

2024-2025

Student / Parent Handbook

Academy School ~ Green Street School ~ Oak Grove School
Dummerston School ~ Guilford Central School
Putney Central School ~ Vernon Elementary School

The most recently adopted versions of WSESD Policies can be found at
<https://wsesu.org/wsesd-policies/>

You may opt to ask your school's Administrator provide a paper copy of any individual policy as needed. Policies are reviewed regularly by the Board of Directors of WSESU, WSESD, Vernon School District, and the WSESD Policy & Amendment Committee. Input from the community is invited. WSESD Policy and Amendment Committee Meetings generally take place on the second and fourth Wednesday of the month, and policies for consideration are listed in the posted agendas. Find agendas at <https://wsesu.org/wsesd-agendas/>.

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September 2025

WSESU

Windham
Southeast
Supervisory
Union

53 Green St.
Brattleboro
Vermont
05301

To All Parents/Guardians, Students and Staff:

Welcome to the 2024-2025 school year. One of our ongoing goals is to see that the community continues to be informed about the happenings in the Windham Southeast Supervisory Union’s elementary schools.

The contents of this *Student/Parent Handbook* outline many of the important aspects concerning our schools. It is necessary that parents/guardians and students take the time to read this handbook so that you have a better understanding of how our schools function. It would be especially helpful for parents/guardians and students to review the contents of this handbook together.

We invite you and encourage you to become involved with our schools. We welcome you to communicate with school staff and to ask questions about your child’s progress. Teachers will also be encouraged to contact parents/guardians on a regular basis to keep them informed about the happenings in the classroom.

We realize that these past several years have proven to be challenging for everyone, and we want you to know that our goal is to promote a positive school learning environment, without compromising the health and safety of our students and staff. We look forward to working with all of our families and are ready for the new challenges offered by the 2024-2025 school year.

Kelly Dias, Principal
Academy School

Julianne Eagan, Principal
Dummerston School

Orly Hasbani, Assistant Principal
Academy School

John Gagnon, Principal
Guilford Central School

Kate Margaitis, Principal
Green Street School

Jon Sessions, Principal
Putney Central School

Mary Kaufmann, Principal
Oak Grove School

Mary Ross, Principal
Vernon Elementary School

“An Education of Excellence”

Telephone: 802-254-3730
FAX: 802-254-3733

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Cheryl Brown	chbrown@wsesu.org
Vacant	—
*WSESU Board Member **WSESU Board Chair	
CENTRAL OFFICE ADMINISTRATION 53 Green Street, Brattleboro, VT 05301 254-3730 (phone) — 254-3733 (fax) www.wsesu.org	
Mark Speno	Superintendent
Frank Rucker, Ed.D	Business Administrator
Brin Tucker	Curriculum, Assessment & Instruction
Stacey Sawyer	Curriculum Coordinator Grades PreK-6
Janet Slesinski	Curriculum Coordinator Grades 7-12
Tate Erickson	Director of Special Education
Whitney Lynde	Elementary Special Education Coordinator
Michael Kelliher	Director of Human Resources

ACADEMY SCHOOL

860 Western Avenue, Brattleboro, VT 05301
802-254-3743 (phone) — 802-254-3756 (fax)
www.academyschoolvt.com

Kelly Dias	Principal
Orly Hasbani	Assistant Principal
Carrie Lane	Administrative Assistant
	Office Clerk
Ana Ocasio	School Counselor
Amy Majer, RN	School Nurse
Meghan Dillingham, RN	School Nurse
Lorie Macie	School Social Worker
Jody Mattulke	Family Engagement Coordinator

GREEN STREET SCHOOL

164 Green Street, Brattleboro, VT 05301
802-254-3737 (phone) — 802-254-3753 (fax)
www.greenstreetschoolvt.com

Kate Margaitis	Principal
Judy Chapman	Administrative Assistant
Deborah Schiller	Office Assistant
Gail Powers, RN	School Nurse
Gina Onorato	School Counselor
Christa Cozzolino	School Social Worker
Solomon McMurray	School Social Worker

OAK GROVE SCHOOL

15 Moreland Avenue, Brattleboro, VT 05301
802-254-3740 (phone) — 802-254-3633 (fax)
www.oakgroveschoolvt.com

Mary Kaufmann	Principal
Nicole Zolnoski	Administrative Assistant
Kim Rose, RN	School Nurse
Morgan Derosia	School Counselor
Kathryn Mason	School Social Worker

DUMMERSTON SCHOOL

52 Schoolhouse Road, East Dummerston, VT 05346
802-254-2733 (phone) – 254-5751 (fax)
<https://dummerston.wsesu.org/>

Julianne Eagan	Principal
Melanie Keiser	Administrative Assistant
Marianne Runge, RN	School Nurse
Nicole Thomas	School Counselor
Seth O'Connor	School Social Worker

GUILFORD CENTRAL SCHOOL

374 School Road, Guilford, VT 05301
802-254-2271 (phone) – 802-258-2848 (fax)
<https://www.guilfordcentralschool.org/>

John Gagnon	Principal
Renee Baker	Administrative Assistant
Melissa White, RN	School Nurse
Chantelle Albin	School Counselor
Dovrah Plotkin	School Counselor

PUTNEY CENTRAL SCHOOL

182 Westminster Road, Putney, VT 05301
802-387-5521 (phone) – 802-387-2776 (fax)
<https://www.putneycentral.org/>

Jon Sessions	Principal
Emily Bristol	Administrative Assistant
Nancy Gagnon	Administrative Assistant
Nicole Buser, RN	School Nurse
Nicole Lazarus Miner	School Counselor
Susan Gunther-Morh	School Social Worker

VERNON ELEMENTARY SCHOOL

Governor Hunt Road, Vernon, VT 05354
802-254-5373 (phone) – 802-257-0988 (fax)
<https://www.vernonschool.org/>

Mary Ross	Principal
Chris Nesbitt	Administrative Assistant
Christine Kierstead, RN	School Nurse
Bridget Duff	School Counselor
Sean Quinn	School Social Worker

HOME/SCHOOL COMPACTS
(Required for all Title I Schools)

<p>ACADEMY SCHOOL HOME/SCHOOL COMPACT 2024-25</p> <p>The Academy School Home-School Compact explains the role each of us needs to play for student growth and achievement. We look forward to being your partner! (Additional resource information can be found on the school website – www.academyschoolvt.com)</p>	
<p>School/Teacher</p>	
<ul style="list-style-type: none"> ❖ Create a safe and healthy learning environment guided by the results of the climate survey. ❖ Support students to achieve high academic standards. ❖ Consistently hold students to high standards of behavior. ❖ Provide the instruction and support each child needs to be successful, including extended day program and summer options. ❖ Keep parents/guardians informed about student progress and assessment results throughout the year. ❖ Educate parents/guardians in best practices to support learning at home. ❖ Encourage parents/guardians to get involved in the school community. ❖ Ask parents/guardians to evaluate and provide feedback through the annual Academy School parent/guardian survey. 	
<p>Student</p>	
<ul style="list-style-type: none"> ❖ Consistently demonstrate best effort through determination and perseverance. ❖ Take responsibility for homework assignments and develop effective study habits. ❖ Strive for independence by using academic, personal and social strategies and resources taught in the classroom and at home. ❖ If you need support, advocate for yourself by asking questions, expressing concerns, or requesting help in a respectful manner. ❖ Be an active bystander and interact with others in a positive, respectful way. ❖ Be a motivated learner by setting realistic goals for yourself, planning steps for meeting them, and checking on your progress. ❖ Demonstrate STAR behavior by being an enthusiastic and curious learner. 	
<p>Parent/Guardian/Caregiver</p>	
<ul style="list-style-type: none"> ❖ Make sure your child is present, on time, and prepared for school each day. ❖ Help your child create and follow a regular homework routine. ❖ Check backpacks and/or folders for homework and school information. ❖ Communicate positively with your child by showing interest and noticing successes. ❖ Follow a consistent bedtime routine which includes ten to twelve hours of sleep each night. ❖ Encourage your child to eat a variety of nutritious foods to promote healthy development and the necessary energy for learning. ❖ Limit recreational screen time to less than two hours daily and monitor what your child is viewing and playing. ❖ Promote healthy and active alternatives to screen time. ❖ Attend conferences and communicate as necessary with your child’s teacher. ❖ Address issues involving your child directly with the classroom teacher. 	
Student Signature:	Date:
Parent/Guardian/Caregiver Signature:	Date:
Teacher Signature:	Date:

GREEN STREET SCHOOL HOME/SCHOOL COMPACT 2024-2025	
<p>A compact is an agreement made by partners who are working toward a common goal. GSS staff, students, and families are all partners working toward the common goal of student growth and achievement. The GSS Home-School Compact explains the role each of us needs to play for this important goal to be met. We look forward to being your partner! (More information can be found in the Student/Parent Handbook-Parent Involvement)</p>	
School/Teacher	
<ul style="list-style-type: none"> ❖ Create a safe, healthy learning environment. ❖ Hold students to high standards for their school work and their behavior. ❖ Provide the instruction and support each child needs to be successful. ❖ Keep parents/guardians informed about student progress and assessment results throughout the year. ❖ Suggest ways for parents/guardians to support learning at home. ❖ Encourage parents/guardians to get involved in the school community. ❖ Ask parents to evaluate GSS through questionnaires when provided throughout the year. 	
Student	
<ul style="list-style-type: none"> ❖ Make healthy, responsible choices. ❖ Give your best effort consistently. ❖ Practice good homework and study habits. ❖ Use strategies and resources to become more independent. ❖ Find ways to motivate yourself to do well. ❖ If you need support, let others know by asking questions, expressing concerns, or requesting help. ❖ Interact with others in a positive, respectful way. ❖ Set realistic goals for yourself, plan steps for meeting them, and check on your progress. 	
Parent/Guardian/Caregiver	
<ul style="list-style-type: none"> ❖ Help your child develop healthy, responsible life skills and habits. ❖ Make sure your child is present, on time, and prepared for school each day. ❖ Help your child create and follow a regular homework routine. ❖ Check backpacks and/or folders for homework and school information. ❖ Communicate positively with your child by showing interest and noticing successes. ❖ Stay connected with your child’s life at school by touching base with your child’s teachers. ❖ Contact GSS if your child is struggling or having problems. ❖ Teach your child to value education. ❖ Attend conferences. 	
Student Signature:	Date:
Parent/Guardian/Caregiver Signature:	Date:
Teacher Signature:	Date:

OAK GROVE SCHOOL HOME/SCHOOL COMPACT 2024-2025	
<p>Compacts are voluntary agreements between students, parents/guardians, teachers, and principals that help support students’ academic success and social emotional well-being. For students to do well in school, it is important for families and their school to work together to support students’ education, social environment and healthy development.</p>	
School/Teacher	
<ul style="list-style-type: none"> ❖ Create a safe and supportive learning environment ❖ Teach creative lessons for different learning styles ❖ Communicate regularly with parents/guardians regarding student’s progress ❖ Be available to answer questions from parents/guardians ❖ Provide opportunities for parents/guardians to be involved 	
Student	
<ul style="list-style-type: none"> ❖ Get to school on time every day ❖ Share my school day with my family ❖ Do my best at school and homework ❖ Practice the Four Guiding Principles: Be Respectful, Be Responsible, Be Safe & Be Kind ❖ Ask questions when I don’t understand ❖ Follow school rules 	
Parent/Guardian/Caregiver	
<ul style="list-style-type: none"> ❖ Get my child to school on time every day ❖ Discuss school with my child daily ❖ Check backpack every day and complete necessary paperwork ❖ Provide homework support ❖ Talk to teachers often and keep school informed of changes in the family ❖ Attend school functions and conferences 	
Student Signature:	Date:
Parent/Guardian/Caregiver Signature:	Date:
Teacher Signature:	Date:

GUILFORD SCHOOL HOME/SCHOOL COMPACT 2024-2025	
<p>A compact is an agreement made by partners who are working toward a common goal. GCS staff, students, and families are all partners working toward the common goal of student growth and achievement. The GCS Home- School Compact explains the role each of us needs to play for this important goal to be met. We look forward to being your partner! (More information can be found in the Student/Parent Handbook-Parent Involvement)</p>	
School/Teacher	
<ul style="list-style-type: none"> ❖ Create a safe and supportive learning environment. ❖ Hold a high standard of academic achievement for all students. ❖ Teach creative lessons of different learning styles. ❖ Communicate regularly with parents/guardians regarding student’s progress and ways to support homework completion. ❖ Be available to answer questions from parents/guardians ❖ Provide opportunities for parents/guardians to be involved. 	
Student	
<ul style="list-style-type: none"> ❖ Do my best at school and homework. ❖ Follow the school rules I am safe. <ul style="list-style-type: none"> I am responsible I am respectful I am kind ❖ Get to school on time daily ❖ Ask questions when I don’t understand. ❖ Share my school day with family 	
Parent/Guardian/Caregiver	
<ul style="list-style-type: none"> ❖ Get my child to school on time daily. ❖ Discuss school with my child each day. ❖ Check my child’s backpack every day and complete paperwork. ❖ Provide homework support. ❖ Talk to teachers often and inform school of changes. ❖ Attend school functions and conferences ❖ Monitor my child’s screen time. 	
Student Signature:	Date:
Parent/Guardian/Caregiver Signature:	Date:
Teacher Signature:	Date:

PUTNEY CENTRAL SCHOOL HOME/SCHOOL COMPACT 2024-2025	
<p>Compacts are voluntary agreements between students, parents/guardians, teachers, and principals that help support students’ academic success and social emotional well-being. For students to do well in school, it is important for families and their school to work together to support students’ education, social environment and healthy development.</p>	
School/Teacher	
<ul style="list-style-type: none"> ❖ Create a safe and supportive learning environment for everyone ❖ Provide the instruction and support each child needs to be successful ❖ Communicate regularly with parents/guardians regarding student’s progress ❖ Foster a high standard of academic achievement ❖ Work with teachers and staff to guide students’ education and social/emotional well being ❖ Be available to answer questions from parents/guardians ❖ Provide opportunities for parents/guardians to be involved 	
Student	
<ul style="list-style-type: none"> ❖ Get to school on time every day ❖ Share my school day with my family ❖ Do my best at school and homework ❖ Practice PRIDE – participation, respect, responsibility, integrity, dedication, effort, excellence ❖ Ask questions when I don’t understand 	
Parent/Guardian/Caregiver	
<ul style="list-style-type: none"> ❖ Get my child to school on time daily. ❖ Discuss school with my child each day. ❖ Check my child’s backpack every day and complete paperwork. ❖ Provide homework support. ❖ Talk to teachers often and inform school of changes. ❖ Attend school functions and conferences 	
Student Signature:	Date:
Parent/Guardian/Caregiver Signature:	Date:
Teacher Signature:	Date:

PARENTAL NOTIFICATION

To All Parents/Guardians of Students in the Windham Southeast Supervisory Union:

As a parent/guardian of a student in the Windham Southeast Supervisory Union schools, you have a right to know the professional qualifications of the classroom teachers who instruct your child. Federal law allows you to ask for certain information about your child’s classroom teachers, and requires us to give you this information in a timely manner, if you ask for it. Specifically, you have the right to ask for the following information about each of your child’s classroom teachers:

- whether the Vermont Agency of Education has licensed the teacher for the grades and subjects they teach;
- whether the Vermont Agency of Education has decided that the teacher can teach in a classroom without being licensed because of special circumstances;
- the teacher’s college major; whether the teacher has any advanced degrees, and if so, the subject of the degrees;
- whether any paraeducators provide services to your child and, if they do, their qualifications.

If you would like to receive any of this information, please call your school office at the number listed on pages 2 and 3 of this handbook.

SCHOOL HOURS

School	Drop-Off	School Begins	School Dismissal	Early Release
Academy School	7:50 - 8:10	8:25 a.m.	2:40 p.m. Kinder 2:50 p.m. 1st-6th	11:40 a.m.
Green Street School	7:45 - 8:00	8:15 a.m.	2:40 pm Bussers 2:45 pm “Walkers”	11:30 a.m.
Oak Grove School	8:00 a.m PreK 7:45-8:00 K-6th	8:15 a.m.	2:45 p.m.	11:30 a.m.
BECC	8:00 a.m.	8:15 a.m.	2:45 p.m.	11:30 a.m.
Early Education Services	7:30am-4:30pm available	8:00 a.m.	3:00 p.m.	
Dummerston School	8:00 - 8:15	8:15 a.m.	2:45 p.m.	11:45 a.m.
Guilford Central School	7:50 - 8:00	8:00 a.m.	2:40 p.m.	11:40 a.m.
Putney Central School	7:45 - 8:15	8:15 a.m.	2:45 p.m.	11:45 a.m.
Vernon Elementary School		8:05 a.m.	2:45 p.m.	11:45 a.m.
Brattleboro Area Middle School		8:40 a.m.	3:30 p.m.	12:30 p.m.
Brattleboro Union High School		8:45 a.m.	3:30 p.m.	12:30 p.m.
Windham Regional Career Ctr		8:45 a.m.	3:30 p.m.	12:30 p.m.

SCHOOL ATTENDANCE BEST PRACTICES

As daily attendance is critical to successful school performance, we want all students PreK-12 and families in Windham County have support in ensuring student attendance at school. The process and procedures to ensure that students are in school and learning follow below.

Processes and Expectations:

ABSENCES

It is our shared responsibility to be sure that every child is safe and accounted for on every school day. If your child is absent from school, please notify the school **within 30 minutes of your school's start time.**

UNREPORTED ABSENCES

The school will contact the parent/guardian at home or at work. If a child is not in school on a given day and we have **not** received notification from the parent/guardian and are not able to make contact with the parent/guardian, this means that we are not able to verify the child's location. We will then contact the appropriate police/sheriff's department as early in the day as possible for a welfare check. This is solely to ensure our student is safe. We will then make another outreach to the parent/guardian to make a plan to prevent further reported absences.

TARDINESS

Being on time sets a positive tone for the day, and emphasizes the importance of education. Students are expected to arrive at school no later than the stated start time for your school. Students arriving after this time are considered late and will be marked tardy. Tardiness happens from time to time but regularly coming in late means the student misses the opportunity to be greeted by everyone, eat breakfast, settle into the day, learn the schedule for the day and generally get off to a positive start. If a trend of tardiness begins to appear, we will ask the parent/guardian to create a plan with the school to ensure that students arrive on time.

APPROACH

We utilize a team approach for school attendance, including the child, their family, and school officials to explore with the family what obstacles are hindering school attendance. A student-centered plan will be developed to increase school attendance. Follow-up steps are set to assess if the plan is working for the student and the family. Records are kept in school files of all contacts related to this plan made with the family of the student. Interventions of last resort regarding attendance typically involve the Windham County State's Attorney and the Department of Children and Families. Involvement of those agencies happen after habitual absences and very low family involvement with the school.

TEAM SUPPORT

We rely on school staff to support improved attendance. If needed at a later stage, staff

from state and community agencies, as well as parent liaison supports, will assist. Team meetings can be part of EST, 504, IEP, Act 264, Youth Services, and other necessary supports for the student.

PROCEDURE

School staff typically will use the following procedures to support families with school attendance; however, families should be aware that every situation is different, so this is **not** to be interpreted as the sole protocol:

Tardiness

- After five tardy days* School personnel contact family in person or by phone.
Letter to go out to family from principal.

- After seven tardy days* Letter to go out to family from principal.
Parent/guardian meeting scheduled with counselor and teacher.

- After ten tardy days* Letter to go out to family from principal.
Parent/guardian meeting scheduled by school staff with principal, counselor, teacher, and any other necessary school staff.

At the meeting, a release of information is signed by the family to allow discussion between the school and outside agencies if necessary.

Absences

- After five absent days* School personnel contact family in person or by phone, AND by mail. Based on the previous year, families may be referred to community supports or state agencies once an absence trend is identified.

- After ten absent days* Letter to go out to family including, if appropriate, a request for more information related to any medical diagnoses that your student may be experiencing that is preventing them from attending school.

Parent/guardian meeting scheduled with Educational Support Team (EST) or Attendance Committee and school personnel (including teacher, counselor, and principal).

A referral to community supports may be necessary at this stage.

- After fifteen absent days* Letter to go out to family.
Parent/guardian meeting scheduled according to guidelines established in Act 264 with school personnel and

representative from outside agencies. These could include DCF, designated mental health, family support, and truancy agencies, as well as law enforcement.

Subsequent Absences

Depending on the situation, the school will continue to refer to community supports and will determine if a referral to DCF or the State's Attorney will be necessary

State's Attorney

An affidavit goes to the Windham County State's Attorney detailing the amount of absences, records of outreach between the school and the family, and what supports have already been put in place.

The State's Attorney will review the materials and determine if they believe the student is a Child in Need of Services. If the State's Attorney makes this determination, a prosecutor will file a case in the Windham County Family Court to formally intervene with the student's habitual absences.

This is to ensure that a plan will be followed to remedy the absences and have your student regularly go back to school.

Family Court

The Family Court judge evaluates any case filed by the State's Attorney and determines if conditions need to be imposed on the family related to your student's attendance. If a case is brought, you will be entitled to an attorney for both you and your student.

Please note: The School is not formally involved with truancy cases brought by the State's Attorney (meaning that the school is **not** suing your family). Any truancy cases in Court are brought by the State of Vermont

SCHOOL ATTIRE

Windham Southeast School District's Supervisory Union's student dress code supports equitable educational access and is written in a manner that does not reinforce stereotypes. To ensure effective and equitable implementation of this dress code, school staff shall implement the dress code consistently and in a manner that does not reinforce or increase marginalization or oppression of any group based on race, sex, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance, household income or body type/size. We want to encourage and support our children to be well-rounded, not defined by their bodies and their clothes. Our goal is to create a learning environment that gives us space for self-expression, grounding us in our equality and worth. We recognize that we are constantly inundated with messages from others and from the media that work to convince us to participate in our own oppression or the oppression of others. We will work as a community to create space for expression, one that challenges us to deepen our sense of self-worth and care of each other. The Student Dress Code policy will be reviewed annually at the end of each school year.

Windham Southeast Supervisory Union expects that all students will dress in a way that is appropriate for the school day or for any school sponsored event. Student dress choices should respect the District's intent to sustain a community that is inclusive of a diverse range of identities. The primary responsibility for a student's attire resides with the student and their parent(s), guardian(s), or caregiver(s). The school district is responsible for seeing that student attire does not interfere with the health or safety of any student, that student attire does not contribute to a hostile or intimidating atmosphere for any student, and that dress code implementation does not reinforce or increase marginalization or oppression of any group based on race, sex, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance, household income, or body type/size. Any restrictions to the way a student dresses must be necessary to support the overall educational goals of the school and must be explained within this dress code.

The full WSESD Dress Code Policy F42 can be found at <https://wsesu.org/wsesd-policies/>.

BICYCLES / SCOOTERS

The school district cannot be responsible for damage done to your child's bicycle/scooter when the bicycle/scooter is brought to school. Bicycles/scooters must have a lock. Children must wear a helmet if they ride their bicycle/scooter to school.

CANCELLATION OF SCHOOL

WSESU / WSESD has adopted School Messenger as its communication system. School Messenger is a rapid communication service, designed specifically for the PreK- 12 community that addresses the needs of schools to communicate quickly and efficiently with members of the school and broader community. School Messenger's technology delivers voice, e-mail, and emergency messages to parents/guardians and staff in the event of an emergency situation, school closings or delays, or to announce upcoming events or important reminders. It is most important that parents/guardians provide the school with updated contact information so that you will receive these messages.

In addition, school cancellations due to weather are announced on local radio stations WTSA 96.7

FM/WKVT 92.7 FM/WKNE 103.7 FM. We make every effort to announce school closings by 6:00 a.m.

The 2024-2025 school calendar includes 4 snow days. If we use more than the 4 days allotted for snow cancellations, then the scheduled closing day of the school year will be moved accordingly. Example: If we have 5 snow days, then the last day of school for students will be Tuesday June 24, instead of Monday, June 23. Similarly, if only 3 snow days are used, then the last scheduled day of school will be on Friday, June 20.

Parents/guardians are encouraged not to schedule vacations or their children's summer activities within a day or two of the proposed closing date.

EMERGENCY CLOSING PROCEDURES

In the event of a school evacuation due to weather, safety violations or other emergency, the school district will make every attempt to inform the parents/guardians and general public about the early dismissal through School Messenger, organized phone calls, radio announcements (WTSA 96.7 FM/WKVT 92.7 FM) and other methods available to the community.

In the event of an emergency evacuation, students will be transported to a designated location. This will be announced on the radio and attempts will be made to contact parents/guardians by telephone and through School Messenger.

Children will only be released to parents/guardians or other designated adults. No child will be sent directly home without permission from a parent/guardian. In an effort to work as a team to ensure full communication, students should be instructed by their parent(s)/guardian(s)/caregiver(s) that if they are returned home early due to a school evacuation or early dismissal, they should contact their parents/guardians or other adult designated by their parent/guardian to inform them that they have been returned home.

EXPECTATIONS OF STUDENT CONDUCT

Discipline rules in our schools have been designed to be fair to both the students and teachers. We count on each child's behavior to help create a school environment that supports learning and ensures personal safety and well being.

We value and respect each member of the school community. As members of the school community, children are expected to treat others and the building with care and respect. Children are responsible for their actions. Appropriate and logical consequences will be imposed when necessary.

When problems of a serious nature occur or persist, parents/guardians will be asked to accompany their child to school for a meeting with the principal and other adults involved. We feel the learning opportunity for all students can be best assured with such cooperation between home and school

STUDENT CONDUCT AND DISCIPLINE Policy F1

Policy

It is the policy of the Windham Southeast School District to maintain a safe, orderly, kind, and positive learning environment via a system of classroom and school management practices, supported by consistent, clear, and fair disciplinary procedures and Restorative Justice practices. The goal of this policy is to create an environment where the expectations for student behavior and staff responsibilities are clearly stated, understood, and accepted by students and staff, and are applied in compliance with due process requirements and Vermont law and State Board of Education rules.

Because all students have a right to a high-quality education, school disciplinary measures should not be used to exclude students from school or otherwise deprive them of such an education, unless it is necessary to preserve the safety of students and staff.

This policy is to be applied in conjunction with the school's overall discipline plan developed pursuant to 16 V.S.A. § 1161a, the requirements of 16 V.S.A. § 1162, and in conformance with State Board Rule 4500, and any policies adopted by the District with regard to the Use of Restraint and Seclusion.

General Principles

The goal of student discipline is to teach students to behave in ways that contribute to academic achievement and school success and to support a school environment where students and staff are responsible and respectful. Successful school discipline is guided by the following principles:

- School staff should approach discipline equitably, and be reflective regarding potential bias, both individual and system-wide.
- Effective and engaging instruction and classroom management are the foundation of effective discipline.
- School discipline is best accomplished by preventing misbehavior before it occurs, and using effective Restorative Justice practices after it occurs.
- School safety and academic success are formed and strengthened when all school staff and personnel build positive relationships with students and are actively engaged in their lives and learning.
- School staff should promote high standards of behavior by teaching, modeling, and monitoring behavior, and by fairly and consistently correcting misbehavior as necessary.
- School discipline that is paired with meaningful instruction and guidance offers students an opportunity to learn from their mistakes and contribute to the school community and is more likely to result in getting the student re-engaged in learning.
- Effective school discipline minimizes the amount of time students are removed from their classrooms due to misbehavior.

Reasonable Consequences

The Windham Southeast School District will make every reasonable effort to correct student misbehavior through school-based resources at the lowest possible level, and to support students in learning the skills necessary to enhance a positive school environment and avoid negative behavior.

The vast majority of disciplinary issues should be addressed at the classroom level by teachers. In all instances, school discipline should be reasonable, timely, fair, age-appropriate, and should match the severity of the student's misbehavior.

Student Responsibilities

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

Administrative Responsibilities

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

The Plan will include clear guidelines for student behavior. The Plan may include provisions for the suspension or expulsion of students who engage in misconduct on school property, on a school bus, or at a school-sponsored activity when the misconduct makes the continued presence of the student harmful to the welfare of the school community.

The Plan may also include provisions for the suspension or expulsion of students who engage in misconduct not on school property, on a school bus, or at a school-sponsored activity where direct harm to the school can be demonstrated or where the misconduct can be shown to pose a clear and substantial interference with another student's equal access to educational programs.

The Plan may also include provisions for the suspension or expulsion of students who engage in misconduct that violates the District's policy for the prevention of harassment, hazing and bullying, and sexual harassment when such discipline is reasonably designed to prevent a reoccurrence of such conduct.

The Plan should note that the use of measures such as out-of-school suspensions, expulsions, and referrals to alternative schools that exclude students from school should be minimized. These punitive measures have resulted in the loss of valuable instructional time and should be reserved for infractions that cannot be appropriately addressed through other interventions and disciplinary responses. Disproportionate use of out-of-school suspensions, expulsions, and referrals to alternative schools shall be cause for corrective action by the District.

Administrators are encouraged to include individuals who are considered by the student to be trusted adults on their team for any re-entry meetings following a suspension.

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

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

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

Racial and Socioeconomic Disparities

While overly harsh school discipline policies can affect all students, historically in our society they have disproportionately impacted students of color and students from low-income families. Black, Latino/Hispanic, and Native American, newly arrived immigrants and refugee students and students from low-income families, in particular, are far more likely in this country to be suspended, expelled, and arrested; or to receive harsher punishments than their White peers, even for the same behavior.

The systemic racial inequalities that persist in the administration of school discipline in our society must be acknowledged, and this District must therefore work toward eliminating institutional racism and any other form of discrimination or bias that may present barriers to success for our students.

Schools are charged with eliminating racial disparities in the administration of school discipline. Staff members are specifically charged with monitoring the impact of their actions on students from racial and ethnic groups or other protected classes that have historically been overrepresented among those students who are suspended, expelled, referred to alternative schools, arrested, or referred to law enforcement. Evidence of punitive measures being used disproportionately against students of color shall be cause for corrective action by the Superintendent or their designee.

Students with Disabilities

Students with disabilities have too often had their education needlessly interrupted by inappropriate out-of-school suspensions, expulsions, referrals to alternative schools, and referrals to law enforcement. This is especially concerning when the behavior resulting in the punitive response was a manifestation of the student's disability.

Staff is charged with eliminating the over-punishment of students with disabilities, along with ensuring that any disciplinary consequences are in accordance with students' individualized education programs (IEPs), behavior intervention plans (if applicable), and 504 plans (if applicable).

Summary Statement

The Superintendent or designee shall ensure the analysis of student discipline data to identify and address any disproportionalities in discipline. Annually, the Superintendent will report to the Board any interventions made in the District to reduce the need for disciplinary actions and to promote civil and respectful behavior in all schools throughout the District.

Limited Role of Law Enforcement

This District seeks to avoid the unnecessary involvement of law enforcement in response to

behaviors that should be managed by school personnel. As such, police involvement should be limited to situations when it is necessary to protect the physical safety of students and staff or appropriate to address criminal behavior of persons other than students. Police involvement should not be requested in a situation that can be safely and appropriately handled by the District's internal disciplinary procedures. Disproportionate use of police intervention in inappropriate situations shall be cause for immediate corrective action by the District. The District will comply with protecting the rights of minors. See Policies F4 and F5.

Non-Discrimination

School district staff responsible for implementing this Policy shall do so without discrimination based on ethnicity, race, color, religion, national origin, ancestry, gender, sexual orientation, age, or disability.

Staff Training

Every school within the District shall annually review student discipline data and set goals for reducing disciplinary actions (particularly suspensions and expulsions) and increasing non-punitive responses to infractions (such as by implementing Restorative Justice practices). Professional development activities are designed to increase capacity to promote cooperative and positive interactions in the school community.

Due Process

To ensure positive results in disciplinary proceedings, there should be utmost respect for:

- Caregivers' right to be immediately notified when their child faces suspension or expulsion.
- Students' right to a fair hearing before being suspended for up to ten days. Upon a suspension of more than ten days, or consideration of expulsion, parents or caregivers and the student will be invited to a hearing with the Board and Administration.

Community Involvement

Meaningful caregiver, student, and community involvement in the creation and application of school and district policy is essential for building effective schools with positive and inclusive learning environments. As such, caregivers, students, and community members should have input in the development of discipline rules for their school and classrooms.

Definitions

- 1) **Weapon** means a device, instrument, material or substance whether animate or inanimate, which, when used as it is intended to be used, is known to be capable of producing death or serious bodily injury.
- 2) **School** means any setting which is under the control and supervision of the School District. It includes school grounds, facilities, and school-sponsored events whether held on or off of school grounds and vehicles used to transport students to and from school or school activities.
- 3) **Expelled** means the termination of educational services for the remainder of the school year or up to ninety (90) school days, whichever is longer.
- 4) **Knife** means any instrument that is capable of ready use as a stabbing weapon that may inflict bodily injury or death.

- 5) **Restorative Practice** means a way of working with conflict that puts the focus on repairing the harm that has been done. Restorative Justice is one of the practices that empowers students to resolve conflicts on their own and in small groups.

Date Warned: July 22, 2019
Date Adopted: August 7, 2019
Date Warned for Re-adoption: September 25, 2024
Date Re-adopted: October 8, 2024

Legal References as of Adoption Date:

16 V.S.A. §1161a (Discipline)
16 V.S.A. §1162 (suspension and expulsion)
20 U.S.C. §§1400 et seq.(IDEA)
29 U.S.C. §794 (Section 504, Rehabilitation Act of 1973)
VT State Board of Education Manual of Rules & Practices §4311, 4312,4313; 2120.8.12, 2122.1, 4500

Cross Reference:

Notice of Non-Discrimination (C9)
Public Complaints About Personnel (D11)
Search and Seizure of Students by School Personnel (F4)
Search and Seizure of Students by Law Enforcement Officers or Other Non-School Personnel (F5)
Student Substance Abuse Prevention (F9)
Policy on the Prevention of Harassment, Hazing and Bullying of Students (F23)
Firearms and Dangerous or Deadly Weapons (F24)
Prevention of Sexual Harassment as Prohibited by Title IX (F38)

WINDHAM SOUTHEAST SCHOOL DISTRICT
Brattleboro, Dummerston, Guilford, Putney
Vermont

CONFIDENTIALITY

The Windham Southeast Supervisory Union wishes to remind parents/guardians who do not want children's names published for any reason(s) that they should indicate that desire in a letter to the Superintendent of Schools not later than the first Friday in October of the new school year.

Public Law 93-380 includes an amendment popularly referred to as the "Buckley Amendment" which requires school systems to refrain from publicizing any information at all about children when the parents/guardians/caregivers do not wish such publicity to occur.

Examples of the schools' publication of a list of names would certainly include athletic events, honor roll lists, musical or dramatic performances and other student activity functions such as Future Farmers of America, Future Homemakers of America, etc.

Unless the Superintendent of Schools receives written notification from the

parents/guardians/caregivers, it will be assumed that publication is agreeable.

EDUCATIONAL SUPPORT SYSTEM

Each of our District Schools has an Educational Support System (ESS). The role of the ESS is described below. To access your school's ESS simply call the school principal.

What is the Educational Support System?

The Educational Support System (ESS) is a school-based system designed to help all students improve their school performance and help them grow academically, socially, emotionally and physically. The ESS provides a way for school staff to address students' varying needs in school. Each school is required, by law, to develop an Educational Support System (ESS) and Educational Support Team (EST).

What is the Educational Support Team?

The Educational Support Team is a group of school staff who meet to review individual student referrals to recommend needed changes in the student's program. Teams usually have classroom teachers, a school counselor, the school nurse, special education teachers, and others as members. Parents/guardians are often invited to be members of their child's team. Schools have many different names for these teams such as Teacher Assistance Teams, Instructional Support Teams, etc.

Why would I need to know about the Educational Support Team?

You may need to know about the Educational Support Team because it can help your child if s/he is having difficulty in school. Information may be included in your school's handbook. Parents/guardians may want to refer their child to the Team or the child may be referred to the Team by school staff. If you have concerns, you may refer your child to the EST by contacting your school principal.

What will the Educational Support Team do for my child?

The EST will develop a plan to assist your child. In order to do this effectively, parents/guardians are considered active partners with the school. Your child's teacher may invite you to attend an EST meeting to discuss the concerns you or the school may have. At the meeting, the EST will discuss services or accommodations that might assist your child in the school setting. Examples include extended time to complete tasks, an after school homework group, a behavior plan, tutoring, a peer buddy, and/or the services of an aide, the school nurse or community service provider. Assistance may also be useful from the special educator. If you or the EST feel it would be helpful, a referral may be made for a comprehensive evaluation which is part of the special education process.

Will others know about the concerns the school or I have?

Others may need to know about the concerns the school or you have. In order to contact community agencies and services, you would need to give your permission by signing a "Release of Information" form. The school is required by law to keep personally identifiable information about your child confidential.

Will any community agencies be involved with my child?

The EST may provide you with information about community agencies that may be helpful to you or your child. Community services might include assistance with health care, counseling, housing, financial assistance, parenting issues, childcare, etc.

EMERGENCY CONTACTS

All parents/guardians MUST provide the school with two telephone numbers for emergency purposes. The school will then be assured that they can contact the parents/guardians or another appropriate adult at all times.

SCHOOL HEALTH PROGRAM

WSESU School Nurses follow the guidance of the Vermont Department of Health Standards of Practice, Agency of Education, and the American Academy of Pediatrics' Bright Futures: Guidelines for Health Supervision of Infants, Children and Adolescents and Vermont's Standards of Practice for School Nurses. WSESU Nurses use the Whole School, Whole Community, Whole Child (WSCC) model to achieve goals outlined in school continuous improvement plans, wellness policies, and multi-tiered system of support. School Nurses promote the medical/dental home model. Medical homes (ie: your primary care provider) address preventative, acute, and chronic care from birth through transition to adulthood. Bright Futures recommends that every child (age 3-21) receive a yearly physical examination and be screened for behavioral and psychosocial risks - an annual well care exam. In a thorough adolescent well care exam, a provider reinforces strengths/assets and helps the adolescent build resilience. A visit with your provider for sickness or an injury is not a complete well care exam.

Illness may prevent your child from attending school. Symptoms that may keep your child home include: fever, chills, cough, shortness of breath, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion, runny nose, nausea or vomiting, stomachache, and diarrhea. Stay in touch with your medical provider. If your child has a chronic condition that includes these symptoms, a note from the medical provider is recommended. During the school day students may be sent home with any of these symptoms and/or if they are unable to participate in their learning.

COVID testing may or may not be indicated and available at school. Nurses may perform a COVID test at school with permission of the parent/guardian. The school nurse will review the need for a return to school plan after any illness. Students must be fever free without fever reducing medicine for 24 hours in order to return to school. Students with the above symptoms must be markedly improved before returning to school.

Immunization Requirements and Periodic Hearing and Vision Screening

The WSESU PreK-12 programs will collect proof of immunization or exemption from students prior to entry and while enrolled in accordance with the 18 V.S.A. § 1121. These regulations seek to prevent the introduction and/or transmission of vaccine-preventable diseases within childcare facilities and schools.

Vermont State Statute 16 V.S.A. § 1422 states that school districts shall conduct periodic hearing and vision screenings of school-aged children that are aligned with current research and best practice recommendations from the American Academy of Pediatrics. Hearing and vision screenings will be conducted for PreK, Kindergarten, the first, third, fifth, seventh, ninth and twelfth grade. In accordance with federal Every Student Succeeds Act (ESSA) regulations, parents/guardians are permitted to opt their children out of such tests. This request should be made in writing and sent to your child's school nurse.

Concussion Guidelines

WSESU schools follow the Vermont State Statute 16 V.S.A. § 1431 to develop guidelines, in consultation with the AOE, Vermont Department of Health, the Vermont Principals' Association, and the Vermont School Boards Insurance Trust, to ensure WSESU schools take reasonable steps to prevent and to minimize the effects of concussions. WSESU schools follow this guidance to educate their coaches, faculty, students, and parents/guardians regarding the prevention and mitigation of concussion-related injuries.

Condom and Menstrual Products Availability

WSESU Nurses follow the Vermont State Statute 16 V.S.A § 132 that states “In order to prevent or reduce unintended pregnancies and sexually transmitted diseases, each school district shall make condoms available to all students in its secondary schools, free of charge.” Condoms are placed in locations that are safe and readily accessible to students, including the school nurse’s office. WSESU School Nurses also follow Vermont State Statute 16 V.S.A. § 1432 in order to ensure that all students attending a public school or an approved independent school have access to menstrual products at no cost and without having to request them.

Asthma and Anaphylaxis Care

The WSESU Nurses follow 16 V.S.A. § 1387, which “permits students with life-threatening allergies or with asthma to possess and self-administer emergency medication at school, on school grounds, at school-sponsored activities, on school-provided transportation, and during school-related programs.” The WSESU has standing orders so that schools may maintain albuterol inhalers as an emergency medication in their stock supply. WSESU Nurses are working towards becoming recognized Vermont Asthma-friendly Schools by implementing best practices around reducing asthma triggers and hazardous exposures as well as improving indoor air quality. WSESU Nurses provide asthma related education to students and their families as well as staff in the district. Development of asthma friendly practices will be available on the WSESU nurses webpage, <https://buhs.wsesdvt.org/health-services.html>.

Student Medication

Any student who is required to take prescribed medication during the regular school day or during school-sponsored activities must comply with the following regulations:

1. Medication may be given by the school nurse or designee upon written orders from a physician and upon written request of a student's parent or guardian.

The physician's orders must detail the name of the drug, dosage, time interval the medication is to be taken, diagnosis and reason for giving.

2. Medication must be brought to school in a container labeled by the pharmacy or physician and stored in a secure, locked storage place.

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

HISTORY, HOLIDAYS AND TRADITIONS

The Windham Southeast Supervisory Union Schools are committed to local, state and national history, and social sciences standards designed to provide students with the tools to meet the responsibilities and challenges of life in the 21st century. According to the Vermont Field of

Knowledge Content Standard for History and Social Sciences:

The main goal of these content standards for history and the social sciences is to educate learners to understand human society and to understand their places in that society. Students learn to make thoughtful choices in a diverse and connected world, and they gain insight into the human story.

Because of this commitment to excellence in education, classes will be studying a variety of national, ethnic and cultural histories, perspectives and traditions. These studies are essential elements in meeting the standards for social studies, social responsibility, history, and personal development in a meaningful and academically challenging curriculum.

LOST BOOKS

If a book is lost by a student or a parent/guardian, a bill for the replacement cost of the book will be sent to the parents/guardians, along with a note explaining that our libraries are small and cannot afford to replace all the books that are lost.

The unaccounted bill carries over during the entire time the student is in our schools. This will affect the number of books a student may check out. If the total amount allowed out at a time is three books and they have lost two, then they can only take out one. If three books are lost, they may not take home any books, but may only use them in school.

If a book is paid for and then is found at the end of the summer or during the next school year, the amount of money that was paid will be returned. The money collected is to buy books from local book stores.

MEAL PROGRAM

Food services are provided at all district sites on a daily basis. Please check school newsletters for serving times. School lunches and breakfast begin on the first day of school.

Breakfast and lunch are provided at all district sites on a daily basis. Please check school newsletters for serving times. School lunches and breakfast begin on the first day of school.

	Brattleboro Elementary Schools	Dummerston Elementary School	Guilford Central School	Putney Central School	Vernon Elementary School	BUHS /BAMS
Breakfast	<i>free*</i>	<i>free*</i>	<i>free*</i>	<i>free*</i>	<i>free*</i>	<i>free*</i>
Lunch	<i>free*</i>	<i>free*</i>	<i>free*</i>	<i>free*</i>	<i>free*</i>	<i>free*</i>
A la cart milk	\$.65	\$.65	\$.65	\$.65	\$.65	\$.65
Adult Breakfast	\$3.00	\$3.00	\$3.00	\$3.00	\$3.00	\$3.00
Adult Lunch	\$5.25	\$5.25	\$5.25	\$5.25	\$5.25	\$5.25

* USDA and State Funded – breakfast and lunch are free in 2024-2025

NOTE: THESE PRICES ARE SUBJECT TO CHANGE

Children need healthy meals to learn. In School Year 2024-2025, all children will receive a free breakfast and lunch regardless of household income eligibility. A la Carte items will have a fee due at time of purchase. For further information regarding the meal programs, please contact your child’s school.

NEW AMERICANS

We have a responsibility to ensure that all of our students feel safe and supported. This occurs when we create school cultures that are responsive to the needs of the children in our care, and our families. Under Federal Law, undocumented children and young adults have the same right to attend public primary and secondary schools as do U.S. citizens and permanent residents. [Plyler vs. Doe, 457 U.S. 202 (1982)]. And, under state law, all Vermont children, including undocumented children are required to attend school until the mandated age of 16. Meeting this obligation means going beyond telling families to enroll their student(s). It includes working proactively to ensure they feel safe, supported, and welcomed.

PARENTAL INVOLVEMENT

The academic and social success of students is largely determined by a positive, supportive relationship among staff, administration, parents/guardians and community members. New educational initiatives mandate and encourage the strengthening of the parent/school/community relationship. The Board believes that district schools should encourage and support parental participation and provide opportunities for helping parents/guardians to participate effectively. The Superintendent shall develop and implement programs and procedures to accomplish the following objectives:

1. Parents/guardians should be informed about the significant changes in their children's educational programs, instructional methods and objectives.
2. Parents/guardians should be provided with information and opportunities intended to improve their abilities to work with their children at home and in school, and to build partnerships between home and school.
3. Professional and non-professional staff members, administrators, school board members, and school community partners should be provided with training opportunities intended to improve their abilities to build more effective relationships with parents.
4. Parents/guardians should be provided with opportunities to become informed about program design, operation and evaluation, and to communicate with educators on these subjects.
5. Parents/guardians should be encouraged to observe instructional activities, attend program meetings, discuss concerns with educators, participate in program evaluation and improvement efforts, and to give recommendations to school staff, administration, and board members.
6. Administrators should develop and implement plans to coordinate parental involvement strategies and practices district-wide and within individual schools, including such efforts under Title I, the Head Start program, the Education Support Team process, and Act 264 process, and the WSESU School Improvement Plan.
7. Annually, the district should evaluate parent/guardian involvement efforts to identify barriers, if any, to greater participation by parents/guardians, including parents/guardians with disabilities, who are disadvantaged, have limited English proficiency or limited literacy, or belong to racial or ethnic minorities. Based on evaluation results, the district shall design and implement strategies for improvement.
8. Each school providing Title I services, and parents/guardians of students receiving the services, shall develop a parent/school (or family/school) compact. The compact shall outline

how parents/guardians, the entire school staff, and students will share the responsibility for improved student achievement. It should describe the means by which the school and parents/guardians will build and develop a partnership to help children meet high standards. The compact shall include methods of increasing and strengthening parental and community involvement.

9. Each school shall strive to provide full opportunities for participation of parents/guardians with limited English proficiency and/or with disabilities, including using effective communication methods to provide information about the school in an understandable form.

PHOTOGRAPHS

Windham Southeast School District/Supervisory Union Policy H5 regarding photographing, filming, videotaping, and the recording of students, staff, or school activities states the following: These visits are arranged only after consultation with the principal or their designee. At the discretion of the administration, parents may be asked to sign general or specific permission slips to authorize interviewing, photographing, filming or videotaping of their children while at school or while participating in school activities. Photographing, filming, or recording of special education students will be allowed only after specific parental permission is obtained in writing.

(The full text of Policy H5 “Visits to School by Parents, Community Members or Media; Interviewing, Filming, Videotaping or Recording” can be found in the policy manual in the WSESU Central Office and on the school district’s website: www.wsesu.org.)

REPORTING TO PARENTS

The Windham Southeast Supervisory Union/School District believes that ongoing communication with parents is essential. Periodically a newsletter is sent home with students to inform parents of upcoming events, ideas and issues of interest to them. Teachers regularly communicate with parents through classroom newsletters and phone calls to individual parents. Parent communication is important. During the school day the expectation is that our teachers are teaching and working with students. Therefore, during the work-week teachers *will do their best* to return most emails and phone calls within 24 hours.

Progress reports are sent home with students twice each year. Formal conferences are scheduled twice a year. Teachers or parents may request conferences at other times throughout the year. Student-run portfolio presentations are held at all levels in the spring.

Assessment plays an important role in assuring that every learner achieves the goals established for students in WSESU. Assessment occurs in an ongoing manner within the context of the classroom curriculum. In addition, students participate in local, state and national assessments.

RETENTION

It is the policy of the Windham Southeast Supervisory Union that teachers and administrators will work with parents in determining the issue of promotion and retention. The specific criteria, process and timelines for this purpose will be set by the administration. Our districts recognize the importance of a collaborative decision in this process. The final decision will rest with the building

administrator.

(For retention procedures, see WSESD Policy F19 - Grade Advancement: Retention, Promotion and Acceleration of Students in the policy manual located in the WSESU Central Office and on the school district's website: www.wsesu.org.)

SCHOOL BUS POLICY AND PROCEDURES

The school bus driver is in complete charge of the school bus and the pupils and shall have the same authority in maintaining discipline as a teacher in the classroom. Pupils shall observe classroom conduct and obey the driver promptly and respectfully.

1. Pupils must arrive on time (5 minutes before pick-up time) at the designated bus stops. When the school bus is operating on an established schedule, it cannot wait for children who are not within sight of the stop when the bus arrives. Pupils are prohibited from leaving or boarding the bus at locations other than their assigned bus stop. Parents/guardians must provide advance written permission (co-signed by a school official) for pupils to be let off at any stop other than their usual destination.
2. Pupils shall wait in a safe place, clear of traffic and at least 10 feet away from the bus until it stops, and should walk quickly to, from, and in front of the bus.
3. Students must walk 10 paces in front of the bus before crossing and stop and cross at the driver's signal (thumb up).
4. Pupils shall wait in an orderly line and avoid horseplay at the bus stop.
5. Any unnecessary talking with the school bus operator is prohibited.
6. While ordinary conversation between pupils is permitted, loud, profane, or inappropriate conversation is not allowed.
7. Fighting, rough play, and throwing objects are not allowed.
8. Pupils shall respect the rights and safety of others (keeping hands to self and no name calling).
9. Pupils are prohibited from using or carrying tobacco products, alcohol, drugs, any controlled substance, weapons (guns, knives, explosives, etc.), objects that shoot any type of projectile, and items that could cause a fire on the bus (matches, lighters, etc.). Offenses relative to this item shall result with the pupil's immediate removal from the bus and/or indefinite suspension.
10. Backpacks must be worn or carried in front of pupils while entering or exiting the bus.
11. Smoking and chewing tobacco are not permitted on the school bus. Littering (either on the bus or out the windows) is not allowed. Eating or drinking on the bus is also prohibited.
12. Pupils shall go to the first available seat or to their assigned seat when entering the bus.
13. The rear door shall be used only in the case of an emergency.
14. All pupils must be seated while the bus is in motion. Students must keep their heads and limbs inside the bus.
15. The aisle of the bus must be kept clear. Pupils may bring items on the bus only if the items can be carried on the pupils' laps. Skis, animals, weapons, and other dangerous objects are prohibited on the buses. Skates may be carried only if adequate blade guards are in place.
16. Pupils are prohibited from hitching rides via the rear bumper or other parts of the bus.
17. Students are not allowed to cross behind the bus or walk along the sides of the bus. Students

must wait for the bus to drive away before attempting to retrieve objects that fall underneath the bus.

18. Any violation of the above regulations will be reported to the appropriate building principal and disciplinary action will be taken.

PROCEDURES:

1. Students in grades PreK-2 will not be dropped off at a stop without a parent/guardian, adult, or older sibling, unless by prior authorization.
2. Discipline (Please note - the building principal will work with the bus company to determine final consequences for student behavior.)
 - The first refusal to comply with these regulations will result in a written warning with a copy sent home to the parents/guardians.
 - The second offense may result in a 3-day suspension from riding the bus.
 - The third offense may result in indefinite suspension from riding the bus.

3. Changing assigned bus stop:

A parent/guardian must sign a note for a student to ride another bus. The note is then sent to the principal who will write a school bus pass for the bus driver. This procedure is also used if a student will be leaving the bus at a different stop than their assigned stop. Note: If the student does not have a school bus pass, they will be left at their regular bus stop.

When a pupil has been suspended from the bus, the district will not be responsible for providing transportation. Before a student is reinstated, a conversation between the parent/guardian, student and school administrator must take place.

There may be circumstances that could result in immediate suspension from the bus. Such disciplinary action is to be at the discretion of the appropriate school administrator.

Students and other passengers traveling on the buses under contract by F.M. Kuzmeskus, Inc. to the WSESD/SU should be aware that the buses are equipped with video devices (cameras) so all riders should have no expectation of privacy. The district and F.M. Kuzmeskus, Inc. will use the videos for required business purposes only (student discipline matters, etc.)

SCHOOL DISTRICT POLICIES

A complete compilation of all Windham Southeast Supervisory Union/School District policies is available in the WSESU Central Office and on the school district's website: www.wsesu.org. This handbook is derived from those policies, but does not necessarily cite complete policies.

SCHOOL SAFETY

Desks, textbooks and other materials or supplies loaned by the school to students remain the property of the school, and may be opened by school employees for cleaning, maintenance or emergencies. Students should not expect the contents to be private. When prohibited items are found in the course of routine cleaning or maintenance, or in the case of emergency, they will be confiscated and a report will be made to the principal who will determine whether further

investigation is warranted.

Searches of students' persons, personal effects (e.g. purse, book bag, etc.) may be conducted if there is reasonable cause to believe that such a search will produce evidence of a breach of school policy or law. Search of a student's person will be conducted by a school employee of the same sex, and in the presence of another school employee.

CRISIS PREVENTION & RESPONSE

It is the policy of the Windham Southeast School District to maintain a safe, orderly, civil and positive learning environment, and to be prepared, insofar as possible, to prevent and respond to unexpected crises quickly and appropriately. While the very unexpected nature of a crisis may make preparation difficult, the Board believes that staff and students should be ready to respond quickly and appropriately to emergency situations. The full text of Policy Code E10: School Crisis Prevention and Response can be found at <https://wsesu.org/wsesd-policies/>.

SMOKING POLICY

Smoking and/or the use of tobacco products in any form is prohibited within all school buildings in the district, on all district grounds and in all district facilities. (See Windham Southeast School Supervisory Union/School District Policy E8 "Tobacco/Nicotine Prohibition".)

This ban extends to all employees, students and patrons attending school-sponsored events and meetings. The ban extends to school-owned and operated vehicles and facilities.

STUDENT SERVICES

The student services program consists of full-time school counselors, one located in each building. The counselors deliver comprehensive social services to children, teachers and families. Their responsibilities include identifying students in need of services, assessing the needs and planning the appropriate interventions in coordination with other school personnel and parents/guardians. The major goal of the student service program is to improve situations in a child's life that are negatively affecting the child's adjustment in school and their learning experience.

The counselors talk through minor adjustment problems with parents/guardians, children and school personnel and assist parents/guardians in finding the community resources they need to help with a particular problem. It is recognized that the best education for any child occurs when the child is rewarded for learning both at school and at home. Therefore, the counselors act as liaisons between home and school.

Problem situations most appropriate for the counselors are those related to pupils' learning opportunities, academic achievement, social functioning and the need for change in the child's life at school, in the community and at home. In essence, they are advocates for the troubled school child.

TELEPHONES / USE OF ELECTRONIC DEVICES

School telephones are for school business. Students should not use them without permission from school personnel.

If students choose to bring electronic items to school (such as a cell phone) the items must be turned off and stored in a backpack during the school day.

TRAFFIC

Please respect parking signs, adhering to marked parking spaces when dropping off or picking up your child. For safety reasons, double parking at arrival and dismissal times is prohibited.

VISITING THE SCHOOL

It is the intent of the Windham Southeast Supervisory Union Board to balance the need of the public and media to be informed about school programs and activities with the privacy interests of students and the responsibility of the school to operate with a minimum of disruption. Accordingly, the principal or their designees may regulate visits to the school by parents, guardians, community members or news media subject to the guidelines outlined in [Policy H5 - Visits by Parents, Community Members or Media](#).

When you are visiting the school to volunteer, bring something to your child, or take your child home, please report to the office so that we know you are in the building.

VOLUNTEER PROGRAM

Each of the elementary schools has an active volunteer program. We welcome and encourage parents/guardians and community members to participate in the education of the children in our schools.

In accordance with revised [Policy D7 Volunteers and Work Study](#), every individual volunteering in our schools will need to complete a form that will be submitted for an electronic check of the Vermont Agency of Human Services Adult Protective Services Registry and Child Abuse Registry Unit. This form is available in the school office.

If you are interested in learning more about your school's volunteer program and how you can contribute to it, please contact your local school.

WEAPONS

Under Vermont law, school personnel are obligated to report to police any student who brings a weapon to school. Such weapons must also be turned over to police. This would include, but is not limited to, pocket knives, pen knives, etc. Please share this information with your child so that they fully understand their responsibility.

A detailed explanation of the School Board's Policies is located in each school office, at the WSESU Central Office, and on the WSESU website. (See F24 Firearms and Dangerous Weapons and F1 Student Conduct and Discipline)

ALCOHOL AND DRUG ABUSE POLICY

The Windham Southeast Supervisory Union/School District Board, in accordance with Vermont State Law, Section I, VSA Title 16 § 1165, Alcohol and Drug Abuse, has adopted Policy F9 - Substance Abuse Prevention for the elementary schools.

The above captioned policy is available for your review at the WSESU Central Office and on the WSESU: website www.wsesu.org.

Further, in compliance with Section 5145 of the Drug-Free Schools and Communities Act, it is the policy of this school district that no student shall knowingly possess, use, sell, give or otherwise transmit, or be under the influence of any illegal drug, regulated substance, or alcohol on any school property, or at any school-sponsored activity away from or within the school. (**Note:** This shall also apply to family members and visitors to any of our school sites.) The term "Drug" as used in this policy means any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, cannabis, or any other controlled substance as defined by state or federal regulation or statute.

Student compliance with these standards of conduct is mandatory.

Parents/Guardians and students are further informed that:

- Age-appropriate, developmentally based drug and alcohol education and prevention programs are provided for all children.
- The use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful.
- The unlawful possession, use, or distribution of illicit drugs and alcohol by students on school premises is strictly prohibited.
- The district may impose disciplinary sanctions, up to and including expulsion, prosecution and rehabilitation.
- It is imperative that you familiarize yourself with the "Procedures for Dealing with Substance Abuse Incidents" in policy F9.
- Copies of the policies and counseling re-entry programs are made available by request through the building administrators.

BOARD COMMITMENT TO NON-DISCRIMINATION

The Board recognizes its obligation to respect the legal rights of all students, parents/guardians/caregivers, employees, applicants for admission or employment, sources of referral of applicants for admission and employment and all unions or professional organizations holding collective bargaining or professional agreement with the school district. The board will seek to comply with all applicable federal and state non- discrimination laws.

Policy C9 Notice of Non-Discrimination

The Board will not unlawfully discriminate in its programs and activities against any person or group on any basis prohibited by federal or state law, and will provide equal access to designated youth

groups.

The Supervisory Union shall make reasonable accommodations to the known qualifying physical or emotional disabilities of an applicant or employee, unless the district can demonstrate that the accommodation would impose an undue hardship on the operation of its program or activity.

Applicants for employment, students, parents, employees, sources of referral of applicants for admission and employment, and all unions or professional organizations holding collective bargaining or professional agreements with the Windham Southeast Supervisory Union are hereby notified that this District does not discriminate on the basis of race, color, religion (creed), ancestry, national origin, place of birth, sex, sexual orientation, gender identity, disability, age, political affiliation or marital status in admission or access to, or treatment or employment in, its programs and activities.

A person has been designated by the Windham Southeast Supervisory Union to coordinate the District's efforts to comply with the regulations implementing Title VI, Title VII, Title IX, and Section 504 of the Rehabilitation Act of 1973, and other non-discrimination laws or regulations. The designated coordinator is identified in the procedure accompanying this policy along with information on how that person may be contacted.

Any person having inquiries concerning the Windham Southeast Supervisory Union's compliance with the regulations implementing Title VI, Title VII, Title IX, Section 504 or other state or federal non-discrimination laws or regulations is directed to contact the non-discrimination coordinator described above.

Administrative Responsibilities

The superintendent or designee shall develop procedures to accompany this policy. This procedure shall designate a coordinator and information on how to contact the coordinator.

Date Warned: July 22, 2019

Date Adopted: August 7, 2019

Date Warned for Readoption: January 3, 2024

Date Readopted: February 14, 2024

Legal Reference(s): 9 V.S.A. §4502 (Public accommodations)

21 V.S.A. §§495 et seq. (Employment Practices)

21 V.S.A. §1726 (Unfair labor practices)

20 U.S.C. §§1400 et seq. (IDEA)

20 U.S.C. §§1681 et seq. (Title IX, Education Amendments of 1972)

29 U.S.C. §206(d) (Equal Pay Act of 1963)

29 U.S.C. §§621 et seq. (Age Discrimination in Employment Act)

29 U.S.C. §794 (Section 504, Rehabilitation Act of 1973)

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

42 U.S.C. §§2000e et seq. (Title VII of the Civil Rights Act of 1964)

42 U.S.C. §§12101 et seq. (Americans with Disabilities Act of 1990)

Cross Reference: Personnel: Recruitment, Selection, Appointment and Criminal Records Checks (D1)

WINDHAM SOUTHEAST SUPERVISORY UNION

Windham County, Vermont

PROCEDURES FOR HANDLING COMPLAINTS OF DISCRIMINATION

The non-discrimination coordinator for the Windham Southeast Supervisory Union is:

Michael Kelliher, Director of Human Resources
WSESU Central Office
802-254-3730

Definitions

A grievance is a claim made by a student, teacher or employee of the Supervisory Union or other person that they have been subjected to discrimination because of specific actions of the School Board or its employees.

A grievant shall be a student(s) and/or parent(s)/guardian(s), employee, or other person making the claim.

Intent

Nothing contained within this grievance procedure shall be construed as limiting the right of an aggrieved person or persons to informally discuss a problem with the school administration or staff. Should such an informal process fail to resolve the situation then a formal filing of a grievance may be made in accordance with the following procedure:

Procedures (all days are calendar days)

1. Within 15 days of an alleged violation of this policy, the aggrieved shall submit in writing to the Superintendent or designee the nature of the grievance and the remedy sought. The Superintendent should arrange for a meeting within 15 days of receipt of the grievance. The Superintendent shall provide a written answer on the grievance within 5 days of the meeting.
2. If the grievance is not resolved at Step I, then the aggrieved may, within 10 days of the denial, request in writing that the School Board or a committee of the School Board hear the grievance. The Chair of the School Board or designee shall schedule a meeting before the Board or a committee of the Board within 15 days of receipt of the request. Such a meeting will be in a public or in an executive session depending upon the circumstances. The Board or its committee shall provide a written answer on the grievance within 5 days of the Board's next regularly scheduled meeting. The decision of the Board or its committee shall be final and binding to the extent of the jurisdictional limits and authority of the School Board.

PREVENTION OF HARASSMENT, HAZING, AND BULLYING OF STUDENTS Policy F23

I. Statement of Policy

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

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

Amendments Act of 1972.

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

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

The Procedures attached are expressly incorporated by reference as though fully included within this Policy. The Procedures are separated from the policy for ease of use as may be [required](#).

II. Implementation

The superintendent or their designee shall:

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

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

III. Constitutionally Protected Speech

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

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

- A. "Bullying" means any overt act or combination of acts, including an act conducted by electronic means, directed against a student by another student or group of students and which:
 - 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 provided by a student or any person to an employee alleging that a student has been subjected to conduct that may rise to the level of hazing, harassment or bullying.
- C. "Complainant" means a student who has provided oral or written information about conduct that may rise to the level of hazing, harassment or bullying, or a student who is the target of alleged hazing, harassment or bullying.
- D. "Designated employee" means an employee who has been designated by the school to receive complaints of hazing, harassment and bullying pursuant to subdivision 16 V.S.A. 570a(a)(7). The designated employees for each school building are identified in Appendix A of this policy.
- E. "Employee" includes any person employed directly by or retained through a contract with the District, an agent of the school, a school board member, a student teacher, an intern or a school volunteer. For purposes of this policy, "agent of the school" includes district / supervisory union staff.
- F. "Equity Coordinator" is the person responsible for implementation of Title IX (regarding sex-based discrimination) and Title VI (regarding race-based discrimination) for the District and for coordinating the District's compliance with Title IX and Title VI in all areas covered by the implementing regulations. The Equity Coordinator is also responsible for overseeing implementation of the District's *Preventing and Responding to Harassment of Students and Harassment of Employees policies*. This role may also be assigned to Designated Employees.

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

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

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

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

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

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

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

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

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

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

- (1) The goals are approved by the educational institution; and
 - (2) The activity or conduct furthers the goals in a manner that is appropriate, contemplated by the educational institution, and normal and customary for similar programs at other educational institutions. With respect to Hazing, "Student" means any person who
 - (i) is registered in or in attendance at an educational institution;
 - (ii) has been accepted for admission at the educational institution where the hazing incident occurs; or
 - (iii) intends to attend an educational institution during any of its regular sessions after an official academic break.
- I. "Notice" means a written complaint or oral information that hazing, harassment or bullying may have occurred which has been provided to a designated employee from another employee, the student allegedly subjected to the hazing, harassment or bullying, another student, a parent or guardian, or any other individual who has reasonable cause to believe the alleged conduct may have occurred. If the school learns of possible hazing, harassment or bullying through other means, for example, if information about hazing, harassment or bullying is received from a third party (such as from a witness to an incident or an anonymous letter or telephone call), different factors will affect the school's response. These factors include the source and nature of the information; the seriousness of the alleged incident; the specificity of the information; the objectivity and credibility of the source of the report; whether any individuals can be identified who were subjected to the alleged harassment; and whether those individuals want to pursue the matter. In addition, for purposes of violations of federal anti-discrimination laws, notice may occur when an employee of the district, including any individual who a student could reasonably believe has this authority or responsibility, knows or in the exercise of reasonable care should have known about potential unlawful harassment or bullying.
 - J. "Organization" means a fraternity, sorority, athletic team, association, corporation, order, society, corps, cooperative, club, or other similar group, whose members primarily are students at an educational institution, and which is affiliated with the educational institution.
 - K. "Pledging" means any action or activity related to becoming a member of an organization.
 - L. "Retaliation" is any adverse action by any person against a person who has filed a complaint of harassment, hazing or bullying or against a person who assists or participates in an investigation, proceeding or hearing related to the harassment complaint. Such adverse action may include conduct by a school employee directed at a student in the form of intimidation or reprisal such as diminishment of grades, suspension, expulsion, change in educational conditions, loss of privileges or benefits, or other unwarranted disciplinary action. Retaliation may also include conduct by a student directed at another student in the form of further harassment, intimidation, and reprisal.
 - M. "School administrator" means a superintendent, principal or their designee assistant principal//technical center director or their designee and/or the District's Equity

Coordinator.

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

Date Warned:	June 6, 2019
Date Adopted:	June 18, 2019
Date Warned for Readoption:	August 24, 2022
Date Readopted:	September 13, 2022

WINDHAM SOUTHEAST SUPERVISORY UNION
Windham County
Vermont

APPENDIX A
Designated Employees 2024-2025

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

Non-Discrimination Coordinator

Michael Kelliher, Human Resources
Director
802-254-3730

Academy School

Kelly Dias, Principal
Ana Ocasio, Counselor
802-254-3743

Green Street School

Kate Margaitis, Principal
Gina Onorato, Counselor
802-254-3737

Oak Grove School

Mary Kaufmann, Principal
Kathryn Mason, Counselor
Nicole Zolnoski, Admin. Assistant
802-254-3740

Dummerston School

Julianne Eagan, Principal
Nicole Thomas, Counselor
802-254-2733

Guilford Central School

John Gagnon, Principal
Chantelle Albin, Counselor
802-254-2271

WSESU Programs

Tate Erickson, Director of SPED
Whitney Lynde, Coordinator of SPED
802-254-3748

Putney Central School

Jon Sessions, Principal
Marisa Lazarus-Miner, Counselor
802-387-5521

Vernon Elementary School

Mary Ross, Principal
Bridget Duff, Counselor
802-254-5373

Brattleboro Area Middle School

Keith Lyman, Principal
Tom Daughton, Assistant Principal
802-451-3500

Brattleboro Union High School #6

Hannah Parker, Principal 802-451-3409
Ben Coppolo Assistant Principal 802-451-3412
Cassie Damkoehler, Assistant Principal
802-451-3404

Windham Regional Career Center

Nancy Wiese, Director
802-451-3589
Anne Doran, Counselor
802-451-3586

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 they reasonably believe might constitute hazing, harassment and or/bullying, should promptly report the conduct to a designated employee or any other school employee.
- B. School employee reporting: Any school employee who witnesses conduct that they reasonably believe might constitute hazing, harassment and/or bullying shall take reasonable action to stop the conduct and to prevent its recurrence and immediately report it to a designated employee and immediately complete a Student Conduct Form.

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

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

Vermont Human Rights
 Commission 14-16 Baldwin Street
 Montpelier, VT 05633-6301
 (800) 416-2010 or (802) 828-2480 (voice)
 (877) 294-9200 (tty)
 (802) 828-2481 (fax)

Email: human.rights@state.vt.us

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

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

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

III. Investigating Hazing, Harassment and/or Bullying Complaints

- A. Initiation of Investigation - Timing. Unless special circumstances are present and

documented, such as reports to the Department for Children and Families (“DCF”) or the police, the school administrator shall, no later than one school day after Notice to a designated employee, initiate or cause to be initiated, an investigation of the allegations, which the school administrator reasonably believes may constitute harassment, hazing or bullying.

- B. Investigator Assignment. The school administrator shall assign a person to conduct the investigation; nothing herein shall be construed to preclude the school administrator from assigning themselves or a designated employee as the investigator. No person who is the subject of a complaint shall conduct such an investigation.
- C. Interim Measures. It may be appropriate for the school to take interim measures during the investigation of a complaint. For instance, if a student alleges that they have been sexually assaulted by another student, the school may decide to place the students immediately in separate classes and/or transportation pending the results of the school’s investigation. Similarly, if the alleged harasser is a teacher, allowing the student to transfer to a different class may be appropriate. In all cases, the school will make every effort to prevent disclosure of the names of all parties involved – the complainant, the witnesses, and the accused – except to the extent necessary to carry out the investigation. In all cases where physical harm has resulted and/or where the targeted student is known to be expressing suicidal ideation, or experiencing serious emotional harm, a safety plan will be put in place. Safety plans must also be considered in cases where the targeted student is known to have difficulty accessing the educational programs at the school as a result of the inappropriate behavior. No contact orders, or their enforcement, may also be appropriate interim measures.
- D. Due Process. The United States Constitution guarantees due process to students and District employees who are accused of certain types of infractions, including but not limited to sexual harassment under Federal Title IX. The rights established under Title IX must be interpreted consistent with any federally guaranteed due process rights involved in a complaint proceeding, including but not limited to the ability of the complainant and the accused to present witnesses and other evidence during an investigation. The District will ensure that steps to accord due process rights do not restrict or unnecessarily delay the protections provided by Title IX to the complainant.
- E. Standard Used to Assess Conduct. In determining whether the conduct constitutes a violation of this policy, the investigator shall consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. The complainant and accused will be provided the opportunity to present witnesses and other evidence during an investigation. The school will also consider the impact of relevant off- campus conduct on the school environment where direct harm to the welfare of the school can be demonstrated or the conduct can be shown to pose a clear and substantial interference with another student’s equal access to educational programs. Whether a particular action constitutes a violation of this policy requires determination based on all the facts and surrounding circumstances.
- F. Completion of Investigation –Timing. No later than five school days from the filing of the complaint with the designated employee, unless special circumstances are present and

documented, the investigator shall submit a written initial determination to the school administrator.

- G. Investigation Report. The investigator shall prepare a written report to include a statement of the findings of the investigator as to whether the allegations have been substantiated, and as to whether the alleged conduct constitutes hazing, harassment and/or bullying. The report, when referencing student conduct, is a student record and therefore confidential. It will be made available to investigators in the context of a review conducted by either Vermont AOE, or investigations of harassment conducted by the Vermont Human Rights Commission or U.S. Department of Education Office of Civil Rights.
- H. Notice to Students/Parents/Guardians. Within five school days of the conclusion of the investigation, the designated employee shall:
- i. Notify in writing both the complainant and accused individual (or if either is a minor inform their respective parent or guardian) that:
 1. the investigation has been completed;
 2. whether or not the investigation concluded that a policy violation occurred (and which policy term was violated, i.e. harassment, hazing and/or bullying);
 3. that federal privacy law prevents disclosure of any discipline imposed as a result of the investigation unless the parent/guardian of the accused student and/or the accused eligible student consents to such disclosure, pursuant to 34 CFR Part 99.30, as set forth in Section II, Part C, above.
 - ii. Notify the Complainant Student -or if a minor, their parent(s) or guardian - in writing of their rights to:
 1. an internal review by the school of its initial determination as a result of its investigation as to whether harassment occurred;
 2. request an Independent Review of the school's "final" determination as to whether harassment occurred within thirty (30) days of the final determination or although a "final" determination was made that harassment indeed occurred the school's response to that harassment was inadequate to correct the problem; and that the review will be conducted by an investigator to be selected by the superintendent from a list developed by the Agency of Education;
 3. file complaints of harassment with either the Vermont Human Rights Commission and/or the federal Department of Education's Office of Civil Rights.
 - iii. Notify the Accused Student –or if a minor, their parent(s) or guardian -in writing of their right to appeal as set forth in Section V of these procedures.
- I. Violations of Other Policies. In cases where the investigation has identified other conduct that may constitute a violation of other school disciplinary policies or codes of conduct, the designated employee shall report such conduct to the school administrator for action in accordance with relevant school policies or codes of conduct.

IV. Responding to Substantiated Claims

- A. Scope of Response. After a final determination that an act(s) of hazing, harassment and/or bullying has been committed, the school shall take prompt and appropriate disciplinary and/or remedial action reasonably calculated to stop the hazing, harassment and/or bullying and prevent any recurrence of harassment, hazing and/or bullying, and remedy its effects on the victim(s). In so doing, the following should be considered:
- i. Potential Remedial Actions. Remedial action may include but not be limited to an age appropriate warning, reprimand, education, training and counseling, transfer, suspension, and/or expulsion of a student, and warning, reprimand, education, training and counseling, transfer, suspension and/or termination of an employee. A series of escalating consequences may be necessary if the initial steps are ineffective in stopping the hazing, harassment and/or bullying. To prevent recurrences counseling for the offender may be appropriate to ensure that they understand what constitutes hazing/harassment and/or bullying and the effects it can have. Depending on how widespread the hazing/harassment/bullying was and whether there have been any prior incidents, the school may need to provide training for the larger school community to ensure that students, parents/guardians and teachers can recognize hazing/harassment/bullying if it recurs and know how to respond.
 - ii. School Access/Environment Considerations. The District will also take efforts to support victims' access to the District's programs, services and activities and consider and implement school-wide remedies, where appropriate. Accordingly, steps will be taken to eliminate any hostile and/or threatening environment that has been created. For example, if a student has been subjected to harassment/bullying by a group of other students in a class, the school may need to deliver special training or other interventions for that class to repair the educational environment. If the school offers the student the option of withdrawing from a class in which a hostile environment/bullying occurred, the District will assist the student in making program or schedule changes and ensure that none of the changes adversely affect the student's academic record. Other measures may include, if appropriate, directing a bully/harasser to apologize to the affected student. If a hostile environment has affected the entire school or campus, an effective response may need to include dissemination of information, the issuance of new policy statements or other steps that are designed to clearly communicate the message that the school does not tolerate harassment and/or bullying and will be responsive to any student who reports that conduct
 - iii. Hazing Case Considerations. Appropriate penalties or sanctions or both for organizations that or individuals who engage in hazing and revocation or suspension of an organization's permission to operate or exist within the institution's purview if that organization knowingly permits, authorizes, or condones hazing.
 - iv. Other Remedies: Other remedies may include providing counseling to the victim(s) and/or the perpetrator(s), and additional safety planning measures for the victim(s).
- B. Retaliation Prevention. It is unlawful for any person to retaliate against a person who has filed a complaint of harassment or against a person who assists or participates in an investigation, proceeding or hearing related to the harassment complaint. A person may violate this anti-retaliation provision regardless of whether the underlying complaint of harassment is

substantiated.

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

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

V. Post Investigative Reviews

Rights of Complainants

- A. Internal Review of Initial Harassment Determinations By Complainant. A complainant or parent/guardian of a complainant may request internal review by the District of a designee's initial determination (following investigation) that harassment has not occurred via written request submitted to the District superintendent. All levels of internal review of the investigator's initial determination, and the issuance of a final decision, shall, unless special circumstances are present and documented by the District, be completed within 30 calendar days after review is requested.
- B. Independent Reviews of Final Harassment Determinations By Complainant. A complainant may request an independent review within thirty (30) days of a final determination if s/he: (1) is dissatisfied with the final determination as to whether harassment occurred, or (2) believes that although a final determination was made that harassment occurred, the school's response was inadequate to correct the problem.

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

Upon completion of the independent review, the reviewer shall advise the complainant and school officials in writing: (1) as to the sufficiency of the school's investigation, its

determination, and/or the steps taken by the school to correct any harassment found to have occurred, and (2) of recommendations of any steps the school might take to prevent further harassment from occurring. A copy of the independent review report shall be sent to the Secretary of Education.

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

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

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

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

Rights of Accused Students

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

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

VI. Confidentiality and Record Keeping

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

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

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

VII. Reporting to Other Agencies

- A. Reports to Department of Children and Families. When a complaint made pursuant to this policy includes allegations of child abuse, any person responsible for reporting suspected child abuse under 33 V.S.A. § 4911, et seq. must report the allegation to the Commissioner of DCF. If the victim is over the age of 18 and a report of abuse is warranted, the report shall be made to Adult Protective Services in accordance with 33 V.S.A. § 6901 et seq.
- B. Reports to Vermont Agency of Education. If a harassment complaint is made in a public school about conduct by a licensed educator that might be grounds under Vermont law for licensing action, the principal shall report the alleged conduct to the Superintendent and the Superintendent shall report the alleged conduct to the Secretary of Education. 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/guardian approval to local law enforcement except in response to a lawfully issued subpoena, or in connection with an emergency if disclosure is necessary to protect the health or safety of the student or other individuals.
 - b. First Hand Reports. Nothing in this policy shall preclude persons from reporting incidents and/or conduct witnessed first-hand that may be considered to be a criminal act to law enforcement officials.
 - c. Hazing Incidents. It is unlawful to (1) engage in hazing; (2) solicit direct, aid, or attempt to aid, or abet another person engaged in hazing; or (3) knowingly fail to take reasonable measures within the scope of the person's authority to prevent hazing. It is not a defense in an action under this section that the person against whom the hazing was directed consented to or acquiesced in the hazing activity. Hazing incidents will be reported to the police in a manner consistent with the confidentiality rights set forth above in this section.
- D. Continuing Obligation to Investigate. Reports made to either DCF or law enforcement shall

not be considered to absolve the school administrators of their obligations under this policy to pursue and complete an investigation upon receipt of notice of conduct which may constitute hazing, harassment and/or bullying.

VIII. Disseminating Information, Training, and Data Reporting

- A. Disseminating Information. Annually, prior to the commencement of curricular and co-curricular activities, the District shall provide notice of this policy and procedures to students, custodial parents or guardians of students, and staff members, including references to the consequences of misbehavior contained in the plan required by 16 V.S.A. 1161a. Notice to students shall be in age-appropriate language and include examples of hazing, harassment and bullying. At a minimum, this notice shall appear in any publication of the District that sets forth the comprehensive rules, procedures and standards of conduct for the District.
- B. Student Training. The school administrator shall use their discretion in developing age-appropriate methods of discussing the meaning and substance of this policy with students to help prevent hazing, harassment and bullying.
- C. Staff Training. The board or its designee shall ensure that teachers and other staff receive training in preventing, recognizing and responding to hazing, harassment and bullying.
- D. Data Gathering. Public school districts shall provide the Vermont Agency of Education with data requested by the Secretary of Education.

Legal References:

Title V, Section B, 504 of the Rehabilitation Act of 1973, 29 U.S.C. §794 et seq.; Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d;
 Title IX of the Educational Amendments Act of 1972, 20 U.S.C. §§ 1681 et seq.; Family Education Rights Privacy Act; 20 U.S.C. §1232g;
 Public Accommodations Act, 9 V.S.A. §§4500 et seq.;

Education, Classifications and Definitions, 16 V.S.A. §11(26);(30)(A);(32); Education, 16 V.S.A. §140(a)(1); Education, 16 V.S.A. §166(e); Education, Bullying, 16 V.S.A. §570c;
 Education, Harassment, Hazing and Bullying, 16 V.S.A. § 570; Education, Harassment, 16 V.S.A. §570a;
 Education, Harassment, 16 V.S.A. §570c; Education, Harassment, 16 V.S.A. §570f; Education, Hazing, 16 V.S.A. §570b; Education, Hazing, 16 V.S.A. §570f; Education, Discipline, 16 V.S.A. §1161a;
 Education, Suspension or Expulsion of Pupils; 16 V.S.A. §1162; Child Abuse, 33 V.S.A. §§4911 et seq.;

Adult Protective Services, 33 V.S.A. §6901 et seq., all as they may be amended from time to time.
 Washington v. Pierce, 179 VT 318 (2005)

RESPONSIBLE COMPUTER, NETWORK & INTERNET USE - Policy G13

Purpose

The Windham Southeast School District recognizes that information technology (IT) is integral to learning and educating today's children for success in the global community and fully supports the access of these electronic resources by students and staff. The purpose of this policy is to:

1. Create an environment that fosters the use of information technology in a manner that supports and enriches the curriculum, provides opportunities for collaboration, and enhances staff professional development.
2. Ensure the District takes appropriate measures to maintain the safety of everyone that accesses the district's information technology devices, network and web resources.
3. Comply with the requirements of applicable federal and state laws that regulate the provision of access to the internet and other electronic resources by school districts.

Policy

It is the policy of the Windham Southeast School District to provide students and staff access to a multitude of information technology (IT) resources including the Internet. These resources provide opportunities to enhance learning and improve communication within our community and with the global community beyond. However, with the privilege of access comes the responsibility of students, teachers, staff and the public to exercise responsible use of these resources. The use by students, staff or others of district IT resources is a privilege, not a right. User agreements, except as otherwise described in this policy, will be required prior to allowing any individual unsupervised access to District electronic resources.

The same rules and expectations govern student use of IT resources as apply to other student conduct and communications, including but not limited to the district's harassment and bullying policies.

The District's computer and network resources are the property of the District. Users shall have no expectation of privacy in anything they create, store, send, receive or display on or over the District's computers or network resources, including personal files and electronic communications.-

The Superintendent or their designee is responsible for establishing procedures governing use of IT resources consistent with the provisions this policy.

These procedures must include:

1. An annual process for educating students about responsible digital citizenship. As defined in this policy, a responsible digital citizen is one who:
 - A. Respects One's Self. Users will maintain appropriate standards of language and behavior when sharing information and images on social networking websites and elsewhere online. Users refrain from distributing personally identifiable information about themselves and others.
 - B. Respects Others. Users refrain from using technologies to bully, tease or harass other people. Users will report incidents of cyber bullying and harassment in accordance with the

district’s policies on bullying and harassment. Users will also refrain from using another person’s system account or password or from presenting themselves as another person.

C. Protects One’s Self and Others. Users protect themselves and others by reporting abuse and not forwarding inappropriate materials and communications. They are responsible at all times for the proper use of their account by not sharing their system account password.

2. Provisions necessary to ensure that Internet service providers and other contractors comply with applicable restrictions on the collection and disclosure of student data and any other confidential information stored in District electronic resources.

3. Technology protection measures that provide for the monitoring and filtering of online activities by all users of District IT, including measures that protect against access to content that is obscene, child pornography, or harmful to minors.

4. Methods to address the following:

A. Control of access by minors to sites on the Internet. that include inappropriate content such as content that is:

- i. Lewd, vulgar, or profane
- ii Threatening
- iii. Harassing or discriminatory
- iv Bullying
- v. Terroristic
- vi. Obscene or Pornographic

B. The safety and security of minors when using electronic mail, ~~chat rooms~~ social media, and other forms of direct electronic communications.

C. Prevention of unauthorized online access by minors, including “hacking” and other unlawful activities.

D. Unauthorized disclosure, use, dissemination of personal information regarding minors.

E. Restriction of minors’ access to materials harmful to them.

5. A process whereby authorized persons may temporarily disable the district’s Internet filtering measures during use by an adult to enable access to bona fide research or other lawful purpose.

Policy Application

This policy applies to anyone who accesses the district’s network, collaboration and communication tools, and/or student information systems either on-site or via a remote location, and anyone who uses the district’s IT devices either on or off-site.

The Superintendent, or their designee, shall conduct an annual analysis of the implementation of this policy and shall make recommendations to the Board as needed to ensure that the District’s approach to Internet safety is effective.

Caregiver Notification and Responsibility

Each school will provide written annual notice to parents/guardians/caregivers about student use of District electronic resources including the Internet, the policies and procedures governing their use, and the limitation of liability of the District. Parents/guardians/caregivers must sign an agreement to allow their child(ren) to access District electronic resources including the Internet and return this agreement to the school before access will be granted. Students 18 years of age or older must sign their own

agreement. A signed user agreement will not be required when students are using school computers for research as part of a course requirement and the use is supervised by a responsible adult.

Limitation/Disclaimer of Liability

The District is not liable for unacceptable use or violations of copyright restrictions or other laws, user mistakes or negligence, and costs incurred by users. The District is not responsible for ensuring the accuracy, age appropriateness, or usability of any information found on the District’s electronic resources network including the Internet. The District is not responsible for any damage experienced, including, but not limited to, loss of data or interruptions of service. The District is not responsible for the accuracy or quality of information obtained through or stored on the electronic resources system including the Internet, or for financial obligations arising through their unauthorized use.

Enforcement

The District reserves the right to revoke access privileges and/or administer appropriate disciplinary action for misuse of its IT resources. In the event there is an allegation that a user has violated this policy, the School District will handle the allegation consistent with the student disciplinary policy.

Allegations of staff member violations of this policy will be processed in accord with contractual agreements and legal requirements.

Date Warned: July 22, 2019
Date Adopted: August 7, 2019
Date Warned for Readoption: July 1, 2024
Date Readopted: August 13, 2024
Legal References as of date of adoption:

- 17 U.S.C. §§101-120 (Federal Copyright Act of 1976 as amended)
- 20 U.S.C. § 6777 et seq. (Enhancing Education Through Technology Act)
- 18 U.S.C. §2251 (Federal Child Pornography Law—Sexual Exploitation

and

- Other Abuse of Children)
- 47 U.S.C. §254 (Children’s Internet Protection Act)
- 47 CFR §54.520 (CIPA Certifications)
- 13 V.S.A. §§2802 et seq. (Obscenity, minors)
- 13 V.S.A. § 1027 (Disturbing Peace by Use of...Electronic Means)
- 13 V.S.A. §2605(Voyeurism)

Cross Reference: Student Conduct and Discipline (F1)
Selection of Instructional Materials (G5)
Complaints About Instructional Materials (G6)

WINDHAM SOUTHEAST SCHOOL DISTRICT
Brattleboro, Dummerston, Guilford, and Putney
Vermont

PUBLIC COMPLAINTS ABOUT PERSONNEL - Policy D11

Policy

It is the policy of the Windham Southeast Supervisory Union to see that complaints about school personnel are considered in a timely manner that is fair to all parties. The district places trust in its employees and desires to support their actions in such a manner that employees are freed from unnecessary, spiteful, or unjustified criticism or complaints.

Resolving Complaints

The complainant shall be encouraged first to bring a complaint to the individual concerned. If the problem cannot be resolved with the individual concerned, it should be brought to the attention of the immediate supervisor or administrator. The complaint should be in writing stating the issues and supporting facts. The individual employee involved shall be given every opportunity for explanation, comment, and presentation of facts as they see them.

If the issue is not resolved by involvement of the immediate supervisor, the complainant may refer the issue to the Principal (or designee) for their review and decision. In the event the Principal's review does not lead to a satisfactory resolution, the complainant may submit the issue to the Superintendent for review and decision.

In cases of alleged discrimination, the complainant should follow the procedures accompanying anti-discrimination policy C9.

Appeal to the Board

If the above steps do not resolve the concern of the complainant, they may request a session of the Board for the purpose of reviewing the Superintendent's decision. If the School Board decides to hear the request of the complainant, it shall invite all parties involved, including the school and Supervisory Union administrators to attend the meeting for purposes of presenting facts, making further explanations, and clarifying the issue. The Board shall conduct such meetings in a fair and just manner and shall render a decision.

It is the intent of the Board that the rights of employees under collective bargaining agreements and Vermont law be protected through the administration of this policy.

Date Warned:	July 22, 2019
Date Adopted:	August 7, 2019
Date Warned for Reoption:	January 3, 2024
Date Readopted:	February 14, 2024
Legal Reference(s):	16 VSA § 1752 (Suspension, Dismissal) 1 VSA § 31 et seq. (Open Meetings)
Cross Reference:	Board Commitment to Non-Discrimination (C6)

WINDHAM SOUTHEAST SUPERVISORY UNION
Windham County, Vermont

SCHOOL CRISIS PREVENTION AND RESPONSE- Policy E10

Policy

It is the policy of the Windham Southeast Supervisory Union to maintain a safe, orderly, civil, and positive learning environment, and to be prepared, insofar as possible, to prevent and respond to unexpected crises quickly and appropriately. While the very unexpected nature of a crisis may make preparation difficult, the Board believes that staff and students should be ready to respond quickly and appropriately to emergency situations.

Definition

Examples of crises include criminal acts, disease epidemic, physical injury or death, presence of intruders on school premises, hazardous materials spills, weather related emergencies, natural disasters or bomb threats.

Administrative Responsibilities

To help prevent the occurrence of some individually caused crises, the Superintendent shall research and share information about educational programs and practices designed to create and sustain a safe learning environment.

The Superintendent is directed to create a school crisis prevention and response plan and administrative procedures that identify how the students, staff should respond to emergency situations, and the role that local emergency service providers will play in crisis preparedness and crisis management. This will include appropriate and effective training; establishment of crisis response teams, both within each building and throughout the Supervisory Union; consultation and cooperation with community agencies, such as police, fire, emergency medical, youth, and health authorities; and publication of emergency procedures for such situations as can be imagined.

Generally, the Principal or designee will organize and oversee the planning and operation of the crisis response team and will serve as the incident response team leader, according to the crisis response procedures. The plan will be reviewed annually and routinely practiced during regular drills.

Following a major incident, the crisis response team shall debrief and review the effectiveness of the crisis response and present a report and any recommendations for the future to the Superintendent.

Staff Responsibilities

The staff shall follow all guidelines outlined in the crisis response procedures and staff handbook when practicing routine drills and when responding to actually emergency situations.

Student Responsibilities

Students shall follow all guidelines outlined in the crisis response procedures and student handbook when practicing routine drills and when responding to actual emergency situations. Students suspected of involvement in causing school crises will be held accountable and shall be dealt with in accordance with the school's discipline policy and state/federal law. An incident may also be referred to law enforcement for possible criminal charges or for the school to pursue civil litigation.

Any lost time learning time resulting from response to a school crisis or emergency shall be made up.

Date Warned: July 22, 2019
 Date Adopted: August 7, 2019
 Date Re-Warned: **December 7, 2023**

Date Re-Adopted: December 13, 2023

Legal Reference(s):

16 V.S.A. §1161a(a)(4) (discipline)

13 V.S.A. §1604 (possession of explosive devices) 13 V.S.A. §1612 (placing a hoax device)

13 V.S.A. §1743 (false alarms and reports) School Crisis Response Procedures Guide

Cross Reference: Risk Management (E5)

Student Conduct and Discipline (F1) Searches, Seizures, and Interrogation (F4)(F5) Weapons (F24)

WINDHAM SOUTHEAST SUPERVISORY UNION
Windham County, Vermont

PROCEDURES FOR BOMB THREATS CODE E10-R

Anticipating a Bomb Threat

1. **Line of authority.** The Principal in each of the Windham Southeast Supervisory Union schools is designated as the person in charge of administering this policy. If the Principal so decides, they may designate a named administrator to serve in their stead or absence. Wherever “Principal” appears in this policy, it refers either to the Principal or their designated administrator.

2. **Coordination of school and public safety agencies.** The Principal shall establish and maintain ongoing communication and coordination among school staff and public safety authorities for purposes of planning for, training for, and responding to any bomb threat. For this purpose, the Principal shall establish a Crisis Management Team to consist of the Principal, the Superintendent, and persons representing teachers, custodians, office staff, transportation providers, and parents/caregivers. The Principal shall request participation on this team by persons representing local law enforcement and fire/rescue agencies. The Principal shall convene this group to:
 - o review this policy and any associated protocols prior to the first student attendance day each school year;
 - o coordinate and oversee response efforts whenever a bomb threat has been made;
 - o review implementation of this policy after any bomb threat is resolved.

3. **Training**
 - o Telephone answerers. The Principal shall see that all staff whose regular duties include answering incoming telephone calls are trained in the protocol to be used when confronted by a telephone bomb threat.
 - o All staff. The Principal shall see that all staff are trained regarding their duties in the event of a bomb threat, including proper evacuation procedures, assuring the safety of students and staff, noting the absence of any students, conducting quick but complete visual scans of their workplace, and attendant reporting responsibilities.
 - o Any staff participating in a search. The Principal shall see that any staff volunteering to participate in a search for explosive devices are first trained by appropriate public safety personnel regarding the voluntary nature of their participation, the potential danger, and the proper sequence and technique involved.
 - o Students. The Principal shall see that all students are instructed about proper conduct during a bomb threat, the potential criminal and civil penalties as well as school discipline associated with making a bomb threat, and the disruption and

costs to the educational process stemming from a bomb threat.

4. **Drills.** The Principal shall conduct no fewer two (2) bomb threat/lock down drills for the Crisis Management Team and staff during the course of the school year, to consist of a review of the procedures to be followed in the event of a bomb threat.
5. **Pre-arranged signal.** The Principal shall establish a signal for announcing a bomb threat and inform staff what it is.
6. **Precautions:**
 - o Telephone service options. The Principal shall see that at least main office telephone service includes caller ID or other call-tracing capacity and that each phone station is supplied with a Crisis Response Guide.
 - o Locked areas. School personnel with access to lockable work spaces shall lock them when not in use.
 - o Trash. The Principal shall direct school personnel not to permit the accumulation of trash, boxes, and other articles inside or next to the school building.
 - o Parking. The Principal shall, to the extent possible, ensure that parking spaces are not located close to the school building. There shall be stringent enforcement of parking restrictions relative to fire lanes, loading docks and handicapped parking spaces.
 - o Labeling building areas. The Principal shall ensure that different areas of the building are assigned specific labels, to be posted in plain sight and to be communicated to school and public safety authorities.
 - o Evacuation gathering places. The Principal shall designate specific locations to which all students and staff shall go away from heavily traveled roadways if an evacuation of the school is ordered.
7. **Substitutes.** The Principal shall see that substitute personnel are aware of this policy and the obligations of staff during a bomb threat.

Reacting to a Bomb Threat

1. **Upon receiving threat.** All personnel who answer telephone calls from outside sources shall be provided a Crisis Response Guide, to be placed within easy reach of their telephone, on which is printed information to ask for and information to listen for in the event a caller makes a bomb threat. Whoever receives the call shall attempt to transfer it to the Principal, or failing that, ask the caller as many of the questions on the Guide as they can, carefully noting all wording and other information.
2. **Notification**
 - o To the Principal. A person receiving a bomb threat by telephone or other means or who finds a suspicious device on school property shall inform the Principal immediately.
 - o By the Principal. Upon learning of the bomb threat, the Principal shall alert local public safety agencies, utility companies and the Superintendent.
3. **Assessment.** Upon learning of the bomb threat, the Principal, in consultation with public safety officials and the Superintendent if time permits, shall:
 - o Evaluate the credibility of the threat;
 - o Decide whether to direct a search of the building; and
 - o If so, decide whether the search should be conducted while the building is occupied or after it has been evacuated. In so doing, the Principal shall resolve all

doubts in favor of finding the threat credible, a search necessary, and prior evacuation necessary.

4. **Activating the team.** After deciding which course of action to follow, the Principal shall activate the Crisis Management Team.
5. **Evacuation**
 - o To what extent. The Principal, in consultation with the Crisis Management Team, shall decide on the extent to which the building will be evacuated. The decision shall be either:
 - To assemble all building occupants in one location, such as the gymnasium;
 - To evacuate just a portion of the building;
 - To evacuate the entire building to a particular site or sites no less than 300' from the building; or
 - To dismiss students and/or staff for the balance of the day.
 - o Signaling. If the Principal decides the building should be evacuated, he/she shall inform the staff immediately.
 - Adjusting evacuation route. The Principal shall direct personnel to adjust their usual evacuation route to avoid any suspected location of an explosive device.
 - Staff obligations. In the event of an evacuation, staff shall:
 - Visually scan their workplace and any other common areas they have been assigned for any thing or person out of the ordinary. If there is such an object, staff should not touch it but should report its presence to the Principal.
 - Make sure upon leaving that windows and doors are open.
 - Make sure any students in their charge are guided to safety, making arrangements that students with disabilities are followed, and remain with students in their charge; and
 - Take an attendance book with them, taking attendance once the evacuation is accomplished and noting the absence of any students normally in their charge and report their names to the Principal.
 - o Student conduct. All students shall assist staff by obeying all directions and maintaining an orderly and quiet demeanor.
 - o Utilities
 - o Fuel. The Principal shall direct appropriate personnel to turn off gas and other fuel lines at intake.
 - o Electricity. The Principal shall decide whether electric power to the building should be turned off.
 - o Telephones. The Principal with emergency management personnel will determine if phone service should remain intact, or to shut down service.
 - o Transportation and traffic. The Principal shall make sure a safe and efficient traffic pattern is in place to enable students to depart without impeding access and parking for public safety vehicles.

6. Search

- o To what extent. The Principal, in consultation with the Crisis Management Team, shall decide on the extent to which the building will be searched. The decision shall be either:
 - o Not to conduct a search;
 - o To search specific portions of the building; or
 - o To search the entire building and grounds.
- o Nature of search. The Principal, in consultation with the Crisis Management Team, shall decide whether a search will be conducted overtly, covertly, or by means of a special team.
- o Method. A search shall be conducted in accordance with techniques and training provided by public safety personnel. Toward that end, the Principal shall arrange with public safety officials for the periodic training of search personnel.
- o Participants
 - o STAFF. Each staff member shall, upon request, conduct a visual scan of their workplace, noting any thing or person out of the ordinary, and shall report any findings to the Principal.
 - o STUDENTS. Under no circumstances will a student be permitted to participate in a search.
 - o VOLUNTEERS. No school personnel may be required, beyond what is provided in this policy, to participate in a search for an explosive device. Any school personnel volunteering to participate in a search for an explosive device shall first be trained with respect to the dangers involved, precautions to observe, and the techniques to follow.
 - o Object found. If any suspicious object is actually discovered, no school personnel should touch it. Instead, the individual discovering the object should report it immediately to the Principal, who shall immediately report it to the public safety official in charge.
 - o Explosion. If there is an explosion, the Principal shall yield to the authority and protocols of public safety authorities.

After a Bomb Threat

1. **Investigation.** The Principal, and all other school personnel, shall cooperate with law enforcement personnel involved in investigating a bomb threat. School personnel shall not conduct any investigation independently but rather in conjunction with law enforcement.
2. **Discipline.** Any student involved in the making of a bomb threat, in addition to any penalty imposed by law, shall be subject to disciplinary action by the school, up to and including expulsion subject to the school's student discipline policy.
3. **Civil liability.** The Windham Southeast Supervisory Union reserves the right to bring suit against anyone responsible for a bomb threat and to seek restitution and other damages permitted by law.
4. **Lost time.** Any school time lost as a result of a bomb threat shall be made up on days and at times determined by the School Board upon recommendation by the superintendent.
5. **Counseling.** The Principal, in consultation with appropriate guidance and other personnel, shall assess the effect of the bomb threat on students as a whole and on any individual students who come to his/her attention, to determine if and what type of counseling would be appropriate.
6. **Evaluation.** Within one week following the conclusion of the school's response to a bomb threat, the Principal shall convene the Crisis Management Team to evaluate how well the

school responded, how consistent its response was with policy, how consistent its response was with its implementation procedures, and whether any changes to the provisions of this policy or implementation procedures are recommended as a result.

Communicating with the Public

1. **About the policy.** All school handbooks, those for faculty, staff, parents/caregivers and students, shall contain the following provision:

The Windham Southeast Supervisory Union has adopted a comprehensive policy on what to do in the event of a bomb threat. You may obtain a copy of the complete policy by requesting one from the Principal's office.

While we intend to respect the legitimate privacy interests of all persons, it is lawful for school authorities within constitutional boundaries to conduct reasonable examination of personal property on school grounds, including but not limited to lockers, desks, backpacks, book bags, and automobiles. In the event of a bomb threat, we may have to search such items in order to assure the safety and protection of people and property.

We also want all members of the school community to know that any academic time lost as a result of a bomb threat will be rescheduled, either on a weekend, vacation day or following what would otherwise be the end of the school year.

In addition, under state law, the making of a bomb threat is a very serious criminal offense, punishable for even a first offense by as much as 2 years in prison and a \$5,000 fine. The making of such a threat may also lead to civil liability.

2. **About a bomb threat.**

o **Parents/Caregivers.** In the event of a bomb threat, the Principal shall make sure that notice is provided to all caregivers of students as soon as possible via electronic communication and local media. If school is dismissed as a result of a bomb threat, the Principal shall implement general school procedures for notification of parents and caregivers.

o **Media.** Any school personnel approached about a bomb threat by a representative of the media shall refer that representative to the Superintendent, Principal or their designee. that official shall provide the representative with a formal statement regarding the status of the threat. If approached during the threat, the official shall ask the representative to wait for a time when circumstances legitimately permit the official to take a few moments to speak with him/her. Any statement given shall be calm and informative without divulging personally identifiable information about students and shall emphasize the efforts made or under way to protect the safety of students and staff.

o **Community generally.** Depending upon the circumstances the District may want to communicate with the general community either in writing or by convening a meeting.

REPORTING SUSPECTED CHILD ABUSE AND NEGLECT - Policy F10

Policy

It is the policy of the Windham Southeast Supervisory Union to ensure that all Supervisory Union employees report suspected child abuse and/or neglect as outlined in 33 V.S.A. §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 Supervisory Union 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 Supervisory Union 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

1. **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.
2. **Suspected** means the Supervisory Union employee 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.
3. **Report** means 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 DCF shall contain the following:
 - the name and address of the reporter
 - the name and address, if known, of the child and the child's parents/guardians or other persons responsible for the child's care
 - the age of the child
 - 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
 - any other information the reporter believes might be helpful
4. **Abused or neglected child** means a 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.

- 5. **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 SUPERVISORY UNION’S POLICY ON SEXUAL HARASSMENT DOES NOT FULFILL A MANDATORY REPORTER'S LEGAL RESPONSIBILITIES UNDER THE DCF REPORTING LAW. SUSPECTED SEXUAL ABUSE MUST BE REPORTED TO DCF

Implementation

Any Supervisory Union employee or school official, regardless of whether they are a "mandated reporter," under Vermont law (33 V.S.A. §4913), shall report suspected child abuse or neglect to DCF, to the building principal /designated employee, and the Superintendent. If guidance is needed for reporting, one of the designated employees should be consulted. For the listing of designated employees please refer to Appendix A with this policy. If the building Principal or designee is the person suspected of child abuse or the person who suspects the abuse or neglect, the report shall be made to the Superintendent of Schools and another designated employee. If the Superintendent is the person suspected of child abuse or neglect, the report shall be made to DCF and the chairpersons of the WSESD and WSESU boards.

The mandatory reporter, in addition to the school administrator receiving the report; i.e., the Principal, Principal's designee or the Superintendent, as the case may be, shall report the incident immediately to the Department for Children and Families (DCF).

Training

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

Availability of Policy

This policy shall be provided each year to the parents of students in attendance and to each employee of the Supervisory Union including substitute teachers. Further, this policy shall be posted in at least three prominent places within the school building.

Date Warned: December 14, 2009
 Date Adopted: August 5, 2010
Date Warned for Readoption: October 17, 2023
Date Readopted: November 8, 2023
 Legal Reference(s): 33 V.S.A. §§4911 et seq. (Reporting abuse of children)
 Cross Reference: Prevention of Harassment of Students (F23)

WINDHAM SOUTHEAST SUPERVISORY UNION
Windham County, Vermont

APPENDIX A
Designated Employees 2024-2025

The following employees of the Windham Southeast Supervisory Union have been designated to serve as resources for the reporting of suspected child abuse or neglect:

Michael Kelliher, WSESU Human Resources Director

802-254-3730

Academy School

Kelly Dias, Principal
Ana Ocasio, Counselor
802-254-3743

Putney Central School

Jon Sessions, Principal
Marisa Lazarus-Miner, Counselor
802-387-5521

Green Street School

Kate Margaitis, Principal
Gina Onorato, Counselor
802-254-3737

Vernon Elementary School

Mary Ross, Principal
Bridget Duff, Counselor
802-254-5373

Oak Grove School

Mary Kaufmann, Principal
Kathryn Mason, Counselor
Nicole Zolnoski, Admin. Assistant
802-254-3740

Brattleboro Area Middle School

Keith Lyman, Principal
Tom Daughton, Assistant Principal
802-451-3500

Dummerston School

Julianne Eagan, Principal
Nicole Thomas, Counselor
802-254-2733

Brattleboro Union High School #6

Hannah Parker, Principal 802-451-3409
Ben Coppolo Assistant Principal 802-451-3412
Cassie Damkoehler, Assistant Principal
802-451-3404

Guilford Central School

John Gagnon, Principal
Chantelle Albin, Counselor
802-254-2271

Windham Regional Career Center

Nancy Wiese, Director
802-451-3589
Anne Doran, Counselor
802-451-3586

WSESU Programs

Tate Erickson, Director of SPED
Whitney Lynde, Coordinator of SPED
802-254-3748

POLICY ON THE USE OF RESTRAINT AND SECLUSION - Policy F21

Section 1. Statement of Purpose

Windham Southeast Supervisory Union/Windham Southeast School District staff ensure safety for self and others at all times by prioritizing the use of de-escalation supports and only using restraint and/or seclusion as a last resort. It is the policy of the Windham Southeast School District that students not be subjected to inappropriate restraint or seclusion as defined by Vermont State Board of Education Rule 4500. It is the School District'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 School District of appropriate interventions by district staff.

Section 2. Definitions

The following terms, are 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:
 - i. Prescribed by a student's licensed physician for the standard treatment of a student's medical or psychiatric condition; and
 - ii. 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:
 - i. Restraints for medical immobilization,
 - ii. Adaptive devices or mechanical supports used to achieve proper body position, balance or alignment;
 - iii. Vehicle safety restraints including a seat belt or harness used for balance or safety on a car or bus; or
 - iv. Seat belts in wheelchairs or on toilets.
- 2.5 **Parent** means:
 - i. A biological or adoptive parent of the child;
 - ii. A legal guardian of the child;

- iii. 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;
 - iv. A foster parent or developmental home provider who has been appointed the educational surrogate parent by the Educational Surrogate Parent Program; or
 - v. 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:
- i. 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;
 - ii. The minimum contact necessary to physically escort a student from one place to another;
 - iii. Hand-over-hand assistance with feeding or task completion; or
 - iv. 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:
- i. Is based on evidence-based practices;
 - ii. Is proactive and instructional, rather than reactive; Can operate on individual, group, classroom, or school wide levels;
 - iii. Includes a system of continual data collection; and
 - iv. Relies on data-driven decisions.
- 2.9** Prone Physical Restraint means holding a student face down on their 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 they will be prevented from leaving. Seclusion does not include time-out where a student is not left alone and is under adult supervision. In accordance with 4502.2 (f), seclusion may only be used when the student is visually monitored at all times by an adult.

- 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 their 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 J above.

Section 3. Policy

The superintendent or their designee shall develop administrative procedures to ensure district/School District compliance with the requirements of Vermont State Board of Education Rule 4500. The administrative procedures shall include at least the following components.

- 3.1** Prohibitions against the imposition on students of mechanical or chemical restraints by school personnel and contract service providers.
- 3.2** Prohibitions against the imposition on students of physical restraint in circumstances designated as impermissible by State Board of Education rules.
- 3.3** 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.
- 3.4** 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.
- 3.5** Processes to ensure that impositions of restraint or seclusion are reported to school administrators, parents, superintendents and the Secretary of the Vermont Agency of Education under circumstances and within the time limitations required by State Board of Education rules.
- 3.6** Processes to ensure that each school in the district/School District maintains written records of each use of restraint and seclusion in accordance with the requirements of State Board of Education rules.
- 3.7** Procedures to ensure that each school in the district/School District implements follow-up procedures that are consistent with the requirements of State Board of Education rules.
- 3.8** Annual notification procedures to ensure that each school in the district/School District 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.

- 3.9 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 C9, Public Complaints About Personnel.

Section 4. Implementation

The superintendent shall ensure that appropriate staff are provided training by programs recommended by the Vermont Agency of Education unless a plan is submitted to the Secretary of Education demonstrating how a training program not recommended by the Agency 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 any recommendations for changes, if any, to related school district/School District policies or procedures.+

Date Warned: July 22, 2019
Date Adopted: August 7, 2019
Date Warned for Re-adoption: January 11, 2023
Date Re-adopted: January 24, 2023
Legal References: VT State Board of Education Rule 4500-4510
16 VSA § 563
Cross References: Policy F6 Education Records

WINDHAM SOUTHEAST SCHOOL DISTRICT
Brattleboro, Dummerston, Guilford, and Putney
Vermont

TRANSGENDER & GENDER CREATIVE STUDENTS - Policy F34

Policy

This policy is designed to provide direction for administrators, staff, students, and parents to address issues that may arise concerning the needs of transgender and gender creative students. Title IX of the Education Amendments of 1972, and 9 .S.A. 4502¹ protect all students from sex discrimination, including transgender students and students who do not conform to traditional gender stereotypes.²

It is the policy of the Windham Southeast School District to provide a safe, orderly, civil and positive learning environment for all students, regardless of perceived or actual sex, sexual orientation, gender identity, or gender expression.

Definitions³

- “Cisgender” means a person whose gender identity corresponds to their assigned sex at birth.
- “Gender identity” means a person’s actual or perceived gender identity, or gender-related characteristics that are intrinsically related to a person’s gender or gender-identity, regardless of the person’s assigned sex at birth.
- “Gender expression” means the way a person externally communicates gender to other people such as through behaviors, clothing, hairstyles, voice, mannerisms, activities, or body characteristics.
- “Gender creative” refers to a person whose gender-related identity and/or gender expression does not conform to the social expectations or norms for a person of that sex assigned at birth. Other terms that have the same or similar meaning include gender non-conforming, gender variant, gender expansive, gender fluid, or gender atypical.
- “Transgender” is a term which describes an individual whose gender identity or gender expression is different from the individual’s assigned sex at birth.
- “Sexual Orientation” is a person’s emotional and sexual attraction to other people based on the gender of the other person. Sexual orientation is not the same as gender identity. Not all transgender students identify as gay, lesbian or bisexual, and not all gay, lesbian and bisexual students display gender creative characteristics.

Privacy

All students have the right to privacy. Consistent with those rights provided under the Family Educational Rights and Privacy Act of 1974 (FERPA), a transgender or gender creative student will be able to discuss and express their gender identity and gender expression openly and to decide when, with whom, and how much of their private information to share with others.

¹Vermont’s Public Accommodations Act prohibits the discrimination on the basis of “race, creed, color, national origin, marital status, sex, sexual orientation, or gender identity of any person” 9 V.S.A. § 4502.

²The recommendation for districts to adopt a Transgender and Gender Creative Students policy was made in response to federal guidance issued May 2016 (US Department of Education Office of Civil Rights and US Department of Justice Civil Rights Division - Dear Colleague Letter on Transgender Students, May 13, 2016).

³Definitions are adapted from the Vermont Agency of Education guidance document, “Best Practices for Schools Regarding Transgender and Gender Nonconforming Students.”

In addition, school staff will respect any requests to use a name and pronoun that corresponds to the student's gender identity that the student asserts or wishes to assert at school. Students will not be required to obtain a court ordered name and/or gender change or to change their pupil personnel records as a prerequisite to being addressed by the name and pronoun that corresponds to their gender identity.⁴

There may be times when disclosure to school staff or employees of a student's transgender status is necessary in order to fulfill a school's obligations to the transgender student with respect to safety and health, education and anti-discrimination efforts. In all cases, the school will work closely with students and families in devising an appropriate plan regarding the confidentiality of a student's transgender status that works for both the student and the student's family while meeting competing legal requirements. To the extent possible and consistent with all competing legal requirements, school personnel will endeavor throughout to maintain the confidentiality of the student's transgender status.⁵

Student Records

The superintendent will adopt procedures that ensure that all students' personally identifiable information is maintained in compliance with FERPA⁶ and state and federally mandated reporting requirements.

To the extent that the school is not legally required to use a student's legal name or gender on school records and other documents, the school will use the name and gender preferred by the student.⁷

Where a student's record(s) may not be changed absent court order due to state and federal law, efforts will be taken to maintain those records in strictest confidentiality in order to preserve the student's transgender status and, where appropriate, for an amended version to be maintained

⁴Under Title IX, a school must treat students consistent with their gender identity even if their education records or identification documents indicate a different sex. The Department of Education and Justice have resolved Title IX investigations with agreements committing that school staff and contractors will use pronouns and names consistent with a transgender student's gender identity. (From Dear Colleague letter of May 13, 2016).

⁵Even when a student has disclosed the student's transgender status to some members of the school community, schools may not rely on this FERPA exception to disclose PII from education records to other school personnel who do not have a legitimate educational interest in the information. Inappropriately disclosing (or requiring students or their parents to disclose) personally identifiable information from education records to the school community may violate FERPA and interfere with transgender students' right under Title IX to be treated consistent with their gender identity. (From Dear Colleague letter of May 13, 2016).

⁶Family and Educational Rights and Privacy Act, 35 CFR Part 99.

⁷There is no medical diagnosis or treatment requirement that students must meet as a prerequisite to being treated consistent with their gender identity. Because transgender students often are unable to obtain identification documents that reflect their gender identity (e.g., due to restrictions imposed by state or local law in their place of birth or residence) requiring students to produce such identification documents in order to treat them consistent with their gender identity may violate Title IX when doing so has the practical effect of limiting or denying students equal access to an educational program or activity. (From Dear Colleague letter of May 13, 2016).

which preserves the confidentiality of that transgender status where a review of the record is required for educational purposes by either school personnel, the student, or personnel who will be evaluating the student (for eligibility purposes, for example). A student (or parent in the case of minor student) who is currently enrolled may request retroactive changes to that student's record including name and gender. Such requests will be handled on a case-by-case basis with consideration of the need to maintain legally accurate records consistent with state and federal mandated reporting requirements with the school's ongoing efforts to maintain internal student confidentiality regarding a student's transgender status.

Former student permanent pupil records will be changed by request of a parent of a minor student, or former students who have reached the age of majority, upon receipt of documentation⁸ that such legal name and/or gender have been changed pursuant to applicable state law.⁹

Use of Gender Segregated Facilities

A transgender student will not be required to use a locker room or restroom that conflicts with the student's gender identity.¹⁰

Any student who expresses a need or desire for increased privacy will be provided with reasonable alternative arrangements. Reasonable alternative arrangements may include the use of a private area, or a separate changing schedule, or use of a single stall restroom. Any alternative arrangement will be provided in a way that protects a student's ability to keep their transgender status confidential.

In all cases the use of restrooms and locker rooms by transgender students requires schools to consider numerous factors, including, but not limited to: the transgender student's preference; protecting student privacy; maximizing social integration of the transgender student; minimizing stigmatization of the student; ensuring equal opportunity to participate; the student's age; and protecting the safety of the students involved.

School Activities

As a general rule, in any circumstances where students are separated by gender in school activities (i.e., overnight field trips), students will be permitted to participate in accordance with their gender identity consistently asserted at school. Activities that may involve the need for accommodations to address student privacy concerns will be addressed on a case-by-case basis considering the factors listed above.

⁸See, 18 V.S.A. § 5112 for Vermont law governing the process for obtaining a new birth certificate following a sexual reassignment.

⁹Under Title IX, a school must respond to a request to amend information related to a student's transgender status consistent with its general practices for amending other students' records. (From Dear Colleague letter of May 13, 2016).

¹⁰G.G. v. Gloucester County. Sch. Bd., 4th Cir. Apr. 19, 2016).

Date Warned: July 22, 2019

Date Adopted: August 7, 2019

Cross Reference:

Legal References:

PREVENTION OF SEXUAL HARASSMENT AS PROHIBITED BY TITLE IX Policy F38

I. Statement of Policy.

- A. **Prohibiting Title IX Sexual Harassment.** Per Title IX of the Education Amendments Act of 1972 (“Title IX”) the Supervisory Union does not discriminate on the basis of sex in its educational programs and activities, including employment and admissions. All forms of sex-based discrimination, including sexual harassment, are prohibited in the Supervisory Union. A Supervisory Union with actual knowledge of sexual harassment in an educational program or activity of the Supervisory Union against a person in the United States must respond promptly in a manner that is not deliberately indifferent. A Supervisory Union is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances. A Supervisory Union may be deemed to have been deliberately indifferent based on its restriction of rights protected under the U.S. Constitution, including the First, Fifth and Fourteenth Amendments.
- B. **Retaliation.** Retaliation as defined by this Policy is expressly prohibited. Complaints alleging retaliation may be filed according to the Title IX Grievance Procedures set forth in Section IV.
- C. **Concurrent Statutory Obligations.** While all forms of sex-based discrimination are prohibited in the Supervisory Union, the purpose of this policy is to address, and only address, *sexual harassment as defined in Title IX and Section II.M. below*. For conduct which satisfies that definition, a school’s response is governed by this policy, and in those cases for which they have received a filing of a formal complaint of same, as set forth under the Title IX Grievance Process set forth in Section IV below. For other forms of inappropriate conduct, or conduct which may satisfy the definition of harassment on the basis of sex under Vermont law, including student misconduct and employment-based statutes prohibiting unlawful harassment and other forms of misconduct, the Supervisory Union may have the separate obligation to address those behaviors as required by other school policies and applicable laws.
- D. **Covered Parties.** This Policy shall apply to all students, employees and any third party who contracts with the Supervisory Union to provide services to Supervisory Union students or employees, upon Supervisory Union property or during any school program or activity. A third party under supervision and control of the school system will be subject to termination of contracts/agreements, restricted from access to school property, and/or subject to other consequences, as appropriate.

II. Definitions

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

- A. **“Actual Knowledge”** means “notice” of “sexual harassment” or allegations of “sexual harassment” to either (a) a recipient’s Title IX Coordinator; or (b) any official of the recipient who has the authority to institute corrective measures on behalf of the recipient; or (c) to any employee of an elementary and secondary school.
- a. For purposes of this paragraph “sexual harassment” refers to the definition as contained *within this policy*. For other forms of inappropriate conduct, or conduct which may satisfy the definition of harassment on the basis of sex as recognized under Vermont law, schools retain the option and in some cases the obligation, to address those behaviors as required by policy and law.
 - b. Actual knowledge shall not be deemed to exist when the only official of the recipient with actual knowledge is the respondent.
 - c. “Notice” as used in this paragraph includes, but is not limited to, a Report of Sexual Harassment to the Title IX Coordinator as described Section IV.B.

- d. Notice sufficient to trigger an obligation under this policy only shall exist where any employee has sufficient personal knowledge of alleged facts to be aware that if such facts were found to be true it would constitute a violation of this policy.
 - e. Imputation of knowledge based solely on vicarious liability OR constructive notice shall be insufficient to establish or constitute actual knowledge.
- B. **“Complainant”** is an individual who is alleged to be the victim of conduct that could constitute “sexual harassment” under this Policy. In order for an individual to be considered to be a Complainant they need not file Report of Sexual Harassment, nor a Formal Complaint of Sexual Harassment. Where the Title IX Coordinator signs a Formal Complaint of Sexual Harassment, the Title IX Coordinator is not considered a “Complainant.”
- C. **“Days”** shall mean calendar days, but shall exclude non-weekend days on which the Supervisory Union office is closed (e.g., holidays, office-wide vacations), or any weekday during the school year on which school is closed (e.g., snow days).
- D. **“Decision-Maker”** means persons tasked with either the responsibility of making determinations of responsibility (referred to as “Initial Decision-Maker”); or the responsibility to decide any appeal (referred to as “Appellate Decision-Maker”) with respect to Formal Complaints of Sexual Harassment in accordance with the Title IX Grievance Process.
- E. **“Determination of Responsibility”** is the formal finding by the decision-maker on each allegation of Sexual Harassment contained in a formal complaint that the Respondent did or did not engage in conduct constituting Sexual Harassment under Title IX.
- F. **“Disciplinary sanctions”** are consequences imposed on a Respondent when they are determined responsible for sexual harassment prohibited under this Policy.
- G. **“Emergency Removal”** for purposes of this Policy shall mean removing a respondent from the Supervisory Union’s education program or activity on an emergency basis, provided that the Supervisory Union undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. Emergency Removals as permitted by this Policy shall not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.
- H. **“Formal Complaint of Sexual Harassment”** means a document filed by either (a) a complainant (or complainant’s parent/guardian); or (b) the Title IX Coordinator, alleging sexual harassment against a respondent AND requesting that the Supervisory Union investigate the allegation of sexual harassment. The issuance or receipt of a Formal Complaint of Sexual Harassment formally triggers the Title IX Grievance Process set forth in Section IV of this Policy.
- I. **“Investigation of Title IX Sexual Harassment”** Before the Supervisory Union can conduct an Investigation of Sexual Harassment under this Policy, against a Respondent, a Formal Complaint of Sexual Harassment that contains an allegation of sexual harassment and a request that the Supervisory Union investigate the allegations is required. Such investigation is a part of the Title IX Grievance Process, as set forth in Section IV.E.

- J. **“Remedial actions”** are actions intended to restore or preserve a complainant’s equal access to the educational programs and activities of the Supervisory Union.
- K. **“Report of Sexual Harassment”** is any report which provides the Supervisory Union with actual knowledge of sexual harassment or allegations of sexual harassment. Such a report may or may not be accompanied by a Formal Complaint of Sexual Harassment. Without such a Complaint, the Title IX Grievance Process is not triggered. See Section IV.A and IV.B. regarding the process for initiating that process.
- L. **“Respondent”** means an individual who has been reported to be the individual accused (i.e., perpetrator) of conduct that could constitute sexual harassment as defined under this policy.
- M. **“Retaliation”** means intimidation, threats, coercion, or discrimination by either the Supervisory Union or any other person, against any individual for the purpose of interfering with any right or privilege secured by Title IX and/or this Policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing in connection with this Policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sexual discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this policy, constitutes retaliation.

Limitation in Scope.

- i. Material False Statements. Actions taken in response to **materially** false statements made in bad faith, or to submitting **materially** false information in bad faith, as part of a report or during the Title IX Grievance Process do not constitute retaliation. A determination of responsibility alone is insufficient to conclude that a person made a materially false statement in bad faith.
 - ii. 1st Amendment Protections. The exercise of rights protected under the First Amendment does not constitute retaliation prohibited by this Policy.
- N. **“Sexual harassment”** prohibited under Title IX and by this Policy is conduct on the basis of sex, occurring in an education program or activity of the Supervisory Union, against a person in the United States, that satisfies one or more of the following:
1. A supervisory union employee conditioning the provision of an aid, benefit, or service of the Supervisory Union on an individual's participation in unwelcome sexual conduct; **OR**
 2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, **AND** objectively offensive that it effectively denies a person equal access to the Supervisory Union’s education program or activity; **OR**
 3. Or any conduct which satisfies one or more of the following definitions:
 - a. Sexual assault: Any sexual act(s) directed at another person without consent of the victim, including instances where the victim is unable to lawfully give consent because of age or cognitive ability. Consent to a sexual act exists where words, actions or other non-verbal conduct objectively communicates a desire to participate in the sexual act(s). Consent to some sexual act(s) does not indicate consent to all sexual acts. Consent may be withdrawn at any time by objectively communicating through words, actions or other non-verbal conduct. **AND/OR**
 - b. Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or an intimate nature with the victim. The existence of the relationship shall be

- considered with reference to the length of the relationship, the type of relationship and the frequency of the interactions between the persons involved in the relationship. **AND/OR**
- c. Domestic violence: Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner or any other persons protected under 15 V.S.A. section 1101 from domestic abuse. **AND/OR**
 - d. Stalking: A course of conduct by a person directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.

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

- O. **“Supportive Measures”** are non-disciplinary, non-punitive, individualized services, offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the Supervisory Union’s education program or activity without unreasonably burdening the other party including measures designed to protect the safety of all parties or the Supervisory Union’s educational environment, or deter sexual harassment. These measures may include, but are not limited to, the following:
 - 1.counseling;
 - 2.extensions of deadlines or other course-related adjustments;
 - 3.modifications of work or class schedules;
 - 4.campus escort services;
 - 5.mutual restrictions on contact between the parties;
 - 6.changes in work or housing locations;
 - 7.leaves of absence;
 - 8.increased security and monitoring of certain areas of the Supervisory Union campus;
 - 9.and other similar measures.

III. **Duties**

A. **Reports of Sexual Harassment**

- 1. Any Person May Make a ‘Report of Sexual Harassment’. Any person may report sexual harassment whether relating to themselves or another person. A Report of Sexual Harassment may be made at any time, in person, by mail, by telephone, electronic mail, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report.
 - a. Any Staff Member May Receive Reports. Additionally, while the Supervisory Union strongly encourages Reports of Sexual Harassment to be made directly to the Title IX Coordinator, the report may be made to **any** Supervisory Union staff member, including, for instance, a counselor, teacher or principal.
 - b. In Cases where Title IX Coordinator is Alleged Respondent. If the Title IX Coordinator is the alleged respondent, in such cases either the Report of Sexual Harassment or Formal Complaint of Sexual Harassment may be made directly to the Superintendent, who shall thereafter fulfill the functions

of the Title IX Coordinator regarding that Report/Complaint, or delegate the function to another person.

B. Supervisory Union Response to Report of Sexual Harassment.

1. Duty to respond. The Supervisory Union will promptly respond when there is Actual Knowledge of sexual harassment, even if a Formal Complaint of Sexual Harassment has not been filed.
 - a. Supervisory Union Response Must Be Equitable. In its response the Supervisory Union shall treat Complainants and Respondents equitably by providing supportive measures to the Complainant and by following the Title IX Grievance Process prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a Respondent.
 - b. Reports of Harassment Received by Supervisory Union Employees Shall Be Referred to Title IX Coordinator. Where any Supervisory Union employee – other than the employee harasser, or the Title IX Coordinator – receives information of conduct which may constitute sexual harassment under this Policy, they shall, without delay, inform the Title IX Coordinator of the alleged sexual harassment. Failure to report will subject the employee to discipline up to and including dismissal.
 - c. Complainant Contact. As soon as reasonably possible after receiving a Report of Sexual Harassment from another Supervisory Union employee or after receiving a report directly through any means, the Title IX Coordinator shall contact the Complainant [and parent/guardian in cases where the complainant is a student under the age of 18] to:
 - i. discuss the availability of and offer supportive measures;
 - ii. consider the complainant’s wishes with respect to supportive measures;
 - iii. inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and
 - iv. explain to the complainant the process for filing a Formal Complaint of Sexual Harassment.
2. Formal Investigation of Sexual Harassment. Before the Supervisory Union may conduct a formal investigation of sexual harassment or take any action (other than supportive measures) against a Respondent, a Formal Complaint that contains an allegation of sexual harassment and a request that the Supervisory Union investigate the allegations is required and must be filed by either the Complainant, the Complainant’s Parent/Guardian, or the Title IX Coordinator, as set forth under Section IV.B. below.
3. Initiating the Title IX Grievance Process. A Report of Sexual Harassment alone does **not** initiate a Title IX Grievance Process. Before the Supervisory Union may initiate that process, a Formal Complaint of Sexual Harassment must be filed under the procedures set out in IV.A. (“Title IX Grievance Process”).

C. Formal Complaints of Sexual Harassment.

1. Process for Filing a Formal Complaint of Sexual Harassment. The process for filing a Formal Complaint of Sexual Harassment is set forth in Section IV.A. (“Title IX Grievance Process”).
2. Supervisory Union Response to Receipt of Formal Complaint.
 - a. Investigation of Sexual Harassment. The Supervisory Union must investigate the allegations of a Formal Complaint unless both parties voluntarily consent to engage in Informal Resolution, or Dismissal otherwise occurs under Section IV. G. below.
3. Supervisory Union Written Notification to Parties in Response to Receipt of Formal Complaint. Upon receipt of a Formal Complaint, the Supervisory Union must provide written notice as set forth in Section IV.C. below of the Title IX Grievance Process. In response to a Formal Complaint of Sexual Harassment, the Supervisory Union must follow the Title IX Grievance Process set forth in Section IV.

- D. **Supervisory Union Duty to Respond When Determination of Responsibility For Sexual Harassment Has Been Made Against a Respondent.** The Supervisory Union must provide remedies to a Complainant where a determination of responsibility for sexual harassment has been made against a Respondent designed to restore or preserve equal access to the Supervisory Union’s education program or activity. Such remedies may include “supportive measures” but also need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent.
- E. **Reporting to Other Agencies.**
1. **Reports to Department of Children and Families.** When a report made pursuant to this policy includes allegations of child abuse, any person responsible for reporting suspected child abuse under 33 V.S.A. § 4491, *et seq.* must report the allegation to the Commission or DCF. If the victim is over the age of 18 and a report of abuse is warranted, the report shall be made to Adult Protective Services in accordance with 33 V.S.A. § 6901 *et seq.*
 2. **Reports to Vermont Agency of Education.** If a report of sexual harassment is made to the Supervisory Union about conduct by a licensed educator that might be grounds under Vermont law for licensing action, the principal shall report the alleged conduct to the Superintendent and the Superintendent shall report the alleged conduct to the Secretary. [If a report of sexual harassment is made in an independent school about conduct by a licensed educator that might be grounds under Vermont law for licensing action, the head of school is encouraged to report the alleged conduct to the Secretary of Education.]
 3. **Reporting Incidents to Police.**
 - a. **FERPA Rights.** Information obtained and documented by school administration regarding the school’s response to notice of student conduct that may constitute sexual harassment may constitute an “educational record” regarding the student or student(s) involved as defined by the Family Education Rights and Privacy Act. Accordingly, such information may not be disclosed without prior parent approval to local law enforcement except in response to a lawfully issued subpoena, or in connection with an emergency if disclosure is necessary to protect the health or safety of the student or other individuals.
 - b. **First Hand Reports.** Nothing in this policy shall preclude persons from reporting incidents and/or conduct witnessed first-hand that may be considered to be a criminal act to law enforcement officials.
 4. **Continuing Obligation to Investigate.** Reports made to DCF, AOE or law enforcement shall not be considered to absolve the school administrators of their obligations under this policy, or other school policies where appropriate, to respond, and when appropriate to investigate and follow the Title IX Grievance Process.
- F. **Disseminating Information and Notice.**
1. **Notice of Title IX Policy.** The Supervisory Union will make this Policy publicly available on the Supervisory Union’s website (OR if the Supervisory Union does not maintain a website, available upon request for inspection by members of the public).
 2. **Notice of Title IX Obligations and Coordinator Information.** The Supervisory Union shall include in all student and employee handbooks, and shall make publicly available on the Supervisory Union’s website (OR if the Supervisory Union does not maintain a website, available for inspection to members of the public upon request) the following information:
 - a. The Supervisory Union’s policy of non-discrimination on the basis of sex, that it is required by Title IX not to discriminate in such a manner, and that such requirement not to discriminate in the education program or activity of the Supervisory Union extends to admission and employment (all to be prominently displayed on both the website and in publications):

- b. The title, name, office address, email address, and telephone number of the Supervisory Union’s Title IX Coordinator (all to be prominently displayed on both the website and in publications);
 - c. A statement that Title IX inquiries may be referred to either the Supervisory Union’s Title IX Coordinator or to the Assistant Secretary for Civil Rights.
The same information shall be otherwise provided to students, employees, unions or professional organizations holding collective bargaining or professional agreements with the Supervisory Union, and all persons seeking employment with the Supervisory Union, or seeking to enroll or participate in the Supervisory Union’s educational programs or activities. Those persons shall also be informed of the grievance procedures and process provided for under Section IV. of this Policy, including how to file either a Report of Sexual Harassment or Formal Complaint of Harassment, and the response the Supervisory Union will take in response to such filings.
3. Training Materials. Additionally, the Supervisory Union will make any materials used to train personnel as required under Sec. V.F. publicly available on the Supervisory Union’s website (OR if the Supervisory Union does not maintain a website, available upon request for inspection by members of the public).

G. Record Keeping

The Supervisory Union shall maintain for a period of seven years records of

- 1. **Sexual Harassment Investigations**. The Supervisory Union shall maintain records of any:
 - a) determination regarding responsibility;
 - b) any disciplinary sanctions imposed on the respondent;
 - c) any remedies provided to the complainant designed to restore or preserve equal access to the recipient’s education program or activity; and
 - d) any appeal and result therefrom.
- 2. **Any informal resolution and the result therefrom**.
- 3. **All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process**.
- 4. **For each response required of the Supervisory Union by this Policy to Actual Knowledge of Sexual Harassment, the Supervisory Union must create and maintain for a period of seven years the following:**
 - A) Records of any actions, including any supportive measures, taken in response to a Report of Sexual Harassment or Formal Complaint of Harassment. In each instance the Supervisory Union must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the Supervisory Union’s educational program or activity. Where a Supervisory Union does not provide a Complainant with supportive measures, then the Supervisory Union must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the Supervisory Union in the future from providing additional explanations or detailing additional measures taken.

H. Confidentiality

- 1. **Duty to Maintain Confidentiality**.
The Supervisory Union must keep confidential the identity of any individual who has made a Report of Sexual Harassment or Formal Complaint of Sexual Harassment under this Policy, any Complainant, Respondent, and any witness, except either:
 - a) As may be permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 C.F.R. part 99;
 - b) or as required by law, such as reports to DCF, law enforcement or the Agency of Education as set forth in Section III.E above;

- c) or to carry out the purposes of 34 C.F.R. part 106, including the conduct of any investigation, hearing or judicial proceeding arising thereunder, as set forth in this policy (Section IV.C.2, IV.E.7,8, and 10, IV.F.5., IV.G.3., and IV.H.7.);
- d) where maintaining confidentiality with respect to supportive measures offered to the Complainant or Respondent would impair the ability of the supervisory union to provide the supportive measures;

IV. TITLE IX GRIEVANCE PROCESS.

A. General Provisions.

1. **Triggers for Implementation.** The Title IX Grievance Process is used only upon the filing of a **Formal Complaint** of sexual harassment as described below. This process must be followed before any discipline of a Respondent to allegations of Sexual Harassment may be imposed by the Supervisory Union.
2. **Protections for Equitable Treatment in the Handling of Formal Complaints by Supervisory Union.** The Supervisory Union response to a Formal Complaint of Sexual Harassment shall treat Complainant and Respondents equitably. In particular, this Title IX Grievance Process shall require:
 - a) **“Presumption of Non Responsibility”** presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the Title IX Grievance Process;
 - b) **“Objectivity”** an objective evaluation of all relevant evidence - including both inculpatory and exculpatory evidence - and provide that credibility determinations may not be based on a person’s status as a Complainant, Respondent, or Witness;
 - c) **“Conflict and Bias Free Personnel”** that individuals designated by the Supervisory Union to act as Title IX Coordinator, investigator, decision-makers, or to facilitate an informal resolution process, shall have no conflict of interest nor bias for or against a Complainant or Respondent individually, or complainants or respondents generally;
 - d) **“No Interference with Legal Privileges”** such that at no point in the grievance process will the Title IX Coordinator, the investigator, any decision maker, or any other person participating on behalf of the Supervisory Union, require, allow, rely upon, or otherwise use questions or evidence that constitutes, or seeks disclosure of, information protected under a legally recognized privilege (e.g., doctor/patient, attorney/client, clergy, etc.), unless the person holding such privilege (parent/guardian for minor student) has waived the privilege in writing to use the information with respect to the Title IX Grievance Process;
 - e) **“Proof of Responsibility for Sexual Harassment by a Preponderance of the Evidence,”** which is only met when the party with the burden convinces the fact finder (the Initial Decision- Maker) that there is a greater than 50% chance that the claim is true (i.e., more likely than not). This standard shall be applied to all Formal Complaints of Sexual Harassment, whether they involve students or faculty; and
 - f) **“Reasonably Prompt Time Frames for Conclusion of the Title IX Grievance Process.”** The Supervisory Union shall make a good faith effort to conduct a fair, impartial grievance process in a reasonably prompt manner designed to provide all parties with a prompt and equitable resolution. It is expected that in most cases, the grievance process will be concluded - through at least the determination of responsibility decision - within 80 days after filing the Formal Complaint of Sexual Harassment. However, more complex cases or other case specific circumstances, may require additional time beyond that timeframe. In such cases, good cause must be shown and written notice provided.
 1. **Grievance Process Timeline.**
 - a. Investigation 20 +/- days (as the complexity of the case demands);
 - b. 10 days for reviewing information prior to conclusion of investigation;

- c.10 days after receiving investigative report -by either- party to respond;
 - d.10 days for decision maker to allow initial questions;
 - e.10 days for responses to questions;
 - f.10 days for questions and responses to follow-up questions;
 - f.10 days for determination of responsibility decision;
 - g.10 days for appeal (6 additional days for administrative steps);
 - h.10 days for argument/statement challenging or supporting determination;
 - i.10 days for decision on appeal.
2. Delays and Extensions of Time. At any stage of the grievance process, the Supervisory Union (through the Superintendent, or if the Superintendent is the respondent, the Title IX Coordinator or designee) may for good cause allow for temporary delays or extensions of time upon request of either party, or on their own initiative. Examples of good cause may include such things as availability of parties, party advisors, witnesses, school or school administrative office holidays or vacations, referral back to an earlier stage of the grievance process, concurrent law enforcement or other agency activity, or need to obtain language interpreters or accommodation of disabilities. For any such delay or extension of time, the Superintendent or the Title IX Coordinator will provide simultaneous written notice to the parties of the delay/extension and the reason(s).
 3. Delivery of Copies and Notices. Except as specifically stated elsewhere in this Policy, for any document, information or material required to be delivered to a party or to a person assigned with responsibility under the Title IX Grievance Process, the manner of transmittal may be by electronic mail, regular mail or such other manner reasonably calculated to assure prompt delivery with evidence thereof (such as a commercial carrier or other receipted delivery). Hand delivery will only be permitted if made to the Supervisory Union official charged with the specific function under this Policy (e.g., Title IX Coordinator, Superintendent, investigator, decision maker(s), etc.). Any document required to be delivered to a minor or other non-eligible student, must also be delivered to the minor's parent/guardian. Copies should also be sent to a party's advisor if the information for the advisor has been previously communicated to the sending party. Under federal regulations, copies of the investigative evidence, as well as the investigative report, must be forwarded to a party's advisor.
 4. Notice of Range of Disciplinary Sanctions and Remedial Actions Upon Final Determination of Responsibility.
 - a. Employee Respondents. "Disciplinary sanctions" against an employee respondent may include any available sanction available for the discipline of employees, up to and including dismissal or non-renewal for any other violation of Board policy, applicable individual or collective bargaining contract, or state or federal laws or regulations.
 - b. Student Respondents. "Disciplinary sanctions" against a student may include any available discipline or sanction, up to and including expulsion, permitted by Supervisory Union policies, and any other Supervisory Union rules and procedures or student code of conduct.
 - c. Remedial Actions. Remedial actions as to a Respondent after a Title IX Sexual Harassment Final Decision, whether employee or student, may include the imposition upon a responsible respondent of any additional non-disciplinary measures appropriate to effecting a remedy for sexual harassment, and may include such measures as no-contact requirements, scheduling adjustments, removal or exclusion from extracurricular activities, class reassignments, limits on future class registrations, restrictions on access to various spaces in the school buildings, reassignment of attendance, and similar measures fine-tuned to respond appropriately to the circumstances surrounding a successful complainant's right to access the Supervisory

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

5. Emergency Removal. Nothing in this Policy, or Title IX Grievance Process, precludes a Supervisory Union from removing a Respondent from the Supervisory Union's education program or activity on an emergency basis, provided that the Supervisory Union undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act. Such removal shall not be disciplinary.
6. Administrative Leave. Nothing in this Policy precludes a recipient from placing a non-student employee respondent on administrative leave during the pendency of the Title IX Grievance Process. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

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

1. Complainant Options. In cases of Actual Knowledge (and/OR) Reports of Sexual Harassment, the Complainant retains the option to either file a Complaint of Sexual Harassment or choose not to and instead simply receive the supportive measures, except as set forth below.
 - a. Filings by Title IX Coordinator. In cases where the Complainant does not file a Formal Complaint of Sexual Harassment, the Title IX Coordinator may nevertheless choose to sign and thus initiate a Formal Complaint of Harassment, but only if:
 - i. initiating the grievance process against the respondent is not clearly unreasonable in light of the known circumstances;
 - ii. in other cases where, in the exercise of good judgment and in consultation with the Supervisory Union's attorney as appropriate, the Title IX Coordinator determines that a grievance process is necessary to comply with the obligation not to be deliberately indifferent to Actual Knowledge of sexual harassment.
 - iii. If the Complaint is filed by the Title IX Coordinator, they are not a party to the action, and the Supervisory Union must comply with all of the provisions of the Title IX Grievance Process relative to respondents and complainants.
 - b. Supportive Measures. The Title IX Coordinator will contact the Complainant to discuss and offer supportive measures.
2. Respondent Rights. In cases where no Formal Complaint of Sexual Harassment is either filed by the Complainant or the Title IX Coordinator **no disciplinary action may be taken** against the Respondent based upon conduct that would constitute sexual harassment under this policy. Nevertheless, the Title IX Coordinator may contact the respondent to discuss, and or impose, non-disciplinary supportive measures.
3. Timeliness of Formal Complaints of Sexual Harassment. Although the Supervisory Union will initiate the Title IX Grievance Process regardless of when the Formal Complaint of Sexual Harassment is submitted,

delays in reporting may significantly impair the ability of school officials to investigate and respond to the allegations.

4. **Jurisdiction Over Parties.** Although there is no time limit per se to filing a Formal Complaint of Sexual Harassment, Complaints may be dismissed if either the Complainant or Respondent is no longer enrolled or employed by the Supervisory Union.
 5. **Manner of Filing and Content of Formal Complaints of Sexual Harassment.** Formal Complaints of Sexual Harassment may be filed with the Title IX coordinator in person, by mail, or by email and must be in writing. While forms may be obtained from the Title IX Coordinator or on the Supervisory Union or school website, at a minimum, a Formal Complaint of Sexual Harassment must:
 - a. contain the name and address of the Complainant and the student's parent or guardian if the complainant is a minor student;
 - b. describe the alleged sexual harassment;
 - c. request an investigation of the matter;
 - d. when filed by the Complainant be signed by the Complainant or otherwise indicate that the complainant is the person filing the complaint, or if not filed by the Complainant be signed by the Title IX Coordinator.
 6. **Consolidation of Complaints.** The Supervisory Union may consolidate formal complaints of allegations of sexual harassment where the allegations of sexual harassment arise out of the same facts or circumstances and the formal complaints are against more than one respondent; or by more than one complainant against one or more respondents; or by one party against the other party. When the Supervisory Union has consolidated formal complaints so that the grievance process involves more than one complainant or more than one respondent, references to the singular "party", "complainant", or "respondent" include the plural, as applicable.
- C. **Notification of Formal Complaint to Parties ("Notification").** Upon receipt of a Formal Complaint of Sexual Harassment, the Supervisory Union must provide the following written notice to the parties who are known:
1. Notice of the Supervisory Union's Title IX Grievance Process (Section IV), including any informal resolution process.
 2. Notice of the allegations potentially constituting sexual harassment as defined by Section II.M., including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment as defined by Section II.M., and the date and location of the alleged conduct, if known.
 - a. **Supplemental Notice Required Upon Change in Investigative Scope.** If, in the course of an investigation the Supervisory Union decides to investigate allegations about the Complainant or Respondent that are not included in the original Notification, the Supervisory Union must provide simultaneous notice of the additional allegations to the parties whose identities are known.
 3. The written notice must include a statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the Title IX Grievance Process set forth in Section IV. of the Policy.
 4. The written notice must inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney (who may be present during any Grievance proceeding, including any related meeting or proceeding). The Supervisory Union may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
 5. The written notice must inform the parties of any provision in the Supervisory Union's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

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

E. **Sexual Harassment Investigation.**

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

1. Include objective evaluation of all relevant evidence, including inculpatory and exculpatory evidence. (Evidence about the complainant's sexual predisposition or prior sexual behavior are **not** relevant, unless such evidence about the complainant's prior sexual behavior is offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the evidence concerns specific incidents of the complainant's prior sexual behavior with respect to the respondent and is offered to prove consent.)
2. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the Supervisory Union and not on either of the parties;
3. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
5. Provide the parties with the same opportunities to have others present during any interview or other part of the investigation, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The Supervisory Union may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
6. Provide, to a party (e.g., Respondent or Complainant – and parent/guardian as appropriate) whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
7. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the recipient does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation;

8. PRIOR to completion of the Sexual Harassment Investigative Report, the Supervisory Union, through the Title IX Coordinator, must send to each party and party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report;
9. Prepare a written Sexual Harassment Investigative Report that fairly summarizes relevant evidence, including, without limitation, witness credibility, discrepancies, inculpatory and exculpatory information, and relevant Supervisory Union policies, rules and regulations, and the manner in which the same were made known to the pertinent school populations or specific parties. The investigative report shall include a description of the procedural steps taken, starting with the receipt of the formal complaint, and continuing through the preparation of the investigative report, including any notifications to the parties, interview with parties and witnesses, site visit, and methods used to gather evidence.
10. The investigator shall provide the Investigative Report in hard copy or electronic format to the Title IX Coordinator, to each party and each party's advisor, if any. Each party will have 10 days from receipt to provide the Title IX Coordinator a written response to the Investigative Report.

F. Initial Determination of Responsibility. The initial determination of responsibility of the respondent shall be made by the Initial Decision-Maker.

1. Initial Decision-Maker. The Initial Decision-Maker cannot be the same person(s) as the IX Coordinator or the Investigator(s).
2. Opportunity for Relevant Party Questions. After the Investigator Report has been sent to the parties pursuant to Section IV. E.10 (above), and PRIOR to making a determination of responsibility, the Initial Decision-Maker will afford each party 10 days to submit written, relevant questions to the Initial Decision-Maker that the party wants asked of any party or witness. Only relevant questions may be posed. The Initial Decision-Maker shall explain to the party proposing the questions any decision to exclude a question as deemed "not relevant."
 - a. Irrelevant Questions and Evidence. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are **not** relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the Complainant, or if the question and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.
 - b. Written Responses to Questions. The Initial Decision-Maker will provide the questions to the party/witness, with copies to each party, and provide no less than 10 days for written responses, likewise to be provided to each party.
 - c. Opportunity for Limited Supplemental Questions. The Initial Decision-Maker will provide 5 days each for supplementary, limited follow-up questions and 5 days for answers, and may provide for additional rounds of follow-up questions, as long as the provision is extended to both parties equally.
3. Prohibition on Negative Inferences. The Initial Decision-Maker may not make any credibility determinations based on the person's status as a complainant, respondent or witness.
4. Presumption of Non-Responsibility. The Respondent must be deemed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the Title IX Grievance Process.
5. Written Initial Determination Regarding Responsibility. Within 10 days following the close of the period set for responses to the last round of follow-up questions, the Initial

Decision-Maker must issue a Written Initial Determination to the Title IX Coordinator, the Superintendent and the parties simultaneously, which, while applying the preponderance of the evidence standard, must include:

- a. Identification of the allegations potentially constituting Sexual Harassment as defined in this Policy, section II.M.;
 - b. A description of the procedural steps taken from the receipt of the formal complaint through the Initial Determination Regarding Responsibility, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
 - c. Findings of fact supporting the Written Initial Determination Regarding Responsibility;
 - d. Conclusions regarding the application of the Supervisory Union's applicable codes of conduct, policies, administrative regulations or rules to the facts;
 - e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility (i.e., whether or not the respondent is responsible for sexual harassment), any disciplinary sanctions the Supervisory Union imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the Supervisory Union's education program or activity will be provided by the Supervisory Union to the Complainant; and
 - f. The Supervisory Union's procedures and permissible bases for the Complainant and Respondent to appeal (as set forth in Section IV.H, below).
6. Finality of Decision. The Initial Determination Regarding Responsibility becomes final, and identified as the **Title IX Sexual Harassment Final Decision** either:
- a. On the date that Supervisory Union provides the parties with Written Determination of the Appeal, if an appeal is taken as set forth in Section IV.H. (below); OR
 - b. Where no appeal is taken, the date on which an appeal would no longer be considered timely.
7. Duty to Effectuate Title IX Sexual Harassment Final Decision.
- a. Supervisory Union Response to Sexual Harassment. Once a **Title IX Sexual Harassment Final Decision** is issued, the Supervisory Union may implement remedies as set forth in Section III.D. above, and action as necessary to respond in a manner not deliberately indifferent in light of the known circumstances in cases of a Determination of Title IX Sexual Harassment Final Decision concluding responsibility for Sexual Harassment. The issue of responsibility for the conduct at issue shall not be subject to further review or appeal within the Supervisory Union (except as provided by Supervisory Union policy or collective bargaining agreement or applicable law). Appeals of disciplinary sanctions may be made pursuant to the Supervisory Union's ordinary review process for discipline, or to the extent applicable through any statutory or other processes provided under collective bargaining agreements or individual contracts.
 - b. Responsibility for Response. The Title IX Coordinator is responsible for effective implementation of remedies.
 - c. Other Actions Pursuant to Applicable Code of Conduct, Policies, Agreements, Contracts. The Supervisory Union may also proceed against the Respondent or Complainant pursuant to the Supervisory Union's applicable code of conduct or other Board policies, collective bargaining agreement, individual contract or administrative rules/regulations/ procedures.

G. Dismissal of a Formal Complaint.

1. The Supervisory Union must dismiss a formal complaint with regard to Title IX sexual harassment if the alleged conduct:
 - a. Would not constitute sexual harassment, even if proved;
 - b. Did not occur in the Supervisory Union's education program or activity; or
 - c. Did not occur against a person in the United States.
2. The Supervisory Union may dismiss a formal complaint with regard to Title IX sexual harassment if at any time during the investigation or determination of responsibility stage(s):

- a. A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
 - b. The respondent is no longer enrolled or employed by the Supervisory Union; or
 - c. Specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
3. Upon dismissal of a formal complaint, the Supervisory Union must promptly send written notice of the dismissal and the reason(s) therefore simultaneously to the parties.
 4. The dismissal of a formal complaint under Title IX does not preclude the Supervisory Union from continuing any investigation or taking action under other Supervisory Union policies, code of conduct or administrative rules/regulations. In some cases, the Supervisory Union may have an obligation to continue an investigation and proceed under a different policy or mandated process.

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

1. Method of Filing. Either party may appeal the Initial Determination of Responsibility or the dismissal of a Formal Complaint of Sexual Harassment (or any allegations therein) by notifying the Superintendent in writing (“written appeal”), with a copy to the Title IX Coordinator. If there are multiple determinations of responsibility, the written appeal shall specify which ones are included in the appeal.
2. Deadline for Notice of Appeal. The Notice of Appeal must be in writing and received by the Superintendent, with a copy to the Title IX Coordinator, within 10 days of either the Initial Determination of Responsibility or the written Notice of Dismissal being communicated to the parties, as appropriate.
3. Grounds For Appeal. Either party may only appeal the Initial Determination of Responsibility or the Dismissal of a Formal Complaint of Sexual Harassment (or any allegations therein) based upon one or more of the following grounds, which must be stated specifically in the party’s written appeal:
 - a. Procedural irregularity that affected the outcome of the matter;
 - b. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
 - c. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
4. Appellate Decision-Maker. The Appellate Decision-Maker shall not be the same person as the Initial Decision-Maker that reached the determination regarding responsibility or the Dismissal of a Formal Complaint of Sexual Harassment, the Investigator(s) or the Title IX Coordinator. The Appellate Decision-Maker shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. The Appellate Decision-Maker shall be trained as set forth in section V.F.2. and 3.
5. Supervisory Union Notification of Appeal and Duty to Equitable Treatment of Parties During Appeal. The Supervisory Union must notify the both parties in writing when an appeal is filed and implement appeal procedures equally for both parties.
6. Opportunity to Brief Appellate Decision-Maker.
 - a. Deadline In Cases Other than Newly Available Evidence. Except in cases of newly available evidence, each party shall have 10 days [“reasonable and equal opportunity] from the date of the Notification of Appeal under section H.5. above, to submit to the Appellate Decision-Maker a written statement in support of, or challenging, the Initial Determination Regarding Responsibility.
 - b. Deadline in Cases of Newly Available Evidence. In cases where the basis of the appeal is newly available evidence affecting the outcome, the party relying upon such evidence shall submit to the

Appellate Decision-Maker such evidence or a summary of such evidence along with the party's appeal statement first and within 7 days from the date of the Notification of the Appeal. In such instances the Appellate Decision-Maker shall then forward such documentation on to the opposing party, whereupon the opposing party shall thereafter have 7 days to review and submit their Brief to the Appellate Decision-Maker.

7. Written Determination of the Appeal

- a. The Appellate Decision-Maker shall provide a Written Determination of the Appeal after considering the record and the parties' appeal statements, describing the result of the appeal and the rationale of the result. The appeals decision maker will only overturn the Initial Determination of Responsibility upon a conclusion that it was clearly erroneous (i.e., either made on unreasonable grounds, or without any proper consideration of the circumstances). If the basis or one of the bases for the appeal was new evidence, the appeals decision maker may either make a determination of responsibility regarding that evidence or refer it back to the appropriate stage of the Title IX Grievance Process. The Appellate Decision shall be provided simultaneously to both parties, with a copy to the Title IX Coordinator and the Superintendent of Schools.
- b. Upon issuance of the Written Determination of the Appeal, it becomes a **Title IX Sexual Harassment Final Decision**, as set forth in Section IV.F.6, with commensurate Title IX obligations for the Supervisory Union to act as set forth in Section IV.F.7.

V. Responsible Personnel.

A. Bias or Conflicts of Interest.

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

B. Title IX Coordinator.

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

1. Notice of Title IX Coordinator Contact Information. The name or title, office address, electronic mail address, and telephone number of the employee(s) designated as the Title IX Coordinator shall be provided to the following:
 - a. all applicants for admission and employment;
 - b. parents or legal guardians of elementary and secondary school students;
 - c. employees; and
 - d. all unions or professional organizations holding collective bargaining or professional agreements with the recipient.
2. Duties of Title IX Coordinator. In addition to coordinating the Supervisory Union's efforts to comply with its responsibilities under this Policy, and any other duties assigned, the Title IX Coordinator shall be responsible for:
 - a. Receipt of Reports of Sexual Harassment. Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

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

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

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

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

iii. Coordinating the effective implementation of supportive measures; and

iv. Coordinating the Supervisory Union’s efforts to comply with its responsibilities related to the Title IX Grievance Process set forth in Section IV of this policy, including any other specific duties as assigned by the Superintendent to fulfill the Supervisory Union’s obligations under this policy.

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

C. Investigators.

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

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

D. Decision-Makers.

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

2. Responsibilities.

a. **Initial Decision-Makers** shall be responsible for issuing an Initial Determination Regarding Responsibility following a Sexual Harassment Investigation and other duties set forth in Section IV.F. above.

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

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

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

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

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

1. All Supervisory Union Employees. Training of Supervisory Union Employees shall occur relative to mandatory reporting obligations, and any other responsibilities they may have relative to this Policy.
2. Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. These individuals must be trained on the following topics:
 - a. the definition of sexual harassment as contained within this Policy;
 - b. the scope of the recipient’s education program or activity;
 - c. how to conduct an investigation, appeals, and informal resolution process;
 - d. how to serve impartially, including by avoiding prejudgment of the facts at issue; and
 - e. conflicts of interest and bias.
3. Decision-makers. In addition to the topics set forth in II.D.2. above, decision-makers shall be trained on the following topics:
 - a. issues of relevance of questions and evidence, including when questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant as set forth in Section IV.E.1. and IV.F.2.a.
4. Investigators. In addition to the topics set forth in II.D.2. above, investigators shall be trained on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth in Section IV.E.9 above.
5. Training Materials. Any materials used for trainings of Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must:
 - a. Not rely on sex stereotypes; and
 - b. Promote impartial investigations and adjudications of formal complaints of sexual harassment.
 - c. Be made available to the public either on its website, or if the Supervisory Union does not maintain a website, must make those materials available upon request for inspection by members of the public.

Date Warned: December 7, 2020
Date Adopted: December 21, 2020
Date Warned for Re-adoption: June 23, 2023
Date Readopted: August 16, 2023

Legal References:

1. *Title IX of the Education Amendments of 1972, 20 U.S.C 1681, et seq 20 U.S.C. §1232g, Family Educational Rights and Privacy Act*
2. *34 CFR. Part 99, Family Educational Rights and Privacy Act Regulations*
3. *34 CFR 106.8, Designation of responsible employee and adoption of grievance procedures.*
4. *34 CFR 106.30, Definitions*
5. *34 CFR 106.44, Recipient’s response to sexual harassment*
6. *34 CFR 106.4, Grievance process for formal complaints of sexual harassment*
7. *34 CFR 106.71, Retaliation*

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

WINDHAM SOUTHEAST SUPERVISORY UNION
Windham County, Vermont

**POLICY ON SECTION 504 AND ADA GRIEVANCE PROTOCOL
FOR STUDENTS AND STAFF - POLICY F41
Windham Southeast Supervisory Union's
Grievance Protocol Under Section 504 of the Rehabilitation Act of 1973**

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

U.S. Department of Education, Office for Civil Rights
8th Floor
5 Post Office Square
Boston, MA 02109-3921
Fax: (617) 289-0150
OCR.Boston@ed.gov

The following protocol is available and shall be distributed to all third parties, including Supplemental Educational Services (SES) tutors, for their use in filing complaints of discrimination based on disability.

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

It will also be distributed by Building 504 Coordinators, or their designees, to all third parties, including Supplemental Educational Services (SES) tutors, at the time of their engagement for services.

If a District employee receives a report of disability-based discrimination from a third party, the District employee will provide the third party with a copy of this protocol.

Step 1: A person (an employee, student, or third party) who believes that they have been discriminated against on the basis of disability is encouraged, but is not required, to discuss the matter informally with the appropriate building principal (when the person is a student) or with their immediate supervisor (when the person is an employee). [NOTE: If the building principal or the immediate supervisor is the subject of the complaint, or the grievant is not a student or employee, the grievant may, instead, contact the District Section 504 Coordinator, Rebecca Olmstead, 53 Green Street, Brattleboro, VT 05301 PH: (802) 451-3423; Fax: (802) 254-3733. rolmstead@wsesdvt.org.] The person receiving the complaint, or their designee, shall investigate and then verbally convey

their findings to both the person who alleged the violation and the person who is the subject of the complaint within 10 business days.

Step 2: If the informal Step 1 process does not resolve the matter, or if the grievant does not wish to use the informal procedures set forth in Step 1, a written complaint may be submitted to either the District Section 504 Coordinator (Rebecca Olmstead, 53 Green Street, Brattleboro, VT 05301 PH: (802) 451-3423; Fax: (802) 254-3733. rolmstead@wsesdvt.org) or the appropriate school specific Building 504 Coordinator (see list at the end of this document for contact information) who will investigate the complaint. [NOTE: If the Section 504 Coordinator is the subject of the complaint, the complaint should be submitted to the Superintendent who will appoint another administrator (or third party) to conduct the investigation. If both the Section 504 Coordinator and the Superintendent have involvement with the complaint, the written complaint may be submitted to the Director of Human Resources, Michael Kelliher (802) 254-3730, mkelliher@wsesdvt.org, who will appoint a person to investigate the complaint.] The complaint shall be in writing and signed by the grievant, or their Parent(s) and/or legal guardian if under the age of 18, and include:

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

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

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

A written disposition of the complaint shall be issued within 10 business days of completion of the investigation, unless a specific written extension of time, requested for good cause, is provided to the parties, allowing for up to an additional 30 days to provide the written disposition.

Copies of the disposition, subject to the Family Educational Rights and Privacy Act confidentiality, will be given to both the grievant and the person who is the subject of the complaint. If discrimination or harassment was found to have occurred, the disposition will include the steps that the District will take to prevent recurrence of any discrimination/harassment and to correct its discriminatory effects on the grievant and others, if appropriate.

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

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

The District hereby provides assurance that strictly prohibits any form of retaliation against persons who utilize this Protocol.

If you have questions regarding these procedures or desire to file a complaint, please contact the School/Building Section 504 Coordinators listed below.

Date Warned: August 24, 2022
Date Adopted: September 13, 2022
Date Warned for Re-adoption: August 22, 2024
Date Re-adopted: September 11, 2024
Legal Reference as of adoption:
20 U.S.C. § 1232f
28 C.F.R. § 35.101
28 C.F.R. § 35.107(b)
29 U.S.C. § 794
34 C.F.R. § 99.1
34 C.F.R. § 104.4
34 C.F.R. §§ 104.7(b), 104.61
34 C.F.R. § 100.6(d)
42 U.S.C. § 12132

WINDHAM SOUTHEAST SUPERVISORY UNION
Windham County, Vermont

SCHOOL/BUILDING SECTION 504 COORDINATORS:

Academy School

Ana Ocasio
802-254-3732

Brattleboro Union High School

Megan Pacheco, Brooke Welch
802-451-3414

Brattleboro Area Middle School

Paula Starkweather, Traci Jacobs
802-451-3414

Dummerston School

Julianne Eagan
802-254-2733

Green Street School

Gina Onorato, Gail Powers
802-254-3737

Guilford Central School

Chantelle Albin
802-254-2271

Oak Grove School

Morgan Derosia, Kim Rose
802-254-3730

Putney Central School

Nicole Buser, Marisa Lazarus-Miner
802-387-5521

Vernon Elementary School

Christine Kierstead, Bridget Duff
802-254-5373

Windham Regional Career Center

Nancy Wiese, Kristin Vicerie
802-451-3586

504 GRIEVANCE/COMPLAINT FORM

The Supervisory Union pledges that it complies with Section 504 Regulations and that no discrimination on the basis of disability is permitted in the programs or activities that the District operates. If you believe that discrimination has occurred (against a student or staff person, teacher, etc.) because of a disability please complete and submit this form to your 504 Coordinator.

On behalf of: _____ (name of target of behavior) Date: _____

Complainant is: Student: _____ Student's Parent/Guardian: _____
Staff Member/teacher: _____

Third Party Contractor: _____ Other: _____

Address: _____
Street City State Zip

Telephone: _____
Home Work/Cell

1. Describe the alleged violation of Section 504 in specific terms. Include:
 - 1) the specific incident or activity that is viewed as discrimination;
 - 2) the individuals involved;
 - 3) dates, times, and locations involved;
 - 4) the disability that forms the basis of the complaint (attach additional pages if needed).
2. Describe any communication that has already occurred, with whom and when, to address the issue.
3. Please describe how you propose to resolve the issue.

_____ date: _____
Signature

Please return this form to your 504 Coordinator.