

**BROWNINGTON CENTRAL SCHOOL**  
**STUDENT AND PARENT**  
**HANDBOOK**



**2016 – 2017**

**103 CHASE ROAD**  
**BROWNINGTON, VT 05860**  
**(802) 754-8467**  
**FAX (802) 754-6177**

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## About Brownington Central School

### Our Mission Statement

The staff and administration at Brownington Central School strive to provide an atmosphere conducive to excellence in learning, as well as social and emotional development. Furthermore, we believe that every child can learn and become successful. We believe in excellence for all. The staff and administration look forward to working with parents and students to achieve these goals.

### Our Philosophy of Education

The purpose of elementary school is to include the whole community as a resource to equip all our children with the skills, attitudes, and self-confidence necessary to become lifetime learners and successful citizens of the changing world of which they are a part. School is not just about children: it encompasses families, parents, community, stakeholders, society, the environment and the world.

The support of the community shall be valued and encouraged through regular interaction and communication, in as many ways as possible. Our school aspires to be a learning, cultural and social center for the entire community, within the context of a public school.

Successful schools teach students to have “good values, compassionate hearts, a mighty work ethic, respect for others and a willingness to take responsibility for their actions. We will teach them to follow their passion and strive to succeed, but to never forget that we learn a lot from failure.” (Quote taken from a speech given by Ruben Navarrette Jr., speaking about Aaron Cooper’s work, a child psychologist)

Our school’s educational experiences shall be equally available to all children without regard to sex, race, religion, handicapping conditions or ethnic background.

*In accordance with federal law, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age or disability. To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Ave. SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity employer.*

### Open Invitation to Parents

- ❖ Come and have lunch with your child, from time to time. Please call the kitchen at extension 103 before coming so that Ms. Eckel knows there will be extras.
- ❖ Bring your family to school events, to the public library.
- ❖ Enroll your children in extracurricular activities.
- ❖ Help your children to learn while you shop, cook, watch television, etc.
- ❖ Meet regularly with teachers and staff of your school.

### School Board Members

Debbie Brunelle	Chair
David Martinez	Member
Bob Butterfield	Member

Schedule of Board Meetings

The Brownington Central School Board of Directors will be meeting on the following dates:

Tuesday, March 17, 2016 at 6pm	Lake Region Union High School*
Thursday, April 21, 2016 at 7pm	Brownington Central School
Thursday, May 19, 2016 at 6pm	Lake Region Union High School*
Thursday, June 16, 2016 at 7pm	Brownington Central School
Thursday, July 21, 2016 at 6pm	Lake Region Union High School*
Thursday, August 16, 2016 at 7pm	Brownington Central School
Thursday, September 20, 2016 at 7pm	Brownington Central School
Thursdays, October 18, 2016 at 7pm	Brownington Central School
Tuesday, November 17, 2016 at 6pm	Lake Region Union High School*
Tuesday, December 15, 2016 at 7pm	Brownington Central School
Tuesday, January 19, 2017 at 6pm	Lake Region Union High School*
Thursday, February 16, 2017 at 7pm	Brownington Central School
Thursday, March 7, 2017 at 1pm	Annual School Meeting, Brownington Central School
Tuesday, March 16, 2017 at 6pm	Lake Region Union High School*

\* OCSU Board Meeting at 7:30pm

Supervisory Union Administrators

Don Van Nostrand	Superintendent of Schools	525-1209 x 134
Heather Wright	Business Manager	525-1209 x 139
Kathy Poginy	Director, Special Education Services	525-1209 x 105
Bev Davis	Director, Curriculum and Instruction, Homeless Liaison	525-1209 x 140

Faculty and Staff

Larry Fliegelman, x 101	Principal
Anne Locke*, x 116	Special Educator, OCSU Employee
Anne Stern*, x 116	Special Educator, OCSU Employee
Lauren Baker, x 107	Kindergarten
Amy McCoy, x 109	Grade One
Jennifer Ullrich, x 105	Grade Two
Melissa Martin, x 104	Grade Three
Michelle Bonneau, x 111	Grades Four and Five Humanities (Social Studies and LA)
Jennifer Riendeau, x 112	Grade Four and Five Math and Science
JoAnn Martin, x 113	Grade Six/Seven and Eight Math and Science
Collin Shaughnessy, x 110	Grade Six/Seven and Eight Humanities (SS and LA)
Anna Kennedy, x 108	Music (20%)
Amy Newton, x 108	Instrumental Music (10%)
Michelle Smyth, x 108	Art (20%)
Travis Terrell, x 102	Physical Education (40%)
Sherry Montminy*, x 115	Interventionist (100%)
Ellie Primeau*, x 118	Interventionist (100%)

Joanne George, x 114	School Nurse, RN (60%)
Jessica Burdick, x 102	Secretary
Linn Stouffer*, x 116	Paraprofessional, OCSU employee
Nina Peck*, x 116	Paraprofessional, OCSU employee
Patty Thomas, x 116	Paraprofessional, OCSU employee
Amanda Gently, x 116	Paraprofessional, OCSU employee
Tom Powers, x 116	Paraprofessional, OCSU employee
Cheryl Eckel, x 103	Head Cook
Donna Smith*, x 103	Assistant Cook
Mike Sharon, x 102	Custodian

*\* Positions are partially funded using grant funds.*

### Visiting Our School

Parents and other authorized guests are always welcome in our school. However, to help ensure the safety of the children and to provide for an uninterrupted learning environment, the following procedures are required:

1. Whenever you enter the school please use the main entrance. All doors to the building will be locked. Go to the speaker to the right of the doors and press the button. Once the secretary has seen and talked to you, she will buzz you in.
2. Check in at the office where you will sign in.
3. If you are bringing something to your child you may leave it at the office and we will be certain it is delivered to the classroom.
4. If you are removing a child from school before dismissal you will need to sign the child out at the school office and the secretary will call the child down to the office.
5. No teacher shall allow any person to enter the classroom, or leave the school grounds with a child without a duly authorized dismissal slip.
6. If you wish to observe your child's classroom, or a particular part of his/her program, we will be pleased to make arrangements. Communicate your interest to the principal or classroom teacher so a date and time can be set.
7. Teachers are available to speak with you (on some mornings) before school, during specials, and after school. The remaining times they are involved in direct instruction and should not be interrupted. Please consider this if you need to speak directly to a teacher.

*For the full policy: Volunteers and Work Study Students (D7), please see <http://www.ocsu.org/ocsu-policies.html>*

## **General Information**

### Arrival/Departure

The school day begins at 8:10 and ends at 3:30. Students are allowed to enter the building after the last bus arrives at approximately 7:50. **\*No arrival earlier than 7:45.**

It is important that each child have the benefit of a full day's learning in school. The school day ends at 3:30 and, unless there is an emergency, children are not dismissed earlier. If you must pick up your child before 3:30, please go to the office and sign your child out. He/she

will be brought to the office to meet you. We must ask visitors to remain in the office so we know who is in the building, both for safety reasons and so that instruction is not interrupted with visitors congregating in the hallways outside classrooms.

### Picking Up or Dropping Off Students

If students arrive after 8:10, they are considered tardy, and parents need to come into the office to sign them in.

Parents picking up their children earlier than 3:30 should park at the far back of the parking lot or on the right-hand side of the driveway for safety reasons. If bus lights are flashing, please remember that you cannot drive past the bus, even if it is in the parking lot. Parents must come into the office to sign children out.

If there is a change in how your child is going home either for early dismissal or after school (i.e. different bus, home with a friend, or someone else picking the up) you must send a note to the office indicating such a change. If a note is not received in the office, then your child will be sent to his/her regular destination by his/her normal mode of travel. When a student is to be dismissed from school because of illness, parents will be contacted. Students may not leave the school grounds without permission from the Principal's office. A last minute phone call to the office does not ensure that this change will occur, therefore, if you have to make changes, please call before 2:30pm.

### Attendance

Students are expected, and legally bound, to attend school each day that school is in session. Students are considered truant after three unexcused absences. School policy and state law are consistent and clear on excused absences: when a student is sick or when a family emergency requires a student's presence with his/her parents. **If your child is not going to be in school on a particular day, please notify the school office by phone prior to 8:30 a.m. (You may leave a message @ 754-8467, extension 102 anytime.)** If we do not hear from you, we will attempt to contact the parent/guardian(s) at home or work to verify the student's excuse and absence.

Students who are absent five consecutive days will be required to have a signed doctor's note stating the reason for their absence. **It is our school's policy to do a referral to the truancy board if a student has accumulated ten (10) absences in the school year. Representatives from Northeast Kingdom Community Action, Department of Children and Families, the State's Attorney's office, Northeast Kingdom Human Services, Northeast Kingdom Learning Services, and Paul Mosher, our district's truant officer, make up the truancy board. If the truancy board finds there is chronic truancy, a formal affidavit is filed with the court system.**

Parents play an important role in developing a child's attitude toward attending school. Here are some tips that will help parents in this attitude development:

1. Show that you have a positive attitude toward school attendance.
2. Allow your child plenty of time in the morning to get ready for school.
3. Make every effort to schedule doctor's and dentist's appointments, music lessons, etc. before and after school.



4. Refuse to write excuses for anything other than legitimate absences.
5. Refuse to view tardiness as acceptable behavior and discourage early checkouts.
6. Plan family vacations in accordance with the school calendar as much as possible.
7. Talk to your child about responsibility and the need to develop good work habits and positive attitudes.
8. Use good judgment. Don't send a child who is really sick to school.

Good attendance, aside from being the best educational plan for your child, also helps to increase the amount of money we receive from the state for state aid to education. There is a direct tie to the percentage of time that students are in the building to the amount of state aid that the school receives.

*For the full policy: Student Attendance (F28), please see <http://www.ocsu.org/ocsu-policies.html>*

### Flag Salute

The American Flag represents the strength of our nation and its determination to remain a free country. The flag salute is one way of showing our individual respect and determination to guarantee this freedom to all members of our American society. State law requires that the flag be flown each day at every school in the state of Vermont. Our own school practice has always been to begin the day with the flag salute. Some individuals may choose not to salute the flag because it is in conflict with their personal or religious beliefs. We must respect their right not to participate in the flag salute. At the same time, those who choose not to participate must show their respect for the rights of others by in no way distracting or interfering with the flag salute by the other members of the class.

### Fire Drill Information

Students will be given fire drill information on the first day of school by their teacher. Students are to follow the directions of the staff member and leave the building as quickly as possible. Students are to wait with their class at a safe distance from the school until they are directed to re-enter the building. State law requires that we drill the students on a monthly basis.

### Lockdown Drill Information

Lockdown drills, along with fire drills, have become part of the emergency procedures at school. In order to ensure safety, students will follow the directions of the staff member who is providing supervision when the drill occurs. Students and staff will be notified when the drill is over.

### Special Notices

The school will send home a hot lunch menu and events every month. This information is also available on the Brownington Central School website at <http://www.brownington.ocsu.org>. Every child is given a school planner for constant, daily communication between parents and school. Please use this device to communicate any concerns in a timely manner to avoid serious conflicts. Every week folders are sent home with classroom work and notices that may need to be

returned to the school. Parents may be required to sign these folders to ensure a healthy, positive communication system.

### School Attire

Standards of appearance are necessary to create and maintain a suitable environment for learning. The following is a list of expectations as to clothing:

- ❖ Clothing should be clean (to sight and smell);
- ❖ Appropriate footwear (NO steel-toed shoes or boots either inside or outside);
- ❖ When you raise your hands above your head, your belly should be covered;
- ❖ The shirt is on the shoulders, has straps that cover underwear and bras, and isn't too revealing or low cut;
- ❖ The shorts or skirt is lower than your fingertips when you hold your hands down to your side;
- ❖ There are no offensive messages having to do with boyfriend/girlfriend relationships, or with a sexual connotation (such as "Hottie") or having to do with the promotion of, use, or consumption of tobacco, alcohol, or other related subjects;
- ❖ The pants cover up boxers, briefs, or hips; and
- ❖ They are clothes designed for work or school (not pajamas).

If a student shows up wearing an article of clothing that is not appropriate, he or she will be asked to change into another shirt (if available), or call home to get an appropriate change of clothes.

Since our general societal expectation is that hats are worn outside and removed when entering a building, we will follow that same practice. All head coverings will be removed upon entering the building and stored in an appropriate place with other outdoor clothing.

Students need to have appropriate footwear at school. Because of safety issues, it is the expectation that there will be NO steel-toed shoes or boots worn on school property for *either inside or outside*. Regular work boots are okay to wear at school, but a change of footwear for inside has to be available if your child wears the boots outside because we don't want students to sit in wet footwear all day long.

### Recess/PE Clothing

For PE or recess, please dress your child according to weather conditions. Children will be expected to be outdoors each day for short periods of time. Teachers often have assigned duties during recess, and there are no provisions for supervising children who wish to remain indoors. Additionally, if the weather is nice and PE is outside, appropriate footwear (sneakers in fall, spring, early summer) is required.

Students need to have appropriate winter wear at school. It is the expectation that all children will have a pair of boots and snow pants to wear for recess. If there is snow on the ground, students are required to wear both boots and snow pants in order to participate in recess. If students do not have these articles they will be required to sit on the step outside the building. If the temperature or wind chill is below freezing then students should also have hats and mittens.

Early Dismissal/Emergency Numbers/School Messenger

Be sure that the school has an up-to-date list of current work, home, cellular and emergency phone numbers where you or responsible adults of your choosing may be contacted in case of emergency. It is really helpful if you inform us about which are your home, work, and cell number, and about when you can be reached at each of those numbers.

To enhance communications between parents and school, the Brownington Central School is continuing to use a telephone broadcast system called School Messenger that will enable school personnel to notify all households and parents by phone within minutes of an emergency or unplanned event that causes early dismissal, school cancellation or late start. The service also may be used from time-to-time to communicate general announcements or reminders. This service is provided by School Messenger, which specializes in school-to-parent communications. Brownington Central School will continue to report school closings due to snow or weather on WMOO radio and WCAX television and will use this system as an overlay to the public announcements.

When used, the service will simultaneously call all listed phone numbers in our parent contact list and will deliver a recorded message or from the School Messenger system. The service will deliver the message to both live answer and answering machines. No answers and busy signals will be automatically retried twice in 15-minute intervals after the initial call.

Here is some specific information about School Messenger:

- Caller ID: The Caller ID will display the Brownington School number.
- Live Answers: There is a short pause at the beginning of the message, usually just a few seconds. Answer your phone as you normally would and hold for the message to begin. If you don't speak, the message won't begin.
- Answering Machines: The system will detect that your machine has answered and will play the recording to your machine. The maximum number of rings before hang up is 5. Make sure your machine answers after 4 rings or you may miss the message.
- Morning and Day Calls: In the event a cancellation decision is made the night before, or in the early morning hours, the broadcast message will be sent only to home phone numbers. In the event a cancellation decision is made mid-day, the broadcast message will be sent to home, work and cellular numbers. If you would like your child sent to an alternative destination in the event of an early dismissal, please be sure to have completed the "Emergency Closing Instructions" form.

Digital Artifacts Policy

As part our ongoing work to provide engaging, authentic learning for area students, the Brownington Central School seeks to create digital projects to explore our surrounding world. Student work, images, video footage, and other electronic artifacts may be shared to promote future non-profit educational opportunities and shown in public venues, including online, at community gatherings, and among schools. Parents/guardians have the right to contact the main office to request their student work not be shared.

### Bicycles

Students may bring their bicycles to school, provided that they have their parents' written permission on file in the office. All children must wear a helmet while riding a bike. Students will leave school five minutes after the busses so as not to interfere with the busses that are bringing students home.

You will be responsible for your children until they get to school and when they leave school if they ride their bicycles. The school is not responsible for damage or theft.

### Backpacks

While we respect the student's right to privacy, we reserve the right to check backpacks.

### Field Trips

Occasionally all classroom teachers will set up field trips as a special event for the students in the class. Permission slips need to be returned to school as soon as possible so that students are allowed to participate with these excursions. If a student does not have a field trip permission slip on file with the teacher, s/he will not be allowed to go on the trip.

All adults who want to be a chaperone must complete:

1. Chaperone training,
2. Background check, and
3. Fingerprinting.

This procedure became the policy of the Brownington Central School by way of a motion made by the Brownington School Board on June, 2009.

### Participation in School Events

If students will be participating in any school event: afternoon field trip, spelling bee, sports game, concert, history fair, science fair, etc., they need to attend school that day.

The state defines *in attendance* as being here for the mid-day meal. A child may have an appointment in the AM, sign in by lunchtime and be counted as tardy/excused. A child may have an afternoon appointment and sign out after lunch, and be counted as present. In both of these instances the child will be able to participate in the school event or athletic activity. Due to our rural setting, if there is a medical appointment at a facility, which makes it impossible to return to school within the constraints above, please let Mr. Fliegelman know in advance.

Additionally, Vermont has enacted a new law, Act 58, that has to do with concussions that have occurred on or off the sports field. This law requires that:

- a) Information concerning the prevention and treatment of concussion-related injuries be provided annually to each student athlete and the athlete's parents/guardians. Each athlete and parent/guardian must sign a form acknowledging receipt of the information and return it to the school prior to the athlete's participation in practice or competitions.
- b) Every coach of a school athletic team will receive training no less frequently than every two years on how to recognize the symptoms of a concussion or other head injury. Coaches must receive this training prior to the beginning of his/her sports season.

- c) A coach shall not permit a youth athlete to train or compete with a school athletic team if the athlete has been removed or prohibited from participating in a practice or game due to symptoms of a head injury until the athlete has been examined and the school receives written permission from a health care provider trained in the evaluation and management of concussions and other head injuries.

### Kindergarten Entrance Policy

It shall be the policy of the Brownington Central School and Orleans Central Supervisory Union to enroll children in Kindergarten who are five (5) years of age on or before September 1<sup>st</sup> of the appropriate school year.

## **School Climate and Student Discipline**

### School Rules and Discipline

It is our goal of the discipline procedure at the Brownington Central School to teach responsibility and self-discipline. Student behavior should reflect respect for rights of all involved in the educational process. Positive behavior is the shared responsibility of students, parents, staff, and the community. The discipline procedures of the Brownington Central School will reflect this shared responsibility.

We expect students to follow the rules of the school and their class. These rules are established to create a safe school and one where students can focus on their studies. Teachers will handle most discipline problems that are not seriously disruptive to the instructional process. When the behavior is so intense or repetitive that instruction is being disrupted, there are procedures in place to address such behaviors.

### Discipline Philosophy

The teachers and staff of the Brownington Central School are committed to keeping the atmosphere productive and safe at all times. In order for this to be accomplished, we use the techniques and system of *Positive Behavior Interventions and Supports (PBIS)*. *PBIS* is an approach to elementary teaching that emphasizes social, emotional, and academic growth in a strong and safe school community. The goal is to enable optimal student learning. Created by classroom teachers and backed by evidence from independent research, *PBIS* is based on the premise that children learn best when they have both academic and social-emotional skills. The approach therefore consists of for deliberately helping children build academic and social-emotional competencies.

### School Climate

In order to maintain a positive school climate that promotes a pleasant, cooperative and safe learning atmosphere, codes of conduct have been developed for all classrooms, the cafeteria, and the playground. Our purpose is to develop responsible school and community citizens who are concerned for the rights and safety of others. We feel this is best achieved in a collaborative

environment involving students, parents, teachers, and administration, as we *all* model responsible citizenship.

Behavioral choices made by students can have a significant effect on our school climate. Appropriate choices create their own reward, in that they allow all students to enjoy the optimal benefits of their experience at Brownington Central School. However, at times, students may make inappropriate behavioral choices. The discipline code below provides guidelines for staff and administration to deal with these inappropriate choices, as well as inform students and parents regarding action that will be taken. All legal requirements of due process will be followed during any disciplinary actions.

### Positive Behavior Intervention and Supports (PBIS)

We try to prevent discipline problems through the use of Responsive Classroom methods and our PBiS system. Our students are better able to understand responsibility and respect themselves and others when they are explicitly taught these concepts and skills. Students who practice these techniques will build their capacity for independence, choice making, and self-control, helping the school staff create a safe and caring environment. This type of caring environment supports learning. These rules are posted and are reviewed with students during a full-school assembly at the beginning of each year.

### Disciplinary Procedure

2. Students are expected to comply with all classroom, cafeteria, and playground rules.
3. Students are not to:
  - a. Engage in any inappropriate bodily contact;
  - b. Bring or consume candy or gum or soda;
  - c. Wear boots or shoes that mark the floor;
  - d. Run in the building;
  - e. Behave in a disruptive manner;
  - f. Throw, kick or splash snow, ice water, rocks, etc;
  - g. Spit on anything;
  - h. Cheat on any school related activity or work;
  - i. Use disrespectful words, actions or inappropriate language;
  - j. Deliberately cut class or skip detention;
  - k. Damage or deface school property or the property of others; or
  - l. Engage in incidental actions injurious to self or others.

Action taken by the staff member who witnessed the behavior or non-compliance can include, but is not limited to, any of the following:

- a. A warning;
- b. Loss of free time or privileges;
- c. Parental notification;
- d. Time after school;
- e. Time out;
- f. Reparation or restitution;
- g. Student/parent/teacher conference;
- h. Items such as candy and hats may be held by teachers or the office until the end of the day, or until a parent claims the item;

i. Referral to the office.

Some behavioral choices will require suspension from school because of their severity and potential threat to the safety of others and/or their property. The purpose of suspension is to restore a positive school climate and provide a clear message that a significant behavioral change is needed. If at all possible, suspensions will be served in the school setting. Communication with parents will always precede a suspension. The following behaviors may result in suspension from school:

1. Use or possession of tobacco before or during any school sponsored activity\*;
2. Use or possession of alcohol, drugs or other illegal substances before or during any school activities\*;
3. Blatant use of abusive language towards any staff member or student;
4. Vandalism, stealing, extortion, or other criminal activities;
5. Intentionally leaving school grounds without permission from the office;
6. Violence, or the threat of violence towards any staff member or student;
7. Sexual/harassing words or behavior\*;
8. Possession of obscene material;
9. Hazing or bullying\*;
10. Intentional actions injurious to self or others; and/or
11. Possession of weapons or explosives\*.

In our current world, we also cannot tolerate threats of any kind from one student to another or from a student to a teacher. When a threat of violence is made, especially threats involving weapons or threats taking the life of another person, please be aware that the superintendent of schools, school board, AND the state police are notified. This may result in a state police investigation.

*\*See attached policies.*

Students who repeatedly make choices that compromise safety and/or learning for themselves or other students will be referred to our school's Educational Support Team (EST). Our EST is comprised of the principal and teachers who discuss any issues that students are having, whether they are behavioral or academic in nature. The team makes decisions about what steps should be taken next in order to help students to become more successful.

#### Responsive Classroom and Discipline with Dignity Model

- ❖ 1<sup>st</sup> level of intervention is a redirection. I'm not happy with your choice, but you, the student, have other choices available to you.
- ❖ 2<sup>nd</sup> level of intervention is "taking a break". Teachers make a spot in the classroom that is appropriate for this intervention. Students may also choose to "take a break" to regain self-control. If this is successful, no parent or principal notification is needed.
- ❖ 3<sup>rd</sup> level of intervention is a quick turn around. A teacher will send their student to the appropriate classroom with a short assignment for compliance. Teachers will mark the paper with the time that the student leaves. On the same piece of paper the receiving teacher will record the time the student leaves their class when the assignment is completed. Parents and principal will be notified within 24 hours.
- ❖ 4<sup>th</sup> level of intervention is time away. The student will complete a processing sheet asking them to reflect on their behavior. A folder with independent appropriate grade

level work will be located in each time away room for students to use. A student needs to stay in that time away room until the teacher and/or principal has time available to meet with them. It is best for the student to do some independent work first so that s/he may deescalate from the situation. Parents and principal will be notified within 24 hours.

- ❖ If a student must visit the time away room more than four times, the parents must attend a meeting to discuss other solutions. If a student continues to have behavior issues after a parent meeting, the school may place the student on a behavior plan that involves community service and earning privileges.
- ❖ Red flag intervention can happen at any level when a student is totally non-compliant, or a safety issue is present. Harassment should be taken very seriously as not appropriate and not tolerated. All of these behaviors should be directed immediately to the principal. If the principal is not available the student should be placed in adult supervision in one of our private offices.

Time Away Rooms

K goes to	4 <sup>th</sup> Grade
1 <sup>st</sup> goes to	5 <sup>th</sup> and 6 <sup>th</sup> Grade
2 <sup>nd</sup> goes to	7 <sup>th</sup> Grade
3 <sup>rd</sup> goes to	8 <sup>th</sup> Grade
4 <sup>th</sup> goes to	1 <sup>st</sup> Grade
5 <sup>th</sup> goes to	2 <sup>nd</sup> Grade
6 <sup>th</sup> goes to	2 <sup>nd</sup> Grade
7 <sup>th</sup> goes to	Kindergarten
8 <sup>th</sup> goes to	3 <sup>rd</sup> Grade

*\* These are subject to change as the year progresses and the staff get to know the students.*

Restraint/Seclusion

Even though our goal is to always use positive behavioral strategies and supports and we avoid the use of physical restraint and seclusion, on extremely rare occasions, when a child’s behavior is so out of control as to pose a risk to himself or others, restraint or seclusion may have to be used. Any school personnel that would perform a restraint has to be trained in the proper use of restraint unless the situation is so severe that immediate action is required and the trained person is unavailable. The school principal will be notified immediately and certain types of restraints or seclusions must also be reported to the superintendent of schools, Don Van Norstrand. There is also an opportunity for parents to participate in a review of an incident of restraint and seclusion. The superintendent must report to the Commissioner within 3 school days if:

1. There is death or an injury requiring outside medical treatment or hospitalization of staff or student as the result of a restraint or seclusion;
2. Physical restraint or seclusion has been used for more than 30 minutes or;
3. Physical restraint was used in violation of state board rules.

The legislature has enacted regulations that oversee the use of restraint, called Rule 4500. If a restraint is ever needed in school, parents will be notified immediately and expected to pick the



child up. If the school principal feels that the child is so out of control, is not calming down, and is still posing a danger to himself or others, other mental health professionals may be notified.

### Bus Rules

The following bus rules are posted in the school busses:

1. Display the same conduct expected in the classroom.
2. Be courteous, do not use any profane language.
3. Do not eat, drink or chew gum on bus.
4. Keep bus clean.
5. Cooperate with driver's instructions.
6. Do not be destructive.
7. Stay in seat.
8. Keep head, hands and feet inside bus.
9. The bus driver is authorized to assign seats.
10. No physical aggression/abuse of others will be allowed.
11. No spitting or throwing of objects is tolerated.

### Consequences of Misbehavior on the Bus

Transportation to and from school is a privilege granted to pupils. Currently we have cameras on two of our three busses. This privilege is conditional, based on students complying with the established rules. When the rules are ignored and a student endangers himself and/or fellow passengers, bus-riding privileges shall be suspended according to the following procedure:

First Offense - Bus driver reminds child of required correct behavior and notifies principal. A warning slip is written about the problem and a copy is given to the principal.

Second Offense – Driver writes a bus referral slip and brings it to the principal. Parents receive a written notice and phone call. The child meets with the principal and if possible, the bus driver.

Third Offense – Driver writes a bus referral slip and the child meets with the principal who will notify parent that child is suspended from bus for a period of one (1) day.

Fourth Offense – Driver writes a bus referral slip and the child meets with the principal who will notify parent that child is suspended from bus for a period of three (3) days.

Fifth Offense – Driver writes a bus referral slip and the child meets with the principal who will notify parent that child is suspended from bus for a period of five (5) days. Parents, principal and child meet before bus privileges are reinstated.

Sixth Offense - Bus Incident Report is sent to the principal who will notify parent that child has been suspended from bus for remainder of school year.

### Immediate Suspension

Any student misbehaving in a manner that creates a severe safety hazard to him/herself, the driver, or other students, will immediately be suspended. The principal will inform the parent

and set up a meeting of parent, child and principal to discuss behavior and the possibility of resumption of bus riding privilege.

### Harassment

Harassment of any form will not be tolerated. Harassment can result in parents being notified, loss of privileges or free time, meeting with counselors, structured recesses, or suspension (among other things). Consequences for repeated incidents of harassment will be progressive. Trying to get back at a student who makes the report will result in more consequences. False reports of harassment can also result in consequences for the reporting student. Parents/guardians will be notified in the case of any accusations that are made. Please note the harassment policy included. If a student feels like s/he has been harassed or knows another student is being harassed, s/he can report it by contacting Mr. Fliegelman or Sherry Montminy in person, in writing, by phone, or by mail at the school address.

Examples of harassment would be any of the following, based on special things about a person that would make them different (race, color, religion, creed, national origin, marital status, sex sexual orientation, gender identity or disability): hitting, threatening with their fists, name calling, spitting, biting, pushing/shoving, taking or breaking another person's things, stepping on the shoelaces of another person or kicking the backs of a person's shoes, leaving someone out on purpose, laughing in a mean way, lying or spreading rumors about someone, telling secrets about others, talking about others in a mean way, unwanted touching, being too close to another person.

### Bullying

Bullying happens when a student or group of students try several times to make another student feel made fun of, embarrassed, or fearful (ridiculed, humiliated, or intimidated) while at school or school activities. It can be done by what someone says (telling jokes about someone, picking on someone, or name-calling), by what someone writes (on walls, in notes, or in pictures), or by actions they make (making gestures, chasing after someone, or posturing).

**Bullying is not acceptable behavior at Brownington Central School.** Examples of bullying are: hitting, threatening with their fists, name calling, spitting, biting, pushing/shoving, taking or breaking another person's things, stepping on the shoelaces of another person or kicking the backs of a person's shoes, leaving someone out on purpose, laughing in a mean way, lying or spreading rumors about someone, telling secrets about others, talking about others in a mean way, unwanted touching, being too close to another person.

If a student feels like s/he has been bullied or knows another student is being bullied, s/he can report it by contacting Mr. Fliegelman or Sherry Montminy in person, in writing, by phone, or by mail at the school address.

Bullying can result in parents being notified, loss of privileges or free time, meeting with counselors, structured recesses, or suspension (among other things). Consequences for repeated incidents of bullying will be progressive. Trying to get back at a student who makes the report will result in more consequences. False reports of bullying can also result in consequences for the reporting student.

### Alcohol and Drugs

It is the policy of the Brownington Central School District that no student will knowingly possess, use, sell, give or otherwise transmit, or be under the influence of any illegal drug, regulated substance, or alcohol on any school property or at any school-sponsored activity away from or within the school.

*For the full policy: Alcohol and Drugs (F7), please see <http://www.ocsu.org/ocsu-policies.html>*

### Tobacco

The use of tobacco is prohibited 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. Furthermore, students are prohibited from possessing tobacco products at all times while under the supervision of school staff or at school-sponsored activities.

*For the full policy: Tobacco Prohibition (E8), please see <http://www.ocsu.org/ocsu-policies.html>*

### Use of Electronic Devices

Cell phones, radios, stereo equipment, walkmans, electric games and devices, CD/tape players, iPods and the like may not be used during the school day unless for specific educational or recreational reasons. This includes cell phones, beepers, and pagers. Cell phones used for photography will not be permitted. Students who use these devices during the school day for non-educational reasons will have the electronic device stored in the office for parental pickup. If students forget to leave their device at home, they can drop their device off in the office and pick it up at the end of the day to bring it back home with them.

Additionally, the legislature expanded their definition of harassment and bullying to include comments and actions done in text messages, email, or on Facebook. [Act 58 enacted by the Vermont Legislature](#) made changes to the definitions of harassment, bullying and the ability of schools to discipline students for off-campus misconduct. Act 58 amended the definitions of harassment (16 V.S.A. § 11 (a) (26)(a)(Section 35)), and bullying (16 V.S.A. §11 (a)(32)(Section 36)) to include harassment and bullying “by electronic means.” The legislature added a provision that allows principals to suspend or expel students for misconduct not on school property, on a school bus, or at a school-sponsored activity where the misconduct can be shown to pose a clear and substantial interference with another student’s right to access educational programs.

### Searches, Seizures, And Interrogation Of Students

The school retains the right to examine its property at any time. In addition, school officials may search students and search or seize student property upon reasonable grounds for suspecting that the search will reveal evidence of a violation of law or a school rule. In evaluating the reasonable grounds for a search, the school officials should consider the reliability of the information he or she has received, the availability of corroborating evidence, the severity of the suspected infraction, and the intrusiveness of the search to be carried out.

School district officials may invite law enforcement officers to assist them in an emergency. Under certain circumstances, law enforcement officers may also have independent lawful grounds to enter school property and to conduct criminal investigations.

School officials who assist law enforcement officers (including school resource officers) in a search, seizure, or interrogation must follow the laws applicable to law enforcement.

*For the full policy: Search, Seizure, And Interrogation Of Students By School Personnel (F3), please see the policies section of this handbook or <http://www.ocsu.org/ocsu-policies.html>*

*For the full policy: Searches, Seizures, And Interrogation Of Students By Law Enforcement Personnel Or Other Non-School Personnel (F4), please see <http://www.ocsu.org/ocsu-policies.html>*

## Food Services

### Wellness

#### Action Steps taken

1. Physical Education, 2 days a week; Wellness, 1 day a week, both are classes.
2. Fresh Fruit and Vegetable Grant; a snack is provided for all students.
3. 2% and 1% milk are both served at breakfast and lunch, and can be purchased at snack.
4. Flavored milk is served at lunch. To remain within Federal Dietary Guidelines, one additional milk may be purchased, but the second milk needs to be white milk.
5. 100% juice is served at breakfast and can be purchased at snack time.
6. Using healthy guidelines, water is encouraged at all other times of the day.
7. Brownington participates in the Farm to School program and has a school garden.
8. If children bring additional snacks to school we recommend they are from a healthy list of snacks provided by our school nurse.
9. Brownington is receiving some funds from the MAC committee for Winter Fitness Activities and the Farm-To-School program.

*For the full policy: Federal Child Nutrition Act: Wellness (E10), please see <http://www.ocsu.org/ocsu-policies.html>*

### Hot Lunch Program

The Brownington Central School hot lunch program offers nutritious breakfasts and lunches for our students. This year we will be participating in the Community Eligibility Provision (CEP) that is available through the federal Child Nutrition Program. Because of a higher reimbursement rate, we will be providing free breakfast and lunch to *all* students, regardless of income. Of course, if adults eat at school, they will still pay for breakfast and lunch.

Money for snack drinks (juice and milk for \$.30) will be collected. **We will not allow students to charge for milk, juice, or bottled water, so all of these funds will need to be prepaid.** You are expected to pre-pay using the envelopes provide. When your balance gets low, a detailed snack bill will be sent home. For students needing additional funds, an envelope will be attached.

If students bring in a cold lunch, if they get a milk, they will still be required to pay for this separately.

In accordance with federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age or disability.

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Ave. SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity employer.

### Breakfast Program

Brownington Central School has a breakfast program that is conducted each school morning from 7:55 – 8:10 a.m. Breakfast will also be free for all students this year.

### Offer vs. Serve

The offer vs. serve hot lunch program allows students to select from five food groups on the hot lunch menu (meat or other protein product, bread, two vegetable or fruit servings and milk). Students may select all five-food groups or may select as few as three of them. The purpose of this program is to cut down on the amount of food that will be wasted.

Although children may refuse as many as two items on the menu, the children receive the most nutritional benefit when the entire meal is eaten. To encourage children to take the entire lunch, Congress has mandated that the price of the lunch remain the same whether a child takes the entire lunch or if he/she refuses items.

## **Health Services**

### Health Office

The staff nurse is on duty in the health office three days a week to evaluate and treat injuries and illness.

### Medications

In order for school personnel to be able to administer medication to students, the following must take place:

1. Non-prescription medication: The school requires that the “Orleans Central Supervisory Union Health Services Medication Permission/Order Form” be completed. This form gives specific instructions, which include the student’s name, the name of the medication, the dose, and the time it is to be administered.
2. Prescription medication: Same as above including physician’s signature.
3. All medications must be in the original container. For prescription medications, just ask the pharmacist to make up two containers, one for home and one for school.
4. All medications are kept locked up in the nurse’s office.
5. Prescription medications cannot be transported on a school bus. Parents must bring the prescription medicine into the nurse or principal.
6. Cough drops: warm saline gargles are done first, and fluids are encouraged; then cough drops with parental permission with a two/day limit (parents provide). If students have a persistent cough, the nurse will call for other arrangements.

*For the full policy: Student Medications (F6), please see <http://www.ocsu.org/ocsu-policies.html>*

Health Screenings

All students in K, 1, 3, 5, and 7 are screened for vision and hearing problems each year. Parents do have the option of choosing not to have their child tested for vision and hearing screening. Unless the nurse is notified in writing, she will automatically test your child. These changes were made following the recommendations of the Vermont Department of Health. If you have a concern about your child's vision or hearing, testing will be done upon request.

Head Lice

As you may know, head lice are easily transmitted from one child to another in a school setting. Anyone can get head lice. They seem to like most any head of hair given the opportunity.

Here at school we check for head lice a number of times over the course of the school year. We will remind parents ahead of time. There may be times when we check more frequently should the situation demand. If we find evidence of head lice infestation, we will notify you immediately. Your child can return to school once all the lice and eggs are removed. Our school has a "no-nit policy" which means that your child cannot attend school if nits remain in the hair, even if s/he has received treatment. This reduces the opportunity for lice to spread to other students.

For excellent, unbiased information about head lice, we recommend the website [www.headlice.org](http://www.headlice.org). It is maintained by the National Pediculosis Association, a nonprofit organization dedicated to the prevention and safe treatment of head lice (AKA pediculosis).

Illness or Injuries in School

If your child becomes ill or sustains a significant injury while at school we will notify you as soon as possible at the phone number(s) you have provided us. If we are unable to contact you, we will notify the person you indicated as your emergency contact. We know that it is an inconvenience to have to come to school to get your sick child; however, please be assured that we would not be calling if we do not think your child needs to go home.

Please do not send a sick child to school. If your child was vomiting or running a fever during the night, please keep him/her home the next day, even if he/she was feeling better in the morning. This gives your child the chance to recover and reduces the likelihood of his/her classmates coming down with the same illness.

**Report Card Information**Honor Roll

All students have the opportunity of achieving excellence. Those who meet this goal will be honored in the following manner.

Principal's List	All A's
High Honors	All A's and B's
Honors	All A's and B's and one C

Student Retention

If a teacher feels there is a possibility that a student may need to be retained for the upcoming school year, a conference will be held with the concerned teacher, parents, and administration to discuss this possibility. This process can be initiated at any time during the school year by a teacher or a parent. Final decision is ultimately with the school personnel; however, the intention is that it is a joint decision between the school and the parents/guardians involved.

Parent/Teacher Conferences

Report cards are issued four times each year. Parent-teacher conferences are scheduled twice each year, in November and again in April. Additional parent-teacher conferences may be scheduled by calling the principal's office at any time.

Schedule Of Marking Periods, Quarter Updates And Parent Teacher Conferences

## FIRST QUARTER

Week of September 23, 2016  
October 28, 2016  
November 9, 2016

Quarter 1 update will be sent home, K-8  
First Marking Period Closes  
Parent-Teacher Conferences 7:30 am – 8:30 pm  
Report Cards will be distributed at the conference.

## SECOND QUARTER

Week of November 22, 2016  
January 13, 2017  
Week of January 27, 2017  
January 26, 2017

Quarter 2 update will be sent home, K-8  
Second Marking Period Closes  
Report Cards will be sent home  
Parent-Teacher Conferences 3:45 -8:30 \*

\* *These conferences will be scheduled at either the request of the teacher or parent.*

\* *Please call the secretary at X102 for a conference time.*

## THIRD QUARTER

Week of February 17, 2017  
March 24, 2017  
March 30, 2017  
March 31, 2017

Quarter 3 update will be sent home, K-8  
Third Marking Period Closes  
Parent Teacher Conferences 3:45 – 8:30  
Parent-Teacher Conferences 7:30 – 4:00  
Report Cards will be distributed at the conference.

## FOURTH QUARTER

Week of May 5, 2017  
June 12, 2017\*  
June 13, 2017\*

Quarter 4 update will be sent home, K-8  
Tentative date for school closing; noon dismissal\*  
Final teacher day

\* *This may be modified in the event of snow days.*

### Athletic Philosophy

Brownington Central School is committed to providing a supportive and positive environment in which coaches, parents, fans, and school officials all work together to help our student athletes achieve these goals. This philosophy is not meant to dictate how coaches should coach, but its purpose is simply to express the atmosphere in which our athletic program is to be conducted. Our aim is to promote development of the whole student in accordance with the following guidelines.

- Good sportsmanship by all is essential, and is expected of all participants in athletic endeavors.
- Basic skills development and understanding of the game are two of the major emphases of our athletic program, versus competition and winning.
- All athletes shall have an opportunity to participate in each game, regardless of their level of ability, as long as they attend required practices and exhibit acceptable behavior. Learning by doing at this young age is an essential means by which to acquire new skills and to develop and build talented athletes.
- Early in the sports program, athletes should have the opportunity to experience playing different positions in a particular sport, so they can learn and develop the skills which each position requires, while determining those positions that they like and in which they excel. It should be expected however that players will ultimately be assigned positions to which they are best suited.
- All athletes shall be encouraged and commended when they do well. Positive reinforcement of student athletes of this age is absolutely vital.
- Athletes are to have fun.
- Student athletes shall be treated as what they are . . . kids!

### Sports Procedures

All students in grades 6 and 8 are welcome and encouraged to join the extra-curricular sports teams (soccer, basketball, softball). If there are not enough players from these grades, other students will be invited. Students must turn in a signed permission slip and must have some form of accident insurance (whether purchased through the school or otherwise). Parents also need to sign the acknowledgement of the concussion information included with the permission form in order for their student(s) to participate. Additionally, effective August 2011, all middle school coaches are required to provide proof of concussion training prior to the particular sports season.

In order to compete, students must be academically and behaviorally eligible. This will be monitored by classroom teachers and reported to the principal if the student is failing in any subject area or has significant behavior referrals.

**Please note: If you are unable to transport your child to away games, it is your responsibility to make arrangements with other parents and to notify the school who your child will be riding with, either with a note or a phone call. Please call early in the day as the end of the day, especially on away game nights, are really busy in the office.**



**If you will be transporting students to and from games, we will need a permission slip from the other parent on file, as well as registration, insurance, and license information on file in the office. Thank you for helping!**

### Music Program Expectations

Ms. Kennedy, the choral/vocal music teacher and Ms. Newton, the instrumental music teacher both expect all students to participate actively in music-making: singing, playing instrumental accompaniments, and composition. Music is a performing art, therefore Kindergarten – 6<sup>th</sup> grade students are expected to perform in their schools K-6 Concert. Grades are based predominantly on positive, respectful class and concert participation.

Band and Chorus are integral parts of this music program in OCSU and all students are encouraged to participate in them, but it is optional. Families with financial constraints that might prevent a student from playing an instrument should speak to the music teacher. Chorus and band meet during the school day. Students are graded for the work they do. Grades for music class, band and chorus (if applicable) all contribute to the student's grade point average.

Both band and chorus members are expected to participate in four after school rehearsals, dress rehearsal and a concert held at Lake Region Union High School. These rehearsals run from 3-5 p.m. except the dress rehearsal and are scheduled on different days of the week. There is bus transportation to and from Lake Region to each school.

#### Band:

Any student 4<sup>th</sup> through 8<sup>th</sup> can start or continue to play a band instrument. Instrumental students meet with the teacher for half hour per week on a rotating schedule as individuals or in small groups. Arrangements for rental instruments will be made at the beginning of the school year.

Once students have made a commitment to playing an instrument, they are expected to bring their instrument, practice so that they are prepared for their lesson, and to perform in all school concerts. Students are expected to follow through playing their instruments until the end of a quarter (4<sup>th</sup> graders), or until after the winter or spring concert (5<sup>th</sup> – 8<sup>th</sup> graders), even if they intend to stop playing their instrument. There is a separate grade for instrumental lessons.

#### Chorus:

Students must make a commitment to attending chorus by the end of the second week of chorus at their school. They will receive a separate grade for their chorus participation.

**Home School Compact**

*\*This copy is for your records. A copy of this is an insert in the front of this handbook to return to school with signatures.*

BROWNINGTON CENTRAL SCHOOL

(PG. 1 of 2)

A home/school learning compact is a written agreement between teachers, parents, and students. It defines each of our responsibilities and the actions we will take to help our children to succeed in school. It should be reviewed each year and is required to be in place by the Vermont Department of Education.

**Parent Participation**

I understand that my involvement in my child’s education will help his/her achievement, attitude and behavior. Therefore, I agree to carry out the following responsibilities to the best of my ability. I will:

1. Provide my child with a positive home environment.
2. Support homework, discipline and attendance policies.
3. Visit my child’s school events whenever I can.
4. Communicate with my child’s school/teacher as much as I can.
5. Encourage my child’s learning at school, at home, and in the community.

\_\_\_\_\_  
Parent’s / Guardian’s Signature

\_\_\_\_\_  
Date

**Teacher participation**

I understand the importance of the education experience for every student and my role as a teacher and model. In order to encourage learning at home, at school, and in the community, I agree to carry out the following responsibilities to the best of my ability. I will:

1. Have high expectations of success for all students.
2. Address each student’s individual needs and encourage individual talents.
3. Provide a safe and positive learning environment for each student.
4. Communicate with all parents regarding their child’s progress.
5. Help parents to support learning and positive behavior at home.

\_\_\_\_\_  
Teacher’s Signature

\_\_\_\_\_  
Date

BROWNINGTON CENTRAL SCHOOL  
HOME SCHOOL COMPACT, (PG. 2 of 2)

Student Participation

I understand that my education is important. I know that I am responsible for my own success. Therefore, I agree to carry out the following responsibilities to the best of my ability. I will:

1. Attend school every day and be a cooperative learner.
2. Do my best in class and complete homework on time.
3. Respect myself, my teachers, and classmates.
4. Keep my parents informed about my progress in school.
5. Use my time wisely in school.

\_\_\_\_\_  
Student's Signature

\_\_\_\_\_  
Date

## School Policies

Following this page of the handbook are some of the school policies. There is a copy of all school policies in the Principal's office and on the Orleans Central Supervisory Union website (<http://www.ocsu.org/ocsu-policies.html>). Any parent wishing to review these may come in during normal school hours or may call the school for an appointment.

### Confidentiality and Education Records

#### I. Legal Basis

- A. Family Education Rights and Privacy Act (FERPA)
- B. Education of the Handicapped Act (PL 94-142) (34 CFR 300.560-576)
- C. Public School Approval Standard (Vermont Rule 2313)
- D. Vermont Public Record and Open Meeting Law (1 VSA Section 317 and 313 (a)(7)) (b)(11)

#### II. Definitions

- A. *Education Record* means information recorded in any way directly related to a student and maintained by an educational agency or by a party acting for the agency.
  - 1. Major Exceptions:
    - a. Sole possession records which are records kept by educational personnel and not revealed to or accessible to anyone except a substitute.
    - b. Written Child Abuse and Neglect reports to Department of Children and Families (DCF).
- B. *Parent* includes a natural parent, a guardian or an individual acting as a parent (e.g. surrogate parent) in the absence of a parent
  - 1. Custodial and Non-custodial parents both have access to records.
  - 2. DCF Caseworkers.
- C. *Personally Identifiable Information* includes student/family name, a personal identified, other information which makes the student's identity easily traceable.
- D. *Eligible Student* is an 18-year-old or student attending a post-secondary institution.

#### III. School District Policy Requirements

- A. Annual notification procedures
- B. Parent/Student record review
  - 1. Copying procedures
- C. Confidentiality statement
- D. Definition/Criteria
  - 1. School officials
  - 2. Legitimate educational interest
- E. Directory information
- F. Amending/Challenging records

#### IV. Inspection rights

- A. Parents/Student or representatives who have written consent
- B. Accessible within 45 days from the request
- C. Reasonable requests for explanation/interpretations
- D. Record hearing
- E. Rebuttal/Clarification statement

#### V. Disclosure without consent

- A. School officials with a legitimate educational interest
- B. New school the student seeks or intends to enroll in
- C. Federal or state audits or compliance reviews
- D. Child or neglect reports

- E. Organizational studies
  - F. Accrediting organizations
  - G. Parents of a dependent student
  - H. Judicial order or subpoena
  - I. Health or safety emergency
  - J. Directory of information
- VI. Record keeping requirements
- A. Requests for access
  - B. School official with access
- VII. Destruction of information
- A. Prohibited when a request for inspection is pending
  - B. Students on IEP's
    - 1. Records no longer needed to provide educational services
    - 2. IEP's maintained for five years for auditing purposes
  - C. Permanent records
    - 1. Academic records and transcripts of graduates and dropouts
- VIII. Enforcement
- A. Complaints to United States Department of Education
  - B. Lawsuit for Civil Rights Violation
- IX. Miscellaneous
- A. Training requirements
  - B. Storage/security
  - C. Executive session law

### Student Conduct and Discipline (F1)

#### Policy

It is the policy of the Brownington Central School District to maintain a safe, orderly, civil, and positive learning environment. In order to ensure that the school is free from hazing, harassment, bullying, and other disruptive misconduct, a system of classroom and school management practices, supported by consistent, clear, and fair disciplinary procedures, shall be utilized.

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 VSA §1161a.

#### Student Responsibilities

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

#### Administrative Responsibilities

The Principal, in consultation with the educational staff, shall develop an overall discipline plan, pursuant to 16 VSA §1161a. The plan shall include clear guidelines for student behavior. Behavioral expectations and the consequences of misconduct shall be stated in the student handbook and other publications distributed to students and parents/guardians.

The rules of conduct shall be distributed to and discussed with all students at the beginning of each school year in accord with procedures stated in the school discipline plan. Students will be instructed to share the student handbook with their parents. Copies of the handbook will be provided to parents/guardians in a manner determined by the Principal. The Principal may ask that parents/guardians sign a form indicating that they have reviewed the rules of conduct with their children. When new students enroll during the school year, they and their parents/guardians will be given copies of the rules of conduct as part of the pre-enrollment process.

The Principal (or designee) shall be responsible for carrying out discipline procedures conforming to the following guidelines.

1. A student may request a meeting with the Principal (or designee) to review any disciplinary action affecting the student, other than a suspension or expulsion. If requested, the Principal (or designee) shall hold an informal meeting to review the incident and to hear the views of the student and any other persons who may have information that the Principal (or designee) believes to be relevant in the circumstances. The Principal (or designee) shall issue a prompt decision, either oral or written, to the student. Except as otherwise provided in this policy, the decision of the Principal shall be final.
2. Suspension or expulsion of students shall be imposed in accordance with state and federal law and regulations, due process requirements, and the following rules and procedures.
  - A. The Principal (or designee) may assign a student to in-school detention for up to ten consecutive school days for any infraction of school rules. As provided in the school's overall discipline plan, students assigned to in-school detention shall be provided with reasonable opportunities to complete academic assignments and to benefit from counseling or other activities designed to bring about improvements in their behavior.
  - B. A student who poses an immediate danger to persons or property or a significant threat of disrupting the academic process of the school shall be removed from the school or to a place within the school determined by the Principal or Superintendent (or their designee) to be sufficiently secure to ensure the safety of students and school personnel and the continuation of the academic process. The Superintendent or Principal or their designee will notify a parent/guardian of a student who is removed from school without undue delay. If the parent/guardian or other responsible person designated as an emergency contact by the parent/guardian cannot be notified, the student will be detained at school or at another safe and secure setting for the remainder of the school day.
  - C. No student will be removed from school for more than the remainder of a school day unless the student and his/her parent/guardian are given an opportunity for an informal hearing pursuant to paragraph "D" of this policy. When immediate removal of a student is necessary prior to a hearing, the hearing will be held as soon as possible following the removal.
  - D. The Superintendent or Principal may suspend a student from school for a period of ten days or less for misconduct occurring on or off school grounds. Except as provided in paragraph "b" above, prior to such a suspension the student and his/her parent/guardian shall be given an opportunity for an informal hearing with the Principal (or designee). The student and his/her parent/guardian must be given notice of the charges, an explanation of the evidence against the student, an opportunity for the student to tell his/her side of the story, and a decision in writing to the parent/guardian.
  - E. The Superintendent or Principal may, with the approval of the Board and in accordance with 16 VSA §1162(a), impose a long-term suspension or expulsion of a student (for longer than ten days and up to 90 school days or the remainder of the school year, whichever is longer) for 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.
  - F. In accord with the overall discipline plan developed under 16 VSA §1161a, short-term (ten days or less) or long-term suspension or expulsion may be imposed for misconduct not on school property, on a school bus, or at a school-sponsored activity where direct harm to the welfare of the school can be demonstrated.
  - G. Long-term suspension or expulsion must be preceded by notice and formal due process procedures, including the opportunity for a hearing before the School Board. The Superintendent shall notify the student and his/her parents/guardians in writing of the nature of the charges, the date, time and place of the hearing, the right to legal representation, and the disciplinary action to be recommended to the Board. This notice will be provided in sufficient time to allow the student and his/her parent/guardians to prepare for the hearing. At the hearing, the student and parent/guardian will be given an opportunity to present evidence and to cross-examine witnesses. The Board shall issue a written decision within ten days of the conclusion of the hearing.
3. Notwithstanding the above provisions, a legal pupil who has a disability, or is suspected of having a disability, and is eligible for special education services or Section 504 services may be removed from his/her current educational placement for disciplinary reason for more than ten consecutive days or for more than ten cumulative days in a school year, in accordance with Vermont State Board of Education Rules 4313 or 4312. The school Principal, with the agreement of a special education administrator, may impose short-term disciplinary sanctions on special education students as provided in Vermont State Board of Education Rule

4313. The Superintendent and Director of Special Services will develop additional procedures as needed to govern the discipline of students with disabilities.

4. In the event a student brings a weapon to school, the procedures set forth in the District's Weapons policy (F20) will apply.

Date 1<sup>st</sup> Reading: April 14, 2005

Date 2<sup>nd</sup> Reading: May 19, 2005

Date Adopted: June 7, 2005

Legal Reference(s): 16 VSA §1161a (Discipline)  
 16 VSA §1162 (Suspension and expulsion)  
 20 USC §§1499 et seq. (IDEA)  
 29 USC §794 (Section 504, Rehabilitation Act of 1973)  
 Vermont State Board of Education Manual of Rules and Practices §4311, 4312, 4313

Cross Reference: Board Commitment to Non-Discrimination (C6)  
 Public Complaints About Personnel (D10)  
 Interrogations or Searches of Students by Law Enforcement Officers or Other Non-School Personnel (F4)  
 Search and Seizure (F3)  
 Alcohol and Drug Abuse (F7)  
 Weapons (F21)

### Bus Discipline (F2)

#### Policy

It is the policy of the Brownington Central School District to provide a safe environment on school buses transporting students to and from school and school activities.

#### Administrative Responsibility

Maintaining student control on the bus is a primary responsibility of the driver. Unmanageable behavior shall be reported to the school Principal. Parents/guardians shall be notified at the discretion of the Principal.

#### Student Misbehavior

In the event a student is denied transportation privileges for a period of time, parents/guardians shall be given notice by letter as well as by direct verbal contact when possible. A driver may remove a student from the bus when that student's behavior represents a serious immediate threat to the health and safety of fellow passengers and/or the driver and when removal of the student will not endanger the student's health or safety.

Date 1<sup>st</sup> Reading: April 14, 2005

Date 2<sup>nd</sup> Reading: May 19, 2005

Date Adopted: June 7, 2005

Legal Reference(s): 16 VSA §1221 (Transportation of students)  
 16 VSA §1161a (Discipline)  
 16 VSA §1162 (Suspension and expulsion)

Cross Reference: Transportation (F9)  
 Student Conduct and Discipline (F1)

### Search, Seizure, And Interrogation Of Students By School Personnel (F3)

The Orleans Central Supervisory Union seeks to provide a safe learning environment, maintain school property to assure the safety and enjoyment of students, school employees, and the general public, and extend the useful life of the school facilities.

To carry out this policy the school retains the right to examine its property at any time. In addition, school officials may search students and search or seize student property upon reasonable grounds for suspecting that the search will reveal evidence of a violation of law or a school rule. In evaluating the reasonable grounds for a search,

the school officials should consider the reliability of the information he or she has received, the availability of corroborating evidence, the severity of the suspected infraction, and the intrusiveness of the search to be carried out.

Copies of this policy will be distributed to students when they enroll in school, and will be included in the student handbook given to students and parents at the beginning of each school year. This policy is meant to explain the legal rights of the school district, but is not meant to limit them in any way.

#### Searches and Seizure of School Property

Desks, lockers, textbooks, computers, and other materials or supplies loaned by the school to students remain the property of the school, and may be opened and inspected by school employees at any time. When prohibited items are found in school property they will be confiscated and a report will be made to the Principal who will determine whether further investigation is warranted.

#### Search and Seizure of Student and Student Property

Searches of students' persons, personal effects and vehicles may be conducted where there are reasonable grounds for suspecting at the time of initiating the search that the search will reveal evidence of a violation of law or of school rules. The scope of the search must be reasonably related to the objectives of the search and not excessively intrusive in light of the student's age and sex and the nature of the infraction.

A search of a student's person will be conducted by a school employee of the same sex and, whenever possible, in the presence of another school employee. A strip search is overly intrusive for the purpose of most student searches. A strip search will be conducted only after consultation with the school district's legal counsel. Students who participate in competitive extracurricular activities may be required to submit to drug testing by the school as a condition of participation in those activities even without a particularized suspicion of drug use. If the school district decides to implement such a drug testing policy, it will adopt specific procedures for that purpose.

#### Interrogation of Students

School district employees may detain students to question them regarding violations of law or school rules if reasonable in light of the possible infraction and the degree of suspicion. School officials may act on information related to violations received from outside law enforcement personnel. School officials are not required to notify parents of interrogations of students.

Date Warned: March 17, 2005

Date Adopted: July 14, 2005

Date Reviewed: November 28, 2012

#### Legal Reference(s):

Safford Unified School District #1 v. April Redding, 77 U.S.L.W. 4591 (U.S. Supr. Ct. 2009)

New Jersey v. T.L.O., 469 U.S. 325, 105 S. Ct. 733 (1985)

Vernonia School District v. Acton, 515 U.S. 646, 115 S. Ct. 2386 (1995) Board of Education v. Earls, 122 S. Ct. 2559 (2002)

Doe v. Little Rock School District, 380 F.3d 349 (8th Cir. 2004) Phaneuf v. Fraikin, No. 04-4783 (2d Cir. May 19, 2006)

Wofford v. Evans, 390 F.3d 318 (4th Cir. 2004)

Shuman v. Penn Manor School Dist., 422 F.3d 141 (3d Cir. 2005)

In re Randy G., 110 Cal. Rptr. 2d 516 (Cal. 2001)

#### Cross References:

Interrogation or Searches of Students by Law Enforcement Officers or Other Non-School Personnel (F4)

Student Conduct and Discipline (F1)

The School Resource Officer is not considered a school district employee for the purpose of interrogations.

#### Student Records (F5)

##### Policy

The Brownington Central School District recognizes the importance of keeping accurate and appropriate records for students as part of a sound educational program and is committed to act as trustee of this information, maintaining these records for educational purposes to serve the best interests of its students. The information contained in students' education records belongs primarily to the students and/or their parents/guardians.



The principle of confidentiality underlies all policies and procedures for the collection, maintenance, disclosure and destruction of educational records. The building Principal shall be the legal custodian of all student records in a given school. The Superintendent has overall responsibility for school records throughout the District and for assuring that adequate systems are in place to maintain such records.

#### Definition

**Other school official determined to have legitimate educational interests** means any person who needs to review a student's education record or receive information therefrom in order to full his/her employment or official responsibilities and who is:

1. A person employed by the Brownington Central School District as an administrator, supervisor, educator or substitute, paraprofessional, or support staff member, including tutorial, health, law enforcement, transportation, nutrition, athletic, co/extra-curricular, clerical, or other support staff;
2. A member of the Brownington Central School Board;
3. A person or company with whom the Brownington Central School District has contracted to perform a special task, including an attorney, auditor, medical consultant, therapist, evaluator;
4. A volunteer assisting another school official in the performance of his/her tasks; and
5. Any other person designated by the Brownington Central School Board or Principal of any school within the Brownington Central School District to have legitimate educational interests.

#### Directory Information

The school will release directory information without prior written consent unless the parent/guardian or eligible student informs the Principal in writing that any or all of the information signed below should not be released without prior consent.

1. Student's name, address, date of birth, dates of enrollment;
2. Parent/guardian's name and address;
3. Student's grade level classification;
4. Student's participation in recognized school activities and sports;
5. Weight and height of members of athletic teams;
6. Student's diplomas, certificates, awards, and honors received.

#### Implementation

The Superintendent is responsible for developing procedures to assure the consistent implementation of this policy. The procedures shall comply with all federal and state laws and regulations governing the collection, maintenance, disclosure, and destruction of education records.

1. **Parental Notification.** Annually, the school will notify parents/guardians of students currently in attendance and eligible students (age 18 and over) currently in attendance of their rights under the Family Educational Rights and Privacy Act (FERPA) of 1974. Notice will be given in a manner outlined by the Superintendent and likely to inform parents/guardians and eligible students of their rights. The notice will include a statement that the parent/guardian or eligible student has a right to:
  - A. Inspect and review the student's education records;
  - B. Request the amendment of the student's education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights;
  - C. Consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that the Act authorizes disclosure without consent;
  - D. File with the US Department of Education a complaint concerning alleged failures by the school to comply with requirements of the Act; and
  - E. Obtain a copy of the school's policy and written procedures and protocols related to student records.
2. Release/Review of Student Information
  - A. Disclosure of student information shall be made only with the written consent of the parent/guardian or eligible student subject to the following exceptions. Information may be disclosed:
    1. To officials of the school in which the student is enrolled who have a legitimate educational interest in the records and require the information to adequately carry out their jobs;
    2. Upon request to officials of a school in which the student seeks or intends to enroll;
    3. Under court order or subpoena;

4. To individuals seeking Directory Information (see definitions);
  5. To appropriate parties in a health or safety emergency;
  6. In connection with a student's request for financial aid.
- B. Parent/guardians of students or eligible students (age 18 or over) may inspect and review the student's records upon request. Parents/guardians should submit requests to the Principal in writing specifying, as precisely as possible, the information s/he wishes to inspect. The Principal will make appropriate arrangements to meet with the parents/guardians for such inspection according to procedures developed by the school's administration. If an eligible student or parent/guardian believes the education records contain information that is inaccurate, misleading, or in violation of any of the student's rights, she may make a request of the building Principal to amend the record. If the building Principal decides not to amend the record as requested, the student or parent/guardian may appeal using the District's general appeal process.
- C. Non-custodial parents: Access to a student's school records will not be denied to a parent solely because that parent has not been awarded parental rights and responsibilities by a court. However, access shall be denied where a court order or other legally binding document specifically revokes a parent's right of access to such records.
- D. Each contract entered into between the Brownington Central School District and persons or entities, who may either receive a student's education records or personally identifiable information therefrom, will contain a provision setting forth the restrictions on redisclosure of information from education records.
- E. The School District will maintain a record of all requests for and/or disclosures of information from a student's records according to the school's procedures. The District will record, also, all requests for amendment of the record and the disposition of the request(s).
3. **Juvenile Court Records**: The Family Court is required to inform in writing the Superintendent of the District in which a student is enrolled within seven days of a court finding that the student has committed a delinquent act requiring notice.
- A. Sharing of Information: The Superintendent shall inform only those for whom the information is necessary for the rehabilitation program of the child or for the protection of staff or students, and only after first evaluating rehabilitation and protection measures that do not involve informing staff or students. "Need to know" should be narrowly and strictly interpreted. Persons receiving this information shall not discuss the information with anyone except the Superintendent, the child, the child's parent/guardian, law enforcement personnel, the student's probation officer, or others who have been similarly informed.
  - B. Maintenance of Records: The notice from the Family Court shall be maintained by the Superintendent in a file separate from the student's education record. Upon the graduation of the student or when the student turns 18, the Superintendent shall destroy the record. If a student transfers to another public or private school, the Superintendent will forward the written notice in the original marked envelope to the Superintendent or Headmaster of the school to which the student is transferring.
  - C. Transfer of Records: When a student transfers to another school or school district, all student records will be forwarded.
  - D. Staff Training: Annually, the Superintendent shall ensure that training is provided to each member of the School Board and staff concerning his/her responsibilities to maintain the confidentiality of information from student education records, consistent with the Family Educational Rights and Privacy Act. Such training will be tailored to the scope of the staff or Board member's duties and, as appropriate, include presentation of information on:
    1. The maintenance and storage of education records;
    2. Record keeping requirements regarding disclosure of a student's education records;
    3. The potential penalties both to the staff member and the school for inappropriate disclosure of a student's education record or personally identifiable information therefrom;
    4. The definitions of "record," "education record," "directory of information," and "personally identifiable information" under federal law;
    5. Where to receive advice and direction in circumstances where the Board or staff member's responsibilities in this regard are unclear; and
    6. The penalties for violation of the rules of confidentiality set forth in Vermont law.

Date 1<sup>st</sup> Reading: April 14, 2005

Date 2<sup>nd</sup> Reading: May 19, 2005

Date Adopted: June 7, 2005

Legal Reference(s): 20 USC §§1232f-1232j (Federal Family Educational Rights and Privacy Act of 1974)  
 34 CFR Part 99  
 1 VSA §317 (Definitions)  
 15 VSA §670 (Non-custodial parents)  
 33 VSA §5536a (Juvenile court records)  
 VT State Board of Education Manual of Rules and Practices §2120.8.3.3

Cross Reference(s):

### Reporting Suspected Child Abuse Or Neglect (F8)

#### Policy

It is the policy of the Brownington Central School District to ensure that all School District employees report suspected child abuse and/or neglect, as outlined in 33 VSA §4911 et seq.

#### Purpose

The purpose of this policy is to protect children whose health and welfare may be jeopardized by abuse or neglect. It is further the purpose of this policy to make clear to all School District employees and school officials that it is not their role to be investigator, judge, and jury in cases of suspected abuse or neglect. Rather, it is the role of School District employees to be faithful and timely reporters of suspected abuse or neglect so that allegations can be brought to the attention of objective, trained, and experienced investigators.

#### Definitions

**Immediately** means as soon as the abuse or neglect is suspected but in no case later than 24 hours after such abuse or neglect is suspected.

**Suspected** means the School District employees has reasonable cause to believe such abuse or neglect occurred. This does not mean that the employee must *be convinced* the abuse or neglect occurred. Doubts the employee may have shall be resolved in favor of reporting the suspicion. Further, the employee shall not refrain from making a report under this policy for the reason that there may be retaliation against the child because the employee has a confidential relationship with the child or for any other reason no matter how well intentioned.

**Report** is an oral or written description of the suspected abuse or neglect. If the report is made orally the reporter should note in writing the person to whom the report was made and when the report was made. A report made to the Vermont Department of Children and Family Services will contain the following:

1. The name and address of the reporter;
2. The name and address, if known, of the child and the child's parents/guardians or other persons responsible for the child's care;
3. The age of the child;
4. The nature and extent of the child's injuries together with any evidence of previous abuse or neglect of the child or the child's siblings;
5. Any other information the reporter believes might be helpful.

**Abused or neglected child** is any child under the age of eighteen whose physical health, psychological growth and development, or welfare is harmed or at substantial risk of harm by the acts or omissions of the child's parent or other individual who may be responsible for the child's welfare (e.g. guardian, foster parent, stepparent, teacher, etc.), or in the case of sexual abuse of any individual. Harm can be caused by the actual infliction of harm, including physical injury or emotional maltreatment, by allowing such harm to occur, by failing to provide the child with adequate food, clothing, shelter or health care, or by abandonment of the child.

**Sexual abuse** means any act by a person involving sexual molestation or exploitation of a child, including but not limited to incest, prostitution, rape, sodomy, or any lewd and lascivious conduct involving a child. Sexual abuse also includes the aiding, abetting, counseling, hiring, or procuring of a child to perform or participate in any photograph, motion picture, exhibition, show representation, or other presentation which, in whole or in part, depicts sexual conduct, sexual excitement, or sadomasochistic abuse involving a child.

NOTE: THE LAW PROVIDES THAT SEXUAL ABUSE MAY ALSO BE SEXUAL HARASSMENT. HOWEVER, FOLLOWING THIS SCHOOL DISTRICT'S POLICY ON SEXUAL HARASSMENT DOES NOT FULFILL A MANDATORY REPORTER'S LEGAL RESPONSIBILITIES UNDER THE **VERMONT**

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES REPORTING LAW. SUSPECTED SEXUAL ABUSE MUST BE REPORTED TO THE VERMONT DEPARTMENT OF CHILDREN AND FAMILY SERVICES.**

**Implementation**

Any School District employee or school official, regardless of whether s/he is a “mandated reporter,” under Vermont law (33 VSA §4913), shall report suspected child abuse or neglect to the building Principal (or designee). If the building Principal (or designee) is the person suspected of child abuse or the person who suspects the abuse or neglect, the report will be made to the Superintendent of schools.

Upon receiving a report, the Principal (or designee) or the Superintendent, as the case may be, shall report the incident immediately to the *Vermont Department of Children and Family Services*.

**Training**

All staff shall receive training once each school year in reporting suspected child abuse and neglect. Such training will include assistance in recognizing the signs and symptoms of abuse and neglect.

**Availability of Policy**

This policy shall be provided each year to the parent/guardians of students in attendance and to each employee of the School District including substitute teachers. Further, this policy shall be posted in at least three prominent places within the school building.

Date 1<sup>st</sup> Reading: April 14, 2005

Date 2<sup>nd</sup> Reading: May 19, 2005

Date Adopted: June 7, 2005

Legal Reference(s): 33 VSA §§4911 et seq. (Reporting abuse of children)

Cross Reference: Harassment of Students (F20)

**Prevention Of Harassment, Hazing, And Bullying Of Students (F24)**

**I. Statement of Policy**

The Orleans Central Supervisory Union and its member school districts (Albany, Barton, Brownington, Glover, Irasburg, Orleans, Westmore, and Lake Region Union), hereinafter called the “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:

1. 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)

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 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 US 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 the Title IX (regarding sex-based discrimination) and Title VI (regarding race-based discrimination) for the District and for coordinating the District's compliance with Title IX and Title VI in all areas covered by the implementing regulations. The Equity Coordinator is also responsible for overseeing

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

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

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

1. **Sexual harassment**, which means unwelcome conduct of a sexual nature, that includes sexual violence/sexual assault, sexual advances, requests for sexual favors, and other verbal, written, visual or physical conduct of a sexual nature, and includes situations where one or both of the following occur:
  - a. Submission to that conduct is made either explicitly or implicitly a term or condition of a student's education, academic status, or progress; or
  - b. 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 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 materials, 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
- a. 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, extracurricular, 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 a witness to an incident or an anonymous letter or telephone call), different factors will affect the school's response. These factors include the source and nature of the information; the

seriousness of the alleged incident; the specificity of the information; the objectivity and credibility of the source of the report; whether any individuals can be identified who were subjected to the alleged harassment; and whether those individuals want to pursue the matter. In addition, for purposes of violations of federal anti-discrimination laws, notice may occur when an employee of the district, including any individual who a student could reasonably believe has this authority or responsibility, knows or in the exercise of reasonable care should have known about potential unlawful harassment or bullying.

- J. **“Organization”** means a fraternity, sorority, athletic team, association, corporation, order, society, corps, cooperative, club, or other similar group, whose members primarily are students at an educational institution, and which is affiliated with the educational institution.
- K. **“Pledging”** means any action or activity related to becoming a member of an organization.
- L. **“Retaliation”** is any adverse action by any person against a person who has filed a complaint of harassment, hazing or bullying or against a person who assists or participates in an investigation, proceeding or hearing related to the harassment complaint. Such adverse action may include conduct by a school employee directed at a student in the form of intimidation or reprisal such as diminishment of grades, suspension, expulsion, change in educational conditions, loss of privileges or benefits, or other unwarranted disciplinary action. Retaliation may also include conduct by a student directed at another student in the form of further harassment, intimidation, and reprisal.
- M. **“School administrator”** means a superintendent, principal or his/her 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.

Date Warned: 6-1-15

Date Adopted: 8-20-15

#### 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 US Department of Education at the addresses noted below:

Vermont Human Rights Commission  
 14 – 16 Baldwin Street  
 Montpelier, Vermont 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  
 US Department of Education  
 8<sup>th</sup> Floor  
 5 Post Office Square  
 Boston, Massachusetts 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:
- Promptly reduce any oral information to writing, including the time, place, and nature of the conduct, and the identity of the participants and complainant.
  - Promptly inform the school administrator (s) of the information;
  - 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:
- Notify in writing both the complainant and accused individual (or if either is a minor inform their respective parent or guardian) that:
    - An investigation has been initiated;
    - Retaliation is prohibited;
    - All parties have certain confidentiality rights; and
    - 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 whether misconduct occurred. The parent/guardian or eligible student shall provide a signed and dated written consent before an educational agency or institution disclosed 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 policy, 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, 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 conduct 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. In a complain 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 the accused will be provided the opportunity to present witnesses and other evidence during the investigation. The school will also consider the impact of relevant off-campus conduct on the school environment where direct harm to the welfare of the school can be demonstrated or the conduct can be shown to pose a clear and substantial interference with another student’s equal access to educational programs. Whether a particular action constitutes a violation of this policy requires determination based on all the facts and surrounding circumstances.
- F. Completion of Investigation – Timing. No later than five school days from the filing of the complaint with the designated employee, unless special circumstances are present and documented, the investigator shall submit a written initial determination to the school administrator.
- G. Investigation Report. The investigator shall prepare a written report to include a statement of the findings of the investigator as to whether the allegations have been substantiated, and as to whether the alleged conduct constitutes hazing, harassment and/or bullying. The report, when referencing student conduct, is a student record and therefore confidential. It will be made available to investigators in the context of a review conducted by either Vermont AOE, or investigations of harassment conducted by the Vermont Human Rights Commission or US Department of Education Office of Civil Rights.
- H. Notice to Students/Parent/Guardians. Within five school days of the conclusion of the investigation, the designated employee shall:
- a. Notify in writing both the complainant and accused individual (or if either is a minor inform their respective parent or guardian) that:
    - i. The investigation has been completed;
    - ii. Whether or not the investigation concluded that a policy violation occurred (and which policy term was violated, i.e. harassment, hazing and/or bullying);

- iii. 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.
  - b. Notify the Complainant Student – or if a minor, their parent(s) or guardian – in writing of their rights to:
    - i. An internal review by the school of its initial determination as a result of its investigation as to whether harassment occurred;
    - ii. 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;
    - iii. File complaints of harassment with either the Vermont Human Rights commission and/or the federal Department of Education’s Office of Civil Rights.
  - c. 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 shall be considered:
  - a. 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 how to respond.
  - b. 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 has 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.

- c. Hazing Case Considerations. Appropriate penalties or sanctions or both for organizations that or individuals who engage in hazing or revocation or suspension of an organization's permission to operate or exist within the institution's purview of that organization knowingly permits, authorizes, or condones hazing.
  - d. 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 the 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, now how to report any subsequent problems and making follow-up inquiries to see if there have been any new incidents or any retaliation.

- C. Alternative Dispute Resolution. At all stage 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, and 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

- A. Internal Review of Initial Harassment Determinations of 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 no 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 Review 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 of the superintendent of schools within thirty (30) days of a final determination. Upon such request, the superintendent shall promptly initiate an independent review of 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 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 US Department of Education at the addresses noted below:

Vermont Human Rights Commission  
 14 – 16 Baldwin Street  
 Montpelier, Vermont 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  
 US Department of Education  
 8<sup>th</sup> Floor  
 5 Post Office Square  
 Boston, Massachusetts 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 or the extent practicable, but not later than 30 days from the 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 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 USC 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 VSA § 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 VSA § 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 VSA 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.
- D. Data Gathering. Public school districts shall provide the Vermont Agency of Education with data requested by the Secretary of Education.

#### Legal References:

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

Title VI of the Civil Rights Act of 1964, 42 USC §2000d;

Title IX of the Educational Amendments Act of 1972, 20 USC §§1681 et seq.;

Family Education Rights Privacy Act, 20 USC §1232g;

Public Accommodations Act, 9VSA §§4500 et seq.;

Education, Classifications and Definitions, 16 VSA §11(26); (30)(A);(32);

Education, 16 VSA §140(a)(1); Education, 16 VSA §166(e);

Education, Bullying, 16 VSA §570c;

Education, Harassment, Hazing and Bullying, 16 VSA §570;

Education, Harassment, 16 VSA §570a;

Education, Harassment, 16 VSA §570c;

Education, Harassment, 16 VSA §570f;

Education, Hazing, 16 VSA §570b;

Education, Hazing, 16 VSA §570f;

Education, Discipline, 16 VSA §1161a;

Education, Suspension or Expulsion of Pupils; 16 VSA §1162;

Child Abuse, 33 VSA §§4911 et seq.;

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

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

#### Weapons (F20) Policy

It is the policy of the Brownington Central School District to comply with the federal Gun Free Schools Act of 1994 and 16 VSA §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** (for the purposes of this policy)

**Weapon** means any firearm as defined in Section 921 or Title 18 of the United States Code and 13 VSA §4016, including:

1. 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;
2. The frame or receiver of any weapon described above;
3. Any firearm muffler or firearm silencer;
4. Any explosive, incendiary, or poison gas:
  - A. Bomb,
  - B. Grenade,
  - C. Rocket having a propellant charge of more than four ounces,
  - D. Missile having an explosive or incendiary charge of more than  $\frac{1}{4}$  ounce,
  - E. Mine, or
  - F. Similar device;
5. 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 as any barrel with a bore of more than one-half inch in diameter;
6. 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;
7. 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 or producing death or serious bodily injury.

**School** is any setting that 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.

**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 any weapon to school shall be brought by the Superintendent to the School Board for an expulsion hearing.

After a hearing by the Board, a student found 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 such as, but not limited to:

1. The student was unaware that s/he 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 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 1<sup>st</sup> Reading: April 14, 2005

Date 2<sup>nd</sup> Reading: May 19, 2005

Date Adopted: June 7, 2005

Legal Reference(s): 16 VSA §1166 (State law pursuant to Federal law)  
 13 VSA §§4004, 4016 (Criminal offenses)  
 20 USC §8921 (Gun Free Schools Act of 1994)  
 18 USC §921 (Federal definition of firearms)  
 20 USC §§1400 et seq. (IDEA)  
 29 USC §794 (Section 504, Rehabilitation Act of 1973)  
 Vt. State Board of Education Manual of Rules and Practices, §§4311, 4312

Cross Reference(s): Interrogations or Searches of Students (F5)  
 Search and Seizure (F3)

## Student Conduct and Discipline (F1)

The Use of Restraint and Seclusion (F30)

## Section 1. Statement of Purpose

- 1.1 It is the policy of this school district/supervisory union that students not be subjected to inappropriate restraint or seclusion as defined by Vermont State Board of Education Rule 4500. It is the district/supervisory union's intent to create and maintain a positive and safe learning environment, and promote positive behavioral interventions and supports in district schools. This policy is further intended to assist in creating a common understanding within the district/supervisory union of appropriate interventions by district staff.

## Section 2. Definitions. The following terms, as defined in State Board Rule 4500.3, shall apply to this policy.

- 2.1 Behavioral Intervention Plan means a plan that details strategies to address behaviors that impede learning, or are ongoing, and do not readily respond to general intervention or classroom management techniques, by teaching pro-social skills and other positive replacement behaviors. The plan may include positive strategies, program or curricular modifications, and supplementary aids and supports required to address problem behaviors.
- 2.2 Chemical Restraint means a drug, medication or chemical used on a student to control behavior or restrict movement that is not:
- Prescribed by a student's licensed physician for the standard treatment of a student's medical or psychiatric condition; and
  - Administered as prescribed by the licensed physician.
- 2.3 Functional Behavioral Assessment means the analysis of a student's behavior patterns before, during, and after rule-breaking or other inappropriate behavior for the purpose of guiding the development of a behavioral intervention plan.
- 2.4 Mechanical Restraint means the use of any device or object that restricts a student's movement or limits a student's sensory or motor functions unless under the direction of a healthcare professional for medical or therapeutic purposes. The term does not include devices implemented by trained school personnel, or utilized by a student for the specific and approved therapeutic and safety purposes for which such devices were designed including:
- Restraints for medical immobilization;
  - Adaptive devices or mechanical supports used to achieve proper body position, balance or alignment;
  - Vehicle safety restraints including a seat belt or harness used for balance or safety on a car or bus; or
  - Seat belts in wheelchairs or on toilets.
- 2.5 Parent means:
- A biological or adoptive parent of the child;
  - A legal guardian of the child;
  - A person acting in place of a biological or adoptive parent, including a grandparent, stepparent or other relative with whom the child lives, or a person legally responsible for the child's welfare;
  - A foster parent or developmental home provider who has been appointed the educational surrogate parent by the Educational surrogate Parent Program; or
  - An educational surrogate parent.
- 2.6 Physical Escort means the temporary touching or holding, without the use of force, of the hand, wrist, arm, or back of a student who is exhibiting minimal resistance for the purpose of directing movement from one place to another.
- 2.7 Physical Restraint means the use of physical force to prevent an imminent and substantial risk of bodily harm to the student or others. Physical restraint does not include:
- Momentary periods of physical restriction by direct person-to-person contact, accomplished with limited force and designed either
    - to prevent a student from completing an act that would result in potential physical harm to himself/herself or another person; or
    - to remove a disruptive student who is unwilling to leave the area voluntarily;
  - The minimum contact necessary to physically escort a student from one place to another;
  - Hand-over-hand assistance with feeding or task completion; or
  - Techniques prescribed by a qualified medical professional for reason of safety or for therapeutic or medical treatment.
- 2.8 Positive Behavioral Interventions and Supports means an approach to preventing and responding to targeted behavior that:
- Is based on evidence-based practices;
  - Is proactive and instructional, rather than reactive;
  - Can operate on individual, group, classroom, or school wide levels;
  - Includes a system of continual data collection; and
  - Relies on data-driven decisions.
- 2.9 Prone Physical Restraint means holding a student face down on his or her stomach using physical force for the purpose of controlling the student's movement.
- 2.10 School means a learning environment receiving public funds or over which the Vermont Department of Education has regulatory authority.



- 2.11 School Personnel means individuals working in schools as defined in 4500.3(10) who are employed by the school or who perform services for the school on a contractual basis, and school resource officers, while acting in that capacity.
- 2.12. Seclusion means the confinement of a student alone in a room or area from which the student is prevented or reasonably believes he or she will be prevented from leaving. Seclusion does not include time-out where a student is not left alone and is under adult supervision.
- 2.13 Substantial Risk means an imminent threat of bodily harm where there is an ability to enact such harm. Substantial risk shall exist only if all other less restrictive alternatives to defuse the situation have been exhausted or failed or the level of risk prohibits exhausting other means.
- 2.14 Supine Physical Restraint means holding a student on his or her back using physical force for the purpose of controlling the student's movement.
- 2.15 Student means a student enrolled in a school as defined in paragraph 10.

### Section 3. Policy

- 3.1 The superintendent or his or her designee shall develop administrative procedures to ensure district/supervisory union compliance with the requirements of Vermont State Board of Education Rule 4500. The administrative procedures shall include at least the following components.
- 3.2 Prohibitions against the imposition on students of mechanical or chemical restraints by school personnel and contract service providers.
- 3.3 Prohibitions against the imposition on students of physical restraint in circumstances designated as impermissible by State Board of Education rules.
- 3.4 Restrictions on the use of physical restraint and seclusion to circumstances allowed by State Board of Education rules, including provisions that allow the inclusion of restraint or seclusion as part of a student's individual safety plan only when that plan meets the conditions set forth in State Board of Education rules, and provisions that require the termination of restraint or seclusion, and the monitoring of students subjected to restraint or seclusion, as established by State Board of Education rules.
- 3.5 Procedures to ensure that only school personnel or contract service providers who are trained in the use of restraint and seclusion are authorized to impose restraint or seclusion unless, due to the unforeseeable nature of the danger of a particular circumstance, trained personnel are not immediately available.
- 3.6 Processes to ensure that impositions of restraint or seclusion are reported to school administrators, parents, superintendents and the Commissioner of the Vermont Department of Education under circumstances and within the time limitations required by State Board of Education rules.
- 3.7 Processes to ensure that each school in the district/supervisory union maintains written records of each use of restraint and seclusion in accordance with the requirements of State Board of Education rules.
- 3.8 Procedures to ensure that each school in the district/supervisory union implements follow-up procedures that are consistent with the requirements of State Board of Education rules.
- 3.9 Annual notification procedures to ensure that each school in the district/supervisory union informs school personnel and parents of students enrolled in the school of the policies and procedures pertaining to the use of physical restraint and seclusion, and the intent of the school to emphasize the use of positive behavioral interventions as well as supports and its intention to avoid the use of physical restraint or seclusion to address targeted student behavior.
- 3.10 Processes for the filing, investigation and resolution of complaints by school personnel or parents regarding the use of restraint or seclusion, including the designation of school officials who are authorized to receive complaints. The procedures for resolving complaints shall require that any complaint regarding the use of restraint or seclusion is investigated and written findings are issued within thirty (30) days of the complaint's receipt. If a complaint regarding the use of restraint or seclusion is unresolved at the school building level, it shall be directed to the superintendent in accordance with the complaint processes established by the Board in Policy (insert reference to board policy on complaints).

### Section 4. Implementation

The superintendent shall ensure that appropriate staff are provided training by programs recommended by the Vermont Department of Education unless he or she submits a plan to the Commissioner of Education demonstrating how a training program not recommended by the Department of Education contains the elements required of recommended programs and meets the purposes of the State Board of Education rules on restraint and seclusion.

The superintendent shall report annually to the Board on the implementation of the administrative procedures required by this policy, and shall include in his or her report recommendations for changes, if any, to related school district/supervisory union policies or procedures.

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Date 1<sup>st</sup> Reading: 11/17/2011

Date 2<sup>nd</sup> Reading: 01/19/2012

Date Adopted: 03/15/2012

Date Reviewed: 01/06/2013

### Pupil Privacy Rights: Student Surveys (F27) Policy

It is the intent of the Brownington 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

**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.

#### General Guidelines

No student shall be required, without parental consent, to take part in a survey, analysis, or evaluation funded by the U.S. Department of Education that reveals information concerning:

1. Political affiliations or beliefs of a student or a student's parents;
2. Mental or psychological problems of a student or student's family;
3. Sexual behavior or attitudes;
4. Illegal, anti-social, self-incriminating, and demeaning behavior;
5. Critical appraisals of other individuals with whom student respondents have close family relationships;
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, or members of the clergy;
7. Income (other than that required by law to determine eligibility for participation in a program for receiving financial assistance under such program); or
8. Religious practices, affiliations, or beliefs of the student or the student's parents.

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.

Parents shall be notified at least annually, at the beginning of the school year or when enrolling students for the first time in Supervisory Union 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:

1. 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 such as:

- a. College or other post-secondary education recruitment or military recruitment;
  - b. Book clubs, magazines, and programs providing access to low cost literary products;
  - c. Curriculum and instructional materials used in schools;
  - d. Tests and assessments;
  - e. Student recognition programs; and
  - f. The sale by students of products or services to raise funds for school-related activities.
2. The administration of any survey that includes the subject areas listed above; or
  3. 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.

Parents shall be notified, through U.S. Mail, e-mail, or other direct means (The direct notification requirement in this policy is federally mandated. See 20 U.S.C. §1232h(c)(2)(B).) at least annually at the start of each school year of the specific or approximate dates of any activities described in sub-paragraphs 1-3 above, and shall be provided an opportunity to “opt out” of participation in those activities.

Parents shall have the right to inspect, upon request, any instructional use as part of the education curriculum.

The superintendent (or his/her designee) shall develop administrative procedures as required to ensure implementation of this policy.

Date 1<sup>st</sup> Reading: January 19, 2006

Date 2<sup>nd</sup> Reading: February 16, 2006

Date Adopted: March 16, 2006

Legal Reference(s): 20 U.S.C. §1232h, Protection of Pupil Rights

#### Internet Use Agreement Policy

Internet access is now available to students and teachers at the Brownington Central School District. We are very pleased to bring this access and believe the Internet offers vast, diverse, and unique resources to both students and teachers.

The Internet is an electronic highway connecting thousands of computers all over the world and millions of individual subscribers. Students and teachers have access to:

- a. Electronic mail communication with people all over the world;
- b. News and information from research institutions;
- c. Public domain software and shareware of all types;
- d. Discussion groups on a plethora of topics ranging from Chinese culture and the environment to music and politics; and
- e. Access to many university library catalogs, the Library of Congress and Education Resources Information Center.

With access to computers and people all over the world also comes the availability of material that may not be considered to be of educational value in the context of the school setting. The Brownington Central School District has taken precautions to restrict access to controversial materials, however on a global network it is impossible to control all materials and an industrious user may discover controversial information. We, the Brownington Central School District, firmly believe that the valuable information and interaction available on this worldwide network far outweigh the possibility that users may procure material that is not consistent with the educational goals of the school.

Internet access is coordinated through a complex association of government agencies and regional and state networks. In addition, the smooth operation of the network relies upon the proper conduct of the end users who must adhere to strict guidelines. These guidelines are provided here so that you are aware of the responsibilities you are about to acquire. In general this requires efficient, ethical and legal utilization of the network resources. If a Brownington Central school District user violates any of these provisions, his or her account will be terminated and future access could be possibly denied.

Internet Terms and Conditions

1. **Acceptable Use** – The purpose of the National Science Foundation Network (NFSNET), which is the backbone network to the internet, is to support research and education in and among academic institutions in the US by providing access to unique resources and the opportunity for collaborative work. The use of your account must be in support of education and research and consistent with the educational objectives of the Brownington Central School District. Use of other organizations' networks or computing resources must comply with the rules above for that network. Transmission of any material, in violation of any US or state regulation is prohibited. This includes but is not limited to: copyrighted material, threatening or obscene material, or material protected by trade

secret. Use for commercial activities is prohibited. Use for product advertisement or political lobbying is also prohibited. Game play and unsupervised real time conversations are not acceptable use of the Internet.

2. **Privileges** – The use of the Internet is a privilege, not a right, and inappropriate use will result in a cancellation of those privileges. The system administrators will deem what is inappropriate use and their decision is final. Also, the system administrators may close the account at any time as required. The administration, faculty and staff of Brownington Central School District may request the system administrator to deny, revoke, or suspend specific user accounts.
3. **Network Etiquette** – You are expected to abide by the generally accepted rules of network etiquette. These include, but are not limited to, the following:
  - a. Be polite. Do not get abusive in your messages to others.
  - b. Use appropriate language. Do not swear, use vulgarities or any other inappropriate language. Illegal activities are strictly forbidden.
  - c. Do not reveal your personal address or phone numbers and those of students and colleagues.
  - d. Note that electronic mail (email) is not guaranteed to be private. People who operate the system do have access to all mail. Messages relating to, or in support of, illegal activities may be reported to the authorities.
  - e. Do not use the network in such a way that you would disrupt the use of the network by other users.
  - f. All communications and information accessible via the network should be assumed to be private property.
4. **Brownington Central School District makes no warranties of any kind**, whether expressed or implied, for the service it is providing. Brownington Central School District will not be responsible for any damages you suffer. This includes loss of data resulting from delays, non-deliveries, mis-deliveries or service interruptions caused by its own negligence or your errors or omissions. Use of any information obtained via the internet is at your own risk. Brownington Central School District specifically denies any responsibility for the accuracy or quality of information obtained through its services.
5. **Fee Services** – Without the express permission of a sponsoring teacher, you may not use the Brownington Central School District network to access any database, service, or download data or software which charges a fee for such service of access. If you do any of the foregoing you are liable for all and any charges.
6. **Security** – Security on any computer system is a high priority, especially when the system involves many users. If you feel you can identify a security problem on the Internet, you must notify a system administrator or your School Internet

Coordinator. Users of the system agree not to violate or attempt to violate system security or intentionally interfere with system performance or access to another person's account files, or password. Individuals will be denied access to the system based upon security violations of other computer systems.

7. **Vandalism** – Vandalism will result in cancellation of privileges. Vandalism is defined as any malicious attempt to harm or destroy data of another user, Internet, the network at the Brownington Central School District or any of the above listed agencies or other networks that are connected to the NSFNET Internet backbone. This includes, but is not limited to, the uploading or creation of computer viruses.
8. **Terms and Conditions** – These terms and conditions reflect the entire agreement of the parties and supersede all prior oral or written agreements. The Brownington Central School District reserves the right to modify these terms and conditions at any time. These terms and conditions shall be

governed by the laws of the State of Vermont, the United States of America, and the applicable policies of the Brownington Central School District.

#### Purpose

The intent of this Policy is to ensure compliance with the local policy requirements of the federal Child Nutrition and WIC Reauthorization Act of 2004. In accord with those requirements, this Policy has been developed in consultation with parents, students, representatives of the school food services authority, school administrators, teachers of physical education, school health professionals and the public.

#### Policy

It is the policy of the Orleans Central Supervisory Union and its member school districts (including Brownington) to establish goals for nutrition education, physical activity and other school based activities that are designed to promote student wellness. With the objective of promoting student health and reducing childhood obesity, the district will also establish nutrition guidelines for all foods available at school during the day.

#### Goals for Nutrition Promotion and Education

- A. The school district shall provide nutrition promotion and education programs as required by state law and regulations of the State Board of Education. In particular, the district shall provide a nutrition component in its Comprehensive Health Education program and shall develop curricular programs intended to accomplish applicable goals enumerated in the Vermont Framework of Standards and Learning Opportunities.
- B. Nutrition education and promotion programs shall be conducted by appropriately licensed staff members.
- C. To the extent practicable, nutrition education and promotion shall be integrated into core curricula in areas, such as science and family and consumer science courses.

#### Goals for Physical Activity

- A. The district shall provide physical education classes for all students as required by Vermont School Quality Standards.
- B. The district shall provide other physical activity opportunities for students through recess periods in appropriate grades and, as appropriate, before or after school activities such as interscholastic athletics and physical activity clubs or intramural sports.

#### Goals for Other School Based Activities

- A. The district shall ensure that guidelines for reimbursable school meals are not less restrictive than regulations and guidance issued by the Secretary of Agriculture pursuant to sections (a) and (b) of section 9A(a) and (b) of the Richard B. Russell National School Lunch Act as those regulations and guidance apply to schools.
- B. The district shall provide adequate space for eating and serving school meals.
- C. The district shall provide a clean and safe meal environment for students.
- D. The district shall establish meal periods that provide adequate time to eat and are scheduled at appropriate hours.
- E. Food shall not be used in district schools as a reward or punishment.
- F. The district shall provide training opportunities as appropriate for food service and other staff members in areas of nutrition and wellness.

#### Nutrition Guidelines

- A. No foods of minimal nutritional value, as listed in 7 CFR 210, Appendix B and 7 CFR 220, Appendix B shall be sold in food service areas during breakfast and lunch periods.
- B. The sale of foods during meal periods in food service areas shall be allowed only if all income from the sale, including the sale of approved foods or drinks from vending machines, accrues to the benefit of the school, the school food service program, or the student organizations sponsoring the sale.
- C. To the extent practicable, the district shall ensure that foods offered at school other than through the National School Lunch or School Breakfast programs, including foods sold through vending machines,

shall comply with the A la Carte and Vending Guidelines established by the Vermont Departments of Health and Education.

Policy Implementation

- A. The superintendent or his or her designee shall periodically monitor district programs and curriculum to ensure compliance with this policy and any administrative procedures established to carry out the requirements of this policy. The district shall periodically inform and update the public about the content and implementation of this policy, including the extent to which district schools are in compliance with this policy, the extent to which this policy compared to model local school wellness policies and a description of the progress made in attaining the goals of this policy.
- B. The district shall permit parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators and the general public to participate in the development, implementation and periodic review and update of this policy.

The superintendent of his or her designee shall report at least annual to the board and to the public on the district’s compliance with law and policies related to student wellness. The report shall include information as to the content and implementation of this policy, and an assurance that district guidelines for reimbursable meals are not less restrictive than regulations and guidelines issued for schools in accordance with federal law.

*Legal Reference(s):* 16 V.S.A. §§131 & 906(b)(3)  
Richard B. Russell National School Lunch Act, 42 U.S.C. 1751 et seq.  
Child Nutrition Act of 1996, 42 U.S.C. 1771 et seq.  
Healthy, Hunger Free Kids Act of 2010, Section 204 of P.L.111-296  
Code of Federal Regulations, 7 CFR Part 210 and Part 220

Date of 1<sup>st</sup> Reading: June 18, 2015  
Date Adopted: July 16, 2015  
Date Reviewed: