or Conflicts of Interest.

No person designated as a Title IX Coordinator, investigator, decision-maker, nor any person designated by the District to facilitate an informal resolution process, may have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

##### B. Title IX Coordinator.

The District must designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities under this Policy, which employee must be referred to as the "Title IX Coordinator." Any individual designated by the District as a Title IX Coordinator shall be free of conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

1. **Notice of Title IX Coordinator Contact Information.** The name or title, office address, electronic mail address, and telephone number of the employee(s) designated as the Title IX Coordinator shall be provided to the following:

- a. all applicants for admission and employment;
- b. parents or legal guardians of elementary and secondary school students;
- c. employees; and
- d. all unions or professional organizations holding collective bargaining or professional agreements with the recipient.

2. **Duties of Title IX Coordinator** In addition to coordinating the District's efforts to comply with its responsibilities under this Policy, and any other duties assigned, the Title IX Coordinator shall be responsible for:

- a. **Receipt of Reports of Sexual Harassment.** Any person may report sex

discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

i. Responding to general reports and formal complaints of sexual harassment.

(a). The Title IX Coordinator shall promptly contact the Complainant (or where Complainant is a minor their parent/guardian) (regardless to whether a formal complaint has been received) to discuss:

i. Supportive Measures: the availability of supportive measures (as defined in section II.N. above); to consider Complainant's wishes with respect to supportive measures; to inform of the availability of supportive measures with or without the filing of a Formal Complaint of Sexual Harassment;

ii. Formal Complaint and explain the process for filing a Formal Complaint of Sexual Harassment.

ii. Signing and/or receiving Formal Complaints of Sexual Harassment and in such cases commencing the Title IX Grievance Process set out in Section IV. above;

iii. Coordinating the effective implementation of supportive measures; and  
iv. Coordinating the District's efforts to comply with its responsibilities related to the Title IX Grievance Process set forth in Section IV of this policy, including any other specific duties as assigned by the Superintendent to fulfill the District's obligations under this policy.

3. Conflict of Interest or Bias/Unavailability. In cases where the Title IX Coordinator is unavailable, including unavailability due to a conflict of interest or other disqualifying reason, the Superintendent shall assure that another person with the appropriate training and qualifications is appointed as acting Title IX Coordinator for that case, in such instances "Title IX Coordinator" shall include the acting Title IX Coordinators.

C. Investigators.

1. Conflict of Interest or Bias. Any individual assigned to investigate a Formal Complaint of Sexual Harassment shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

2. Responsibilities. Investigators shall be responsible for conducting Sexual Harassment Investigations as set forth in Section IV.E. above.

D. Decision-Makers.

1. Conflict of Interest or Bias. Any individual assigned as a Decision-Maker in the case of a Sexual Harassment under this Policy shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

2. Responsibilities.

a. Initial Decision-Makers shall be responsible for issuing an Initial Determination Regarding Responsibility following a Sexual Harassment



Investigation and other duties set forth in Section IV.F. above.

b. Appellate Decision-Makers shall be responsible for issuing a Written Determination of the Appeal, and other duties set forth in Section IV.H. above.

E. Informal Resolution Process Facilitators (“Facilitators”).

1. Conflict of Interest or Bias. Any individual assigned to facilitate an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

2. Responsibilities. Facilitators shall be responsible for facilitating a process of informal resolution as permitted in section IV. D. above.

F. Training. The District shall ensure that training of the following personnel occur:

1. All District Employees. Training of District Employees shall occur relative to mandatory reporting obligations, and any other responsibilities they may have relative to this Policy.

2. Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. These individuals must be trained on the following topics:

- a. the definition of sexual harassment as contained within this Policy;
- b. the scope of the recipient’s education program or activity;
- c. how to conduct an investigation, appeals, and informal resolution process;
- d. how to serve impartially, including by avoiding prejudgment of the facts at issue; and
- e. conflicts of interest and bias.

3. Decision-makers. In addition to the topics set forth in II.D.2. above, decision-makers shall be trained on the following topics:

a. issues of relevance of questions and evidence, including when questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant as set forth in Section IV.E.1. and IV.F.2.a.

4. Investigators. In addition to the topics set forth in II.D.2. above, investigators shall be trained on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth in Section IV.E.9 above.

5. Training Materials. Any materials used for trainings of Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must:

- a. Not rely on sex stereotypes; and
- b. Promote impartial investigations and adjudications of formal complaints of sexual harassment.
- c. Be made available to the public either on its website, or if the District does not maintain a website, must make those materials available upon request for inspection by members of the public.

Legal References:

1. Title IX of the Education Amendments of 1972, 20 U.S.C 1681, et seq 20 U.S.C. §1232g, Family Educational Rights and Privacy Act
2. 34 CFR. Part 99, Family Educational Rights and Privacy Act Regulations
3. 34 CFR 106.8, Designation of responsible employee and adoption of grievance

procedures.

4. 34 CFR 106.30, Definitions

5. 34 CFR 106.44, Recipient's response to sexual harassment

6. 34 CFR 106.4, Grievance process for formal complaints of sexual harassment

7. 34 CFR 106.71, Retaliation

Legal References Disclaimer: These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Warned: 9/14/20

Adopted: 10/12/20

### **11. SEXUAL ABUSE RESPONSE TEAMS**

In response to Act 1 (Vermont's Sexual Abuse Response System), all LNSU school have increased their efforts to ensure students, staff, and parents help keep our schools safe from sexual abuse and violence. Three primary requirements of school districts are: (1) provide instruction to students on how to recognize and prevent sexual abuse and sexual violence; (2) ensure adults employed in schools receive training on prevention, identification, and reporting of child sexual abuse and sexual violence; and (3) provide parents, guardians, and other interested persons the opportunity to receive information regarding the identification and reporting information on sexual abuse and sexual violence.

To that end, should you wish to receive additional information on sexual abuse and violence, please contact your school at your earliest convenience.

### **12. SCHOOL BUS SAFETY RULES AND DISCIPLINARY PROCEDURES**

#### **BACKGROUND**

In an effort to provide safe bus transportation and orderly behavior of students on buses, communication, cooperation and consistency between home, school and transportation operators are essential for the success of this partnership. **Bus transportation is a privilege not a right.** Inappropriate behavior on the bus will result in disciplinary action, which may include the suspension of bus privileges.

#### **SAFETY AND BEHAVIOR RULES**

All students are responsible for their conduct on the bus. It is the responsibility of parents/guardians and staff to encourage proper bus behavior by reviewing bus rules and explaining their importance. School administrators are responsible for following the designated procedure when there are infractions of the rules. The bus operators are responsible for transporting students safely to and from school and complying with the regulations for reporting misconduct occurring on their buses. Working video cameras are present on all busses.

It is necessary for students to observe the following rules:

#### **A student will:**

- be at the bus stop five (5) minutes before the designated pick up time and ready to board the bus with the least possible delay in order to keep the bus on schedule;
- not stand or play in the roadway while waiting for the bus;
- remain at least ten (10) feet from the bus when it stops to pick up and move toward the bus only when the door opens or as instructed by the driver;
- board the bus and take a seat as quickly as possible;
- student must have written permission from the parent/guardian and/or school administrators to take a different bus;
- not board or leave the bus at any stop other than his/her regular stop without written consent from the parent/guardian and/or school administrators;
- ride the bus all the way to school and all the way to his/her destination after school. A student will not be allowed to get a ride part way in either direction;
- not leave a bus transfer area by any means other than their appointed bus without parent/guardian and/or school administrators permission.

#### **While riding the bus the student will:**

- **FOLLOW BUS DRIVER'S DIRECTIONS**  
**BE AT PICK UP POINTS ON TIME**
- **KEEP THE BUS SAFE AND CLEAN**
- **KEEP HANDS, FEET, AND BODY TO YOURSELF AND INSIDE BUS**
- **KEEP HANDS OFF FROM OTHER PEOPLE'S STUFF**
- **KEEP ALL PERSONAL ITEMS AND SCHOOL RELATED EQUIPMENT  
SECURED IN YOUR LAP AND/OR BETWEEN YOUR FEET AT ALL  
TIMES**
- **NO THROWING OBJECTS INSIDE OR OUTSIDE THE BUS**
- **NO PHYSICAL OR VERBAL AGGRESSION**
- **NO SMOKING, NO WEAPONS, NO PUBLIC DISPLAY OF  
AFFECTION**
- **NO EATING, DRINKING, GUM CHEWING ON THE BUS. FOOD AND  
DRINKS STAY UNOPENED IN BACKPACK**
- **NO TEXTING, PHONE CALLS ( made or received), or PICTURE TAKING  
WITH ANY ELECTRONIC DEVICES**
- **KEEP AISLE CLEAR & ALL BODY PARTS  
INSIDE THE BUS**
- **NO LEGS, FEET, PERSONAL ITEMS, SCHOOL RELATED  
EQUIPMENT, OR PROJECTS ARE TO BE IN THE AISLE  
SIT FACING FORWARD (THE FRONT OF THE BUS) WITH FEET  
ON THE FLOOR**
- **SCHOOL RELATED SPORTS EQUIPMENT MUST BE IN A BAG  
SKATEBOARDS ARE NOT SCHOOL RELATED AND ARE NOT  
TO BE ON THE BUS**
- **ONLY USE PLEASANT AND POLITE  
LANGUAGE**
- **NO PROFANITY OR EXCESSIVE NOISE**

### **PROHIBITED BEHAVIORS**

The same behavior that is expected of students at school is expected of students while in transport. Any behavior which could cause harm to another, denote disrespect to another, and/or cause destruction to property will result in a misbehavior referral.

Prohibited behaviors while boarding, riding or disembarking the bus include, but are not limited to, the following:

Refusing to follow bus driver's directions	Improper Board/departing procedures
Profanity	Eating/drinking/gum chewing/candy
Destruction of property	Tampering with bus equipment
Spitting/littering	Lighting matches/lighters, smoking, vaping
Failure to remain properly seated and securing personal articles	Unnecessary noises
Fighting/pushing/tripping/hands on	Refusal to sit in an assigned seat
Throwing objects in or out of bus	Bullying and harassing behaviors
Hanging out of window	Other behavior relating to safety, well- being and respect for others
Rude/discourteous and/or annoying conduct	Taking pictures
Public display of affection (PDA)	

### **PROCESS FOR MISBEHAVIOR REFERRALS**

Driver writes report and gives to transportation coordinator and/or principal and Helping Center supervisor (at the elementary level) or the transportation coordinator and principal/vice principal (at the middle and high school level)

Principal/vice principal/transportation coordinator/helping Center supervisor (one or more):

- Follows the consequence process:

### **CONSEQUENCE PROCESS**

STUDENT DOES ORAL PLAN \_\_\_\_\_  
STUDENT DOES WRITTEN PLAN \_\_\_\_\_  
STUDENT WILL LOSE BUS RIDING PRIVILEGES FOR ONE DAY \_\_\_\_\_  
STUDENT WILL LOSE BUS RIDING PRIVILEGES FOR 3 DAYS \_\_\_\_\_  
STUDENT WILL LOSE BUS RIDING PRIVILEGES FOR \_\_\_\_\_  
COLLABORATIVE PLANNING MEETING \_\_\_\_\_  
ATTENDED BY \_\_\_\_\_

The bus driver follows the same definition of physical aggression and verbal aggression on the bus as is used during our regular school day. Students who are physically or verbally aggressive on the bus receive a one-day or more loss of riding privileges depending on the severity of the behavior. Any further incidents may require a meeting with school personnel, the student and the parent to develop a contract that ensures school bus safety practices are followed.

Consequences for severe behavior will be left up to the discretion of the administrator (i.e. Bus suspension, out of school suspension, or in-school detention.)

### **13. WEAPONS POLICY**

#### **Policy**

It is the policy of the Board to comply with the federal Gun Free Schools Act of 1994, and 16 V.S.A. §1166 requiring school districts to provide for the possible expulsion of students who bring weapons to 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**

1. For the purposes of this policy, the terms “weapon” and “school”, and “expelled” shall have the following meanings:

**Weapon** means a firearm as defined in Section 921 of Title 18 of the United States Code and 13 V.S.A. §4016, including:

- any weapon whether loaded or unloaded which will or is designed to or may readily be converted to expel a projectile by the action of an explosive
- the frame or receiver of any weapon described above
- any firearm muffler or firearm silencer
- any explosive, incendiary or poison gas
  - bomb
  - grenade
  - rocket having a propellant charge of more than four ounces
  - missile having an explosive or incendiary charge of more than one quarter ounce
  - mine, or
  - similar device

- any weapon which will, or which may be readily converted to expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter

- any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples and from which a destructive device may be readily assembled.

- Any other weapon, device, instrument, material or substance whether animate or inanimate, which in the manner it is used or is intended to be used, is known to be capable of producing death or serious bodily injury.

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

**Expelled** means the termination for at least a calendar year of educational services to a student. At the discretion of the 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.

### **Sanctions**

Any student who brings a weapon to school shall be brought by the Superintendent to the School Board for an expulsion hearing.

A student found by the Board after a hearing to have brought a weapon to school shall be expelled for at least one calendar year. However, the Board may modify the expulsion on a case by case basis when it finds circumstances when it finds circumstances such as, but not limited to:

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

An expulsion hearing conducted under this policy shall afford due process as required by law. In addition, any student who brings a weapon to school shall be referred to a law enforcement agency.

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

*Date Warned:* 12/20/06

*Date Adopted:* 2/7/07

*Legal Reference(s):* 16 V.S.A. §1166 (State law pursuant to Federal law)

13 V.S.A. §§4004, 4016 (Criminal offenses)

20 U.S.C. §(Gun Free Schools Act of 1994)

18 U.S.C. §921 (Federal definition of firearms)

20 U.S.C. §§1400 et seq. (IDEA)

29 U.S.C. §(Section 504, Rehabilitation Act of 1973)

Vt. State Board of Education Manual of Rules & Practices,

§§4311, 4312

## **14. TOYS/ELECTRONICS/CELL PHONES IN SCHOOL**

Over the course of the past few years, there have been several problems stemming from toys/electronics/cell phones being in school. Teachers have found that children very often become distracted by these items and this distraction interferes with their learning. Toys/electronics/cell phones have also disappeared from time to time creating a very serious distraction. The solution that the staff created for this problem is for toys/electronics/cell phones to remain in backpacks at all times while at school, including recess time. It is our hope that by keeping toys/electronics/cell phones at home, we can eliminate unneeded distractions from an already active day. Again, children may share toys/electronics/cell phones during morning meeting or other activities with special permission from their teacher. Children may take their electronics out on the bus as long as the electronics are used appropriately. Cameras are not allowed to be used on the bus. Group gaming is not permitted. Texting via video games is not permitted. Any toys/electronics/cell phones that are found outside of backpacks during school without permission will be given to the Principal for parent pick-up. Trading cards such as Pokemon cards will be considered as toys and should also not be seen outside of backpacks without permission. If permission is granted to play with trading cards at school, they may not be traded with others. Students may not take photographs of other students without permission from school staff.

## **15. APPEARANCE AND DRESS**

CES believes that the appearance of the school and its student body are conducive to a positive educational environment. Therefore, clean and appropriate attire is required for each and every student. Students are expected to dress in a manner appropriate for children learning together.

- All shirts should be long enough to reach pants or skirts – no bare “mid-regions” will be allowed. Shirts are not to be worn off the shoulder.
- Skirts and shorts should be no shorter than the lowest point a student can reach with straight arms.
- Tank tops should have straps at least one inch wide. No spaghetti straps.

- There will be no underwear showing, including bra straps.
- Shoes are to be worn at all times. Heels should not exceed one inch.
- Clothing which has obscene or offensive language or graphics, or which advertises tobacco, alcohol, or other drugs or drug usage is not appropriate for school.
- Hoods should not be worn in the building.

(2120.4)

## **16. STUDENT DUE PROCESS AND RIGHTS**

The constitutional rights of individuals assure the protection of due process of law, therefore:

When a student, parent, or guardian feels his/her rights are violated, the student, parent, or guardian may request a meeting with the Principal (unless the Principal is the staff accused of the infraction and then the Superintendent may be the one to meet with). This meeting shall concern itself with the facts that led to the disciplinary action and assessment of the sanctions imposed. Procedural guidelines will govern the meetings.

## **17. ACT 117/EDUCATIONAL SUPPORT TEAM PURPOSE**

State Act 117 has three major goals:

- to assure that all students succeed in general education classes
- provide a range of education services for students who are failing or at risk of failing
- reduce inappropriate use of special education services

A teacher, parent or anyone can refer a student to the EST Team. The team is comprised of the child's teacher, other teachers and administrators. They discuss procedures used in the regular classroom and review school resources that may be utilized to help the student succeed in the classroom. The process and services do not replace special education services, nor are they a substitute for a special education evaluation. It is the intention of Cambridge Elementary School that the EST will increase our ability to improve our meeting of individual student needs in the general classroom, and decrease the need for special education. For more information contact the school principal.

(1100.7)

## **18. SPECIAL EDUCATION POLICY & ELIGIBILITY PROCEDURE**

### **Policy**

It is the policy of the Cambridge Town School District to meet the needs of students with disabilities as defined in federal and state law and regulations and to provide a free and appropriate public education (FAPE) to these students in the least restrictive environment that will allow all students to benefit educationally.

### **Implementation**

The Superintendent and other appropriate administrators will develop specific procedures regarding the identification and education of students under the Individuals with Disabilities Education Act (IDEA) and applicable state law and state and federal regulations.

The Superintendent or designee will assure that the individual education program team assembled to develop the individualized education plan for each disabled student is appropriately staffed and that all members are well educated about state and federal law. As directed under 16 V.S.A. §2959b, team members will be instructed to examine the range of options that will fulfill the requirements of the student's Individualized Education Plan (IEP) under state and federal law and to select options that are most cost effective for the District.

In designing the educational plans for disabled students, the Local Education Agency (LEA) representative will communicate to the IEP team the ability of the classroom staff to provide for the needs of the disabled student without negatively affecting the quality of education for all classroom students.

The Superintendent will encourage the special education coordinator to consult with legal counsel when questions about compliance with the law arise in the performance of duties relative to serving special education students. Ongoing training in the law and best practices will be made available to special educators and other appropriate personnel.

The Superintendent or designee will also assure that all personnel who help in the education of children with disabilities are appropriately trained to meet individual student needs.

The Superintendent will encourage the establishment of strong communications with parents/guardians of students with disabilities (in addition to their participation on the IEP team) and will support them in their work with their children at home to complement the efforts of the school.

The Superintendent will report annually to the Board and to the Commissioner of Education on special education program outcomes, changes in child count, the rates of increase or decrease of special education costs, the availability of special education staff and other pertinent information. This report will be based on a systemic analysis of the District's special education program that will lead to ongoing improvements in outcomes.

### **ELIGIBILITY PROCEDURE**

A student is referred to the building principal, special educator, or Education Support Team by teachers or parents. If adverse effect can be proven, an Evaluation Planning team, comprised of the parent and school staff, will plan for the evaluation. The determination of eligibility, made after the evaluation, is based solely on Vermont Special Education regulations. If the child is found eligible, an Individualized Education Plan (IEP) will be developed. The IEP specifies goals, objectives and services necessary. Parents are an essential part of the process. They are protected by rights under federal, state and local regulations, and will be given a copy of those rights. If it appears that the child may be in need of special education, contact the school principal.

(1200.1)

## **19. SECTION 504 OVERVIEW**

Section 504 prohibits discrimination on the basis of disability. The Rehabilitation Act itself states the nondiscrimination standard:

*"No otherwise qualified individual with a disability in the United States...shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."*

For any student that is an individual with disabilities as defined in Section 504, a public school must provide a free appropriate public education to the student. Parents/family who have a disability are also protected by Section 504 and the ADA and have a right to reasonable accommodations and services that will allow them to have an equal opportunity to participate in school sponsored activities. Procedures for determining eligibility and reasonable accommodations and services will follow LNSU 504 guidelines. If you have reason to believe your child may be eligible for accommodations and/or services under Section 504, please contact the School Principal.

(1200.5)

## **20. PreKindergarten and Early Childhood Special Education Services**

Cambridge Elementary School offers preschool for all three and four-year old children. Early Childhood Special Education Services (ECSES) supports children beginning at age 3 through 5 years, 11 months. ECSES are provided by our early education team and interagency partners to ensure access and participation in early childhood programs for each and every child who is determined eligible for special education services.

ECSES enables young children with disabilities to be full participants in everyday routines and activities across a variety of settings throughout the early childhood years. Those students who may need an individualized program outside of the preschool program environment may have their service needs met in a reasonable and appropriate program that meets the individual needs of the child as defined in the Individual Education Program (IEP). Special education services are provided free of charge to children who have a disability caused by a developmental delay or a medical condition which may result in significant delays for the child as they enter kindergarten.

Developmental screenings and evaluations are offered by our early education team to find students eligible for early childhood special education services. If a parent has questions about ECSES or feels their child should be evaluated, they should contact the Early Childhood Special Educator or Principal.

## **21. LIMITED ENGLISH PROFICIENCY IN STUDENTS POLICY**

### **Policy**

It is the policy of the Cambridge Board to ensure that national origin minority students with limited English proficiency (LEP) have meaningful access to school programs.

### **Implementation**

The Superintendent or his or her designee shall be responsible for implementing procedures to comply with federal and state laws which define standards for serving LEP students. Procedures will be established to:

1. Identify and assess all students whose primary language is not English, and who, therefore, have or may have difficulty performing ordinary class work in English and who cannot learn as well or achieve on parity with pupils whose primary language is English.
2. Design or adopt LEP instructional programs recognized as sound by experts in the field, or considered legitimate experimental strategies. Instructional programs should be aimed at helping LEP students develop English language skills of comprehension, speaking, reading and writing necessary for learning and achieving in English-only instruction at a level substantially equivalent to pupils whose primary language is English.
3. Maintain adequate records of the educational level and progress of each child identified as in need of LEP programs, and make those records available to appropriate staff members and parents or legal guardians.
4. Objectively assess the progress of LEP students in order to determine when reclassification or transfer to fully English proficient programs is appropriate. Standards for exit from LEP programs should be objectively based and should be designed to determine whether LEP students are able to read, write and comprehend English well enough to participate meaningfully in the School District's programs.
5. Monitor reclassified students' academic achievement to determine whether reclassified students are able to succeed all-English programs based on their English language proficiency. Monitoring of newly classified students should take place periodically to insure that the ongoing needs of non-English language background students are addressed.
6. Evaluate LEP programs periodically and make modifications when necessary.
7. Assure staff have appropriate training to implement LEP programs.

*Date Warned: 1/17/07*

*Date Adopted: 2/7/07*

*Legal Reference(s): 42 U.S.C. §2000 d et seq. (Title VI of the Civil Rights Act of 1964)*

*34 C.F.R. Part 100*

*9 V.S.A. §4502 (Discrimination, public accommodations)*

*Vermont State Board of Education Manual of Rules and Procedures §1250*

## **22. PARTICIPATION OF HOME STUDY STUDENTS IN SCHOOL PROGRAMS AND ACTIVITIES**

### **Policy**

In accordance with Act 119 of the 1998 Vermont legislative session it is the policy of the Cambridge School District to encourage home study students to participate in courses, programs, activities, and services and use school educational materials and equipment. Close communications between home study students and their local public schools are encouraged to promote the benefits of joint participation.

### **Background**

The Cambridge School District recognizes that some families believe home schooling is the best educational format for their children. The Cambridge School District believes that home study and fully enrolled students can benefit from participating together in school activities and programs and strives to provide educational services in ways which are consistent with the needs of both fully enrolled students and home study students.

### **General Guidelines for Home Study Student Participation**



1. **Special Services:** Special education services are available to all students found eligible under criteria set forth in state and federal regulations.
2. **Compliance with Procedures:** All students will comply with the application and enrollment deadlines as well as all legal and policy requirements such as immunization and the provision of student information including health records, emergency contacts and other necessary background information outlined in the administrative procedures. All students must abide by rules of conduct and other conditions set forth in the student handbook, school policies and procedures.
3. **Supervision of Students:** School personnel are responsible for supervising students during their approved participation in school- sponsored activities. Parents of home study students must provide supervision for their children when they are at school but not participating formally in school activities.
4. **Transportation:** Home study students may participate in the regular school transportation arrangements to attend school programs in which they are enrolled. The school will not supply special transportation except as provided for in law.

**Participation of Home Study Students in Programs and Activities Shall Be Subject to the Following Conditions:**

1. Home study students must supply to the school a copy of their formal home study enrollment notification from the Commissioner of Education.
2. All students are subject to the same age, performance, and pre-requisite standards for admission to courses and co-curricular activities
3. Home study students seeking admission to courses requiring prerequisites will be asked to demonstrate academic achievement comparable to that required of fully enrolled students meeting prerequisite standards. The teacher/guidance counselor/Principal will discuss alternative ways to demonstrate achievement with the parents of home study students. Final determination of a student's qualifications to enroll in a course requiring prerequisites will be made by the teacher/guidance counselor/Principal.
4. Students may not enroll for single subjects which are taught as part of integrated courses - those courses that cover two or more subjects and are taught by a single individual or team - but may seek admission to the integrated course.
5. Participation in athletic and other extra-curricular programs and activities will be in compliance with the school's eligibility requirements as well as with the guidelines adopted by the Vermont Principals' Association.
6. It may be neither practical nor feasible for home study students to participate in special programs that have unclear or flexible schedules. The parents of home study students must take the initiative to check with the school on the scheduling of events and possible changes that may occur.
7. The parents of home study students may be asked to provide supervision for some activities on the same basis as the parents of fully enrolled students.
8. Home study students may participate in the school's standardized testing program at the regularly scheduled times after giving appropriate notice to the school as outlined in the administrative procedures.

**Use of Facilities, Equipment and Materials by Home Study Students Is Subject to the Following Conditions:**

1. The use by home study students does not interrupt or disrupt regularly scheduled uses.
2. Request for use has been made and approved according to the administrative procedures that apply to all requests for such use.
3. The use does not involve removal of equipment from the school premises except as explicitly allowed.
4. Library books and other materials are signed out according to established procedures and are subject to replacement or fines for damage or loss as defined in the administrative procedures.

**School Administration**

1. The school will include home study students on the school register and count them for the purpose of state aid for the portion of the school day in which students are enrolled in academic courses. For each co-curricular activity in which a non-enrolled home study student participates, the school shall count 0.03 FTE as allowed under rule 9200.3.1. The capacities of classroom courses and other co-curricular activities are outlined in administrative procedures and updated regularly to reflect the class sizes specifically desired by the District, the capacity of special equipment used in science, language, business laboratories or other specialized classrooms, or other limitations on participation.
2. In cases where applications for enrollment exceed capacity, first priority for enrollment in curricular and co-curricular activities will be determined considering the following for all students:
  - o Is the course or activity needed as a pre-requisite to another course or activity?

- Is graduation of the student dependent upon completion of the course?

In the absence of other prevailing factors, enrollment will be determined by (choose appropriate option(s):

- lottery
- first-come, first-served
- performance-based criteria
- first priority given to fully enrolled students [in co-curricular activities only; this option may not be applied to admissions to academic programs]
- other.

When choices for admission to either academic or co-curricular programs must be made because of limited space, the School District will report to the Commissioner of Education on the form provided. The District shall provide other information on the integration of home study students into the public school as requested by the Commissioner. The Principal (or designee) is responsible for administering this policy and for all decisions made under the direction of this policy. The Principal will act on all requests within 10 working days of receiving the request.

### **Appeals Process**

Should a parent disagree or have concerns with the Principal's decision, an appeal may be made to the Superintendent of Schools. Within ten working days of receiving an appeal, the Superintendent shall meet with the parent(s) or guardian(s) and make a decision on the appeal in a prompt fashion. A final appeal from the Superintendent's decision may be made to the Cambridge Elementary School Board which will schedule a timely hearing and render a final decision within ten working days of the hearing date.

## **23. PURPOSE AND LENGTH OF HOMEWORK**

Student homework is an opportunity for students to practice skills at home and develop a habit of individual responsibility. It is also a chance for parents to see what their children are focusing on at school. A regular time and place for homework will make it easier for students. "Ten minutes times the grade they're in" is a reasonable rule of thumb for the length of assignments you might expect on those nights it's assigned.

(1100.8)

## **24. FIELD TRIPS/FIELDWORK**

Field trips are to supplement classroom instruction. Parents who would like to accompany a group to help with supervision should make arrangements with their children's teacher. See volunteer/chaperone criminal background policies. All chaperones must undergo a criminal background check which is performed by the school. Buses are most often used for transportation. If parents drive students, a copy of the driver's license and proof of insurance (\$100,000/\$300,000 minimum liability) must be presented and copied at the office. A blanket permission form for all field trips will be sent to parents at the beginning of the year along with a volunteer/chaperone agreement form. Teachers will notify parents of each field trip as it is scheduled. If the blanket permission form and volunteer/chaperone agreement form is not on file for a student, the teacher will send home these forms for individual trips.

(1100.10)

## **25. CES CLASS TRIP/FIELDWORK CRITERIA**

### Instructional

- Class trips will be related to local grade level curriculum and state standards
- Classroom teachers will include pre and post visit activities in school.

### Behavioral

- While off site, students will be expected to conduct themselves in a manner consistent with the school rules as published in the student handbook.
- Students who are serving in-school detention, suspended, expelled or in an alternate education setting during the time of the trip may not attend. Money paid by students and family will be refunded.

- Students on an Individualized Education Plan (IEP) that precludes them from participating in other regular activities will have accommodations that allow for a comparable experience. Such accommodations will be developed by the child's IEP team and may include chaperones or the development of alternate activities. Such accommodations will be at the expense of the school. Parent may appeal decisions made by the student's team through the Special Ed appeals process detailed in the Parental Rights documents they have received. Procedures will be in compliance with federal regulations governing special education and 504 services.
- Students who are not on IEPs, but have exhibited behaviors that may require intensive management by teachers and chaperones, may require planned accommodations for them to participate in fieldwork. Such a plan will be developed with parents, teachers, and principal. Students who, in the judgment of the principal, cannot safely accompany other students, will not be allowed to attend. Written notice will be given to the parents of such a decision. The decision may be appealed through the Superintendent.

#### Funding

- School funds may be used to support curricular related field experiences.
- Classroom budgets will include funds to provide curricular related activities for field experiences.
- Funds generated by a particular class and their families will move along with them. Excess class funds may be used for negative yearbook balances, if class fundraising coordinator agrees.
- If you are asked to provide costs for admission fees and are unable to do so, please contact the principal and a scholarship will be arranged.

#### Chaperones

- All chaperones will have completed and submitted a volunteer/chaperone agreement form to the school. A criminal background check will be performed by the school. The principal will determine if a chaperone can attend a field trip based upon the results of the background check.
- Chaperones will receive a schedule and behavioral expectations for students
- Chaperones will assist teachers in guaranteeing the safety of students while off-site.
- Chaperones will assist students in making the most of off site learning opportunity, by following established schedules and routines
- School staff will act to guarantee the safety and wellbeing of children in their charge.
- School staff, or their designee, will be responsible to make arrangements for tours, visits, snacks and meals, medicine, transportation, lodging and supervision.

(1100.11)

## **26. VOLUNTEERS AND WORK STUDY STUDENTS POLICY**

### **Policy**

The Cambridge Town School District recognizes the valuable contributions made to the schools by volunteers and work study students. It further recognizes that appropriate supervision of volunteers and work study students will enhance their contributions as well as fulfill the responsibility that the School District has for the education and safety of its students.

### **Definitions**

1. **Volunteer:** A volunteer is an individual not employed by the School District who works on an occasional or regular basis in the school setting to assist the staff. A volunteer works without compensation or economic benefits.
2. **Work Study Student:** A work-study student receives compensation for work performed at the school as part of a college work experience program. For purposes of this policy, an intern, working without pay, will be considered as a work study student. A student working toward a teaching credential who may be placed at a school as a student teacher is not a work study student.

### **Administrative Responsibilities**

1. **Recruitment:** The Principal is authorized to recruit and approve volunteers and work study students to work in the school. It is the Principal's responsibility to be reasonably sure that the volunteer or work-study student is a person of good character with the ability to make significant contributions to the school. The Principal may require volunteers and work-study students to complete information forms providing background information including, but not limited to whether the individual is currently a defendant in a criminal proceeding, the dates, locations and dispositions of any convictions, including findings of guilt, pleas of guilty, or nolo contendere, for criminal violations. A person who fails to provide full and accurate

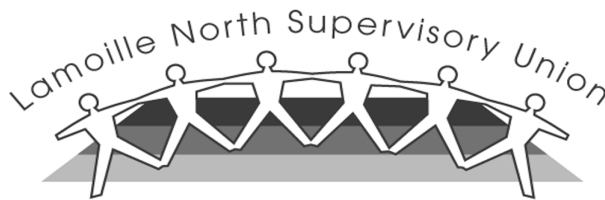
background information in response to the Principal's request will not be permitted to work with students. If the position for which a volunteer or work study student is being recruited involves regular unsupervised contact with students, the Principal will carry out a criminal records check on the final candidate in accordance with the District's employment policy (D1). The District (will / will not) pay the fees associated with criminal records checks.

2. **Placement:** Placement and replacement of volunteers and work-study students will be made by the Principal or the Principal's designee.
3. **Conditions of Work:** Volunteers and work-study students will be informed by the Principal of the extent to which School District insurance policies protect them from personal liability resulting from claims against them based on negligence or other injurious conduct while acting in a volunteer or work-study capacity.
4. **Supervision:** Generally, volunteers and work-study students who work directly with students will be under the immediate supervision of a licensed professional employee and will not have unsupervised contact with students, except when that contact is of short duration and necessary in the context of activities planned by and under the direction of professional school staff or contractors employed by the school.
5. **Policies and Procedures:** The Principal will assure that all volunteers and work study students are familiar with the School District's Policies, rules and procedures.

### **Responsibilities of Volunteers and Work Study Students**

1. Volunteers and work-study students are responsible for complying with school policies, rules and procedures.
2. Volunteers and work study students will be considered staff members for purposes of compliance with the state and federal harassment statutes.

## **27. VOLUNTEER/CHAPERONE AGREEMENT**



### **Chaperone/Volunteer Agreement (This form must be filled out every year)**

**Important:** Please return this form after completing the information to your child's homeroom teacher or the school office at least 2 weeks prior to the first date you wish to chaperone or volunteer for a special event at or with the school.

Thank you in advance for volunteering to chaperone a school trip or event. These activities are an extension of our curriculum and an important part of a quality school experience. During each trip or event, all school rules and policies apply to both students and adults. Please give careful consideration to the requirements below before signing this agreement. In order to provide a safe environment for student activities, in addition to fully adhering to School Board policies and state and federal regulations, we require the following:

- No tobacco products or alcohol are allowed, whether at school or off-site, even if the site normally permits them.
- Younger siblings or other children may not accompany parent chaperones.
- Issues regarding student discipline, other than redirecting students, should be reported to a staff member as soon as possible. Chaperones should not discipline students, issue consequences or get heavily involved in mediating disagreements.
- Chaperones need to be legal guardians, parents, grandparents, or others at the discretion of the Principal.
- Confidentiality is a must. Information about individual students, discipline problems, etc., cannot be shared with individuals who are not employees of the school.
- Chaperones need to be familiar with all the school rules addressed in the Parent or Student Handbook and should follow them on all trips and seek help from a school staff member with enforcement.
- Appropriate language should be used at all times. Students should never be exposed to "adult" conversations, swearing, etc.

- Never leave the group you are chaperoning without arranging for another adult to take over your responsibilities.
- Cell phone use while with children is not allowed unless it is an emergency.

**I have read and understand the policies listed above. I agree to fulfill my obligations as a volunteer or chaperone for Cambridge Elementary School within the Lamoille North Supervisory Union.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Name(s) of Student(s) attending this school

\_\_\_\_\_  
Relationship to Student(s)

### Criminal Record Check Authorization

Please answer the following questions, complete and sign this form giving the school permission to conduct a background check with the Internet Sex Offender Registry and the Vermont Criminal Conviction Record Internet Service (VCCRIS). I understand the results of that check will be made available to the Principal of the school.

Have you ever: Explain Briefly	Circle	If Yes, When?
1. Been convicted of a misdemeanor?	No Yes _____	_____
2. Been convicted of a felony?	No Yes _____	_____
3. Been placed on probation?	No Yes _____	_____
4. Received a deferred sentence?	No Yes _____	_____

Explanation continued if necessary:

\_\_\_\_\_

(A prior conviction does not necessarily mean you may not be a chaperone or volunteer. The Principal has the discretion to grant approval depending on individual circumstances, the nature of the offense, date of offense, etc.)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Past names you have used

\_\_\_\_\_  
Date of Birth

\_\_\_\_\_  
Date of Birth Place of Birth (City, State, Country)

School use only: Date Internet Sex Offender Registry checked \_\_\_\_\_

Date VCCRIS checked \_\_\_\_\_ Volunteer/Chaperone Approval Granted? \_\_\_\_\_

Authorized by: \_\_\_\_\_

## 28. CRIMINAL BACKGROUND CHECKS

### Section 8.1: Criminal Background Checks

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Date Warned: 1/14/2010  
Date Adopted: 1/25/2010  
Date Reviewed:

#### Legal References:

4 V.S.A. §1102(b) (8) (Unauthorized disclosure)  
16 V.S.A. §§251 et seq. (Criminal records check policy)  
16 V.S.A. §§252 et seq. (Definitions)  
16 V.S.A. §§253 et seq. (Confidentiality of Records)  
16 V.S.A. §§254 et seq. (Educator licensure; employment of superintendents)  
16 V.S.A. §§255 et seq. (Public and independent school employees; contractors)  
16 V.S.A. §§256 et seq. (Continued validity of criminal records checks)  
16 V.S.A. §§257 et seq. (Fees for fingerprinting)  
16 V.S.A. §258 (Notice; license applications; job applications; employees)  
16 V.S.A. §563 (12) (Responsibility for hiring)  
20 V.S.A. §§2062, 2063 (Fees)  
20 V.S.A. §2056c (Dissemination of criminal history)  
*Act 1 - An Act Relating to Improving Vermont's Sexual Abuse Response System - As Passed 2009*

#### Philosophy

*Providing a safe learning environment for students is a primary consideration of the Lamoille North Supervisory Union (LNSU) and the member school districts. Therefore, it is the policy of the LNSU to conduct a criminal background check that is in full compliance with Vermont statute for those individuals who may have unsupervised contact with students. The LNSU further recognizes the valuable contributions made to the schools by employees, contracted personnel, student teachers, mentors, volunteers and work study students. We recognize that appropriate supervision of mentors, volunteers and work students will enhance their contributions as well as fulfill the responsibility that the member school districts have for the education and safety of our students.*

#### Rationale

It is the policy of the State of Vermont and the Lamoille North Supervisory Union, plus its associated member school districts, to use criminal record checks to deter abuse and exploitation of school children and to do so in a manner that protects, as much as is practicable, the privacy of those subject to such checks.

#### Definitions:

##### Criminal Record

As noted in Title 16 Section 252 this includes convictions in Vermont and convictions in other jurisdictions recorded in other state repositories or by the Federal Bureau of Investigation (FBI). The details of specific convictions can be found in the above noted Vermont State Statute. Information received by the supervisory union is considered confidential and may be disclosed to specifically designated persons. (Title 16 Section 253)

##### Unsupervised

As noted in Title 16 Section 252, this means not in the presence of a responsible adult in the employ of or under the direction of the school district.

##### Criminal Background Checks Supported by Fingerprints. Department of Children and Families (DCF). Department of Aging and Independent Living (DAIL) Checks

This type of check is required for full, part-time and temporary employees, individuals under contract with a school district who might have unsupervised contact with students, any employee of a contractor under contract who is in a position that may result in unsupervised contact with students, and any student working toward a teaching degree who is a student teacher within the Supervisory Union. This type of check is also required for mentors. Background checks of this type must be processed through the Superintendent's Office and can be shared with another supervisory union or independent school approved by the Vermont Department of Education within three years of the check if so requested in writing by the individual for whom the background check was conducted. All fees

associated with processing the background check will be paid by the individual or their agency of employment. This includes fees charged by the Vermont Criminal Information Center (VCIC) and the entity executing the fingerprinting.

Criminal Background Checks Conducted Using the Internet Sex Offender Registry

This type of check is required for “work study students and volunteers prior to allowing unsupervised contact with school children”. Neither is defined in the statute. Procedures developed by the Superintendent will require this check to be conducted by building principals or their designee.

Criminal Record Check Conducted Using the Vermont Criminal Conviction Record Internet Service (VCCRIS)

This is an online service for use by the Superintendent and Principals, or their designee. It will be used to screen applicants for job openings, candidates to whom a job will be offered and as part of the complete criminal background check conducted by the Superintendent. Procedures developed by the Superintendent will require Principals to use the service to screen applicants for job openings and before offering a position to any individual who may have unsupervised contact with a student. All mentors will be screened by the Superintendent and Principals or their designee. Procedures developed by the Superintendent will require volunteers and work study students to be screened by the Principal or their designee using the service.

Volunteer means an individual not employed by the school district who works on an occasional or regular basis in the school setting to assist the staff. A volunteer works without compensation or economic benefit. Mentors are not volunteers with regards to the LNSU background check policy. (Reference VSBA Policy Code D7 and Act 1) These background checks are the responsibility of each LNSU school building principal or their designee. The Superintendent will establish a procedure that requires principals to conduct the background check. Each school will implement procedures to ensure these background checks are conducted.

Work Study Student means a student who may or may not receive compensation for work performed at a school operated by the district as part of a work experience program sponsored or provided by a public school program and /or the college or university at which he or she is enrolled. A student working toward a teaching credential who is placed as a student teacher at a district school is not a work study student. The Superintendent will establish a procedure that requires principals to conduct the background check. Each school will implement procedures to ensure these background checks are conducted. (Reference VABA Policy Code D7 and Act 1)

Mentor means a trained individual enrolled in the mentoring program who works one-on-one with a designated student over a long period of time in a support and role modeling relationship. Mentors typically have unsupervised contact with students. Mentors are screened and trained by the Lamoille Valley Mentoring Program. All mentors will complete a criminal background check initiated by the Superintendent’s Office that includes fingerprints, the DCF check, the DAIL check and the VCCRIS check .

Individuals under Contract or the Employee of a Contractor means an individual who is not an employee, full, part time or temporary, that receives payment for their services. All individuals under contract or the employee of a contractor who may have unsupervised contact with students will complete a criminal background check initiated by the Superintendent’s Office that includes fingerprints, the DCF check, the DAIL check and the VCCRIS check .

Policy:

LNSU member schools will complete criminal background checks defined above as required by Vermont statute and procedure developed by the Superintendent. Criminal background checks will be initiated through the LNSU Central Office or the principal as required by statute or procedure developed by the Superintendent for each type of individual that must be screened. Individuals seeking employment, contracting opportunities, student teaching placements, volunteer opportunities, work study student placements and mentoring opportunities will authorize the necessary criminal background check prior to the initiation of contact with children. Individuals authorizing the criminal background check will be responsible for the costs associated with the background check process when fingerprints are required.

The Superintendent shall develop administrative rules and procedures to ensure that employees, contractors and their employees, volunteers and work study students are appropriately screened prior to entering into service in the school district, and only individuals who have been properly screened will have unsupervised contact with students. Applications for employment, contracted service delivery contracts and all application forms relating to mentoring, volunteering or work study student placement will require individuals to provide their date of birth so that all necessary background checks can be conducted. If a record exists the steps outlined below will apply.

#### Existence of a Record

If the Superintendent is notified by the Vermont Criminal Information Center or directly receives information from the DCF Registry, DAIL Registry or the Vermont Criminal Conviction Record Internet Service (VCCRIS) a record exists:

1. The Superintendent shall forward a copy of the record to the person about whom the request was made.
2. In the case of a request made on behalf of a contractor, the Superintendent shall inform the contractor in writing either no record exists or that a record exists but shall not reveal the content of the record to the contractor. The contractor shall forward a copy of the information they received from the Superintendent to the person about whom the request was made.
3. The person for whom a record exists may sign a form authorizing the Superintendent to obtain a copy of the access restricted criminal background record, challenge the accuracy of any record, decline or resign employment, mentor, volunteer or work study opportunities.

If a principal, or their designee, conducts a background check using the VCCRIS system and a record exists the Superintendent will be informed.

### **29. LENGTH OF STUDENT DAY & PICK UP PATROL**

Students may enter the school at 7:30 a.m. Students must be in their classrooms by 7:50 a.m. at which time the teacher will take attendance. It is important for students to be present at this time to be oriented to the day's schedule and participate in Morning Meetings. Breakfast will be served from 7:30 to 7:45. Students who ride the bus are dismissed at 2:20. Students who walk home or are picked up by parents will be dismissed at 2:20. Students in grades K-2 are picked up by parents/guardians in the hall by their classroom. Students in grades 3-6 are picked up in the school lobby. Adult supervision of students does not occur before 7:30am and ends at 2:30pm, unless the students is enrolled in the Cambridge Connections program.

(1100.12)

#### **Reporting Absences, Late Arrivals, Early Dismissals, and End of Day Plans**

We use PickUp Patrol to track student dismissal information. If you need to change how your child should be dismissed, you should submit that information via PickUp Patrol and our staff will be notified of the changes. You can access PickUp Patrol through our school website: [ces.lnsd.org](http://ces.lnsd.org).

New parents will receive an email with instructions on how to register. Once registered, be sure to review the default dismissal plan in PickUp Patrol and confirm that it is accurate, so that your child can be dismissed correctly. If you are unsure of how to access your account, please contact the school at 802-521-5600.

#### *Plan Changes*

Changes can be entered via PickUp Patrol from a phone or computer at any time up until 1:30 PM on the day of the change.

After 1:30 PM, changes will not be accepted except in the case of an emergency. The end of the school day is a busy time. To ensure all students' safety, please plan accordingly and limit these exceptions to emergencies only. In the event of an emergency dismissal change after 1:30 PM, please call the main office at 802-521-5600.

#### *Attendance Reporting*

If your child will be absent from school, report the absence using PickUp Patrol before 8:00 AM on the day of the absence.

Late Arrivals and Early Dismissals should also be submitted via PickUp Patrol.



### **30. GRADE ADVANCEMENT: RETENTION, PROMOTION & ACCELERATION OF STUDENTS POLICY & PROCEDURE**

#### **Policy**

It is the policy of the Cambridge School District to assure all student are progressing in their educational program and have reached a standard of achievement necessary for satisfactory progress in the next grade.

#### **Background**

The Board believes that the primary goal of the education system is to educate all students. Since each child develops physically, mentally, emotionally, and socially at an individual rate, every student will not complete twelve grade levels of work at the same time. Some students will need more than twelve years, while others may need less.

The Vermont Framework of Standards and Learning opportunities defines what students should know and be able to do at various stages of their school careers. Schools are responsible for adopting curricula that provide students with opportunities to master the standards. Promotion from grade to grade as well as retention and acceleration should be based on a student's ability to meet the standards over time.

#### **Definitions**

1. ***Acceleration*** is the advancement of a student by more than one grade beyond the current grade level.
2. ***Promotion*** is the single grade step most students take from year to year.
3. ***Retention*** allows a student to repeat all or part of a grade in order to more fully prepare for the work of the next grade.

#### **Implementation**

Classroom educators are responsible for assessing student progress and recommending the promotion of students each year. Educators will assess academic readiness to advance to the next grade using a thorough evaluation process that will include but not be limited to standardized testing - those offered by the State as well as others chosen by the District - classroom-based testing, portfolios and teacher observation. The evaluation will also take into account social, emotional, physical and mental growth, past academic performance and behavior, motivation, attendance, and other pertinent circumstances.

The Principal will develop rules to implement this policy that will specify a process for the consideration of retention or acceleration that will include the following characteristics:

1. Will seek the involvement of parents/guardians in a highly collaborative working relationship.
2. Focus the use of retention in the early primary grades at which time research indicates it is most effective.
3. Acceleration should be considered in rare cases after all enrichment opportunities have been thoroughly explored.
4. Students will be retained or accelerated if it is expected that the action will be beneficial to the student socially, emotionally, academically and when there are not other ways to meet student's needs.

When considering retention, such actions as remediation in class or out, tutoring in class or after school, mentoring, cooperative efforts with families, or summer school should be evaluated.

Before considering acceleration, actions such as inclusion in a full or part-time gifted program, enrichment in the classroom, or other advanced courses through correspondence, distance learning, or through another institutions should be examined.

5. Will outline steps and time frames that provide for a great deal of interaction with parents/guardians.
6. The final decision will be made by the Principal after consultation with parents/guardians, classroom teacher and other professional staff.

Parents may appeal a decision of the Principal to the Superintendent.

## **GUIDELINES FOR RETENTION/ACCELERATION**

### **RETENTION - ELEMENTARY GRADES - K-6**

Cambridge Elementary school will utilize the following procedures in deciding the retention of a student:

1. Any student achieving substantially below the appropriate grade level will be considered for retention through the building level staffing process. Students will not be considered for retention for non-academic reasons such as behavior management difficulties, lack of motivation, punishment, etc

2. It is strongly recommended that whenever possible retention is limited to kindergarten, grade 1, and grade 2 with other interventions used to address lack of progress at higher grade levels. When lack of progress continues, retention may be considered at the higher grade levels.

3. A child may not be retained more than once without approval from the Superintendent/designee.

4. The academic progress of students with special education or 504 plans will be addressed in the respective educational plans.

5. The following procedures will be used when a student is being considered for retention:

1. During or after the first marking period or as soon as evident, each teacher will bring forth to the Education Support Team (EST) the names of students whose academic progress warrants an EST meeting to determine early intervention approaches to be instituted. An EST meeting, with parent notification and involvement, will be arranged for all referred students. Relevant data such as the following is to be presented at the EST meeting:

- Specific skill deficits and strengths in subject areas and interventions utilized by the classroom teacher,
- Interventions utilized by other staff,
- Test results and progress grades for current and previous year, assessment results from in-class learning activities including a portfolio of student class work,
- Summary of parent-teacher contacts regarding student's academic progress, and
- Health records and attendance records wherever relevant.

b. Based on the EST meeting, a written plan will be developed to address the student's lack of achievement. Such a plan will include recommendations for intervention considerations, i.e., school resources, special tutoring, tutorials, summer school attendance, etc. The plan will be monitored by the teacher and principal with a review meeting held with the parent by the end of the third marking period. This meeting will include an analysis of the student's progress as well as a discussion of the available assessment data.

c. At the end of the third marking period teachers will submit to the principal a list of students who will be considered for retention. At this time the parent/guardian will be notified in writing that retention is being seriously considered and a parent/guardian conference will be scheduled.

d. Prior to the end of the school year a final EST meeting will be held to determine whether the child is to be retained. The "Light Retention Scale" or a similar instrument may be administered before a final decision is made regarding retention.

If retention is recommended at the EST meeting, the school will submit their recommendation to the parents in writing and such letter will be discussed with the parent/guardian prior to the end of the school year. An additional copy of the recommendation will be placed in the student's cumulative folder. Any conditions regarding the retention such as reconsideration after summer school or during the next school year will be noted in the letter.

6. Parent/guardian approval for retention will generally be considered necessary for successful implementation of the retention.

7. If retention is recommended without parent/guardian approval, the parent/guardian will have the right to appeal that recommendation to the Superintendent/designee.

8. Retention will be noted on the student's report card. Summaries of all EST meetings will be placed in the student's record folder.

### **ACCELERATION – GRADES K – 6**

The Cambridge School District recognizes a need for educational alternatives for students who demonstrate advanced intellectual and academic achievement. The purpose of acceleration is to place students at the level of their demonstrated competence. There are two types of acceleration that may be appropriate for academically talented students. One is vertical acceleration in which a student moves through the regular curriculum sequence at an advanced pace. The second is horizontal acceleration in which the depth and breadth of a curricular area is explored in more detail.

CES will utilize the following procedures in deciding either the grade or subject acceleration of a student:

1. A student may be referred for grade, subject, or course sequence acceleration by a teacher, any other school district professional, or parent(s)/guardian(s) by using the District acceleration form. This includes requests for early entrance to Kindergarten and First Grade\*.
2. Decisions regarding acceleration of students will be handled through the building level Education Support Team (EST) process.
3. Appropriate challenges within the classroom structure and gifted and talented program will be used as the first alternative in the development of a student's acceleration plan.
4. An evaluation of the student's potential to benefit from subject acceleration or advanced grade placement shall be required. Pertinent data, staff observations, and documented academic performance will be considered in the decision concerning acceleration. To be considered for acceleration (this includes early entrance to Kindergarten or First Grade), the student should meet the following criteria:
  1. Based on an evaluation by the school counselor or other appropriate staff, the student indicates a desire to be accelerated.
  2. Based on the building EST meeting discussion and observation of the child, it is concluded that the socio-emotional maturity of the student is at a level where acceleration is desirable.
  3. Demonstrated exceptional achievement levels in class work as evidenced by the following:
    - Academic performance level which is two to four years above current grade level on standardized achievement tests,
 If needed, the recommendation will be referred to the appropriate staff (gifted and talented teacher, counselor) for additional evaluation.
5. A conference will be held with all involved personnel including the student's parents/guardians, the student, teacher(s) and the gifted and talented program coordinator to recommend appropriate placement. The building principal will decide if the placement decision is appropriate. The principal's decision may be appealed to the Superintendent/designee.
6. If the student will be advancing to a different level from one school to another, i.e., elementary to middle school, administration and counseling staff of both schools will be involved in the planning process. The receiving teacher will conduct an ongoing evaluation.
7. All grade, subject, or course acceleration decisions shall be made on a trial basis based on the report card grading schedule. In the case of grade acceleration, an EST meeting will be held to review the student's progress. At the end of a three month trial period, the receiving teacher will assess the student's progress to ensure that the proper placement has been made. If academic or adjustment difficulties occur, the committee will reconvene to determine appropriate placement.

**\*Requests for Early Entrance to Kindergarten or First Grade**

The process for requesting early entrance to Kindergarten (child is not five on or before 9/1) at Cambridge Elementary School is as follows:

1. Parents must send the "Request for acceleration" form to CES principal no later than May 15 of preceding school year.
2. CES Staff will conduct on-site observation of student if enrolled in CES or private preschool program.\*\*
3. Students being considered for early entrance to Kindergarten or First Grade are subject to the same criteria for acceleration as all other grades – see criteria listed above.
4. Findings of the EST may be submitted to the Superintendent for review.
5. Parents will be notified of school's decision by June 30 of the year preceding enrollment. Findings can be appealed to the CES Board no later than July 15 of the school year preceding enrollment.

The process for requesting early entrance to First Grade (child is not six on or before 8/31) at Cambridge Elementary School is as follows:

1. Parents must send the "Request for acceleration" form to CES principal no later than May 15 of preceding school year.
2. The student will be required to participate in first grade assessments administered at the end of the school year.
3. CES Staff will conduct on-site observation of student if enrolled in CES or private program.\*\*

4. Students being considered for early entrance to Kindergarten or First Grade are subject to the same criteria for acceleration as all other grades – see criteria listed above.
5. Findings of the EST may be submitted to the Superintendent for review.
6. Parents will be notified of school’s decision by June 30 of the year preceding enrollment. Findings can be appealed to the CES Board no later than July 15 of the school year preceding enrollment.
7. If a child does not turn six on or before 8/31, has attended and completed kindergarten in another public or private school, and has been promoted to first grade by the sending school, petitioning for early entrance to first grade is not required and the child will be placed in first grade.

\*\*Cost of substitute coverage (half day) will be at the expense of the parent. Please contact the school if you are unable to afford this expense.

**“REQUEST FOR ACCELERATION” FORM**

Child referred for acceleration \_\_\_\_\_

Child’s current school and grade level \_\_\_\_\_

Parent/Guardian Name \_\_\_\_\_

Child’s Address and Phone Number \_\_\_\_\_

Referred by (Name and Title) \_\_\_\_\_

Please explain why you feel this child should be accelerated:

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Please check the type of acceleration you are seeking for this child:

\_\_\_\_\_ Whole-grade Acceleration What grade level(s)? \_\_\_\_\_

\_\_\_\_\_ Subject Acceleration What subject(s)? \_\_\_\_\_

\_\_\_\_\_ Early Entrance to Kindergarten

\_\_\_\_\_ Early Entrance to First Grade

\_\_\_\_\_ Other \_\_\_\_\_ Please specify.

**Signature of Referring Party** \_\_\_\_\_

**Date** \_\_\_\_\_

\*A team meeting will be set up within 30 days of the receipt of this form.

**PLEASE RETURN THIS FORM TO:  
Cambridge Elementary School Attn: Principal  
186 School Street  
Jeffersonville, VT 05464**

**31. PTA**

The Cambridge Parent Teacher Association is an active volunteer group that meets once a month. The organization works with parents and teachers, striving to create a closer relationship. The mission of the PTA is: 1) To support and speak on behalf of children and youth in the schools, in the community, and before governmental bodies and other organizations that make decisions affecting children; 2) To assist parents in parent and public involvement in the public schools of this nation.

(1410.2)

**32. STUDENT RECOGNITION**

We are committed to creating a caring school community and recognizing student strengths and attributes are important. During the year we will gather monthly during the school day to celebrate our school community. The **Celebration of Learners Assembly** provides all students an opportunity to share their positive attributes with the whole school community.

(2120.2)

### **33. CLASSROOM PLACEMENT PROCEDURE**

It will be the practice of CES to place students in classrooms that balances their academic, social and emotional needs. Parental input, excluding individual teacher requests, will be considered. The school's first responsibility is to develop classrooms that are representative of the student body. The Principal shall make the final placement decision. Parents may appeal the decision made by the Principal to the Superintendent of Schools.

(2120.5)

### **34. CRISIS SCREENING**

While schools cannot always anticipate or prevent danger, schools have an obligation to make reasonable efforts to provide a safe environment for students. To ensure a safe environment, schools must obtain a mental health screening for any student who expresses, orally or in writing, intent to harm themselves or others.

The following procedures will be followed when the Administration determines that a crisis screening is necessary:

- Notify parents or guardians of the student's expressed intent to cause harm;
- Notify and seek advice and assistance from appropriate medical, mental health and/or law enforcement personnel;
- Assign personnel to supervise/monitor the student until such time as appropriate medical, mental health or law enforcement personnel are available to assist the student and maintain safety;
- Provide restraint only when the student's behavior is out of control and presents an immediate danger to the student, school personnel or members of the student body.

### **35. ILLNESS OR INJURY OF STUDENTS**

1. If your child is ill or appears to be ill, **PLEASE** keep him/her at home. In this way we can prevent the spread of infections.
2. If a child comes to school ill or becomes ill while at school, the parent or guardian will be contacted at home or work to come for him/her. Students will not be permitted to leave unless accompanied by a parent or with parental permission, or with another adult with parental permission.
3. It will be the responsibility of the parent or guardian to provide transportation. Please be sure that we have a telephone number where you can be reached at all times.
4. Any child attending school must participate in physical education and outside activity. If you request indoor recess, or absence from physical education for more than a few days, **WE MUST HAVE A STATEMENT FROM THE DOCTOR OR PARENT!** No notes will be issued from the health office.
5. All injuries occurring at home are parent's/guardian's responsibility.
6. In the event of a medical emergency at school, the following procedure is used:
  - a. The parent/guardian is notified as soon as possible after the emergency occurs.
  - b. If the injury appears to be serious, the child is transported by ambulance directly to the nearest hospital emergency room. If you have a hospital preference we cannot guarantee where the ambulance will go.
  - c. Every attempt is made to have the nurse present but if this is not possible, any adult present on the scene follows this procedure.
  - d. The school does make every effort to contact parents either at home, work or otherwise. If we do not find you on our first try, we continually call until we reach you.

- e. If a child must be taken to the emergency room at the hospital, **A PARENT MUST BE PRESENT!** They have a form you will be required to sign for treatment. If the emergency is life threatening, it will be treated while awaiting your arrival.

7. Immunizations are the single most important way to protect against serious and sometimes deadly diseases.

Vermont's Immunization rules require vaccination of all children enrolled in PK-12. An official immunization record must be presented to the school upon admission. If the student doesn't meet the vaccine requirements, or have a current school year exemption on file, they may be **temporarily** admitted after the approval of the school nurse or administrator. Failure to meet requirements may result in exclusion.

**Effective 7/1/2016, the philosophic exemption to vaccination requirements was eliminated in the state of Vermont.**

If a parent or guardian holds religious beliefs opposed to immunizations, each year she/he must sign the current school year religious exemption form. Signing acknowledges that she/he has read evidence based information regarding immunizations provided by the health department, and is aware of the risks associated with not vaccinating children.

In order to claim a medical exemption, a health care practitioner authorized to prescribe vaccines must complete the health department supplied medical exemption form.

Exemption forms must be completed, signed and returned to the school upon enrollment each school year.

Students with any exemption may be excluded from school during the course of a disease outbreak.

(2130.1)

### **36. STUDENT MEDICATION**

#### **Policy**

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

#### **Implementation**

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

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

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

The school shall provide an opportunity for communication with the pupil, parent or guardian, and physician regarding the efficacy of the medication administered during school hours. In the case of medication possessed by students with life threatening allergies or with asthma, the school shall provide forms for parents to submit authorizing possession of the medication and releasing the school from liability as a result of any injury arising from

the student's self-administration of the emergency medication Act 175 of 2008, codified at 16 V.S.A. § 1387, requires that public and approved independent schools have procedures in place to ensure that students with life-threatening allergies or with asthma are permitted to possess and self administer emergency medication at school, on school grounds, at school sponsored activities, on school provided transportation, and during school related programs. The Act does not require the adoption of a school board policy. This model is intended to provide guidance to school boards and administrators who choose to revise current policies on student medication or who wish to adopt new board policies on this subject.

*See*, 16 V.S.A. § 1387(b). Parents must provide annual written authorization and documentation from the student's physician as to the need for emergency medication. Parents must also annually develop, in consultation with the school nurse or designee, a plan of action for the school and student to follow when possessing emergency medication, and must sign a statement releasing the school and its agents from liability as a result of any injury arising from the student's self-administration of the emergency medication.

*See*, 16 V.S.A. §1387((b)(1) and §1387(d).

Date Warned: 9/17/08

Date Adopted: 10/16/08

Legal Reference: Act 174 of 2008  
16 V.S.A. §1387

**NOTE: The footnotes in this model policy are for reference purposes only and should not be included in the adopted version of a school board policy on student medication.**

**VSBA Model Policy Manual  
Student Medication**

**Code F6 A**

**Sample Parental Authorization Form**

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

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

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

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

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

Signed on \_\_\_(Date)\_\_\_\_\_ at \_\_\_(City or Town and State)\_\_\_\_\_ by \_\_\_\_\_(Parent or Guardian)\_\_\_\_\_.

Witnessed by \_\_\_\_\_ . Dated \_\_\_\_\_

**37. FIRST AID AND MEDICAL TREATMENT**

1. The nurse and school personnel will only give emergency first aid.
2. Serious injuries such as fractures and cuts requiring sutures are not treated except for emergency measures until parents can be notified. When it is not possible to locate the parent, the child will be taken to the Cambridge Health Center/hospital.
3. The Cambridge Rescue Squad will be contacted when necessary.

4. It is important that the parent fill out the emergency forms. This form enables the school to have accurate information in the event of a serious illness or injury.

(2130.3)

### **38. SICK KID STAYS HOME CRITERIA**

No child should be sent to school with any of the following conditions:

1. Fever within the last 24 hours
2. Painful sore throat or ear ache
3. Vomiting
4. Serious cough or cold
5. Any kind of rash
6. An open draining wound that can't be covered

(2130.4)

### **39. LOST AND FOUND**

There will be a lost and found box in the vestibule. All items found will be placed in the box. This box will be emptied out after the last day of school and before a vacation. There is also a lost and found box in the gym for items found there.

(2130.6)

### **40. BOOK BORROWING PROCEDURE**

#### ***Kindergarten and First Grade***

Kindergarten and First Grade may borrow one book at a time for a period of one week. When needed for longer, books may be renewed.

#### ***Second Grade through Sixth Grade***

Second through Sixth graders may borrow two books at a time for a period of two weeks. When needed for longer, books may be renewed.

#### ***Responsible Borrowers***

Students are encouraged to be responsible borrowers by returning library books when due and taking good care of their library books. Students are not fined for overdue books, but if students have books that are overdue, they will be unable to borrow further materials until their overdue books are returned. If a library book is lost or irreparably damaged, the replacement cost is six dollars. For more information regarding the library, please check the CES Library website which may be located off the CES homepage under the student menu. For questions regarding these procedures, or other library matters, please contact CES Librarians Morgan Baumann at [mbaumann@lnsd.org](mailto:mbaumann@lnsd.org) or Cassie Calabrese at [ccalabrese@lnsd.org](mailto:ccalabrese@lnsd.org).

### **41. LIBRARY MEDIA PURPOSE AND SELECTION PROCEDURE**

The Library Media Curriculum is an integral part of the overall program of the school district. Library skills are process skills, interdisciplinary in nature, and permeate all school disciplines. The library's purpose is to support the school community and function in concert with all school programs and disciplines to support the planning and execution of units of study.

The primary responsibility of a librarian is to develop a collection of high quality reading material that supports the students' reading interests, information interests and the school curriculum. Materials considered for purchase are



judged by weighing faults against virtues for each item, and are selected based on the content and value of each work as a whole. The overall purpose of the material is the deciding factor when purchasing titles in which objectionable features appear. The librarian strives to obtain at least two recommendations from reputable library journals for each purchase.

No selected materials whose appropriateness is challenged shall be removed from the library except upon the recommendation of a review committee. If a parent or a community member has a concern regarding library material, the concern should first be brought up with the librarian. If the matter is not resolved to the concerned party's satisfaction, the complainant may request a further review by the review committee.

#### **42. CAMBRIDGE WEB SITE**

The Cambridge Web Site is located at: <http://www.ces.lnsd.org>. Through it you can access information about the school and its programs, including our calendar of events.

(2220.3)

#### **43. A SECURE LEARNING ENVIRONMENT**

Cambridge Elementary students have access to the internet through a filtering service. The filter limits access to sites that are appropriate to elementary children. Outside email accounts for students are not permitted. For more information contact the school's Technology Coordinator.

(2220.4)

#### **44. CES ACCEPTABLE USE GUIDELINES FOR COMPUTER NETWORK & INTERNET ACCESS**

Lamoille North Supervisory Union & School District

Acceptable Use Agreement

Print Student's Name: \_\_\_\_\_ School: \_\_\_\_\_ Grade: \_\_\_\_\_ will:

- Follow the requirements in the Student Handbook, the Responsible Computer, Network & Internet Use D3, Prevention of Harassment, Hazing and Bullying of Students C10, Prevention of Sexual Harassment as Prohibited by Title IX C13, and any relevant state and/or federal laws;
- Install additional software/apps ONLY if approved by LNSU / SD IT staff;
- Not "Jailbreak", tamper with or "hack" the Device or install any sort of VPN or other similar internet proxy software;
- Not attach stickers to, write on, or otherwise deface the Device;
- Handle the Device with care, keeping it clean, dry, away from food and drink, and shielding it from extreme hot or cold temperatures;
- Use the Device on a stable platform such as a desk or table and not on a soft surface like a bed, which will block the cooling vents and cause it to overheat;
- Always have the Device in my personal possession, in the care of a staff member, or in a secure location (e.g., my locker or cart);
- Ensure that the Device battery is charged at the beginning of each school day and ready for school use.;
- Not trade Device's or chargers with another student;
- Notify my teacher or IT staff immediately if the Asset # sticker on the bottom of the Device begins to peel off or is damaged or missing;
- Notify my teacher, administrator, or IT staff immediately if my Device is damaged, lost, or stolen;
- Not attempt to repair a damaged Device or have someone other than IT staff repair it;
- Keep my personal information private, i.e., I will not share my birthday, password, social security number, address, or phone number(s);
- Not use a school computer to circumvent (go around) or violate copyright laws, or to steal software, movies, music, or any other type of protected media;
- Not use tools that prevent the web browser from logging my browsing history or delete the browsing history; and,
- Return the Device and charger at the end of the school year, or any other time as requested, for maintenance and software updates.

I understand:

- That the Device is school property and issued to me for my use. I realize that IT staff may inspect the Device at any time;
- Student home Device activity is managed by our school content filter and all internet activity is logged for reference by school administration;
- Replacement of lost chargers will incur a cost of up to \$30.
- If a school administrator determines that there is damage to a Device then the student/parents are responsible for the cost of repair or replacement as defined below; and,
- That I am liable for damage to the device as well as the replacement of a lost or stolen Device or AC power adapter.

Below are some estimated in-house repair costs for damage:

Screen Repair - up to \$75

Key Replacement - up to \$20

Total Replacement of device - up to \$400

Parents/Guardian's: I have read and discussed with my youth/student the Acceptable Use Agreement, and I am aware of the resources provided for my youth/student. I understand that computing device access is conditional upon adherence to the requirements expressed in this agreement. Although students are supervised when using these resources, and their use is electronically monitored, I am aware of the possibility that my youth may gain access to material that school officials and I may consider inappropriate or not of educational value.

Parent/Guardian's Signature \_\_\_\_\_ Date \_\_\_\_\_

#### **45. VISITORS POLICY**

The School Board encourages parents and community members to visit the school. It is the intent of the board to balance the need of the public and media to be informed about school programs and activities with the privacy interests of students and the responsibility of the school to operate with a minimum of disruption. Accordingly, the principal or his or her designee may regulate visits to the school by parents, community members or news media subject to the following guidelines:

1. Parental visits. In the absence of court order denying visitation rights to a parent, both custodial and noncustodial parents may schedule visits to the children's classes. Arrangements for classroom visits shall be made by contacting the principal or designee. The principal will consult with the teacher involved, and may grant the request or suggest a more convenient time for a visit. Requests by parents to visit classes may be denied by the principal when the visit would result in disruption to the learning process in the classroom.
2. Visits by community members. Persons who are not parents of school children may obtain permission to visit the school while it is in session from the principal or his or her designee. Requests to visit specific classrooms will be granted or denied after consultation with the teacher or teachers involved, and will be based on a consideration of the informational needs of the person making the request and the potential for disruption or invasion of the privacy of students.
3. Visits by news media. Visits to the school by representatives of the news media or other persons seeking to interview, photograph, record, videotape or film students, staff members or other school activities must be arranged after consultation with the principal or his or her designee. Affected teachers will be consulted before permission will be obtained before the release, photographing or recording of any student record.

All visitors to the school will be required to check in at the office when they enter the school building.

#### **46. VISITING STUDENTS**

We cannot be responsible for children who are not enrolled as a student. If you or your family have visiting children, you can arrange to accompany them to visit the school for a short period of time.

(2410.2)

#### **47. STUDENTS LEAVING SCHOOL**

Students will be allowed to leave school in the custody of their parents. Students will be allowed to leave school in the custody of another adult if there is written permission from the custodial parent permitting this. In mitigating circumstances, verbal permission from the parent to office personnel will be acceptable.

Parents (or approved other adults) who pick up their child(ren) during the school day will need to sign their child(ren) out in the school office.

Non-custodial parents will not be allowed to take their child(ren) from the school unless the custodial parent has given approval.

(2410.15)

#### **48. STUDENT RECORDS**

Records of each child are on file in the office and are updated during each school year. All the information within this file is available to you as it concerns your child. You, as a parent, not only have the right to examine your child's records, but also are encouraged to do so by school staff. If you would like to examine your child's folder please contact the school for an appointment. Assistance will be provided to you, as needed or desired. The school has a policy on student's records that follow the Family Educational Rights and Privacy Act. A copy of this act is available in the school office.

(2410.26)

#### **49. PARENTAL RIGHTS IN REGARD TO STUDENT RECORDS**

As a parent of a student or a student (18 years or older) enrolled in the Cambridge School District, you have certain rights concerning the education records which the school district maintains. These rights are afforded by the Family Education Rights and Privacy Act (FERPA) and other legal requirements. For disabled students on IEP's, parents maintain rights equal to those of the student through the period of the student's special education eligibility.

You have the right:

1. To a list of the types of locations of student education records maintained by the School District and the title and addresses of the school officials responsible for those records.
2. To inspect and review your education records within a reasonable time after such a request (no more than 45 days after the request is made, and before any IEP meeting or hearing related to the identification, evaluation, or placement of a student with a disability.) This includes the right to:
  - a. a response to reasonable requests for explanations and interpretations of the education records
  - b. have a representative of your choice (i.e., an advocate, relative, etc.) inspect and review the records on your behalf
  - c. a copy of any of your education records if failure to provide a copy effectively prevents you from exercising your right to inspect and review the records
3. To seek the correction of your education records through a request to amend them, or through a hearing procedure provided for by law, including the right to a copy of the Cambridge School District's "Procedures for Request to Amend Information in Education Records".
4. To review the access log (record of disclosure of personally identifiable information) from your record.
5. To examine and receive a copy of any policies or procedures of the Cambridge School District regarding education records by contacting the principal of the school.
6. To receive this notice in your home language, if it is other than English, or by any other primary mode of communication that you use unless it is clearly not feasible for the school district to do so.
7. To file complaints, regarding the Cambridge School District's failure to grant these rights by writing to the Family Policy Compliance Office, U.S. Dept. of Education, Washington, D.C. 20202-4665

8. To have information from your education records withheld from disclosure to third parties without your prior written consent -  
except:
  - a. to school officials with legitimate educational interests
  - b. to officials of another school or school system in which you (your student) seeks(s) or intend(s) to enroll
  - c. to federal or state government officials and other authorities, as provided by law
  - d. in health and safety emergencies
  - e. to comply with a judicial order or lawfully issued subpoena
  - f. directory information\* which includes (student's name, address, telephone number, current grade enrolled in, awards received, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance and most recent previous education agency or institution attended, date and place of birth)

**\*You have the right to refuse to permit the designation of any or all these categories as directory information for your child by contacting, in writing, the principal of your school within fourteen (14) calendar days of the date of this notice.**

(2410.16)

### **50. NOTIFICATION OF DESIGNATION OF DIRECTORY INFORMATION AND RIGHT OF REFUSAL**

Cambridge Elementary may disclose designated directory information on students and eligible students without the prior consent of the parent or eligible student, and without any record of such disclosure. The following types of personally identifiable information have been designated directory information:

- Parent's name, address and phone number.
- Student's name, address, telephone number, electronic mail address, photograph, date and place of birth, grade level, major field of student
- Participants in officially recognized activities or sports, weight and height of members of athletic teams
- Dates of attendance, and/or degrees, honors, awards received
- Class lists and list of graduates

Disclosure may include such personally identifiable information contained or reflected in photographs or videos.

Directory information may be released to members of the public and newspapers, posted on the CES website, or posted on CES social media at the discretion of the school administration. If you are an eligible student and are currently attending the school named above, or if you are the parent of a student currently attending the school named above, you have a right to refuse to permit the designation of any or all of these types of information as directory information concerning your child or (if you are an eligible student) yourself, by providing written notice of your refusal, listing the type(s) of information with you refuse to have so designated, to the principal of the school.

Note: You are an eligible student if you are at least 18 years of age or are attending an institution of post-secondary education.

The Family Education Rights and Privacy Act (FERPA) allows school officials and school employees with a legitimate educational interest and who are involved in the evaluation of federal or state programs, to have access to student assessment information. The FERPA Office defines legitimate educational interests as, "could not carry out their duties without the information." School boards are able to carry out their duties by having access to student information in disaggregated groups and individual specific student identifiable information is not necessary. Information disaggregated by group will be discussed in executive session so that confidentiality is in place for the discussion if the group size is smaller than 10. This is consistent with State reporting practices.

### **51. PUPIL PRIVACY RIGHTS**

**POLICY:** It is the intent of the school board to comply with the provisions of the federal Pupil Privacy Rights Amendment (PPRA) governing the administration of certain student surveys, analyses or evaluations funded in whole or in part by the U.S. Department of Education.

## **Definitions**

As used in this policy, the following terms shall mean:

**"Invasive physical examination"** means a medical examination that involves the exposure of private body parts or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision or scoliosis screening.

**"Personal information"** means individually identifiable information including a student's or parent's name, address, telephone number, or social security number.

**"Instructional material"** means instructional content that is provided to a student, regardless of format. It does not include tests or academic assessments.

**"Parent"** means a natural or adoptive parent, a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of a child).

## **Student Rights**

The rights provided to parents under the Pupil Rights Amendment and this policy transfer to the student when the student turns 18 years old, or is an emancipated minor under applicable Vermont law.

## **Policy**

1. No student shall be required, without prior written parental consent, to take part in a survey, analysis, or evaluation funded by the U.S. Department of Education that reveals information concerning:
  - A. political affiliations or beliefs of a student or a student's parents
  - B. mental or psychological problems of a student or student's family;
  - C. sex behavior or attitudes;
  - D. illegal, anti-social, self-incriminating and demeaning behavior;
  - E. critical appraisals of other individuals with whom student respondents have close family relationships;
  - F. legally recognized privileged or analogous relationships, such as those of lawyers, physicians or members of the clergy. income (other than that required by law to determine eligibility for participation in a program for receiving financial assistance under such program; or
  - G. religious practices, affiliations, or beliefs of the student or the student's parents.
2. Parents shall have the right to inspect any survey created by a third party before the survey is administered or distributed to a student. Requests for inspection shall be in writing, and shall be made in sufficient time to allow a response at least two weeks in advance of any survey to be given.
3. Parents shall be notified at least annually, at the beginning of the school year or when enrolling students for the first time in district schools, of this policy. The notification shall explain that parents/guardians or students 18 years of age or older, have the right to "opt out" of the following activities:
  - A. the collection, disclosure and use of personal information gathered from students for purpose of marketing or selling that information. This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational services for, or to students.
  - B. the administration of any survey not funded in whole or part by the U.S. Department of Education that includes the eight subject areas listed in paragraph 1 above; or
  - C. the administration of any non-emergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school not necessary to protect the immediate health or safety of a student or other students and not otherwise permitted or required by state law.
4. In addition parents shall be notified, through U.S. Mail, email or other direct means, at least annually at the start of each school year of the specific or approximate dates of any activities described in sub-paragraphs A-C of paragraph 3 above, and shall be provided an opportunity to opt out of participation in those activities.
5. Parents shall have the right to inspect, upon request, any instructional material used as part of the educational curriculum.
6. The superintendent or his or her designee shall develop administrative procedures as required to ensure implementation of this policy.

Dare Warned: 3/19/08  
Date Adopted: 4/16/08

### **52. BIRTHDATE FOR ADMISSIONS**

- Pre-Kindergarten students must be four years of age on or before September 1st
- Kindergarten students must be five years of age on or before September 1st of the year they are to start school.
- First grade students must be six years of age by September 1st of the year they are to start school.
- At registration, parents must present a birth certificate. All children must be immunized prior to school entrance according to current requirements of the Vermont Department of Health.

(2410.17)

### **53. NOTICE NEEDED FOR SCHOOL-WIDE EVENTS**

Multigrade and school-wide events present tremendous logistical problems, sometimes at the expense of instruction. These events need to be scheduled three months in advance so that proper planning and scheduling can be accomplished. Faculty anticipating an annual event should indicate so on the master calendar by the end of September.

(2410.23)

### **54. COMMUNITY USE OF FACILITIES (SUMMARY)**

The School Board encourages community use of school buildings. It has a policy that is favorable to non-profit local groups, meetings, dinners, sporting events and other events. Fees may be assessed. Contact Jordynn Brisbin for more information. Building use guidelines and applications can be found on the CES Website.

(2600.1)

### **55. LIMITED ENTRY TO BUILDING**

The main door will remain locked at all times of day except between the hours of 7:30 a.m. and 8:00 a.m. and 2:15 p.m. and 2:30 p.m. All other exterior doors will remain locked at all times. During all other times of the day through 6:00 p.m., visitors will need to press the buzzer which is located on the exterior of the building to the right side of the main entry door. Office staff will be able to view visitors from a monitor and unlock the door. Visitors should be prepared to state the reason why they are coming into the building. Although it is ordinarily the polite thing to do, please do not hold the door open for other people. All visitors will need to undergo the same vetting process for entry. Once you are inside the school, please report to the receptionist's desk where you will be asked to sign in and you will be issued a visitor's tag. Video surveillance equipment will monitor people entering and exiting from the doors in the office lobby.

(2600.2)

### **56. TRANSPORTATION FORM AND NOTE REQUIRED FOR CHANGE IN TRANSPORTATION**

A transportation form is required on each student to be filled out at the beginning of each year, whether the student rides the bus, walks or is picked up. These forms are e-mailed each year electronically as well as being accessible on the CES website. A parental note is necessary if a student is not going to ride his/her bus after school. A note is required if someone (other than parent or family) is planning to pick up the child. If communication from the parent becomes a problem, the parents must sign a blanket permission form regarding their children's after-school destinations.

If circumstances arise and your child will be going to a different place after school, please contact the main office  
**before 1:40 p.m.**

## **57. SCHOOL DELAYS/CANCELLATIONS/EARLY CLOSINGS**

Protocols Regarding Weather Closures/Delays to the Start of the School Day Lamoille North towns span approximately 251 square miles and weather conditions can often be quite different from one end to the other and in between. In addition, we all know that our Vermont weather can be very unpredictable and can change drastically in a short period of time. Safety is the most important factor. Our transportation system is centralized and all buses travel from each of our towns to the campus. If one town experiences freezing rain, and the roads are considered potentially unsafe by our road crews in that town, we will close school even if the weather conditions and roads in every other town are safe for travel. Decisions must be made based on the safety of all of our students and staff in all of our towns. We give consideration to our students who are new drivers on winter roads and to whether the faculty, at large, commuting from all over the state, will be able to arrive safely, and if we will adequately be able to staff the school for the day. We will usually not have a delayed opening unless our road crews make that suggestion. Sometimes a little extra time to treat the roads is needed, especially if a storm hits after the roads have been sanded, but that is the crews' decision alone to make. A majority of the time, the crews are able to manage weather and road conditions to ensure that the roads designated as bus routes are ready in time for a regular opening of the school day. We rely most heavily on the expertise of our road crews when it comes to evaluating the weather conditions because they are already out on the roads and have the best "real time" knowledge. We have our cell phones set up for alert text messages from the State of Vermont. Also, we regularly monitor the following sources for forecasts and predictions: The Weather Channel, WCAX, NOAA, Roger Hill from Weathering Heights, and the Vermont Agency of Transportation. We will make every attempt to make school closure decisions by 5:30 am, after talking with road crews from each town. A message will be sent to all families and staff using contact information we have for you in PowerSchool. Please make sure that your contact information is accurate and communicate any changes to your school registrars so that you receive up-to-date information. We try to send all notifications out between 5:30-5:45 am so that we can prevent staff from getting on the roads and give families enough time to make alternative plans. If at any time, a parent/caregiver feels that conditions are such at home that the roads feel unsafe to drive to school, the parent/caregiver can choose to keep a student(s) home even if we open.

## **58. SECURITY PROCEDURES**

### **EMERGENCY PROCEDURES**

#### **SECURE**

- Bring everyone indoors
- Lock outside doors
- Increase situational awareness
- Account for students and adults
- Do business as usual

This means that students and staff can move about the building after you know everyone is accounted for in your space.

#### **HOLD**

- Clear the halls
- Close and lock the doors
- Account for students and adults
- Do business as usual

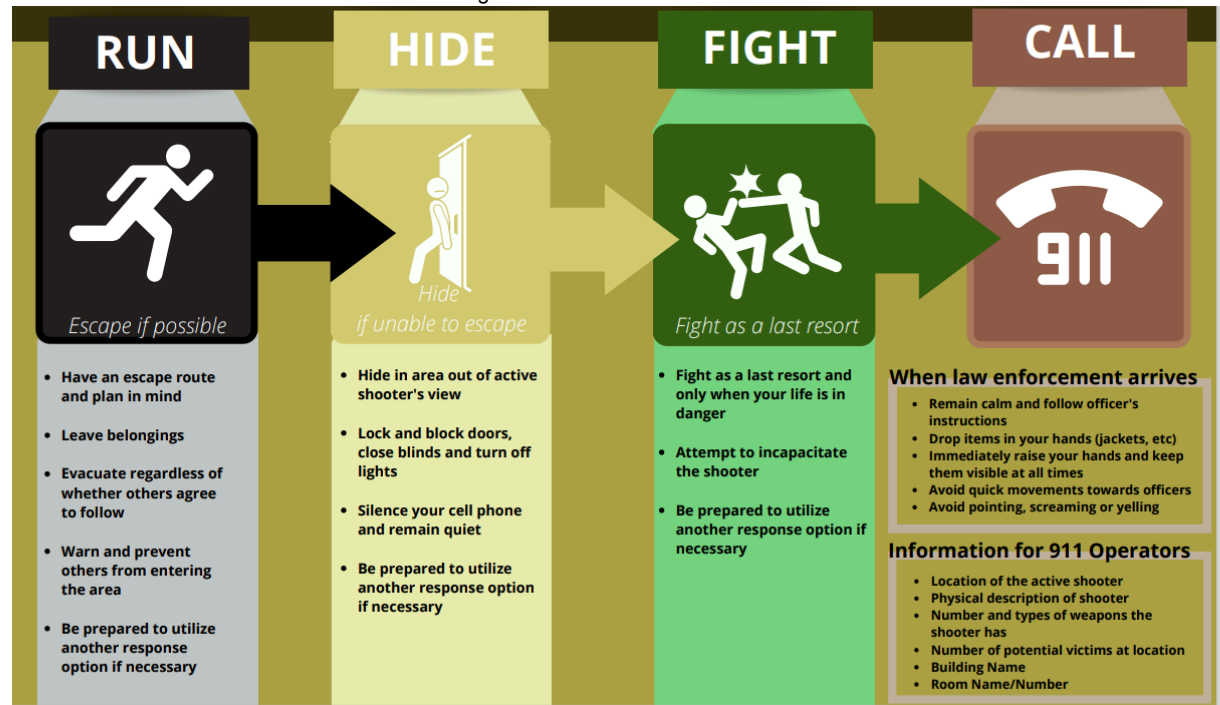
This means that students should not be leaving the classroom. However, you may continue the activities you have happening in your space. This is different than secure because we ask individuals to stay in their assigned space. An example of when we would place our school in a hold is a medical emergency on campus. We may ask individuals to stay in rooms to protect the privacy of the individual(s) involved.

#### **LOCKDOWN**

- Recover students from hallway if possible
- Lock the classroom door
- Turn off the lights

- Move away from the sight
- Maintain silence
- Do not open the door
- Listen for information to be given over the intercom
- Prepare to evade or defend (this is where Run, Hide, Fight comes into play).  
[Watch this video for a brief Run, Hide, Fight overview.](#)

The school/campus would go into a lockdown if there is a threat on campus or inside one of our buildings.



## **59. TRANSPORTATION**

### Policy

The Cambridge School District will furnish transportation to and from the Cambridge Elementary School for students who reside within the Town of Cambridge. Students will not be transported to or from school to locations outside the Town of Cambridge.

### Implementation

The Board will establish routes and designate stops after considering both the safety of children and efficiency of operation. The following non-exclusive list of factors will be considered when determining routes and stops.

1. The presence or absence of sidewalks or paths off the highway.
2. Width, condition and class of highways, including curves, hills, intersections, turn-arounds, and seasonal road conditions.
3. Density and speed of traffic.
4. Proximity of dwellings, factories, or industrial areas.
5. Physical nature of any area such as presence of woods, ravines, or gravel pits.
6. The number of children required to congregate at any designated stop, and supervision available at any designated stop.
7. Health or physical impairment of students being transported.
8. Distance traveled on a single route, and the length of time spent on a bus by any given student going to or returning from school.
9. Age and maturity of students transported.

## **60. WELLNESS POLICY**

### STATEMENT OF PURPOSE

The Lamoille North Supervisory Union Board of School Directors and its member Cambridge School District is committed to creating a healthy environment in its schools that enhances lifelong wellness practices, promotes healthy eating and physical activity in order for staff and students to grow.



## POLICY STATEMENT

The Wellness Policy shall focus on current and future health education, physical education and services by addressing the following areas:

- Nutrition Education Goals
- Physical Education Goals
- Physical Activity Goals
- Nutritional Guidelines

## IMPLEMENTATION PROCESS

### **Nutrition Education Goals**

Nutrition Education will be taught within the Healthy and Physical Education Curriculum in accordance with federal and state laws. The nutrition education component will focus on good and wide food choices emphasizing diet as a “way of life” conducive to good health.

### **Physical Education Goals**

Physical Education shall provide students the knowledge and skills necessary for lifelong physical activity in line with state and federal law. Students shall receive physical education opportunities within the school day.

### **Physical Activity**

Opportunities will be available for students to participate in supervised, physical activities beyond the physical education curriculum to maintain fitness and promote a healthy lifestyle throughout the normal instructional day. All students will have opportunities, support and encouragement to be physically active on a regular basis.

### **Nutritional Guidelines**

All foods and beverages sold during the school day will comply with existing state and federal laws, inclusive of non-competition regulations as established by law. Foods and beverages sold through the Nutrition and Food Service program will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students at the guidelines established by law, appropriate for that level.

This Policy serves as assurance that the school’s guidelines for reimbursable school meals are not less restrictive than regulations and guidance issued by the Secretary of Agriculture pursuant to the National School Lunch Act and the Child Nutrition Act. The Nutrition and food Service program will provide clean, safe and acceptable settings for students to eat. To reinforce nutrition education and establish healthy attitudes towards eating and food choices, nutrition and dietary guidelines may be integrated throughout the curriculum.

Food sold within or outside of the normal school day at school sponsored events or as available in vending machines on school owned property will include health food and beverage choices.

### **Assessment Guidelines**

Administration will ensure compliance with the Wellness Policy and will provide a report of the school district’s compliance with the Policy to the school board as requested through data available to them. Policy development and review will involve the school board, community, students and staff.

## **61. ABBEY GROUP STUDENT/ ADULT ACCOUNT POLICY**

**Philosophy:** The goal of The Abbey Food Service Group is to provide delicious, nutritious, high quality meals to all students and staff of every school we represent. The meals are provided at very reasonable prices for those who pay the full price and are subsidized by the USDA for families qualifying free or reduced meal benefits. We enforce the following guidelines to ensure a sound fiscal program.

1. No balance in arrears shall be allowed beyond the limit of two (2) lunches.
2. Written notification, **Zero-Balance**, is sent home with the student when the account balance is less than zero.
3. Phone notification, **Minus-Balance**, is initiated to the parent or guardian, when there is a negative balance equal to or beyond two-charged meals.
4. With no response, and within the guidelines of reasonable fiscal restraints, the school and parent or guardian is then notified that the student is to be refused services provided by The Abbey Group.

\*We recommend using the Meals Plus online payment feature: [www.abbeygroup.net](http://www.abbeygroup.net)

## **62 .NCLB PUBLIC DISCLOSURE REQUIREMENTS FOR TITLE I SCHOOLS**

This is an annual reminder of our NCLB obligation to inform parents of the following two specified rights to public information that you have. Parents have the right to request information from the school regarding the professional qualifications of teachers and paraeducators, including:

whether a teacher is licensed and endorsed for the grade level and subjects s/he is teaching, whether a teacher is teaching under an emergency or provisional license,

- 1) a teacher's undergraduate college degree and major and information on any graduate level credentials, including field of study,
- 2) and finally, if a child is provided services by a paraeducator, that person's qualifications.

If you wish to request any of this information, contact Mary Anderson.

### **63. ANIMAL DISSECTION POLICY**

#### **Policy**

It is the intent of the Cambridge School District to comply with the requirements of Act 154 of 2008 regarding the right of students to be excused from participating in or observing activities involving the dissection or vivisection of animals. Students enrolled in The Cambridge Town School District shall have the right to be excused from participating in any lesson, exercise or assessment requiring the student to dissect, vivisection or otherwise harm or destroy an animal or any part of an animal, or to observe any of these activities, as part of a course of instruction.<sup>[2]</sup>

#### **Definition**

As used in this policy, the word "animal" means any organism of the kingdom animalia and includes an animal's cadaver or the severed parts of an animal's cadaver.<sup>[3]</sup>

#### **Alternative Education Method**

A student who is excused under this policy shall be provided with alternative methods through which he or she can learn and be assessed on material required by the course. The alternative methods shall be developed by the teacher of the course, in consultation with the principal if necessary.<sup>[4]</sup>

#### **Discrimination**

No student shall be discriminated against based on his or her decision to exercise the right to be excused afforded by this policy.<sup>[5]</sup>

#### **Procedures**

The (Superintendent/Principal) shall develop and implement procedures to ensure compliance with the provisions of Act 154 of 2008.<sup>[6]</sup> The procedures shall include provisions for the timely notification to each student enrolled in the course and to the student's parent or guardian of the student's right to be excused from participating in or observing the lesson and the process by which a student may exercise this right.<sup>[7]</sup>

[2] 16 V.S.A. §912.

[3] 16 V.S.A. §912(c).

[4] This provision is a required component of the policy on this subject adopted by the school board. *See* 16 V.S.A. §912(b)(2).

[5] This provision is a required component of the policy on this subject adopted by the school board. *See* 16 V.S.A. §912(b)(3).

[6] *See* Section 4 of Act 154 of 2008; 16 V.S.A. §912(b) requiring procedures that provide "timely notification" to students and parents; processes for students to exercise this right.

[7] 16 V.S.A. §912(b) (1). The law does not provide a definition of "timely notice." Nor does the law require that the processes for students to follow when choosing to opt out of activities covered by the law have specific components. It is likely that annual notice to parents and students through handbooks or course syllabi will be sufficient to comply with the timely notice requirement. The notice should indicate approximately when dissection activities (if any) may take place in specific courses. Processes for students to use to opt out of activities covered by this policy should indicate how and when student must notify the course teacher of his or her intention to be excused from an activity,

Date Warned: 8/6/08

Date Adopted: 9/17/08

#### **64. PARTY INVITATIONS**

To avoid hurt feelings and associated disruptions to the learning environment, we ask that students and parents do not distribute party invitations to other students on school premises. The exception to this would be if a student plans to invite every student in their class. Please make arrangements for parties via other means, such as telephone or snail mail. Thank you for your cooperation.

#### **65. STUDENT ALCOHOL AND DRUG ABUSE**

##### **POLICY:**

In support of this philosophy, the Cambridge School District prohibits the use or possession of drugs, anything portrayed as a drug, tobacco, alcohol, other potentially harmful substances or any device associated with these substances, on school premises or at school sponsored activities, wherever located. The only exceptions to this policy are medical use of drugs, authorized in writing in advance by a licensed health-care provider, see Student Medication policy.

##### **Definitions:**

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

**"Substance"** includes any of the following:

- 1) "Drug":
  - a) Means a controlled substance identified in Schedules I, II, III, IV or V of the Controlled Substance Act, 21 U.S.C. § 812 (c); but
  - b) Does not include such a substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision.
  - c) It does mean controlled substances including, but not limited to, cannabis (marijuana); hallucinogens (LSD, psilocybin mushrooms); stimulants (cocaine, amphetamines such as "speed" or Ritalin); depressants (barbiturates, "Quaaludes"); narcotics (opium, heroin); inhalants (nitrous oxide, medical products, or other fume-producing substances); or anabolic steroids.
- 2) "Tobacco":

In any form (for smoking, chewing, etc.) NOTE: Pursuant to 16 V.S.A. § 140, no person shall be permitted to use tobacco on public school grounds and no student shall be permitted to use tobacco at public school sponsored functions.
- 3) "Alcohol":

Means alcohol, spirits and malt beverages as defined by 7 V.S.A. § 2. "Alcohol" as used in this Policy includes, but is not limited to, beer, porter, stout, ale, wines, cordials and liquors. Alcohol may also include medicinal products such as Listerine and Nyquil which contain alcohol. If a student is using such a product for medicinal purposes, the medicinal purpose must be reported to the school nurse and the product kept by the nurse during school hours. If the administration discovers the student in possession of such a medicinal product and the nurse has no prior knowledge of the student's medicinal need of the product, the product shall be considered "Alcohol" for the purposes of this Policy.

##### **Programs and Services:**

1. **Educational Program.** The Principal shall work with appropriate staff members to develop and conduct an alcohol and drug abuse educational program on a sequential basis from early childhood through grade 12 as required by Vermont law. The program shall be consistent with the Vermont Alcohol and Drug Education Curriculum Plan. If the school district is a recipient of federal Safe and Drug-Free Schools and Communities Act funds, the Act will be considered in the development of the alcohol and drug abuse educational program.

2. **Cooperative Agreements.** In dealing with substance abuse cases, every effort will be made to promote responsible decision-making by the student involved and other students who are aware of another student's use or abuse. The focus will be to encourage appropriate medical and/or psychological intervention by trained professionals. The Principal shall annually designate a member of the substance abuse team to be responsible for providing information to students and parents or guardians about outside agencies that provide substance abuse prevention services and to encourage the use of their services and programs when appropriate.

The Cambridge School District, under a cooperative agreement with Lamoille County Mental Health, has established a Student Assistance Program. Students, under the age of eighteen, who have been referred or who refer themselves to the Student Assistance Program counselor may be seen individually by the counselor for purposes of substance abuse screening and consultation. It will be the goal of the Student Assistance Program to encourage the student to involve his/her parents or guardians at the earliest point in time.

3. **Referral and Consent.** Parental consent will not be required for student participation in prevention and early intervention group programs conducted within the schools that are educational in nature and designed to impart information and/or assist students in improving their sense of self-esteem. Such groups may be conducted only by trained professionals contracted by the schools to perform such service or by trained school staff who have been approved by the school administration to conduct such groups. Nor is parental consent required for referral to an outside substance abuse treatment program when a student who is twelve years of age or older is suspected of substance dependency, verified to have that dependency by a physician, and gives her or her own consent for treatment.
4. **Substance Abuse Team.** In each school the principal shall form a Substance Abuse Team which shall screen students who refer themselves and students who are referred by staff for suspected drug and/or alcohol use and/or abuse problems. The team will determine the need for further screening, education, counseling or referral for treatment in each case referred to it. In addition, the principal shall establish procedures for administering emergency first aid related to alcohol and drug abuse for the team to follow.
5. **Staff Training.** The principal will work with appropriate staff to provide training necessary to ensure that teachers and health and guidance personnel are prepared to competently teach or provide other services required in the school's alcohol and drug abuse prevention education program. Training will be designed to meet the requirements of State Board Rule. The training will include a component explaining procedures that require immediate notification of the school administration by school staff of any violation of law, including the illegal possession or distribution of drugs or alcohol.
6. **Community Involvement.** The principal will work with school staff and community members to design and implement a program to inform the community about substance abuse issues and the programs and supports provided by the school to educate students about the dangers of alcohol and drug abuse and to assist students who are abusing alcohol or drugs.
7. **Annual Report.** In a standard format provided by the Vermont Department of Education, the principal or his or her designee will submit an annual report to the Commissioner of Education describing substance abuse education programs and their effectiveness.
8. **Notification.** The principal shall ensure that parents and students are given copies of the standards of conduct and disciplinary sanctions contained in the procedures related to this policy, and are notified that compliance with the standards of conduct is mandatory. Notice to students will, at a minimum, be provided through inclusion of these standards and sanctions in the student handbook distributed to all students at the beginning of each school year or when a student enrolls in the school.

This policy is required by 16 V.S.A. 1165(c) and SBE Rule 4212. The State Board rule requires that the policy include the elements contained in this model.

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

16 V.S.A. §131(9).

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

20 U.S.C. §§7101 et seq.

SBE Rule 4212.3.

This paragraph is recommended, but not required.

18 V.S.A. §4226.

SBE Rule 4212.3D.

SBE Rule 4212.3B.

SBE Rule 4213.2.

SBE Rule 4212.3C

SBE Rule 4214 does not require this paragraph be included in the policy, though it does require that schools engage in community programs. This paragraph could be included in a procedure instead.

SBE Rule 4215 does not require this paragraph be included in the policy, though it does require that the school's annual report include information on substance abuse education programs. This paragraph could be included in a procedure instead.

Section not required by statute, but recommended.

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

*Date Warned:* 8/6/08

*Date Adopted:* 10/16/08

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

*Cross Reference:* *Student Conduct and Discipline (F1)*  
*Search and Seizure (F3)*  
*Interrogations or Searches of Students by Law Enforcement Officers or Other Non-School Personnel (F5)*

## **66. TOBACCO PROHIBITION POLICY**

### **Policy**

It is the policy of the Cambridge Town School District to prohibit the use of tobacco on school grounds in accordance with state law. This ban extends to any student, employee or visitor to the school, and applies at all times, whether or not school is in session. Students are, furthermore, prohibited from possessing tobacco products at all times while under the supervision of school staff or at school sponsored activities. The Superintendent or his or her designee shall develop procedures, rules and regulations that are in his or her judgment necessary to implement this policy and, at a minimum, will include provisions ensuring that tobacco products are confiscated when found in the possession of students and that referrals to law enforcement agencies are made when appropriate.

### **Definitions**

For purposes of this policy and administrative rules and procedures developed pursuant to this policy:

1. **School grounds** means any property and facilities owned or leased by the school and used at any time for school related activities, including but not limited to school buildings, school buses, areas adjacent to school buildings, athletic fields and parking lots.<sup>2[2]</sup>
2. **School sponsored activity** means activities including but not limited to field trips, project graduation events, sporting events, work internships and dances.
3. **Tobacco product** has the same meaning as set forth in 7 V.S.A. 1001(4), as amended from time to time.<sup>3[3]</sup>

[2] The definitions of "school grounds" and "school sponsored activity" used in this policy are the same as those found in the Department of Education model policy on Possession and Use of Tobacco Products.

[3] The term "tobacco product" is defined in 7 V.S.A. 1001(4) as "cigarettes, cigars, cheroots, stogies, periques, granulated, plug cut crimp cut, ready rubbed, and other smoking tobacco, snuff, snuff flour, Cavendish, plug and twist tobacco, fine-cut and other chewing tobaccos, shorts, refuse scraps, clippings, cuttings and sweepings of tobacco, and other forms of tobacco prepared in a manner suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking."

Warned: 12/15/10

Adopted: 1/5/11

**67. LIFE- THREATENING ALLERGIES AND LIFE-THREATENING CHRONIC ILLNESSES**

16 V.S.A. §563(29) requires school boards to assign an employee to annually inform the parents of students with life-threatening allergies and life-threatening chronic illnesses of the applicable provisions of Section 504 of the Rehabilitation Act of 1973 and other applicable federal and/or state statutes and federal and/or state regulations. This would include notice of the provisions of 16 V.S.A. §1387 that permits students with life-threatening allergies or asthma to possess and self-administer emergency medication at school in accordance with a plan of action authorized and developed under the requirements of this statute.

**68. PERIODIC HEARING AND VISION SCREENINGS GUIDELINES**

Per 16 V.S.A. §1422 the commissioner of Health, in cooperation with the Commissioner of Education, is responsible for developing research-based guidelines for students' periodic hearing and vision screenings by school districts and primary care providers.