

Rochester School
Elementary, Middle, High School
Student/Parent/Community Handbook
2016 – 2017

Vision: *Rochester School: Where discovery leads to life-long learning.*

Mission: *Rochester School will provide students with the opportunity to discover, inquire, and develop the skills necessary to pursue lifelong learning in an ever changing, environmentally and globally-aware society.*

Please read and review this handbook. It is intended to present procedures, rules, and regulations of the Rochester Elementary, Middle and High Schools. It also includes Vermont education laws and related policies adopted by the Rochester Board. Please note that revisions to any section of this handbook can be made at any time, at the discretion of the Rochester Elementary, Middle and High School administration.

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Rochester School Directory

High School Building Phone: (AREA) 767-3161; Fax: (AREA) 767-1130
Elementary Bldg. Phone: (AREA) 767-4632; Fax: (AREA) 767-3356
Elementary, Middle and High School Starts at 7:45 a.m., Monday through Friday
IF YOUR CHILD IS GOING TO BE ABSENT OR TARDY, PLEASE NOTIFY THE SCHOOL ANY TIME BEFORE 7:45 A.M.

Staff emails are set up as first initial, last [name@wrvsu.org](mailto:wrvsu.org)

Administration

Daniella Stamm	Principal
Dea Kimball	Guidance, K-12
Lisa Blair	Office Manager / Bookkeeper

Teachers

Amy Braun	Kindergarten
Chris Bretschneider	Math/Science, 9-12
Marcela Carroll	FCS, Spanish
Lisa Cruikshank	Grade 3
Linda Gendreau	Grade 2
Shawn Lenihan	Science, 6-12
Holly Mugford	Music, K-12
Jenna Plouffe	Grade 1
Kelly Stubbins	Math, 7-12
John Cole Mason	Industrial Arts, 5-12, Social Studies 5-6
Cynthia McPhetres	Art, K-12, Library/Media Services, K-12, VTVLC
George Moltz	Social Studies, 7-12
Terry Paquette	Physical Education, K-12
Faye Severy	Grade 4
Lauren Skaskiw	Pre-school
Jenn Snow	Gr. 8-12 English
Kay Stringer	English/Social Studies/Math, 4-8

Student Services

Deb Burrell	Title 1 Math Teacher
Sue Clarke	Special Educator Pre-K (WNWSU)
Priscella Desjardins	Sped Para-Educator (WNWSU)
Kelley Foy	Title 1 Reading Teacher
Joyce Gendron	Pre-school
Java Hubbard	Elementary Aide
Jolanta Labejsza	ExCel After-School Site Coordinator
Mike Lambert	IT Technician
Renee Mongeur	Special Ed. Reading Specialist
Mary-Ann Schulze	Sped Para-Educator (WNWSU)
Michele Schnabel	Sped Para-Educator (WNWSU)
Shelley Vanderwende	Special Educator Gr. 1-12 (WNWSU)
Mike Walsh	Sped Para-Educator (WNWSU)

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Food Service

Kristi Fuller	Food Service Director
Julie Taylor	Food Service Assistant

Custodians

Jesse Potter	Maintenance Director
Sam Eller	Custodian
Lenny Settlers	Custodian
Bob Steventon	Custodian

Rochester School Goals Statement

The Rochester School promotes excellence in education by providing innovative, diverse, and challenging educational opportunities for each student. A quality education is delivered in an atmosphere of mutual respect and support among students, faculty, staff, families, and community members, allowing students to develop to their fullest potential both academically and socially.

ROCHESTER SCHOOL COMMUNITY EXPECTATIONS:

Facility and staff agree to carry out the following responsibilities to the best of their ability:

- To encourage a lifelong interest in learning.
- To teach academic skills in reading, literacy, writing, math, science, and social studies.
- To appreciate individual learning styles.
- To develop independence and responsibility.
- To have students learn to get along with others.
- To develop communication skills.
- To teach students to learn to make decisions and choices.
- To foster problem solving skills.
- To develop technology skills by using computers and other electronic devices.
- To understand and appreciate other cultures and individual differences.
- To become aware of world issues and the influences on all of us.
- To understand our responsibility to respect and preserve the natural environment.
- To develop an appreciation of music and art.
- To have students learn about good health, including personal health, and alcohol and drug awareness.
- To develop physical fitness skills.
- To learn good sportsmanship.

Students agree to carry out the following responsibilities to the best of their ability:

- To come to school ready to learn and work hard.
- To bring necessary materials, completed assignments, and homework.
- To know and follow school and class expectations.
- To communicate regularly with my parents and teachers about school experiences so that they can help me to be successful in school.
- To limit screen time and instead, investigate interests, study, or read every day after school.

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- To respect the school, classmates, staff, and families.

Families agree to carry out the following responsibilities to the best of their ability:

- To provide a quiet time and place for homework, and monitor screen time.
- To read to my child or encourage my child to read every day.
- To ensure that my child attends school every day, gets adequate sleep, regular medical attention, and proper nutrition.
- To regularly monitor my child's progress in school.
- To participate at school in activities such as school decision making, volunteering, and/or attending parent-teacher conferences.
- To communicate the importance of education and learning to my child.
- To respect the school, staff, students, and families.
- To support the school's policies and procedures.

Attendance

RESIDENCY

Under Vermont law, the school a student attends is determined by where parents/guardians reside. At least one parent/guardian must reside in the district in order for his/her student(s) to attend school in that district. Verification of residency is required. Misrepresentation of residency is a violation of state law.

**PLEASE NOTE: Notification is required if residency changes during the school year.
Any non-residents are required to pay tuition.**

Students and parents who are, or may be experiencing, homelessness should refer to the section on Homelessness in this handbook for assistance and guidance.

State Statute § 4321 of the General Laws of Vermont requires a minimum of 175 days of regular school attendance by persons under the age of sixteen. Specific legislation notwithstanding, the administrations and faculty of Rochester School believe that regular school attendance is necessary in order to maximize student achievement and the overall learning experience.

You may be required to supply the school with physician's certificates for all absences due to illness. Your parents will be notified of your excessive absenteeism, and they will be invited to work with the school to improve your attendance at school.

Attendance VT Public Law § 1121. Attendance by children of school age required.

A person having the control of a child between the ages of six and 16 years shall cause the child to attend a public school, an approved or recognized independent school, or a state approved home study program for the full number of days for which that school is held, unless the child

1. Is mentally or physically unable to so attend; or
2. Has completed the tenth grade; or
3. Is excused by the superintendent or a majority of the school directors as provided in this chapter; or

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4. Is enrolled in and attending a postsecondary school, as defined in subdivision 176(b)(1) of this title, which is approved or accredited in Vermont or another state.

Absence/Tardy

It is our shared responsibility to be sure that every student is safe and accounted for on every school day. Students are considered tardy if they are not present in classroom by 7:50am. Students arriving after 7:50 am are considered late and will be marked tardy. If your student arrives late or will be leaving early they must bring a note from home and sign the in/out log provided at the office. A **SPECIFIC** written explanation of absence must be submitted to the school office within two (2) days of a student's return to school.

If your child is not in school and we cannot contact a parent/guardian, we may report the unverified absence to the appropriate authorities to ensure the student's safety and prevent truancy.

Extended Absences

Families of students in grades K – 12 should contact the Principal to request permission for an excused absence for family emergencies or trips.

1. You need to make arrangements for a planned absence well in advance. At least one week before your first day of absence, you need to get a *Leave of Absence** form from the office secretary. This form is to be completed by you, your parents, and your teachers before it is submitted to the office. Every effort should be made to get assignments in advance of your planned absence, and to complete the required work while you are away from school.
2. When you return, you are responsible for checking with your teachers to be sure that you have completed all work missed during the time of your absence.

Absences Will Be Classified as Follows

Approved Absences: Absences as deemed appropriate and/or necessary. For example: absences caused by illness, death in the family, medical appointments, or religious observances that cannot otherwise be scheduled after school hours; however, these are still subject to approval.

Truancy (unapproved absences): Any absence that does not fit into the approved absence category outlined above shall be considered truancy. In addition, if parents/guardians choose to remove their child from school for a non-approved reason, that absence will be considered unapproved.

Truancy Process for Absences – Both Excused/Unexcused

The Principal reserves the right to contact DCF when students' absences negatively impact the student's education.

Early Dismissal Procedures

If you need an early dismissal from school, abide by the following procedures:

1. Bring in a note from your parents requesting an early dismissal. The note should specify the reason for the early dismissal and the time you need to be released. The note should be given to the office as soon as you arrive at school in the morning.
2. You will be given a pass to report to the office at the appropriate time for dismissal. Wait for the office to call to release you. Only after you have properly signed out via the office, are you excused to leave school. Once you have signed out, you must leave school grounds.
3. If you return to school the same day, you must report directly to the office to get signed in.
4. Please **DO NOT** send notes or telephone for your child to walk or drive off campus for lunch, snacks, or any other purpose other than prearranged appointments (such as doctor, dentist, etc.).

Delayed Opening, Closing & Activity Cancellation

In the event that school or other activities must be delayed or closed due to inclement weather or other emergency situations you will receive telephone notification by the **Alert Now** messaging system. This information may be broadcast on the following radio/television stations as well:

WJJR (FM): Rutland (98.1)

Z97 (FM): Rutland(97.1)

WDEV (AM) (FM): Waterbury/Warren (550) (96.1)

FROGGY (FM): Barre(100.9)

WCAX: Channel 3

WPTZ: Channel 5

VPR

If school is delayed for two (2) hours, bus pick up will be two (2) hours later than usual.

Transportation

Bus Transportation

Bus Routes: For homes beyond the immediate one-mile downtown area surrounding the school there are several bus routes. The full schedule is available in the office.

Bus transportation is a privilege available for students who are not within a safe walking distance to school. Children assigned to a particular bus are not permitted to ride a different bus or get off at a different stop without permission from a parent/guardian and school authorities. **Please call or send in a note to request a change in your child's bus or bus stop.**

The Principal may suspend a student from bus service and/or school at any time for inappropriate behavior.

Student Drivers

The Administration reserves the right to regulate the use of cars and to enforce these driving rules on the school grounds. Speed limit on school grounds – 10 mph.

Student Life

REMINDER: Cell phones may be used at teachers' discretion during classes.

Custody Issues

If there are any safety concerns or changes in guardianship regarding your child, please notify the school office. If there are any legal documents (i.e., court custody documents, restraining orders, etc.) that the school should have on file for the safety and well-being of your child, please bring these to the school office. Please be aware that non-custodial parents are legally to be kept informed of a student's progress, any special meetings, and school events.

Playground/Play Structures

During school hours, the playground and play structure are for the use of the Kindergarten through Grade 5 students. Middle School students may use the swings before school and at lunch. The pre-school playground is limited to pre-school aged students, and must be supervised at all times.

School Property

Students will be held financially responsible for any school property lost or damaged. Please make every effort to take care of materials, including, but not limited to: electronics, books, lockers, sports equipment, and facilities.

Visitors

At Rochester School we welcome and encourage parents to visit. If a parent wishes to talk with a teacher, **please make arrangements in advance so the educational day is not interrupted**. Each visitor must report to the office to register and to obtain a visitor tag to wear. Visitor tags must be visible at all times. Each visitor will sign out when s/he is ready to leave the school. Middle/High School students who plan on having a visitor must complete a visitor request form 24 hours in advance of the requested visit with all teacher signatures. Visitor request forms can be found in the high school office. Individual visitors intending to be present for more than one day will require permission from the Principal.

Dances

We limit students' guests to middle and high school-aged people only (no out-of-high-school aged guests), with the exception of Prom.

1. At least two weeks before the dance, a student representing the group wishing to sponsor a dance will consult with the Principal to obtain a tentative date.
2. At least one week prior to the date, a list of at least two adult chaperones will be submitted to the Principal for approval. The chaperone list must include the name(s) of two of the teachers sponsoring the group. Only after this list is approved, can the dance be publicized. Chaperones will be on duty throughout the entire dance. A law enforcement officer or school administrator is to be present at all school dances, but does not count as a chaperone.
3. Students must sign in at the dance when they arrive. The school is **NOT** responsible for calling the parents/guardians when the students leave. No student who leaves may be re-admitted to the dance.
4. Unless otherwise announced, a student may bring one (1) guest who attends another school to a school activity. In order to bring a guest, he/she must **pre-register** him or her at least two days before the activity, and accept the responsibility of ensuring that he or she follows established rules.
5. Students who come to a dance under the influence of drugs or alcohol will be detained until their parents pick them up and will be subject to disciplinary and legal action. Any student who brings alcohol and/or drugs into a dance will be subject to disciplinary and legal action.
6. Students **must be in school the entire day** of the evening that the dance is scheduled in order to attend. Certain exceptions may be granted with the prior approval of the Principal.
7. No middle-school students shall be in attendance at the Junior Prom.

Health Services

The role of the school nurse includes, but is not limited to the following: providing health services for illness and injuries, administering medications, performing mandated hearing and vision screenings, developing and implementing individual health care plans, maintaining student immunization and health records, working with the Department of Health to manage reportable communicable diseases, and being a health education resource for students, staff, and parents/guardians.

The school nurse serves as a direct link between physicians, families, and community agencies to assure access and continuity of health care for the students. The primary goal of the nurse is to maintain the health, safety, and wellness of the entire school community.

Student Assistance Program (SAP)

Numerous services and programs are available in school to assist students and their families with academic, social, and emotional issues. Comprehensive guidance and counseling services are available to all students in grades Pre-K through 12. The Principal, nurse, counselors, teachers, and support staff are all available to listen to students and provide guidance as appropriate.

Section 504 of The Federal Rehabilitation Act, 1973

Any parent, teacher, administrator, support staff member, or student can make a referral to the EST for consideration of a 504 evaluation if they suspect a child has a physical or mental disability that substantially limits one or more of the major life functions (self-care, breathing, walking, seeing, hearing, speaking, learning, performing manual tasks, and working.) A student who has a history of a disability or who needs to be treated as though he or she has a disability are also protected by 504. Written notice will be sent to the parents of children being referred. This notice will request parental input. The EST will develop an evaluation plan and a case manager will be appointed. Components of an evaluation may include but not be limited to: observations, interviews, record reviews, letters from doctors, or formal testing. A student will receive support services as determined by the results of his or her evaluation and the team's recommendations.

Emergency Form

1. At the beginning of every school year, parents/guardians are asked to fill out an Emergency Form for each of their students who will be attending school.
2. This information is confidential and is kept in the nurse's office. Please report any change of contact information immediately to the school secretaries (Elementary 767-4632 and High School 767-31361) so that we can always reach you in case of an emergency.

Illness/Injury

1. Students should remain at home if they have a high fever, a persistent cough, an undiagnosed rash, symptoms of a contagious disease, or are vomiting. Please inform the secretary as early as possible if your child will be absent (or tardy) for the school day and the reason for the absence.
2. If an illness or injury will cause a prolonged absence from school or from the physical education class, please have the physician write a note to the school nurse with the diagnosis, the treatment, and if applicable, the anticipated duration of restricted activity. Please remember that a second note from the physician will be needed when they are able to resume the physical education class.
3. Parents/Guardians are asked to notify the school nurse if your child has been diagnosed with a communicable disease. Some examples of communicable diseases or conditions are: Chicken Pox, Mononucleosis, Pertussis, Strep Infection, Ringworm, Scabies, Impetigo, Measles, Mumps, Influenza, Fifth Disease, and Lice.
4. If a student becomes ill or injured at school, a parent/guardian will be notified to transport the student home. If a parent/guardian is unable to be reached, then the next contact name on the Emergency Card will be notified.
5. In the case of an emergency when a physician's care is deemed necessary and a parent/guardian cannot be reached, the school nurse will either transport the student to the Emergency Room at the Gifford Hospital Medical Center or call the closest ambulance depending on the situation. Every year Parents/Guardians are asked to sign the emergency treatment section of the Emergency Card, which allows the hospital to treat the student without the parent/guardian present.

Immunizations

According to the VT Department of Health regulations, all students must have either received the State mandated immunizations, be in the process of receiving them, or have a signed Immunization exemption form on file in order to attend school. The nurse will notify parents/guardians if an immunization update is needed for your student's school health record. In order to help keep the health records current, parents/guardians should inform the nurse when a student receives a mandated immunization at the physician's office. If you have any questions concerning immunizations for your student, please feel free to call the school nurse or contact your student's pediatrician.

Medical Excuses

Any student wishing to be released from Physical Education class for a medical reason should submit a note signed by the family doctor to the school nurse the day as soon as returning to school. This note will be submitted to the Physical Education teacher and coaches and then filed for future reference.

Medications in School

While it is more desirable for a medication to be given at home if possible, there are students who need to receive medication during the school day. The nurse (or designee when needed) will administer the medication in compliance with the following state regulations:

Prescription Medications:

1. A signed prescription medication order and permission form from a physician must be provided to the nurse detailing the student's name, the name of the medication, the dosage and the time to be given, and the reason for giving the medication. A parent or guardian needs to sign this form as well, which gives the school nurse permission to comply with the physician's order. A new permission form is needed every school year for medication that is given regularly to a student. These forms are available in the physician's office and in the school nurse's office. If the physician forgets to fill out the form for school, please don't hesitate to remind them!
2. Students should not transport medication to and from school or carry medication in school in order to protect every student from accidental ingestion and to prevent the medication from being misplaced or lost. Delivery of all medications to the school nurse is the responsibility of the parent/guardian or a designated adult except for those students who have authorized written permission to carry emergency medication (see number 4). In 2008, Act No. 175 was passed in Vermont "permitting students with life-threatening allergies or 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." Parents/Guardians need to provide the school with a parent authorization form (available at the school) and a medication order and permission form from the student's physician detailing the student's allergy or asthma condition, emergency medicine, protocol, implementation capability, and instruction received. With this information, the parents/guardians will develop an Action Plan with the school nurse.
3. The medication must be brought to school by a parent/guardian in a container labeled by the pharmacy or the physician and given to the nurse. The container must have the student's name, the name of the medication, the dosage and the time to be given, and the name of the physician who prescribed the medication. Whenever possible, please request two labeled containers from the pharmacy so that one may be kept at school and one kept at home.

4. Inhalers for Asthma: All students who have an inhaler either in the nurse's office or carry one with them need to have a medication and permission form and a Vermont Asthma Action Plan filled out by their physician at the beginning of every school year. All inhalers need to be labeled with the student's name. All asthmatic elementary students should keep an inhaler in the nurse's office throughout the school year, even if they already carry one in their backpack. All students who carry an inhaler with them need to have a parent authorization form, a medication order and permission form, and an Action Plan as mentioned in number 4.

5. Epi-Pens for Allergic Reactions: All students who have an Epi-Pen for a life-threatening allergy either in the nurse's office or carry one with them need to have a medication and permission form filled out by their physician at the beginning of every school year. All Epi-Pens need to be labeled with the student's name. All students who have an Epi-Pen as an emergency medication should keep an Epi-Pen in the nurse's office throughout the school year, even if they already carry one in their backpack. All students who carry an Epi-Pen with them need to have a parent authorization form, a medication order and permission form, and an Action Plan as mentioned in number four.

Non-Prescription Medications:

1. There is a section on the Student Emergency Form that asks parents for permission to administer Acetaminophen (Tylenol), Ibuprofen (Advil), or Benadryl for bee sting reactions. A "Parent Permission Form" in the nurse's office needs to be filled out for every other non-prescription medication that you would like administered to your student.

2. All non-prescription medication needs to be in a labeled container with the student's name and will be kept in the nurse's office.

3. Delivery of all medications to the school nurse is the responsibility of the parent/guardian or a designated adult. Students should not transport medication to and from school or carry medication in school in order to protect every student from accidental ingestion or to prevent a medication from being misplaced or lost.

Screenings

In order to address potential health problems that are barriers to learning or symptoms of underlying medical conditions, the school nurse often engages in screening activities. Screening activities may include vision, hearing, postural, height and weight (body mass index), and blood pressure depending on concerns or referrals. When there appears to be a need for further evaluation, the nurse will send a written referral to the parents/guardians. It is requested that the results of the follow-up evaluation be reported to the nurse.

Student Behavior

Alcohol, Drugs, and Chemical Abuse

It is the policy of the Rochester School District that no person shall knowingly possess, use, sell, transmit or be under the influence of any illegal drug or prohibited substance and/or have in their possession any drug paraphernalia on school property or at any school-sponsored activity away from school premises.

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Child Abuse and Mandated Reporting

According to 33VSA § 4913, Rochester School staff members are “mandated reporters.” Any staff member who has reasonable cause to believe that any child has been abused or neglected must report within 24 hours to the Department of Children and Families (DCF). If anyone suspects a child is being abused or neglected they can report to DCF by calling 1-800-649-5285.

- All staff members are mandatory reporters.

School Discipline Procedure

All students, parents, faculty and administration of Rochester School will strive for each student being provided the best possible learning environment. Student behavior that disrupts student learning must be addressed immediately in order to develop and maintain an excellent learning environment. Each student is responsible for participating positively in regular and extracurricular school activities within the following behavioral guidelines. If a student chooses to be inappropriate, we will work in assisting him/her to understand why he/she made that choice and how he/she can take responsibility for his/her actions. When the student is unable to make responsible choices, or the behavior threatens the safety and/or success of our learning community, the student will be removed from normal activities within the school community. The student will not be allowed to reenter the regular school community until he or she responds in a responsible manner and demonstrates the desire and ability to be a member of our exceptional student body.

Discipline

Discipline will be consistent and support a safe atmosphere with respect for all. To create a positive learning environment, everyone is responsible for his/her own behavior and for the consequences. The Rochester School follows the [Three-level System Guidelines of the Vermont Department of Education](#).

- Minor/Tier One: (inappropriate verbal interactions, inattention to classroom work, inappropriate internet use, inappropriate verbal interactions, inattention to classroom work, etc.). The teacher and supervising adult will address this behavior and assign consequences.
- Major/Tier Two (disrespectful or bad language, physical altercation, repeated warning, sharing passwords, etc.) is supported by the staff and may include an alternative classroom placement. Consequences are assigned by the school administration and the parent is contacted by the Principal.
- Major/Tier Three Behavior (drugs and alcohol possession or use, vandalism, serious damage to property, and serious physical altercations) has consequences addressed by the school administration.

Infractions Resulting in Suspension: The administration has the right to suspend a student immediately and have him/her picked up by parent(s)/legal guardian(s) and removed from the school premises if the well-being of that student or others is deemed to be in jeopardy. The administration will exercise discretion in determining any student behavior that results in suspension. The student’s parents and school counselor will be notified with a phone call and will follow up in writing of the suspension. Also, at

the discretion of the administration, parents must meet with the administration, counselor, student, and any other directly involved school personnel, prior to the student's return to a normal school day.

Expulsion

After many levels of intervention and support, the school staff may question if the student's needs are best met at Rochester School. The school is also occasionally faced with an infraction which is so serious that it cannot be dealt with effectively using detention or suspension. As a last resort, the school considers expulsion.

Vermont State law is very clear on when expulsion may be considered. "A pupil may be expelled when a pupil's misconduct makes the continued presence of the pupil harmful to the welfare of the school. The Principal may immediately remove a pupil from the school who poses a continuing danger to person or property or a pupil who represents an ongoing threat to the academic process of the school." Students under expulsion procedures will be notified in writing by the Administration as to the cause and reasons for the proposed expulsion. The parents/guardians will be given written notice of the time for a hearing before the School Board. At this hearing, the pupil and parents/guardians may be represented by counsel provided that they notify the school administration of their intention to do so at least 3 days before the hearing. The hearing shall be in executive session unless requested to be in open session by the parents or guardians. Following the hearing, the School Board will give their decision in writing to the student and parents or guardians within 5 days of the hearing."

False Alarms

It is illegal to pull a fire alarm unless it is a true emergency. The school will prosecute anyone found guilty of pulling a false alarm.

Related Vermont Law: False Alarms to Agencies of Public Safety, 13 VSA 1751: A person who willfully or knowingly gives or aids or abets in giving, by any means, any false alarm of fire or other emergency to be transmitted to or within any organization, official or volunteer, for dealing with emergencies involving danger of life or property shall be imprisoned for not more than one year or fined not more than \$10,000 or both.

Related Vermont Law: False Public Alarms, 13 VSA 1753: A person who initiates or willfully circulates a report or warning of an impending bombing or other offense or catastrophe knowing that the report of a warning is false or baseless and that it is likely to cause evacuation of a building, place of assembly, or facility of public transport, or to cause public inconvenience or alarm, shall be imprisoned for not more than one year or fined more than \$10,000 or both.

No Smoking Law

Smoking by all students, employees, visitors, and guests on school grounds, in the school building, and at school functions is prohibited by state law. This includes all persons who use the school grounds and facilities for non-school activities. E-cigarettes are also prohibited.

Rochester School Dress Expectations

A respectful appearance is expected of students at all times. This same expectation is in place for all school sponsored activities. Students and adults are expected to dress in a manner that contributes to a respectful atmosphere that shows respect for yourself and others. If a student's attire is blatantly disruptive in any way to others and interferes with learning, the Principal has the right to intercede.

Search and Seizure

School authorities may search a student, student lockers, or book bags. In addition, all automobiles parked in school lots may be subject to search by school officials. Any illegal, unauthorized, or contraband materials discovered in the search will be seized. Law enforcement may be notified at the discretion of administration. This applies to any school-related or school-sponsored event, such as school dances and field trips.

Weapons

Any student who brings a weapon to school shall be brought by the Superintendent to the School Board for an expulsion hearing. An expulsion hearing conducted under this policy shall afford due process as required by law. A student found by the board to have brought a weapon to school may be expelled for, at most, a calendar year.

However, the board may modify the expulsion on a case-by-case basis when it finds circumstances such as, but not limited to:

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

In addition, any student who brings a weapon to school shall be referred to a law enforcement agency. Any other person found in violation of this prohibition shall be subject to removal from school premises and any further action as allowed by law.

Note: A rifle which the owner intends to use solely for sporting, recreational or cultural purposes is considered as a weapon and is prohibited on school premises. The definition of weapons includes, but is not limited to, firearms, knives, explosives, implements which may inflict physical harm.

Special Education Services

If you have any reason to believe your child may need special education, contact your local school principal. If you have any questions or concerns about special education services offered by the White River Valley Supervisory Union call the superintendent's office.

Academic Integrity

Cheating: Participation in any activity in which a student misrepresents actual achievement in a course will be viewed as cheating. When a teacher has reason to believe a student or group of students is behaving in such a manner, the teacher will share that conclusion with the student, the parent or guardian, the counselor, and administration.

Plagiarism: Taking someone else's ideas and materials, whether spoken or written, and presenting them as one's own is plagiarism. Work that is paraphrased or quoted must be properly cited according to the format assigned by the teacher.

Complete integrity in all manners personal and academic is expected of each student. Truthfulness, even in the face of social pressure, is one of the values the school most wishes to establish. Plagiarism and cheating are serious academic breaches.

Access Online Grades

Our student information system is called Web 2 School. The student/guardian system portal will be available to view attendance, grades, assignments, and directions will be sent home with each student.

Grades and Report Cards

Incomplete Grades

Incomplete grades earned each quarter must be made up within 5 days following the end of the semester. Under special circumstances, arrangements may be made with the teacher to extend the time period. Incompletes will be replaced with the grade earned during that quarter at the end of five days.

Student Records

A cumulative record folder is maintained for each student during the time that he/she attends school. These folders are kept in the secretary's office and contain information that is pertinent to the student, such as copies of report cards and standard test scores.

Parents may review the cumulative record folder by making arrangements one day in advance with the school principal. The examination of records must be done in the presence of the Principal or his/her designee. These records are confidential and are available only to staff members requiring access to them. Access logs are maintained in each folder indicating who has had access to the folder.

Records shall not be released to a third party, such as another school, without the written consent of the parents. Appropriate forms to be used for this purpose are maintained in the office.

School District Policy Graduation Requirements

FOR 2016 STUDENTS: A Rochester High School diploma is designed to be earned in four years. Twenty-seven credits are needed to graduate. Students are encouraged to consider a challenging academic course load and take full advantage of all the educational and extra-curricular opportunities available to them in order to be more fully prepared for their post-secondary experience. The Rochester High School diploma will be granted to a student who has completed the requirements below. Participation in graduation ceremonies will be allowed only for students who meet these basic requirements which may be met through courses or independent study.

Transfer Students: A student transferring to Rochester High School will, upon receipt of an authorized transcript, be given appropriate credit and the accompanying grades for all courses completed. The guidance counselor will inform the student and his parent/guardian of any remaining requirements. Transfer students must satisfy all RHS course requirements for graduation. A student must have completed four (4) consecutive semesters at Rochester High School before he/she can be eligible for the top two honor positions: Valedictorian and Salutatorian.

Early Graduation: Students, who plan to complete graduation requirements before their senior year and want to graduate early, must meet with the guidance counselor to discuss their plans, review their transcript, and complete and submit to the principal the Application for early graduation. RHS administration will make the determination of early graduation and put this decision in writing to the student and his/her parents/guardians.

Valedictorian & Salutatorian: The Valedictorian is the highest ranking member of the senior class. The Salutatorian is the second highest ranking member of the senior class. Both honors are selected after the completion of the third quarter of the senior year based on the student's cumulative grade point average. A student must have completed three (3) consecutive semesters at Rochester High School before he/she can be eligible for these top two honor positions. Rochester will factor to the hundredth place to determine Valedictorian and Salutatorian. If students' GPA's are tied at the hundredth place, there will be co-valedictorians or co-salutatorians. In order to qualify as valedictorian or salutatorian, a student must have an exemplary attendance and a discipline record. Students should have at least 98% attendance over their 4 years of high school.

UVM Green and Gold Scholarship Nomination Process: UVM requests that each Vermont high school nominate the academically strongest Vermont student in the "rising" senior class. The nominee should be chosen without regard to the nominee's potential interest in attending the University of Vermont. The student who has attained RHS's highest academic distinction by the end of the junior year will be the nominee. Achievement in course work completed in three years of high school will guide the selection; standardized test scores may not provide the sole determination of excellence. The nominee

must be a Vermont resident as defined by the University's residency regulations. To receive the Green and Gold Scholarship, the nominee must apply for admission to the University of Vermont by January 15 and meet general admission requirements. If the nominee is admitted and chooses to enroll, he or she will be awarded a full-tuition scholarship for eight semesters provided full-time enrollment and the maintenance of a 3.00 grade point average.

Vermont State Colleges Salutatorian Scholarship:

Community Service Learning

In order to prepare students to be college, career, and citizen ready for the global society in which they will live, Rochester School requires Community Service Learning hours for graduation. Our community supports our school in countless ways, so "giving back" to the community is vital. Students are expected to earn at least the following number of hours per year:

Freshman – 15 hrs.

Sophomore – 15 hours

Junior – 10 hours

Senior - 10 hours

TOTAL: AT LEAST 40 hours required for graduation

This community service must be documented on the school approved form and a reflection log must be completed with it. Community service must be pre-approved and be done OUTSIDE the school day UNLESS participating in an approved school community activity (table captains at lunch). The guidance counselor will review your CSL on an annual basis with students and will post possible CSL opportunities for students.

Student Computer Network Acceptable Use Agreement

Students and their parents must read the guidelines, sign the form, and return it to the office before network access will be granted. Violations of the guidelines will result in the loss of computer access. Additional disciplinary action may be warranted.

School Board Policies

School Board policies are available from the school office. Please contact the school office if you would like a copy of any policy.

Policy of Non-Discrimination and Affirmative Action

It is the policy of the Rochester School not to discriminate on the basis of race, gender, sexual orientation, color, religion, national origin, age, or handicap in its educational programs, services, activities, or employment practices as required by the statutes and laws of the State of Vermont, Title IX of the 1972

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Education Amendments and Section 504 of the Rehabilitation Act of 1973. Inquiries regarding compliance with any state or federal statutes or laws may be directed to the Principal, or the Superintendent of

Schools. You also have a right to contact the Regional Director, Office for Civil Rights, U.S. Department of Education, J.W. McCormack P.O.C.H. Room 222, Boston, Massachusetts 02109-4557.

Notice of Non-Discrimination

It is the policy of the White River Valley Supervisory Union that no otherwise qualified person shall be deprived of employment or education by reason of handicap. These Town School Districts do not discriminate on the basis of race, religion, color, national origin, age, sex or handicap in admission to, access to, treatment in or employment in its programs and activities.

Any person who is or believes himself or herself to be a qualified handicapped person or is the parent, guardian, foster parents, or surrogate of a person believed to be a qualified handicapped student in need of special services to assure a free appropriate public education should identify said student or self to the 504 Coordinator (Superintendent of Schools) for assessment and placement. The Coordinator will refer the request to the appropriate building Student Support Team (SST). The SST will follow standard procedures in assessing the request.

Anyone who believes that he or she or a qualified handicapped person has been denied free appropriate public education may request a copy of the 504 Grievance Procedure from the Superintendent of Schools. The Superintendent may be contacted. The 504 Coordinator will respond within the time period prescribed by statute.

Inquiries concerning the application of nondiscrimination policies may also be referred to the Regional Director, Office for Civil Rights, U.S. Department of Education, J.W. McCormack P.O.C.H. Room 222, Boston, Massachusetts 02109- 4557.

Access

The school will maintain a limited open forum as defined in the Federal Equal Access Act. Fair opportunities will be provided for all student groups, regardless of religious, political, or philosophical viewpoints, to conduct meetings within the limited forum, provided that:

1. The meeting is voluntary and student-initiated.
2. There is no sponsorship of the meeting by the school, the government, or its agents or employees.
3. Employees or agents of the school or government are present at religious meetings only in a non-participatory capacity.
4. The meeting does not materially nor substantially interfere with the orderly conduct of educational activities within the school.
5. Non-school persons do not direct, conduct, control, or regularly attend activities of student groups. No club or activity meeting within the limited open forum will be sponsored or endorsed by the school.

Policy On Prevention of Harassment of Students*

I. Purposes

The Rochester School 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. This policy addresses incident(s) and/or conduct that occur on school property, on a school bus or at a school sponsored activity, or incident(s) and/or conduct that does not occur on school property, on a school bus or at a school-sponsored activity but where direct harm to the welfare of the school can be demonstrated.

Harassment is a form of unlawful discrimination that will not be tolerated. It is the policy of the District/Independent School to prohibit the unlawful harassment of students based on race, creed, color, national origin, marital status, disability, sex, sexual orientation, and gender identity, to the extent required by law. In addition, retaliation is a form of unlawful discrimination that will not be tolerated. Consistent with these purposes, annually,¹ each school shall select two or more designated employees to receive complaints and shall publicize their availability in any publication of the District/Independent School that sets forth the comprehensive rules, procedures, and standards of conduct for the school.²

It is the intent of the District/Independent School 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 harassment policy is to prohibit conduct or communication that is directed at a person's protected characteristics as defined below and that is likely to substantially disrupt the educational learning process and/or access to educational resources, or create a hostile learning environment.

The District/Independent School shall promptly and effectively address all complaints of harassment in accordance with the procedures established by this policy. In cases where harassment is substantiated, the school shall take prompt and appropriate remedial action reasonably calculated to stop the harassment. Such action may include a wide range of responses from education to serious discipline. Such serious discipline may include termination for employees and, for students, expulsion or removal from school property. Nothing herein shall be construed to prohibit punishment of a person for conduct which, although it does not rise to the level of harassment as defined herein, otherwise violates one or more of the school's other disciplinary policies or codes of conduct.

II. Definitions

"Harassment" means an incident or incidents of verbal, written, visual, or physical conduct 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 identity³ 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,⁴ which means conduct that includes unwelcome sexual advances, requests for sexual favors and other verbal, written, visual or physical conduct of a sexual nature when one or both of the following occur:

- 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

(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.

* Vermont Department of Education Policy on Prevention of Harassment of Students

¹ See 16 V.S.A. §565(c)(1).

² See Appendix A.

³ Effective July 1, 2007, 1 V.S.A. §144 defines “gender identity” as “an individual’s actual or perceived gender identity, or gender-related characteristics intrinsically related to an individual’s gender or gender-identity, regardless of the individual’s assigned sex at birth.”

B. “**Complaint**” means an oral or written report 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 harassment.

C. “**Complainant**” means a student who has filed an oral or written complaint with a school employee or a student who is the target of alleged harassment in a report made by another person.

D. “**Designated employee**” means an employee who has been designated by the school to receive complaints of harassment pursuant to subdivision 16 V.S.A. §565(c)(1).

E. “**Employee**” includes any person employed directly by or retained through a contract with the District/Independent School, an agent of the school, a school board member/member of the board of trustees, a student teacher, an intern or a school volunteer. For purposes of this

policy, “agent” of the school” includes supervisory union staff.

F. “**Notice**” means a written complaint or oral information that harassment may have occurred which has been provided to a designated employee from another employee, the student allegedly subjected to the harassment, another student, a parent or guardian, or any other individual who has reasonable cause to believe the alleged conduct may have occurred.⁵

G. “**Retaliation**” is any adverse action by any person 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. 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.

H. “**School administrator**” means a superintendent, principal/head of school/technical center director or his/her designee.

III. Reporting Student Harassment

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

B. School employee reporting: Any school employee who witnesses conduct that s/he reasonably believes might constitute harassment shall take reasonable action to stop the conduct and to prevent its recurrence and immediately report it to a designated employee. Any school employee who overhears or directly receives information about conduct that might constitute harassment shall immediately report the information to a designated employee. If one of the designated employees is the person alleged to be engaged in the conduct complained of, the complaint shall be immediately filed with the other designated employee or the school administrator.

C. Other reporting: Any other person who witnesses conduct that s/he reasonably believes might constitute student harassment 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 harassment complaint form, including the time, place, and nature of the alleged conduct, and the identity of the complainant, alleged perpetrator, and any witnesses.

E. False Complaint: Any person who knowingly makes a false accusation regarding harassment 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 harassment when the person has a good faith belief that harassment occurred or is occurring.

IV. Procedures Following a Report

A. **Notification:**⁶ Upon receipt of a complaint of harassment the designated employee shall immediately inform the school administrator of the complaint. In addition, the designated employee shall immediately provide a copy of this harassment policy to the complainant and accused individual. If either the complainant or the accused individual is under the age of 18, his or her parent(s) or guardian(s) shall be: (1) promptly notified that a complaint of harassment has been filed and provided with a copy of this policy; (2) notified if an alternative dispute resolution method will be offered and, if it occurs, of the outcome of any such attempt; and (3) notified in writing of the results of the complaint investigation. All notification letters shall be subject to state and/or federal law s

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protecting the confidentiality of personally identifiable information. A school administrator may seek waiver of confidentiality rights of the accused in order to inform the complainant of any disciplinary action taken in cases where the school determined that harassment or other misconduct occurred.

⁴ This statutory definition of sexual harassment describes only the “quid pro quo” form of sexual harassment that can occur between an adult and student. However, sexual harassment may also include student to student conduct as well as conduct that creates a hostile environment.

⁵ See 16 V.S.A. §14(c)(3).

B. Investigation:⁷ 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 the filing of a complaint with a designated employee, initiate or cause to be initiated, an investigation of the allegations. The school administrator shall assign a person to conduct the investigation; nothing herein shall be construed to preclude the school administrator from assigning him/herself or a designated employee as the investigator. No person who is the subject of a complaint shall conduct such an investigation.

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. The report shall 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 harassment. When the initial determination concludes that an accused student has engaged in harassment, the school administrator shall use his or her discretion to decide the appropriate disciplinary and/or remedial action. 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.

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/Independent School, be completed within 30 calendar days after the review is requested.

C. Action on a substantiated complaint: If, after investigation, the school finds that the alleged conduct occurred and that it constitutes harassment, the school shall take prompt and appropriate disciplinary and/or remedial action reasonably calculated to stop the harassment and prevent any recurrence of harassment. Such action may include warning, reprimand, 8 An “internal review” is any procedure provided by the school through policy or practice and is not the same as an “independent review” as described below. 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.

D. Alternative dispute resolution:⁹ At all stages of the investigation and determination process, school officials are encouraged to make available to complainant’s alternative dispute resolution methods, such as mediation, for resolving complaints. The following should be considered before pursuing alternative dispute resolution methods: (1) the nature of the accusations, (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 between the target and accused individual, or any history of repeated misconduct/harassment by the accused individual. If an alternative dispute resolution is either not appropriate or is unsuccessful, the school administrator shall initiate or cause to be initiated an investigation of the allegations in accordance with the timelines established in this policy.

E. Appeal: A person determined to be in violation of this policy and subjected to disciplinary action under it may appeal the determination and/or the disciplinary action(s) taken in the same manner as other disciplinary actions, in accordance with the District’s/Independent School’s discipline policy, applicable statutes, or collective bargaining agreements.

Independent Review:¹⁰ A complainant may request an independent review if s/he: (1) believes that the school did not correctly analyze the complaint and failed to conduct an investigation of the incident because the school believed the alleged conduct did not constitute possible harassment, (2) is dissatisfied with the final determination following an investigation as to whether harassment occurred, or (3) 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/head of school. Upon such request, the superintendent/head of school shall promptly initiate an independent review by a neutral person as described under 16 V.S.A. § 565(f), 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

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from occurring. A copy of the independent review report shall be sent to the Commissioner. The reviewer shall advise the student of other remedies¹¹ 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/Independent School. The District/Independent School may request an independent review at any stage of the process.

F. Retaliation: 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 antiretaliation provision regardless of whether the underlying complaint of harassment is substantiated.

⁶ See 16 V.S.A. §14(a).

⁷ See 16 V.S.A. §565(b)(1)(E).

⁸ An "internal review" is any procedure provided by the school through policy or practice and is not the same as an "independent review" as described below.

⁹ See 16 V.S.A. §565(b)(1)(C).

¹⁰ See 16 V.S.A. §565(f).

V. Confidentiality and Record Keeping

A. The privacy of the complainant, the accused individual, and the witnesses shall be maintained consistent with the District's/Independent School'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.

B. 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/Independent School in a confidential file accessible only to authorized persons. All investigation records, including but not limited to, the complaint form, interview notes, additional evidence, and the investigative report, shall be kept for at least six years after the investigation is completed.

VI. Reporting to Other Agencies

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.

If a harassment complaint is made in a public school about conduct by a licensed educator that might be grounds for licensing action under 16 V.S.A. Chapter 51, Professional Educators, the Superintendent shall report the alleged conduct to the Commissioner of the Department of Education, and, if a principal reports the alleged conduct to the Commissioner of the Department of Education, s/he must also report it to his/her Superintendent. If a harassment complaint is made in an independent school about conduct by a licensed educator that might be grounds under 16 V.S.A. Chapter 51, Professional Educators, for licensing action, the head of school is encouraged to report the alleged conduct to the Commissioner of the Department of Education.

Nothing in this policy shall preclude anyone from reporting any incidents and/or conduct that may be considered a criminal act to law enforcement officials.

VII. Dissemination of Information, Training, and Data Reporting

A. Dissemination of Information.¹² Annually, prior to the commencement of curricular and co-curricular activities, the District/Independent School shall provide notice of this policy and procedures to students, custodial parents or guardians of students, and employees. Notice to students shall be in age-appropriate language and include examples of harassment. At a minimum, this notice shall appear in any publication of the District/Independent School that sets forth the comprehensive rules, procedures and standards of conduct for the District/Independent School.

- B. Training.¹³ The school administrator shall use her/his discretion in developing age appropriate methods of discussing the meaning and substance of this policy with students to help prevent harassment. The school administrator shall implement training for school staff within the context of professional development to enable staff to recognize, prevent and respond to harassment.
- C. Data Gathering. Public school districts shall provide the Vermont Department of Education with data requested by the Commissioner.

VIII. 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
Web: <http://hrc.vermont.gov>

Office for Civil Rights, Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square, Suite 900
Boston, MA 02109-3921
(617) 289-0111 (voice)
(877) 521-2172 (tdd)
(617) 289-0150 (fax)
Email: OCR.Boston@ed.gov
Web: <http://www.ed.gov/about/offices/list/ocr/index.html>

Designated Employees

The following employees of the Rochester School have been designated by the District/Independent School to receive harassment complaints pursuant to this policy and 16 V.S.A. §565(c)(1):

Name: Daniella Stamm
Title: Principal
Contact information: Rochester School
222 South Main Street
Rochester, VT 05767
Phone: 802/767-3161
Email: dstamm@wrvsu.org

Name: Dea Kimball
Title: School Counselor
Contact information: Rochester School
222 South Main Street
Rochester, VT 05767
Phone: 802/76-3161
Email: dkimball@wrvsu.org

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Procedures on the Prevention of Harassment, Hazing and Bullying of Students

Reporting Complaints of Hazing, Harassment and/or Bullying

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

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

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

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.

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.

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
8th Floor
5 Post Office Square

Boston, MA 02109-3921 617-289-0111 (voice) 877-521-2172 (tdd) 617-289-0150 (fax)

Email: OCR.Boston@ed.gov

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Responding to Notice of Possible Policy Violation(s)

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

1. Promptly reduce any oral information to writing, including the time, place, and nature of the conduct, and the identity of the participants and complainant.
2. Promptly inform the school administrator(s) of the information;
3. 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.

Upon initiation of an investigation, the designated employee shall:

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

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

1. **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.
2. **Investigator Assignment.** The school administrator shall assign a person to conduct the investigation; nothing herein shall be construed to preclude the school administrator from assigning him/herself or a designated employee as the investigator. No person who is the subject of a complaint shall conduct such an investigation.
3. **Interim Measures.** It may be appropriate for the school to take interim measures during the investigation of a complaint. For instance, if a student alleges that he or she has been sexually assaulted by another student, the school may decide to place the students immediately in separate classes and/or transportation pending the results of the school's investigation. Similarly, if the alleged harasser is a teacher, allowing the student to transfer to a different class may be appropriate. In all cases, the school will make every effort to prevent disclosure of the names of all parties involved – the complainant, the witnesses, and the accused -- except to the extent necessary to carry out the investigation. In all cases where physical harm has resulted and/or where the targeted student is known to be expressing suicidal ideation, or experiencing serious emotional harm, a safety plan will be put in place. Safety plans must also be considered in cases where the targeted student is known to have difficulty accessing the educational programs at the school as a result of the inappropriate behavior. No contact orders, or their enforcement, may also be appropriate interim measures.

4. 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.

5. 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.

6. 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.

7. 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.

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

9. 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.

10. 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.

11. 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.

12. 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

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

(i) Potential Remedial Actions. Remedial action may include but not be limited to an age appropriate warning, reprimand, education, training and counseling, transfer, suspension, and/or expulsion of a student, and warning, reprimand, education, training and counseling, transfer, suspension and/or termination of an employee. A series of escalating consequences may be necessary if the initial steps are ineffective in stopping the hazing, harassment and/or bullying. To prevent recurrences counseling for the offender may be appropriate to ensure that he or she understands what constitutes hazing/harassment and/or bullying and the effects it can have. Depending on how widespread the hazing/harassment/bullying was and whether there have been any prior incidents, the school may need to provide training for the larger school community to ensure that students, parents and teachers can recognize hazing/harassment/bullying if it recurs and know how to respond.

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

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

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

B. Retaliation Prevention. It is unlawful for any person to retaliate against a person who has filed a complaint of harassment or against a person who assists or participates in an investigation, proceeding or hearing related to the harassment complaint. A person may violate this anti-retaliation provision regardless of whether the underlying complaint of harassment is substantiated. The District will take reasonable steps to prevent any retaliation against the student who made the complaint (or was the subject of the harassment), against the person who filed a complaint on behalf of a student, or against those who provided information as witnesses. At a minimum, this includes making sure

C. that the students and their parents, 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.

Alternative Dispute Resolution. At all stages of the investigation and determination process, school officials are encouraged to make available to complainant's 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.

Post Investigative Reviews

Rights of Complainants

A. Internal Review of Initial Harassment Determinations by Complainant.

A complainant or parent of a complainant may request internal review by the District of a designee's initial determination (following investigation) that harassment has not occurred via written request submitted to the District superintendent. All levels of internal review of the investigator's initial determination, and the issuance of a final decision, shall, unless special circumstances are present and documented by the District, be completed within 30 calendar days after review is requested.

B. Independent Reviews of Final Harassment Determinations by Complainant.

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

2. 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.

3. 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

4. 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.

5. 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 (tdd) 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
- B. of the school district. The school board shall conduct a review on the record. The standard of review by the school board shall be whether the finding that an act(s) of hazing, harassment, and/or bullying has been committed constitutes an abuse of discretion by the school level fact finder. Appeals should be made to the school board within ten (10) calendar days of receiving the determination that an act(s) of hazing, harassment

and/or bullying has occurred and/or any announced discipline. The school board shall set the matter for a review hearing at the next scheduled school board meeting to the extent practicable, but not later than 30 days from receipt of the appeal filing.

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

VI. Confidentiality and Record Keeping

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

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

B. 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.

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.

Reporting to Other Agencies - 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.

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

Reporting Incidents to Police

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

⇒ **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.

⇒ **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

1. 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

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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.

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

3. 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.

4. 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).

Additional Information Required for Handbook

State Items

State Items - Vermont Agency of Education

1. Harassment, Hazing and Bullying—

On May 29, 2015, Secretary Holcombe issued a revised Harassment, Hazing and Bullying Prevention Model Policy and reminds school boards of their obligation to develop and adopt harassment, hazing and bullying prevention policies. The Secretary emphasizes the school board's duty under 16 V.S.A. §§§ 570a, 570b and 570c to *annually* designate two or more people to receive reports of harassment, hazing and bullying at each school. The names and contact information of the designated employees, for receiving an HHB incident report, should be included in the school's handbook to parents and students. 16 V.S.A. §570 requires school boards to develop and adopt harassment, hazing and bullying prevention policies that shall be *at least as stringent* as the model policies developed by the Secretary.

16 V.S.A. §570(c) requires school boards annually, prior to the commencement of curricular and co-curricular activities, to provide to students and their parents or guardians notice of the harassment, hazing and bullying policies and procedures. The notice to students should be age appropriate and should include examples. The notice must "appear in any publication of the school district that sets forth the comprehensive rules, procedures and standards of conduct for the school."

Here is a link to Secretary Holcombe's Memorandum on the new Harassment, Hazing and Bullying Prevention Model Policy, as well as a copy of the new HHB Policy:

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<http://education.vermont.gov/documents/edu-memo-holcombe-regarding-hhb-model-policies-2015.pdf>

2. *School Comprehensive Plan for Responding to Student Misbehavior*—16 V.S.A. §1161a(a) requires schools to adopt a comprehensive discipline plan. Among the requirements is that the plan must include “procedures for informing parents of the school’s discipline policies, for notifying parents of student misconduct, and for working with parents to improve student behavior.” 16 V.S.A. §1161a(a)(3).

3. *Technical Center Offerings*—16 V.S.A. §1541a(b) provides that high schools are to give technical centers the names and addresses of students and their parents so that they may be contacted and notified of technical center offerings.

4. *Wellness Programs*—16 V.S.A. §216 requires the Secretary of Education to prepare and update a list of school and community programs which have the potential to improve childhood wellness and the list is to be made available to all school districts and community organizations that request it. Here is a link to current information about wellness information on the Agency’s website:

<http://education.vermont.gov/health-education/linking-health-and-learning>

5. *Periodic Release Time Courses*—16 V.S.A. §1053 requires schools, at the request of a religious group, to publish “periodic release time religious education courses” to be “included in public school catalogs and listings of course offerings.” It is not clear whether such a provision would be constitutional under current First Amendment analysis.

6. *Periodic hearing and vision screening*—16 V.S.A. §1422 requires schools to test the hearing and vision of students pursuant to research-based guidelines, which can be found at this link:

http://education.vermont.gov/documents/school_health_screening.pdf

16 V.S.A. § 1421 required the state to provide equipment to public schools to test the sight and hearing of students; this is no longer required as the statute has been repealed.

7. *School Choice*— Under 16 V.S.A. § 563(28), school boards must annually inform students and their parents or guardians of their options for school choice under applicable laws or policy. This includes the required notice under 16 V.S.A. § 822a.(c) regarding statewide public high school choice: “on or before February 1 each year, the board of a high school district shall define and announce its capacity to accept students under this section.” For further details on capacity guidelines, please see “Attachment A” to this memorandum. Separately, there are several other ways for families to exercise school choice.

The following link provides more details about other school choice laws:

http://education.vermont.gov/documents/EDU- School_Choice_Other_Options.pdf

8. *Concussions and other head injuries* —

- □ Under 16 V.S.A. § 1431 the principal or headmaster of each public and approved independent school shall ensure that statewide concussion and other head injury guidelines are provided annually to each youth athlete and the athlete’s parents or guardians;
- □ Each youth athlete and a parent or guardian shall annually sign a form acknowledging receipt of the concussion and other head injury guidelines; and
- There are training requirements for all coaches and referees of a contest on how to recognize the symptoms of a concussion or other head injury.

Please familiarize yourself with these requirements under 16 V.S.A. § 1431(c) and more details regarding the required notice described above.

For further details on the concussion guidelines, please use this link:

http://education.vermont.gov/documents/EDU- Act_58_Concussion_Guidelines.pdf

9. *Seclusion and Restraint*— State Board Rule 4500 defines the appropriate use of seclusion and restraint. Rule 4500 also sets forth the reporting requirements that flow from any use of seclusion or

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restraint in school (e.g. – teacher to administrator, administrator to superintendent, and school to parent/guardian of affected student).

Here is a link to a “Q & A” about Rule 4500:

http://education.vermont.gov/documents/EDU- Questions_and_Answers_on_Rule_4500.pdf

10. *Flexible Pathways* —Act 77 of 2013 expanded the availability of “flexible pathways” for students. Some features include (i) eliminating an age cap for the funding of the “high school completion program,” (ii) expanding opportunities for “dual enrollment;” (iii) beginning in November 2015 Act 77 also requires the establishment of a personalized learning plan for every student in grades 7-12; and (iv) expands “early college” to all Vermont state colleges. While the law does not require that schools inform the education community of these opportunities, it is recommended that administrators do so through outreach by guidance offices and in collaboration with career and technical centers. Here is a link to more information about flexible pathways:

<http://education.vermont.gov/flexible-pathways>

Federal Items

1. *FERPA Policies*—34 C.F.R. Part 99 (the federal regulations promulgated pursuant to the Family Educational Rights and Privacy Act, 20 U.S.C. 1232g *et seq.*) require an annual notification to parents of their rights under the Act. Such notice must include that parents have the right to:

1. Inspect and review their children’s records,
2. Seek amendment of the record if it is inaccurate or misleading,
3. Consent to disclosure of personally identifiable student information except as provided in 34 C.F.R. §99.31, and
4. If they believe the Act has been violated, file a complaint with the Family Policy Compliance Office of the United States Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202.

In addition, the annual notice must include:

1. The procedure for exercising the right to inspect and review education records,
2. The procedure for requesting amendment of the records, and
3. The criteria the school uses for disclosing student records to persons within the school who have legitimate educational interests in reviewing the records.

Finally, if the school does disclose “directory information” (e.g. names and addresses of students, date of birth, field of study, academic or other honors attained, participation on sports teams, etc.), and most schools do in some form or another, the school must notify parents of:

1. The types of directory information that will be released,
2. The right to refuse to let the school release particular or all directory information on their own children, and
3. The period of time within which the parent has to notify the school that he or she does not wish to have the school designate some or all of the information about the parent’s child designated as directory information.

2. *Protection of Pupil Rights Act*—The Protection of Pupil Rights Act, 20 U.S.C. §1232h (hereinafter “PPRA”), requires parental notification in a number of respects:

a. 20 U.S.C. §1232h(c)(2)(A)(i) requires local education agencies to notify parents annually, at the beginning of the school year and within a reasonable time after any amendment thereof, of the adoption or continued use of PPRA policies. These local policies must include the following:

- i. The rights of parents to inspect surveys created by a “third party” (meaning not federally funded) before it is administered,
- ii. Procedures for such inspection of surveys,
- iii. Arrangements to protect student privacy with respect to

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surveys on sensitive matters,

iv. The right to inspect any instructional materials used as part of the educational curriculum,

v. Procedures for inspecting the instructional materials,

vi. The administration of any physical examinations or screenings,

vii. The collection or disclosure of student information for marketing purposes,

viii. The right of a parent to inspect any instrument used in the collection of personal information for marketing purposes before such information is collected or disclosed, and

ix. Procedures for obtaining access to such instruments in a timely fashion.

b. 20 U.S.C. §1232h(c)(2)(A)(ii) requires an annual notice to parents of the right to opt out of certain activities including collection of personal student information for marketing purposes, administration of certain surveys, and non-emergency invasive physical examinations or screenings.

c. 20 U.S.C. §1232h(c)(2)(B) provides that schools notify parents, at least annually at the beginning of the school year, of the specific or approximate dates when any of the following will occur: collection of information for marketing purposes, administration of surveys containing sensitive questions, and any non-emergency, invasive physical examinations or screenings.

d. 20 U.S.C. §1232h(d) provides that schools must “give parents and students effective notice of their rights under this section [PPRA].”

3. *Military/Postsecondary Recruiters*—20 U.S.C. §7908(a)(2) requires schools to notify parents, presumably each year although the time period is not specified, that they may request that their child's name, address and telephone listing not be released to military or postsecondary recruiters without prior written parental consent.

4. *Section 504 Grievance Procedures*—34 C.F.R. §§104.7 and 104.8 require schools to notify parents and others that the school does not discriminate on the basis of handicap; the school's notice shall identify the responsible employee designated to coordinate compliance with Section 504 and of the availability of a grievance procedure to address complaints regarding Section 504 of the Rehabilitation Act.

5. *Civil Rights Act Provisions*—34 C.F.R. §100.6(d) requires “recipients” of federal funding to provide information to “beneficiaries” regarding the nondiscrimination requirements of the Civil Rights Act as applied to the recipient's operations.

6. *Title IX Grievance Procedures and Dissemination of Policy*—34 C.F.R. §§106.9(b) and 106.9(a)(1) provide that recipients of federal funding publish their grievance procedures with respect to discrimination on the basis of sex and that each recipient “implement specific and continuing steps to notify....students and parents of elementary and secondary school students....that it does not discriminate on the basis of sex in the educational program or activity which it operates, and that it is required by Title IX....not to discriminate in such a manner.” The latter section requires publication of this notice in a variety of ways, including in bulletins, catalogs, or application forms.

7. *Notices to Parents Under the No Child Left Behind Act*—Local education agencies are required to notify parents in a variety of circumstances. Here are a few of the more significant ones:

1. 20 U.S.C. §6311(h)(2)(A)(i) requires local education agencies receiving Title I assistance to prepare and disseminate to all parents an annual “report card.” At minimum, it must contain the number and percentage of schools identified as needing improvement, for how long they have been so identified, and information on how students achieved on state assessments compared to students in the state as a whole. Please note, there should be no change in the reported scores from the 2013-2014 school year. The 2014-2015 scores will be collected, and we will report scores to districts; however, we won't use them for any consequential purpose, including making new determinations under NCLB. The U.S. Department

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of Education has granted Vermont a waiver to “stay in place” for 2014-2015 reporting of state assessment test results, since we have used 2014-2015 as a transition year to implement the SBAC test instrument.

2. 20 U.S.C. §6316(b)(6) requires a local education agency “promptly” to notify parents of children in attendance that its school has been identified as a school in need of improvement with an explanation of what it means and what will happen as a result, as well as notifying parents of the option for public school choice (where available) and supplemental educational services.
3. 20 U.S.C. §6311(h)(6) requires notice by a school district receiving Title I funds at the beginning of the school year to the parents of each student regarding the qualifications of the school’s teachers. The notice is to include the rights of parents, upon request, to obtain information as to whether the child’s teacher has met state qualifications and licensing criteria, whether the teacher is teaching under a waiver or provisional license, and what the major of the teacher was in his or her baccalaureate degree. If the child receives services from a paraprofessional, the paraprofessional’s qualifications must also be furnished. And, the notice will also contain a statement as to whether the student will be taught by a teacher for four or more consecutive weeks who is not highly qualified as that term is defined under state and federal law. Finally, this notice must also alert parents to their right to obtain information as to the level of achievement of their child in each of the state’s academic assessments.
4. 20 U.S.C. §6312(g)(1) provides that parents of students who are of limited English proficiency are to be notified not later than 30 days after the beginning of the school year that their child has been identified as in need of services. The statute contemplates a very specific and detailed listing of information to be provided in an understandable manner to the parents of the child.
5. 20 U.S.C. §6318(a)(2) requires each local education agency with Title I schools to “develop jointly with, agree on with, and distribute to, parents of participating children a written parental involvement policy.” Again, the required content of the policy is spelled out in great detail in the statute.
8. *Notices Under the Individuals with Disabilities Education Act*—The federal special education law, 20 U.S.C. §§1400, *et seq.*, requires notice to parents in a variety of ways. However, the most prominent requirements are found in 34 C.F.R. §§300.111, 300.503 and 300.504.
 1. 34 C.F.R. §300.111 relates to “child find” activities. As interpreted in Vermont regulations, child find includes, among other activities, notifying the public of the availability of special education services for children with disabilities aged 3-21. Similar provisions address child finds for students aged birth-3. See Rule 2360.3 and Rule 2360.5.2 of the Vermont State Board of Education Manual of Rules and Practices.
 2. The provisions of §300.503 require written notice to a parent of a student with a disability within a reasonable period of time before the school district proposes to initiate or change the identification (eligibility), evaluation or educational placement of the student or the provision of a free, appropriate, public education to the student, or whenever it refuses to do the same. The content of the notice is, again, very detailed. See Rule 2365.1.1 of the Vermont State Board of Education Manual of Rules and Practices.
 3. The requirements of §300.504 involve the provision of a notice of “procedural safeguards” whenever a child is initially referred for a special education evaluation, whenever an Individual Education Plan meeting is called, whenever a reevaluation is sought, and whenever a due process complaint has been filed.

Information to be Included in School Reports, Handbooks and Other Notices (June 24, 2015) 10

8/16/16 Federal and State School Board policy supersedes any stated policies in this handbook.