

Thetford Town School District

CODE A1 Board Member Conflict of Interest (REQUIRED)

Date Warned: 04-13-21

Date Adopted:

Date Revised:

Date Reviewed:

Policy

It is the ethical and legal duty of all school board members to avoid conflicts of interest as well as the appearance of conflicts of interest.

Definitions

“Conflict of interest” means a situation when a board member’s private interests, as distinguished from the board member’s interest as a member of the general public, would benefit from or be harmed by his or her actions as a member of the board.

Implementation

In order to comply with the obligations thus imposed, the Board and its members will adhere to the following recommended standards.

1. A board member will not give the impression that he or she would represent special interests or partisan politics for personal gain.
2. A board member will not give the impression that he or she has the authority to make decisions or take action on behalf of the Board or the school administration.
3. A board member will not use his or her position on the Board to promote personal financial interests or the financial interests of family members, friends or supporters.
4. A board member will not solicit or accept anything of value in return for taking particular positions on matters before the Board.
5. A board member will not give the impression that his or her position on any issue can be influenced by anything other than a fair presentation of all sides of the question.
6. Board members will be familiar with, and adhere to, those provisions of Vermont education law that define school board powers and govern board member compensation and public bidding processes.

Avoiding Conflicts

When a board member becomes aware that he or she is in a position that creates a conflict of interest or the appearance of a conflict of interest as defined in state law or this policy, he or she will declare the nature and extent of the conflict or appearance of conflict for inclusion in the board minutes, and will abstain from voting or participating in the discussion of the issue giving rise to the conflict.

Complaints of Conflict of Interest

When a conflict of interest claim against a board member is brought to the board in writing and is signed by another board member or a member of the public, and the board member against

whom the claim is made does not concur that a conflict in fact exists, the following board procedures will be followed.

1. Upon a majority vote of the remaining board members, or upon order of the chair, the board will hold an informal hearing on the conflict of interest claim, giving both the board member and the person bringing the claim an opportunity to be heard.
2. At the conclusion of the informal hearing, the remaining board members will determine by majority vote whether to:
 - a. Issue a public finding that the conflict of interest charge is not supported by the evidence and is therefore dismissed;
 - b. Issue a public finding that the conflict of interest charge is supported by the evidence and that the member should disqualify him or herself from voting or otherwise participating in the board deliberations or decision related to that issue, as required by Vermont statute; and/or
 - c. Issue a public finding that the conflict of interest charge is supported by the evidence and the board member should be formally censured or subjected to such other action as may be allowed by law.

Thetford Town School District

CODE B1 Substitute Teachers (REQUIRED)

Date Warned: 04-13-21

Date Adopted:

Date Revised:

Date Reviewed:

Policy

It is the policy of the Thetford Town School District to employ substitute educators who will meet the minimum qualifications outlined by Vermont Standards Board for Professional Educators (VSBPE) Rule, as well as the additional requirements established by this policy.

Qualifications

No person will be placed on the qualified substitute list unless that person has graduated from high school.

Unlicensed Persons

An unlicensed person may be employed as a substitute teacher for up to 30 consecutive calendar days in the same assignment. The Superintendent may apply to the Vermont Standards Board for Professional Educators or its designee for emergency or provisional licenses as provided in VSBPE Rules 5350 and 5360.

Licensed Educators

A substitute teacher who is licensed but not appropriately endorsed for the position for which he or she is employed may fill a position for thirty consecutive calendar days in the same assignment. The Superintendent may apply to the Vermont Standards Board for Professional Educators or its designee for an additional thirty days for specific substitute teachers, or for provisional licenses as provided in VSBPE Rule 5350.

Administrative Responsibilities

A list of qualified substitute teachers, organized by grade level and subject, will be developed by the Superintendent or his or her designee for all schools in the District.

The Superintendent or his or her designee will conduct an orientation session for substitute teachers each year, including information on the prevention, identification, and reporting of child sexual abuse, as required by 16 V.S.A. § 563a. Each teacher under contract will compile a packet of information containing pertinent substitute teacher information as defined by the Principal.

Substitute teachers will be paid per diem wages as determined by the Superintendent from year to year. Distinctions in pay level may be made based

on the need for the substitute teacher to prepare lessons and assess and record student progress, on the length of service and on the credentials of the substitute teacher.

Thetford Town School District

CODE B2 Volunteers and Work Study Students (Required)

Date Warned: 04-13-21

Date Adopted:

Date Revised:

Date Reviewed:

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

Definitions

For purposes of this policy and administrative rules and procedures developed pursuant to this policy:

1. **Volunteer** means an individual not employed by the school district who works on an occasional or regular basis in the school setting to assist the staff. A volunteer works without compensation or economic benefits.
2. **Work Study Student** means a post secondary student who receives compensation for work performed at a school operated by the district as part of a work experience program sponsored or provided by the college or university at which he or she is enrolled. A student working toward a teaching credential who is placed as a student teacher at a district school is not a work study student.

Policy

The superintendent shall develop administrative rules and procedures to ensure that volunteers and work study students are appropriately screened prior to entering into service in the school district, and that only volunteers and work study students who have been screened and approved by the superintendent have extended unsupervised contact with students. The screening process utilized by the school district shall minimally include a name and birth date check with the Vermont Internet Sex Abuse Registry for any person being considered for service as a work study student. A person who is on the Vermont Internet Sex Offender Registry shall not be eligible to be a work study student.

Thetford Town School District

CODE B3 Alcohol and Drug-Free Workplace (Required)

Date Warned: 04-13-21

Date Adopted:

Date Revised:

Date Reviewed:

Policy

It is the policy of the Thetford Town School District to maintain a workplace free of alcohol and drugs. No employee, volunteer or work study student will unlawfully manufacture, distribute, dispense, possess or use alcohol or any drug on or in the workplace. Nor shall any employee, volunteer or work study student be in the workplace while under the influence of illegal drugs or alcohol. If there are reasonable grounds to believe that an employee, volunteer or work study student is under the influence of illegal drugs or alcohol while on or in the workplace, the person will be immediately removed from the performance of his or her duties.

Definitions

Drug means any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance as defined by state or federal statute or regulation.

Workplace means the site for the performance of work for the school district, including any school building or any school premises and any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities. It also includes off school property during any school-sponsored or school-approved activity, event or function such as a field trip or athletic event, where students are under the jurisdiction of the school district.

Employee means all persons directly or indirectly compensated by the school district for providing services to the district and all employees of independent contractors who provide services to the district.

Volunteer means an individual not employed by the school district who works on an occasional or regular basis in the school setting to assist the staff. A volunteer works without compensation or economic benefits provided by the school district.

Work Study Student means a student who receives compensation for work performed at the school as part of a college work experience program. For purposes of this policy, an intern, working without pay, will be considered as a work study student. A student working toward a teaching credential who may be placed at a school as a student teacher is not a work study student.

Employee Responsibilities

As a condition of employment, each employee will notify the superintendent in writing of his or her conviction of any criminal drug statute for a violation occurring on or in the workplace as defined above. The employee must notify the Superintendent no later than five days after such conviction. Entry of a *nolo contendere* plea shall constitute a conviction for purposes of this policy, as will any judicial finding of guilt or imposition of sentence. Within 10 days of notification from an employee, or receipt of actual notice of an alcohol or drug conviction, the superintendent will notify any federal or state officers or agencies legally entitled to such notification.

An employee, volunteer or work study student who violates the terms of this policy may be required to satisfactorily complete an alcohol or drug abuse assistance or rehabilitation program approved by the superintendent. In addition, an employee who violates the terms of this policy will be subject to disciplinary action.

Thetford Town School District

CODE B4 Drug & Alcohol Testing: Transportation Employees (Required)

Date Warned: 04-13-21

Date Adopted:

Date Revised:

Date Reviewed:

Policy

The Thetford Town School District will comply with state and federal law and regulations requiring a drug and alcohol testing program for school bus and commercial vehicle drivers. The superintendent or his or her designee will implement procedures to conduct alcohol and drug tests for all safety sensitive transportation employees as required by the federal Omnibus Transportation Employee Testing Act of 1991.

Thetford Town School District

CODE B5 Employee Harassment (Required)

Date Warned: 04-13-21

Date Adopted:

Date Revised:

Date Reviewed:

Policy

Harassment is a form of unlawful discrimination that will not be tolerated in the Thetford Town School District. Unwelcome sexual advances, requests for sexual favors, and other verbal, written or physical conduct constituting harassment as defined herein and by state and federal law violate this policy. Retaliation against any person raising good faith allegations of unlawful harassment or against any witness cooperating in an investigation pursuant to this policy is prohibited.

A. Definitions

1. **Employee:** For purposes of this policy, any person employed by and subject to the direct supervision of the district or supervisory union.
2. **Unlawful Harassment:** Verbal, written or physical conduct based on an employee's race, religion, color, national origin, marital status, sex (including pregnancy), sexual orientation, gender identity, age, political affiliation, ancestry, place of birth, genetic information or disability which has the purpose or effect of substantially interfering with an employee's work or creating an intimidating, hostile or offensive environment.
3. **Sexual Harassment:** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
 - b. Submission to or rejection of such conduct by an individual is used as a component of the basis for employment decisions affecting such individual; or
 - c. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.
4. **Retaliation.** Retaliation is adverse action taken against a person for making a complaint of unlawful harassment or for participating in or cooperating with an investigation.

B. Examples

Unlawful harassment can include any unwelcome verbal, written or physical conduct which offends, denigrates, or belittles an employee because of the employee's race, religion, color, national origin, marital status, sex (including pregnancy), sexual orientation, gender identity, age, ancestry, place of birth, genetic information or disability. Such conduct includes, but is not limited to: unsolicited derogatory remarks, jokes, demeaning comments or behavior, slurs, mimicking, name calling, graffiti, innuendo, gestures, physical contact, stalking, threatening, bullying, extorting or the display or circulation of written materials or pictures.

Sex

Sexual harassment may include unwelcome touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, pressure for sexual activity, display or sending of pornographic pictures or objects, obscene graffiti, and spreading rumors related to a person's alleged sexual activities.

Race and Color

Racial or color harassment may include unwelcome verbal, written or physical conduct directed at the characteristics of a person's race or color such as nicknames emphasizing stereotypes, racial slurs, and negative references to racial customs.

Religion

Harassment on the basis of religion includes unwelcome verbal, written or physical conduct directed at the characteristics of a person's religion or creed such as derogatory comments regarding surnames, religious tradition, or religious clothing, or religious slurs.

National Origin and Place of Birth

Harassment on the basis of national origin includes unwelcome verbal, written or physical conduct directed at the characteristics of a person's national origin or place of birth such as negative comments regarding surnames, manner of speaking, customs, language or ethnic slurs.

Age

Age harassment includes unwelcome verbal, written or physical conduct directed at someone (an applicant or employee) age 40 or older, such as offensive remarks about a person's ability to perform certain tasks because of his or her age.

Marital Status

Harassment on the basis of marital status includes unwelcome verbal, written or physical conduct directed at the characteristics of a person's marital status, such as comments regarding pregnancy or being an unwed mother or father.

Sexual Orientation

Harassment on the basis of sexual orientation includes unwelcome verbal, written or physical conduct directed at the characteristics of a person's sexual orientation.

Gender Identity

Harassment on the basis of gender identity includes unwelcome verbal, written or physical conduct directed at 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.

Disability

Disability harassment includes any unwelcome verbal, written or physical conduct directed at the characteristics of a person's disabling mental or physical condition such as imitating manner of speech or movement, or interference with necessary equipment.

Genetic Information

Genetic information harassment can include, for example, making offensive or derogatory remarks about an applicant or employee's genetic information, or about the genetic information of a relative of the applicant or employee. Genetic information includes information about an individual's genetic tests and the genetic tests of an individual's family members, as well as information about family medical history.

D. Procedure

1. **Duty to Investigate.** In the event the district or supervisory union receives a complaint of unlawful harassment of an employee, or otherwise has reason to believe that unlawful harassment is occurring, it will take all necessary steps to ensure that the matter is promptly investigated and addressed. The Thetford Town School District is committed to take action if information regarding potential unlawful harassment is learned, even if the aggrieved employee does not wish to file a formal complaint.
2. **Designated Persons.** Every employee is encouraged to report any complaint of or suspected acts of unlawful harassment. Unlawful harassment should be reported to the non-discrimination coordinators or to the principal at the following address and telephone number:

Non-Discrimination Coordinator(s):

School Counselor: Sara Bailey

Principal: Chance Lindsley, Elementary Principal

Address: 2689 Rte 113 P O Box 182 Thetford VT 05074

Telephone number: 802-785-2426

3. **Investigation.** Allegations of unlawful harassment will be promptly investigated by a non-discrimination coordinator or his/her designee. At the outset of the investigation, the complainant shall be provided with a copy of this policy. If the allegations are found to have been substantiated by the investigator, the district or Supervisory Union will take appropriate disciplinary and/or corrective action. The non-discrimination coordinator or his/her designee will inform the

complainant(s) and the accused(s) whether the allegations were substantiated. The accused(s), the complainant(s) and any witness(es) shall be warned against any retaliation. If, after investigation, the allegation is found not to have been substantiated, the complainant(s) shall be informed of the right to contact any of the state or federal agencies identified in this policy.

4. **Filing a Complaint.** Employees are encouraged to report the alleged unlawful harassment as soon as possible to the non-discrimination coordinators or the principal.
5. **Alternative Complaint Processes.** Employees may file complaints with both the district or supervisory union and with state and federal agencies. If employees are dissatisfied with the results of an investigation, they may file a complaint with state and federal agencies. The agencies are:
 - a. Vermont Attorney General's Office, Civil Rights Unit, 109 State Street, Montpelier, VT 05602, tel: (802) 828-3171. Complaints should be filed within 300 days of any unlawful harassment.
 - b. Equal Employment Opportunity Commission, 1 Congress Street, Boston, MA 02114, tel: (617)565-3200 (voice), (617)565-3204 (TDD). Complaints should be filed within 300 days of any unlawful harassment.
6. **Confidentiality.** Witnesses, complainant and the accused shall keep confidential matters related to the charge of unlawful harassment.

Thetford Town School District

CODE B7 Tobacco Prohibition (Required)

Date Warned: 04-13-21

Date Adopted:

Date Revised:

Date Reviewed:

Policy

In accordance with state law, it is the policy of the Thetford Town School District to prohibit the use of tobacco or tobacco substitutes on supervisory union or school grounds or at school sponsored functions. This ban extends to any student, employee or visitor to the school, and applies at all times, whether or not school is in session. Students are, furthermore, prohibited from possessing tobacco products, tobacco substitutes or tobacco paraphernalia at all times while under the supervision of school staff or at school-sponsored activities. The Superintendent or his or her designee shall develop procedures, rules and regulations that are necessary to implement this policy and, at a minimum, will include provisions ensuring that tobacco products, tobacco substitutes or tobacco paraphernalia are confiscated when found in the possession of students and that referrals to law enforcement agencies are made when appropriate.

Definitions

For purposes of this policy and administrative rules and procedures developed pursuant to this policy:

1. **School grounds** means any property and facilities owned or leased by the school and used at any time for school related activities, including but not limited to school buildings, school buses, areas adjacent to school buildings, athletic fields and parking lots.
2. **School sponsored activity** means activities including but not limited to field trips, project graduation events, sporting events, work internships and dances.
3. **Tobacco product** has the same meaning as set forth in 7 V.S.A. 1001(3), as amended from time to time.
4. **Tobacco paraphernalia** has the same meaning as set forth in 7 V.S.A. 1001(7), as amended from time to time.
5. **Tobacco substitutes** has the same meaning as set forth in 7 V.S.A. 1001(8), as amended from time to time.

Thetford Town School District

CODE B8 Electronic Communications Between Employees and Students (REQUIRED)

Date Warned: 04-13-21

Date Adopted:

Date Revised:

Date Reviewed:

I. Statement of Policy

The Thetford Town School District recognizes electronic communications and the use of social media outlets create new options for extending and enhancing the educational program of the school district. Electronic communications and the use of social media can help students and employees communicate regarding: questions during non-school hours regarding homework or other assignments; scheduling issues for school-related co-curricular and interscholastic athletic activities; school work to be completed during a student's extended absence; distance learning opportunities; and other professional communications that can enhance teaching and learning opportunities between employees and students. However, the Thetford Town School District recognizes employees and students can be vulnerable in electronic communications.

In accordance with Act 5 of 2018, this model policy is adopted to provide guidance and direction to Thetford Town School District employees to prevent improper electronic communications between employees and students.

II. Definitions. For purposes of this policy, the following definitions apply:

- A. **Electronic communication.** Electronic communication is any computer-mediated communication in which individuals exchange messages with others, either individually or in groups. Examples of electronic communication include, but are not limited to, email, text messages, instant messaging, voicemail, and image sharing and communications made by means of an internet site, including social media and social networking websites.
- B. **Social media.** Social media is any form of online publication or presence that allows interactive communication, including, but not limited to, social networks, blogs, websites and internet forums. Examples of social media include, but are not limited to, Facebook, Twitter, Instagram, YouTube, and Google+.
- C. **Employee.** Employee includes any person employed directly by or retained through a contract of employment the district, an agent of the school, a school board member, and including supervisory union employees.
- D. **Student.** Student means any person who attends school in any of the grades Prekindergarten through 12 operated by the district.

III. Policy on Electronic Communication Between Students and Employees.

All communication between employees and students shall be professional and appropriate. The use of electronic communication that is inappropriate in content is prohibited.

A. Inappropriate content of an electronic communication. Inappropriate content of an electronic communication between an Employee and a Student includes, but is not limited to:

1. Communications of a sexual nature, sexual oriented humor or language, sexual advances, or content with a sexual overtone;
2. Communications involving the use, encouraging the use, or promoting or advocating the use of alcohol or tobacco, the illegal use of prescription drugs or controlled dangerous substances, illegal gambling, or other illegal activities;
3. Communications regarding the employees' or student's past or current romantic relationships;
4. Communications which include the use of profanities, obscene language, lewd comments, or pornography;
5. Communications that are harassing, intimidating, or demeaning;
6. Communications requesting or trying to establish a personal relationship with a student beyond the employees' professional responsibilities;
7. Communications related to personal or confidential information regarding employee or student that isn't academically focused; and
8. Communications between an employee and a student between the hours of 10 p.m. and 6 a.m. An Employee may, however, make public posts to a social network site, blog or similar application at any time.

B. Procedures. The superintendent shall develop procedures for both the receipt and handling of reports filed under this policy (see IV.A. and B. below).

IV. Enforcement Responsibilities

A. Student communications violation of this policy. In the event a student sends an electronic communication, that is inappropriate as defined in this policy or that violates the procedures governing inappropriate forms of electronic communication to an employee, the employee shall submit a written report of the inappropriate communication ("Report") to the principal or designee by the end of the next school day following actual receipt by the Employee of such communication. The principal or designee will take appropriate action to have the student discontinue such improper electronic communications.

While the school district will seek to use such improper electronic communications by a student as a teaching and learning opportunity, student communications violation of this policy may subject a student to discipline. Any discipline imposed shall take into account the relevant surrounding facts and circumstances.

B. Employee communications violation of this policy. In the event an employee sends an electronic communication that is inappropriate as defined in this policy or that violates the procedures governing inappropriate forms of electronic communication to a student, the student shall or the student's parent or guardian may submit a written report of the inappropriate communication ("Report") to the principal and/or the person designated by the principal to receive complaints under this policy promptly. The report

shall specify what type of inappropriate communication was sent by the employee with a copy of the communication, if possible.

Inappropriate electronic communications by an employee may result in appropriate disciplinary action.

- C. **Applicability.** The provisions of this policy shall be applicable at all times while the employee is employed by the district and at all times the student is enrolled in the school district, including holiday and summer breaks. An employee is not subject to these provisions to the extent the employee has a family relationship with a student (i.e. parent/child, nieces, nephews, grandchildren, etc.).
- D. **Other district policies.** Improper electronic communications that may also constitute violations of other policies of the district, i.e. unwelcome sexual conduct may also constitute a violation of the school's separate policy on the Prevention of Harassment, Hazing and Bullying of Students. Complaints regarding such behavior should be directed as set forth in the school's Procedures on the Prevention of Harassment, Hazing and Bullying of Students.

V. Reporting to Other Agencies

- A. **Reports to Department of Children and Families [DCF].** When behaviors violative of this policy include allegations of child abuse, any person responsible for reporting suspected child abuse under 33 V.S.A. §4911, et seq., must report the allegations to the Commissioner of DCF. If the victim is over the age of 18 and a report of abuse is warranted, the report shall be made to Adult Protective Services in accordance with 33 V.S.A. §6901 et seq.
- B. **Reports to Vermont Agency of Education [AOE].** Accordingly, if behaviors violative of this policy in a public school involve 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 AOE.
- C. **Reporting Incidents to the Police.** Nothing in this policy shall preclude persons from reporting to law enforcement any incidents and/or conduct that may be a criminal act.
- 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 or any other policy, such as the Policy on the Prevention of Harassment, Hazing and Bullying, to pursue and complete an investigation upon receipt of notice of conduct which may constitute a policy violation.

Thetford Town School District

CODE C1 Education Records (Required)

Date Warned: 04-13-21

Date Adopted:

Date Revised:

Date Reviewed:

Policy

The Thetford Town School District recognizes the importance of keeping accurate and appropriate education records for students as part of a sound educational program and is committed to act as trustee of this information, maintaining these records for educational purposes to serve the best interests of its students.

The principles of accuracy and confidentiality underlie all policies and procedures for the collection, maintenance, disclosure and destruction of education records. It is the policy of the district to protect the confidentiality of education records and release information only as permitted by law. Annually or when the student enrolls, the district will inform parents, guardians, and students eighteen years and older of their right to inspect, review, and seek amendment of the student's education records. The district will inform parents guardians, and students eighteen years and older of items considered directory information through notices distributed at the beginning of each school year or when a student enrolls.

The building principal will be the custodian of all education records in a given school. The superintendent has overall responsibility for education records throughout the district and for assuring that adequate systems are in place to maintain such records and to provide parents with access to them in accordance with state and federal law. The Superintendent is responsible for developing procedures to assure the consistent implementation of this policy. The procedures shall comply with all federal and state laws and regulations governing access to and the collection, maintenance, disclosure and destruction of education records.

Definitions

All terms used in this policy, and the procedures developed for the implementation of this policy, shall be defined, where applicable, as those terms are defined in the Family Educational Rights and Privacy Act and in the federal regulations promulgated pursuant to that Act.

Thetford Town School District

CODE C2 Student Alcohol and Drugs (Required)

Date Warned: 04-13-21

Date Adopted:

Date Revised:

Date Reviewed:

Policy

It is the policy of the Thetford Town School District that no student shall knowingly possess, use, sell, give or otherwise transmit, or be under the influence of any illegal drug, regulated substance, or alcohol on any school property, or at any school sponsored activity away from or within the school. It is further the policy of the district to make appropriate referrals in cases of substance abuse.

Definitions

Substance Abuse is the ingestion of drugs and or alcohol in such a way that it interferes with a person's ability to perform physically, intellectually, emotionally, or socially.

Drug means any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance as defined by state or federal regulation or statute.

Educational Program. The (superintendent, principal, other) shall work with appropriate staff members to develop and conduct an alcohol and drug abuse educational program. The program shall be consistent with the Vermont Alcohol and Drug Education Curriculum Plan. If the school district is a recipient of federal Safe and Drug-Free Schools and Communities Act funds, the Act will be considered in the development of the alcohol and drug abuse educational program.

Support and Referral System. In each school the principal or his or her designee shall develop a support and referral system for screening students who refer themselves and students who are referred by staff for suspected drug and/or alcohol use and/or abuse problems. The support and referral system will include processes to determine the need for further screening, education, counseling or referral for treatment in each referred case. In addition, the principal shall establish procedures for administering emergency first aid related to alcohol and drug abuse.

Cooperative Agreements. The (superintendent, principal, other) shall annually designate an individual to be responsible for providing information to students and parents or guardians about outside agencies that provide substance abuse prevention services and to encourage the use of their services and programs when appropriate.

The Thetford Town School District, has entered into a cooperative agreement with **Little Rivers and The Clara Martin Center**. The (Agencies) will provide substance abuse treatment to students who are referred through the school's support and referral system, or who refer themselves for treatment.

Staff Training. The (superintendent, principal, other) will work with appropriate staff to provide training for teachers and health and guidance personnel who teach or provide other services in the school's alcohol and drug abuse prevention education program. The training provided will meet the requirements of State Board Rules related to staff training.

Community Involvement. The (superintendent, principal, other) will work with school staff and community members to implement a program to inform the community about substance abuse issues in accord with State Board of Education rules.

Annual Report. In a standard format provided by the Agency of Education, the (superintendent, principal, other) will submit an annual report to the Secretary of Education describing substance abuse education programs and their effectiveness.

Notification. The (superintendent, principal, other) shall ensure that parents and students are given copies of the standards of conduct and disciplinary sanctions contained in the procedures related to this policy, and are notified that compliance with the standards of conduct is mandatory. Notice to students will, at a minimum, be provided through inclusion of these standards and sanctions in the student handbook distributed to all students at the beginning of each school year or when a student enrolls in the school.

Thetford Town School District

CODE C3 Transportation (Required)

Date Warned: 04-13-21

Date Adopted:

Date Revised:

Date Reviewed:

Policy

Where it is reasonable and necessary to enable a student entitled or required to attend an elementary or a secondary school within the Thetford Town School District, the district/supervisory union may furnish transportation on public roads to students who reside within the district. The district/supervisory union may also provide transportation to non-resident students as authorized by the board. Accordingly, the Thetford Town School District has decided to furnish transportation under this policy.

The superintendent will establish routes and designate stops after considering both the safety of children and efficiency of operation. The superintendent will consider the following factors when determining routes and stops.

1. The age and health of pupils,
2. Distance to be traveled,
3. Condition of the road, and
4. Type of highway.

The superintendent may consider any other factors he or she deems appropriate when establishing routes and designated stops.

The superintendent shall submit to the school board for approval any contracts, leases or purchases necessary to maintain and operate transportation equipment, and shall include in his or her annual report to the board information as to all pupils transported by the school district and the expense thereof.

Thetford Town School District

CODE C4 Limited English Proficiency Students (Required)

Date Warned: 04-13-21

Date Adopted:

Date Revised:

Date Reviewed:

Policy

It is the policy of the Thetford Town School District to ensure that students whose primary or dominant language is not English, and who therefore have limited-English proficiency (LEP), have equitable access to school programs as required by law.

Implementation

The superintendent or his or her designee shall be responsible for developing and implementing procedures to comply with federal and state laws, which define standards for serving LEP students.

Thetford Town School District

CODE C5 Firearms (REQUIRED)

Date Warned: 04-13-21

Date Adopted:

Date Revised:

Date Reviewed:

Policy

It is the policy of the Thetford Town School District to comply with the federal Gun Free Schools Act of 1994 and state law requiring school districts to provide for the possible expulsion of students who bring firearms to or possess firearms at school. It is further the intent of the board to maintain a student discipline system consistent with the requirements of the federal Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act and the Vermont State Board of Education rules.

Definitions

For the purposes of this policy, the terms "firearm" "school" and "expelled" shall be defined consistent with the definitions required by state and federal law.

Sanctions

Any student who brings a firearm to school, or who possesses a firearm at school shall be brought by the superintendent to the school board for an expulsion hearing.

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

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

At the discretion of the school board and administration, an expelled student may be afforded limited educational services at a site other than the school during the period of expulsion under this policy.

Aiding Other Students

A student who in any way encourages another student to bring weapons to school also endangers the safety of others. The Supervisory Union/District expressly prohibits any such action. No student shall knowingly or willfully cause, encourage, or aid any other student to possess, handle, or transmit any weapons or facsimiles of weapons. No student shall knowingly or willingly cause, encourage or aid any other student to make, issue, or otherwise communicate by any means, a threat that a dangerous or deadly weapon has been or will be placed or used on school grounds or property. A student found to have violated this provision

may be subject to the same sanctions as a student who brings a weapon to school, or who possesses a weapon at school.

Policy Implementation

An expulsion hearing conducted under this policy shall afford due process as required by law and as developed by the superintendent or his or her designee.

The superintendent shall refer to appropriate law enforcement agency any student who brings a firearm to a school under the control and supervision of the school district. The superintendent may also report any incident subject to this policy to the Department of Social and Rehabilitative Services. The superintendent shall annually provide the Secretary of Education with descriptions of the circumstances surrounding expulsions imposed under this policy, the number of students expelled and the type of firearms involved.

Thetford Town School District

CODE C6 Participation of Home Study Students (Required)

Date Warned: 04-13-21

Date Adopted:

Date Revised:

Date Reviewed:

Policy

It is the policy of the Thetford Town School District to comply with the requirements of Act 119 of 1998 by allowing home study students to participate in courses, programs, activities, and services and use school educational materials and equipment.

The Superintendent will develop administrative procedures that comply with rules promulgated by the Vermont State Board of Education as is necessary to implement this policy.

Thetford Town School District

CODE C7 Student Attendance (Required)

Date Warned: 04-13-21

Date Adopted:

Date Revised:

Date Reviewed:

Policy

It is the policy of the Thetford Town School District to set high expectations for consistent student school attendance in accordance with Vermont law in order to facilitate and enhance student learning. Legal pupils between the ages of 6 and 16 and who are residents of the school district and non-resident pupils who enroll in school district schools are required to attend school for the full number of days that school is held unless they are excused from attendance as provided in state law. Students who are over the age of 16 are required to attend school continually for the full number of the school days for which they are enrolled, unless they are mentally or physically unable to continue, or are excused by the superintendent in writing.

Annually, the superintendent shall ensure that the school board appoints one or more individuals to serve as the truant officer, and shall ensure that appointment is recorded with the clerk of the school district.

The superintendent shall develop administrative rules and procedures to ensure the implementation of this policy.

Administrative Rules and Procedures

The procedures will address the following issues and may include others as well:

- A. written excuses;
- B. tardiness;
- C. notification of parents/guardian;
- D. signing out of school;
- E. excessive absenteeism;
- F. homebound and hospitalized students;
- G. early dismissals;
- H. homework assignments;
- I. making up work.

Administrative Responsibilities

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

Thetford Town School District

CODE C8 Pupil Privacy Rights (Required)

Date Warned: 04-13-21

Date Adopted:

Date Revised:

Date Reviewed:

Policy

It is the intent of the Thetford Town School District to comply with the provisions of the federal Pupil Privacy Rights Amendment (PPRA) and Vermont State Board of Education Rules governing the administration of certain student surveys, analyses or evaluations.

Administrative Responsibilities

The superintendent of his or her designee shall develop administrative procedures to ensure school district compliance with applicable federal and state laws related to pupil privacy. The administrative procedures shall include provisions related to the following legal requirements.

1. The right of parents or eligible students to inspect surveys created by third parties before administration or distribution of the surveys to students.
2. Any applicable procedures for granting request by a parent for access to such survey within reasonable time after a request is received.
3. Arrangements of protect student privacy in the event of the administration or distribution of a survey to a student containing one or more of the items listed in the federal Pupil Privacy Rights Amendment.
4. The right of a parent to inspect any instructional material used as part of the educational curriculum for the parent's child, and any applicable procedures for granting access to such material within a reasonable time after the request is received.
5. The administration of physical examinations or screenings that the school district may administer to a student.
6. The collection, disclosure or use of personal information collected from students for the purpose of marketing or for selling that information, including arrangements to protect student privacy in the event of such collection, disclosure or use.
7. The right of a parent of a student to inspect any instrument used in the collection of personal information under subparagraph (6) above, and any applicable procedures for granting a request for such inspection within a reasonable time after receiving the request.
8. Provisions to ensure that parents are notified of the school district policies and procedures adopted to comply with federal and state laws and regulations governing pupil privacy, including, but not limited to, notification of activities involving the collection of personal information from students, the administration of surveys containing items specifically listed in the Pupil Privacy Rights Amendment.

Thetford Town School District

Code C9 Federal Child Nutrition Act Wellness Policy (Required)

Date Warned: 04-13-21

Date Adopted:

Date Revised:

Date Reviewed:

Purpose

It is the intent of the Thetford Town School District to comply with the local policy requirements of the federal Child Nutrition and WIC Reauthorization Act of 2004 and the Healthy, Hunger-Free Kids Act of 2010 (HHFKA). In accord with those requirements, this policy has been developed in consultation with parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators and the general public.

Policy Statement

It is the policy of the Thetford Town School District to establish goals for nutrition promotion and education, nutrition guidelines, physical activity and other school based activities that are designed to promote student wellness. The district will review and consider evidence-based strategies in determining these goals.

I. Goals for Nutrition Promotion and Education.

- A. The school district shall provide nutrition promotion and education programs as required by state law and regulations of the State Board of Education. In particular, the district shall provide a nutrition component in its Comprehensive Health Education program and shall develop curricular programs intended to accomplish applicable goals enumerated in the Vermont Education Quality Standards.
- B. Nutrition education and promotion programs shall be conducted by appropriately licensed staff members.
- C. To the extent practicable, nutrition education and promotion shall be integrated into core curricula in areas such as science and family and consumer science courses.
- D. The district will limit food and beverage marketing to the promotion of only those foods and beverages that meet the USDA Smart Snacks in School nutrition standards on school campus.

II. Goals for Physical Education and Physical Activity.

- A. The district shall provide physical education classes for all students as required by Education Quality Standards.
- B. The district shall offer opportunities for students in grades K-12 to participate in at least 30 minutes of physical activity within or outside of the school day. Physical activity may

include recess and movement built into the curriculum, but does not replace physical education classes.

III. Goals for Nutrition Services

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

IV. Nutrition Guidelines.

- A. The National School Lunch and School Breakfast Programs will meet the requirements provided in 7 CFR 210 and 7 CFR 220 (National School Lunch Program and School Breakfast Guidelines.)
- B. All foods and beverages outside the reimbursable school meal programs that are sold to students on the school campus during the school day will meet the USDA Smart Snacks nutrition standards.
- C. School district fundraisers that occur during the school day will meet the USDA Smart Snack nutrition standards.
- D. The district is required to establish nutrition guidelines for all other foods provided, but not sold to students during the school day. Foods provided but not sold may include food that is part of a classroom celebration or provided by parents or community organizations free of charge. *[Districts should choose either 1 or 2 below, or write their own guidelines.]*
 - (1) *It is the policy of the district that, when feasible, food provided but not sold should be limited to those foods that improve the diet and health of students, help mitigate childhood obesity, and model healthy choices.*
 - (2) *Food provided but not sold will, at minimum, comply with the Smart Snacks Standards.*

V. Other School Based Activities

The district will implement other wellness based school activities from time to time at the discretion of the superintendent or his or her designee. These activities will be in accordance

with evidence-based strategies such as those provided in the Vermont School Wellness Policy Guidelines.

VI. Assessment:

The District will conduct an assessment of the wellness policy every 3 years. This assessment will determine: compliance with the wellness policy, how the wellness policy compares to model wellness policies, and progress made in attaining the goals of the wellness policy.

VII. Policy Implementation.

- A. The district will permit parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators and the general public to participate in the development, implementation, monitoring, and periodic review and update of this policy.
- B. The superintendent or his or her designee shall periodically monitor district programs and curriculum to ensure compliance with this policy and any administrative procedures established to carry out the requirements of this policy.
- C. The district shall annually inform and update the public about the content and implementation of this policy, including the extent to which district schools are in compliance with this policy, the extent to which this policy compares to model local school wellness policies and a description of the progress made in attaining the goals of this policy.
- D. The superintendent or his or her designee shall report at least annually to the board and to the public on the district's compliance with law and policies related to student wellness. The report shall include information as to the content and implementation of this policy, and an assurance that district guidelines for reimbursable meals are not less restrictive than regulations and guidelines issued for schools in accordance with federal law.

Thetford Town School District

CODE C10 Policy on the Prevention of Harassment, Hazing & Bullying of Students (Required)

Date Warned: 04-13-21

Date Adopted:

Date Revised:

Date Reviewed:

I. Statement of Policy

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

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

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

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

The Model Procedures are expressly incorporated by reference as though fully included within this Model Policy. The Model Procedures are separated from the policy for ease of use as may be required.

II. Implementation

The superintendent or his/her designee shall:

1. Adopt a procedure directing staff, parents and guardians how to report

violations of this policy and file complaints under this policy. (See Model Procedures on the Prevention of Harassment, Hazing and Bullying of Students)

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

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

III. Constitutionally Protected Speech

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

IV. Definitions. For the purposes of this policy and the accompanying

procedures, the following definitions apply:

- A. **“Bullying”** means any overt act or combination of acts, including an act conducted by electronic means, directed against a student by another student or group of students and which:
 - a. Is repeated over time;
 - b. Is intended to ridicule, humiliate, or intimidate the student; and
 - c. (i) occurs during the school day on school property, on a school bus, or at a school-sponsored activity, or before or after the school day on a school bus or at a school sponsored activity; or
(ii) does not occur during the school day on school property, on a school bus or at a school sponsored activity and can be shown to pose a clear and substantial interference with another student’s right to access educational programs.

- B. **“Complaint”** means an oral or written report information provided by a student or any person to an employee alleging that a student has been subjected to conduct that may rise to the level of hazing, harassment or bullying.

- C. **“Complainant”** means a student who has provided oral or written information about conduct that may rise to the level of hazing, harassment or bullying, or a student who is the target of alleged hazing, harassment or bullying.

- D. **“Designated employee”** means an employee who has been designated by the school to receive complaints of hazing, harassment and bullying pursuant to subdivision 16 V.S.A. 570a(a)(7). The designated employees for each school building are identified in Appendix A of this policy.

- E. **“Employee”** includes any person employed directly by or retained through a contract with the District, an agent of the school, a school board member, a student teacher, an intern or a school volunteer. For purposes of this policy, “agent of the school” includes supervisory union staff.

- F. **“Equity Coordinator”** is the person responsible for implementation of Title IX (regarding sex-based discrimination) and Title VI (regarding race-based discrimination) for the District and for coordinating the District’s compliance with Title IX and Title VI in all areas covered by the implementing regulations. The Equity Coordinator is also responsible for overseeing implementation of the District’s *Preventing and Responding to Harassment of Students and Harassment of Employees* policies. This role may also be assigned to Designated Employees.

- G. **“Harassment”** means an incident or incidents of verbal, written, visual, or physical conduct, including any incident conducted by electronic means, based on or motivated by a student’s or a student’s family member’s actual or perceived race, creed, color, national origin, marital

status disability, sex, sexual orientation, or gender identity, that has the purpose or effect of objectively and substantially undermining and detracting from or interfering with a student's educational performance or access to school resources or creating an objectively intimidating hostile, or offensive environment.

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

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

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

- (2) Racial harassment, which means conduct directed at the characteristics of a student's or a student's family member's actual or perceived race or color, and includes the use of epithets, stereotypes, racial slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, display, or circulation of written or visual material, and taunts on manner of speech and negative references to cultural customs.
 - (3) Harassment of members of other protected categories, means conduct directed at the characteristics of a student's or a student's family member's actual or perceived creed, national origin, marital status, disability, sex, sexual orientation, or gender identity and includes the use of epithets, stereotypes, slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, display, or circulation of written or visual material, taunts on manner of speech, and negative references to customs related to any of these protected categories.
- H. **“Hazing”** means any intentional, knowing or reckless act committed by a student, whether individually or in concert with others, against another student: In connection with pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization which is affiliated with the educational institution; and

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

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

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

With respect to Hazing, “**Student**” means any person who:

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

- I. “**Notice**” means a written complaint or oral information that hazing, harassment or bullying may have occurred which has been provided to a designated employee from another employee, the student allegedly subjected to the hazing, harassment or bullying, another student, a parent or guardian, or any other individual who has reasonable cause to believe the alleged conduct may have occurred. If the school learns of possible hazing, harassment or bullying through other means, for example, if information about hazing, harassment or bullying is received from a third party (such as from a witness to an incident or an anonymous letter or telephone call), different factors will affect the school’s response. These factors include the source and nature of the information; the seriousness of the alleged incident; the specificity of the information; the objectivity and credibility of the source of the report; whether any individuals can be identified who were subjected to the alleged harassment; and whether those individuals want to pursue the matter. In addition, for purposes of violations of federal anti-discrimination laws, notice may occur when an employee of the district, including any individual who a student could reasonably believe has this authority or responsibility, knows or in the exercise of reasonable care should have known about potential unlawful harassment or bullying.
- J. “**Organization**” means a fraternity, sorority, athletic team, association, corporation, order, society, corps, cooperative, club, or other similar group, whose members primarily are students at an educational institution, and which is affiliated with the educational institution.

- K. **“Pledging”** means any action or activity related to becoming a member of an organization.
- L. **“Retaliation”** is any adverse action by any person against a person who has filed a complaint of harassment, hazing or bullying or against a person who assists or participates in an investigation, proceeding or hearing related to the harassment complaint. Such adverse action may include conduct by a school employee directed at a student in the form of intimidation or reprisal such as diminishment of grades, suspension, expulsion, change in educational conditions, loss of privileges or benefits, or other unwarranted disciplinary action. Retaliation may also include conduct by a student directed at another student in the form of further harassment, intimidation, and reprisal.
- M. **“School administrator”** means a superintendent, principal or his/her designee assistant principal//technical center director or his/her designee and/or the District’s Equity Coordinator.
- N. **“Student Conduct Form”** is a form used by students, staff, or parents, to provide, in written form, information about inappropriate student behaviors that may constitute hazing, harassment and/or bullying.

APPENDIX A

Designated Employees:

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

School Counselor: Sara Bailey

Principal: Chance Lindsley, Elementary Principal

Address: 2689 Rte 113 P O Box 182 Thetford VT 05074

Telephone number: 802-785-2645

Thetford Town School District

CODE C10P Model Procedures on the Prevention of Harassment, Hazing & Bullying of Students

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

- A. Student Reporting: Any student who believes that s/he has been hazed, harassed and/or bullied under this policy, or who witnesses or has knowledge of conduct that s/he reasonably believes might constitute hazing, harassment and or/bullying, should promptly report the conduct to a designated employee or any other school employee.
- B. School employee reporting: Any school employee who **witnesses conduct** that s/he reasonably believes might constitute hazing, harassment and/or bullying shall take reasonable action to stop the conduct and to prevent its recurrence and immediately report it to a designated employee and immediately complete a Student Conduct Form.

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

- C. Other reporting: Any other person who witnesses conduct that s/he reasonably believes might constitute hazing, harassment and/or bullying under this policy should promptly report the conduct to a designated employee.
- D. Documentation of the report: If the complaint is oral, the designated employee shall promptly reduce the complaint to writing in a Student Conduct Form, including the time, place, and nature of the alleged conduct, the identity of the complainant, alleged perpetrator, and any witnesses. Both the complainant and the alleged perpetrator will have the right to present witnesses and other evidence in support of their position.
- E. False complaint: Any person who knowingly makes a false accusation regarding hazing, harassment and/or bullying may be subject to disciplinary action up to and including suspension and expulsion with regard to students, or up to and including discharge with regard to employees. There shall be no adverse action taken against a person for reporting a complaint of hazing, harassment and/or bullying when the person has a good faith belief that hazing, harassment and/or bullying occurred or is occurring.

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

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

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

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

- A. Upon **notice of information** that hazing, harassment and/or bullying may have occurred the designated employee shall:
- i. Promptly reduce any oral information to writing, including the time, place, and nature of the conduct, and the identity of the participants and complainant.
 - ii. Promptly inform the school administrator(s) of the information;
 - iii. If in the judgment of the school administrator, the information alleges conduct which may constitute harassment, hazing or bullying, the school administrator shall, as soon as reasonably possible, provide a copy of the policy on hazing, harassment and bullying and these procedures to the complainant and accused individual, or if either is a minor, cause a copy to be provided or delivered to their respective parent or guardian.
- B. Upon **initiation of an investigation**, the designated employee shall:
- i. Notify in writing both the complainant and accused individual (or if either is a minor inform their respective parent or guardian) that:
 1. an investigation has been initiated;
 2. retaliation is prohibited;
 3. all parties have certain confidentiality rights; and
 4. they will be informed in writing of the outcome of the investigation.

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

III. Investigating Hazing, Harassment and/or Bullying Complaints

- A. Initiation of Investigation - Timing. Unless special circumstances are present and documented, such as reports to the Department for Children and Families (“DCF”) or the police, the school administrator shall, no later than one school day after Notice to a designated employee, initiate or cause to be initiated, an investigation of the allegations, which the school administrator reasonably believes may constitute harassment, hazing or bullying.
- B. Investigator Assignment. The school administrator shall assign a person to conduct the investigation; nothing herein shall be construed to preclude the school administrator from assigning him/herself or a designated employee as the investigator. No person who is the subject of a complaint shall conduct such an investigation.
- C. Interim Measures. It may be appropriate for the school to take interim measures during the investigation of a complaint. For instance, if a student alleges that he or she has been sexually assaulted by another student, the school may decide to place the students immediately in separate classes and/or transportation pending the results of the school’s investigation. Similarly, if the alleged harasser is a teacher, allowing the student to transfer to a different class may be appropriate. In all cases, the school will make every effort to prevent disclosure of the names of all parties involved – the complainant, the witnesses, and the accused -- except to the extent necessary to carry out the investigation. In all cases where physical harm has resulted and/or where the targeted student is known to be expressing suicidal ideation, or experiencing serious emotional harm, a safety plan will be put in place. Safety plans must also be considered in cases where the targeted student is known to have difficulty accessing the educational programs at the school as a result of the inappropriate behavior. No contact orders, or their enforcement, may also be appropriate interim measures.

- D. Due Process. The United States Constitution guarantees due process to students and District employees who are accused of certain types of infractions, including but not limited to sexual harassment under Federal Title IX. The rights established under Title IX must be interpreted consistent with any federally guaranteed due process rights involved in a complaint proceeding, including but not limited to the ability of the complainant and the accused to present witnesses and other evidence during an investigation. The District will ensure that steps to accord due process rights do not restrict or unnecessarily delay the protections provided by Title IX to the complainant.
- E. Standard Used to Assess Conduct. In determining whether the conduct constitutes a violation of this policy, the investigator shall consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. The complainant and accused will be provided the opportunity to present witnesses and other evidence during an investigation. The school will also consider the impact of relevant off-campus conduct on the school environment where direct harm to the welfare of the school can be demonstrated or the conduct can be shown to pose a clear and substantial interference with another student's equal access to educational programs. Whether a particular action constitutes a violation of this policy requires determination based on all the facts and surrounding circumstances.
- F. Completion of Investigation – Timing. No later than five school days from the filing of the complaint with the designated employee, unless special circumstances are present and documented, the investigator shall submit a written initial determination to the school administrator.
- G. Investigation Report. The investigator shall prepare a written report to include a statement of the findings of the investigator as to whether the allegations have been substantiated, and as to whether the alleged conduct constitutes hazing, harassment and/or bullying. The report, when referencing student conduct, is a student record and therefore confidential. It will be made available to investigators in the context of a review conducted by either Vermont AOE, or investigations of harassment conducted by the Vermont Human Rights Commission or U.S. Department of Education Office of Civil Rights.
- H. Notice to Students/Parents/Guardians. Within five school days of the conclusion of the investigation, the designated employee shall:
- i. Notify in writing both the complainant and accused individual (or if either is a minor inform their respective parent or guardian) that:
 1. the investigation has been completed;
 2. whether or not the investigation concluded that a policy violation occurred (and which policy term was violated, i.e. harassment, hazing and/or bullying);
 3. that federal privacy law prevents disclosure of any discipline imposed as a result of the investigation unless the

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

- ii. Notify the Complainant Student - or if a minor, their parent(s) or guardian - in writing of their rights to:
 1. an internal review by the school of its initial determination as a result of its investigation as to whether harassment occurred;
 2. request an Independent Review of the school's "final" determination as to whether harassment occurred within thirty (30) days of the final determination or although a "final" determination was made that harassment indeed occurred the school's response to that harassment was inadequate to correct the problem; and that the review will be conducted by an investigator to be selected by the superintendent from a list developed by the Agency of Education;
 3. file complaints of harassment with either the Vermont Human Rights Commission and/or the federal Department of Education's Office of Civil Rights.
- iii. Notify the Accused Student – or if a minor, their parent(s) or guardian - in writing of their right to appeal as set forth in Section V of these procedures.

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

IV. Responding to Substantiated Claims

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

(i) Potential Remedial Actions. Remedial action may include but not be limited to an age appropriate warning, reprimand, education, training and counseling, transfer, suspension, and/or expulsion of a student, and warning, reprimand, education, training and counseling, transfer, suspension and/or termination of an employee. A series of escalating consequences may be necessary if the initial steps are ineffective in stopping the hazing, harassment and/or bullying. To prevent recurrences counseling for the offender may be appropriate to ensure that he or she

understands what constitutes hazing/harassment and/or bullying and the effects it can have. Depending on how widespread the hazing/harassment/bullying was and whether there have been any prior incidents, the school may need to provide training for the larger school community to ensure that students, parents and teachers can recognize hazing/harassment/bullying if it recurs and know how to respond.

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

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

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

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

The District will take reasonable steps to prevent any retaliation against the student who made the complaint (or was the subject of the harassment), against the person who filed a complaint on behalf of a student, or against those who provided information as witnesses. At a minimum, this includes making sure

that the students and their parents, and those witnesses involved in the school's investigation, know how to report any subsequent problems and making follow-up inquiries to see if there are have been any new incidents or any retaliation.

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

V. Post Investigative Reviews

Rights of Complainants

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

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

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

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

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

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

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

Office for Civil Rights, Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109-3921
617-289-0111 (voice)
877-521-2172 (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 of the school district. The school board shall conduct a review on the record. The standard of review by the school board shall be whether the finding that an act(s) of hazing, harassment, and/or bullying has been committed constitutes an abuse of discretion by the school level fact finder. Appeals should be made to the school board within ten (10) calendar days of receiving the determination that an act(s) of hazing, harassment

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

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

VI. Confidentiality and Record Keeping

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

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

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

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

VII. Reporting to Other Agencies

- A. Reports to Department of Children and Families. When a complaint made pursuant to this policy includes allegations of child abuse, any person responsible for reporting suspected child abuse under 33 V.S.A. § 4911, et seq. must report the allegation to the Commissioner of DCF. If the victim is over the age of 18 and a report of abuse is warranted, the report shall be made to Adult Protective Services in accordance with 33 V.S.A. § 6901 et seq.
- B. Reports to Vermont Agency of Education. If a harassment complaint is made in a public school about conduct by a licensed educator that might be grounds under Vermont law for licensing action, the principal shall report the alleged conduct to the Superintendent and the Superintendent shall report the alleged conduct to the Commissioner. If a harassment complaint is made in an independent school about conduct by a licensed educator that might be grounds under Vermont law for licensing action, the head of school is encouraged to report the alleged conduct to the Secretary of Education.
- C. Reporting Incidents to Police
 - a. FERPA Rights. Information obtained and documented by school administration regarding the school’s response to notice of student

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

- b. First Hand Reports. Nothing in this policy shall preclude persons from reporting incidents and/or conduct witnessed first-hand that may be considered to be a criminal act to law enforcement officials.
- c. Hazing Incidents. It is unlawful to (1) engage in hazing; (2) solicit direct, aid, or attempt to aid, or abet another person engaged in hazing; or (3) knowingly fail to take reasonable measures within the scope of the person’s authority to prevent hazing. It is not a defense in an action under this section that the person against whom the hazing was directed consented to or acquiesced in the hazing activity. Hazing incidents will be reported to the police in a manner consistent with the confidentiality rights set forth above in this section.

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

VIII. Disseminating Information, Training, and Data Reporting

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

Thetford Town School District

CODE C11 Student Freedom of Expression in School Sponsored Media (Required)

Date Warned: 04-13-21

Date Adopted:

Date Revised:

Date Reviewed:

Policy Statement

Freedom of expression is a fundamental principle in a democratic society that provides all citizens, including students, with the right to engage in a robust discussion of ideas. It is the policy of the Thetford Town School District to ensure that students enjoy free speech and free press protections related to school-sponsored media, and to encourage students to become educated, informed, and responsible members of society. No expression made by students in school-sponsored media shall be deemed to be an expression of school policy.

Definitions

“Media advisor” means a person employed, appointed, or designated by the district/supervisory union to provide instruction relating to school-sponsored media.

“School-sponsored media” means any material prepared, written, published, or broadcast as part of a school-supported program or activity by a student journalist that is distributed or generally made available as part of a school-supported program or activity to an audience beyond the classroom in which the material is produced.

“Student journalist” means a student enrolled in the district/supervisory union who gathers, compiles, writes, edits, photographs, records or prepares information for dissemination in school-sponsored media.

“Student supervisor” means a student who is responsible for editing school-sponsored media.

Implementation

Subject only to the conditions 1-6 below, a student journalist may exercise freedom of speech and freedom of the press in school-sponsored media. Student supervisors of school-sponsored media are responsible for determining the content of their respective media.

This policy does not authorize or protect content of school-sponsored media that:

1. Is libelous or slanderous;
2. Constitutes an unwarranted invasion of privacy;
3. May be defined as obscene, gratuitously profane, threatening or intimidating;
4. May be defined as harassment, hazing, or bullying under Title 16 § 11;
5. Violates federal or state law; or
6. Creates the imminent danger of materially or substantially disrupting the ability of the school to perform its educational mission.

District/Supervisory Union staff may restrain the distribution of content in school-sponsored media that can be demonstrated to violate any of the conditions 1-6 above.

Content in school-sponsored media will not be restrained solely because it involves political or controversial subject matter, or is critical of the school or its administration.

A student journalist may not be disciplined for acting in accordance with this policy.

A media advisor may not be disciplined for taking reasonable and appropriate action to protect a student journalist in conduct protected by this policy or for refusing to infringe on conduct that is protected by this policy, by the first amendment to the U.S. Constitution, or by the Vermont Constitution.

Thetford Town School District

CODE C12 Prevention of Sexual Harassment as Prohibited by Title IX (Required)

Date Warned: 04-13-21

Date Adopted:

Date Revised:

Date Reviewed:

I. **Statement of Policy.**

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

II. Definitions

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

- A. **“Actual Knowledge”** means “notice” of “sexual harassment” or allegations of “sexual harassment” to either (a) a recipient’s Title IX Coordinator; or (b) any official of the recipient who has the authority to institute corrective measures on behalf of the recipient; or (c) to any employee of an elementary and secondary school.
1. For purposes of this paragraph “sexual harassment” refers to the definition as contained *within this policy*. For other forms of inappropriate conduct, or conduct which may satisfy the definition of harassment on the basis of sex as recognized under Vermont law, schools retain the option and in some cases the obligation, to address those behaviors as required by policy and law.
 2. Actual knowledge shall not be deemed to exist when the only official of the recipient with actual knowledge is the respondent.
 3. “Notice” as used in this paragraph includes, but is not limited to, a Report of Sexual Harassment to the Title IX Coordinator as described Section IV.B.
 4. Notice sufficient to trigger an obligation under this policy only shall exist where any employee has sufficient personal knowledge of alleged facts to be aware that if such facts were found to be true it would constitute a violation of this policy.
 5. Imputation of knowledge based solely on vicarious liability OR constructive notice shall be insufficient to establish or constitute actual knowledge.
- B. **“Complainant”** is an individual who is alleged to be the victim of conduct that could constitute “sexual harassment” under this Policy. In order for an individual to be considered to be a Complainant they need not file Report of Sexual Harassment, nor a Formal Complaint of Sexual Harassment. Where the Title IX Coordinator signs a Formal Complaint of Sexual Harassment, the Title IX Coordinator is not considered a “Complainant.”
- C. **“Days”** shall mean calendar days, but shall exclude non-weekend days on which the District office is closed (e.g. holidays, office-wide vacations), or any weekday during the school year on which school is closed (e.g. snow days).
- D. **“Decision-Maker”** means persons tasked with either the responsibility of making determinations of responsibility (referred to as “Initial Decision-Maker”); or the responsibility to decide any appeal (referred to as “Appellate Decision-Maker”) with respect to Formal Complaints of Sexual Harassment in accordance with the Title IX Grievance Process.
- E. **“Determination of Responsibility”** is the formal finding by the decision-maker on each allegation of Sexual Harassment contained in a Formal complaint that the Respondent did or did not engage in conduct constituting Sexual Harassment under Title IX.
- F. **“Disciplinary sanctions”** are consequences imposed on a Respondent when s/he is determined responsible for sexual harassment prohibited under this Policy.

- F. **“Emergency Removal”** for purposes of this Policy shall mean removing a respondent from the District’s education program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. Emergency Removals as permitted by this Policy shall not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.
- G. **“Formal Complaint of Sexual Harassment”** means a document filed by either (a) a complainant (or complainant’s parent/guardian); or (b) the Title IX Coordinator, alleging sexual harassment against a respondent AND requesting that the District investigate the allegation of sexual harassment. The issuance or receipt of a Formal Complaint of Sexual Harassment formally triggers the Title IX Grievance Process set forth in Section IV. of this Policy.
- H. **“Investigation of Title IX Sexual Harassment”** Before the District can conduct an Investigation of Sexual Harassment under this Policy, against a Respondent, a Formal Complaint of Sexual Harassment that contains an allegation of sexual harassment and a request that the District investigate the allegations is required. Such investigation is a part of the Title IX Grievance Process, as set forth in Section IV.E.
- I. **“Remedial actions”** are actions intended to restore or preserve a complainant’s equal access to the educational programs and activities of the District.
- J. **“Report of Sexual Harassment”** is any report which provides the District with actual knowledge of sexual harassment or allegations of sexual harassment. Such a report may or may not be accompanied by a Formal Complaint of Sexual Harassment. Without such a Complaint, the Title IX Grievance Process is not triggered. See Section IV.A and IV.B. regarding the process for initiating that process.
- K. **“Respondent”** means an individual who has been reported to be the individual accused (i.e. perpetrator) of conduct that could constitute sexual harassment as defined under this policy.
- L. **“Retaliation”** means intimidation, threats, coercion, or discrimination by either the District or any other person, against any individual for the purpose of interfering with any right or privilege secured by Title IX and/or this Policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing in connection with this Policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sexual discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this policy, constitutes retaliation.

Limitation in Scope.

- i. Material False Statements. Actions taken in response to **materially** false statements made in bad faith, or to submitting **materially** false information in bad faith, as part of a report or during the Title IX Grievance Process do not constitute retaliation. A determination of responsibility alone is insufficient to conclude that a person made a materially false statement in bad faith.
 - ii. 1st Amendment Protections. The exercise of rights protected under the First Amendment does not constitute retaliation prohibited by this Policy.
- M. **“Sexual harassment”** prohibited under Title IX and by this Policy is conduct on the basis of sex, occurring in an education program or activity of the District, against a person in the United States, that satisfies one or more of the following:
1. A school district employee conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct; **OR**
 2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, **AND** objectively offensive that it effectively denies a person equal access to the District's education program or activity; **OR**
 3. Or any conduct which would satisfies one or more of the following definitions:
 - a. Sexual assault: Any sexual act(s) directed at another person without consent of the victim, including instances where the victim is unable to lawfully give consent because of age or cognitive ability. Consent to a sexual act exists where words, actions or other non-verbal conduct objectively communicates a desire to participate in the sexual act(s). Consent to some sexual act(s) does not indicate consent to all sexual acts. Consent may be withdrawn at any time by objectively communicating through words, actions or other non-verbal conduct **AND/OR**
 - b. Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or an intimate nature with the victim. The existence of the relationship shall be considered with reference to the length of the relationship, the type of relationship and the frequency of the interactions between the persons involved in the relationship. **AND/OR**
 - c. Domestic violence: Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner or any other persons protected under 15 V.S.A. section 1101 from domestic abuse. **AND/OR**
 - d. Stalking: A course of conduct by a person directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.

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

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

- 1.counseling;
- 2.extensions of deadlines or other course-related adjustments;
- 3.modifications of work or class schedules;
- 4.campus escort services;
- 5.mutual restrictions on contact between the parties;
- 6.changes in work or housing locations;
- 7.leaves of absence;
- 8.increased security and monitoring of certain areas of the district campus;
- 9.and other similar measures.

III. **Duties**

A. **Reports of Sexual Harassment**

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

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

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

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

C. Formal Complaints of Sexual Harassment.

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

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

D. District Duty to Respond When Determination of Responsibility For Sexual Harassment Has Been Made Against a Respondent. The District must provide remedies to a Complainant where a determination of responsibility for sexual harassment has been made against a Respondent designed to restore or preserve equal access to the District's education program or activity. Such remedies may include "supportive measures" but also need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent.

E. Reporting to Other Agencies.

1. Reports to Department of Children and Families. When a report made pursuant to this policy includes allegations of child abuse, any person responsible for reporting suspected child abuse under 33 V.S.A. § 4491, et seq. must report the allegation to the Commission or DCF. If the victim is over the age of 18 and a report of abuse is warranted, the report shall be made to Adult Protective Services in accordance with 33 V.S.A. § 6901 et seq.
2. Reports to Vermont Agency of Education. If a report of sexual harassment is made to the District about conduct by a licensed educator that might be grounds under Vermont law for licensing action, the principal shall report the alleged conduct to the Superintendent and the Superintendent shall report the alleged conduct to the Secretary. [If a report of sexual harassment is made in an independent school about conduct by a licensed educator that might be grounds under Vermont law for licensing action, the head of school is encouraged to report the alleged conduct to the Secretary of Education.]
3. Reporting Incidents to Police.
 - a. FERPA Rights. Information obtained and documented by school administration regarding the school's response to notice of student conduct that may constitute sexual harassment may constitute an "educational record" regarding the student or student(s) involved as defined by the Family Education Rights and Privacy Act. Accordingly, such information may not be disclosed without prior parent approval to local law enforcement except in response to a lawfully issued subpoena, or in connection with an emergency if disclosure is necessary to protect the health or safety of the student or other individuals.
 - b. First Hand Reports. Nothing in this policy shall preclude persons from reporting incidents and/or conduct witnessed first-hand that may be considered to be a criminal act to law enforcement officials.
4. Continuing Obligation to Investigate. Reports made to DCF, AOE or law enforcement shall not be considered to absolve the school administrators of their obligations under this policy, or other school policies where appropriate, to respond, and when appropriate to investigate and follow the Title IX Grievance Process.

F. Disseminating Information and Notice.

1. Notice of Title IX Policy. The District will make this Policy publicly available on the District's website (OR if the District does not maintain a website, available upon request for inspection by members of the public).
2. Notice of Title IX Obligations and Coordinator Information. The District shall include in all student and employee handbooks, and shall make publicly available on the district's website (OR if the District does not maintain a website, available for inspection to members of the public upon request) the following information:
 - a. The District's policy of non-discrimination on the basis of sex, that it is required by Title IX not to discriminate in such a manner, and that such requirement not to discriminate in the education program or activity of the District extends to admission and employment (all to be prominently displayed on both the website and in publications):
 - b. The title, name, office address, email address, and telephone number of the District's Title IX Coordinator (all to be prominently displayed on both the website and in publications);
 - c. A statement that Title IX inquiries may be referred to either the District's Title IX Coordinator or to the Assistant Secretary for Civil Rights.

The same information shall be otherwise provided to students, employees, unions or professional organizations holding collective bargaining or professional agreements with the District, and all persons seeking employment with the District, or seeking to enroll or participate in the District's educational programs or activities. Those persons shall also be informed of the grievance procedures and process provided for under Section IV. of this Policy, including how to file either a Report of Sexual Harassment or Formal Complaint of Harassment, and the response the District will take in response to such filings.

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

G. Record Keeping

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

1. Sexual Harassment Investigations. The District shall maintain records of any:
 - a. determination regarding responsibility;
 - b. any disciplinary sanctions imposed on the respondent;
 - c. any remedies provided to the complainant designed to restore or preserve equal access to the recipient's education program or activity; and
 - d. any appeal and result therefrom.

2. Any informal resolution and the result therefrom.
3. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.
4. For each response required of the District by this Policy to Actual Knowledge of Sexual Harassment, the District must create and maintain for a period of seven years the following:
 - a. Records of any actions, including any supportive measures, taken in response to a Report of Sexual Harassment or Formal Complaint of Harassment. In each instance the District must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the District's educational program or activity. Where a District does not provide a Complainant with supportive measures, then the District must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the District in the future from providing additional explanations or detailing additional measures taken.

H. Confidentiality

1. Duty to Maintain Confidentiality.

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

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

IV. TITLE IX GRIEVANCE PROCESS.

A. General Provisions.

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

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

B. Grievance Process Timeline.

Investigation 20 +/- days (as the complexity of the case demands);

10 days for reviewing information prior to conclusion of investigation;

10 days after receiving investigative report -by either- party to respond;

10 days for decision maker to allow initial questions;

10 days for responses to questions;
10 days for questions and responses to follow-up questions;
10 days for determination of responsibility decision;
10 days for appeal (6 additional days for administrative steps);
10 days for argument/statement challenging or supporting determination;
10 days for decision on appeal.

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

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

5. Emergency Removal. Nothing in this Policy, or Title IX Grievance Process, precludes a District from removing a Respondent from the District's education program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act. Such removal shall not be disciplinary.
 6. Administrative Leave. Nothing in this Policy precludes a recipient from placing a non-student employee respondent on administrative leave during the pendency of the Title IX Grievance Process. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.
- C. Formal Complaints of Sexual Harassment. The Title IX Grievance Process is initiated by way of a Formal Complaint ("complaint" or "formal complaint") filed by the Complainant, the Complainant's parent/guardian, or the Title IX Coordinator.
1. Complainant Options. In cases of Actual Knowledge (and/OR) Reports of Sexual Harassment, the Complainant retains the option to either file a Complaint of Sexual Harassment or choose not to and instead simply receive the supportive measures, except as set forth below.
 - a. Filings by Title IX Coordinator. In cases where the Complainant does not file a Formal Complaint of Sexual Harassment, the Title IX Coordinator may nevertheless choose to sign and thus initiate a Formal Complaint of Harassment, but only if:
 - i. initiating the grievance process against the respondent is not clearly unreasonable in light of the known circumstances;
 - ii. in other cases where, in the exercise of good judgment and in consultation with the District's attorney as appropriate, the Title IX Coordinator determines that a grievance process is necessary to comply with the obligation not to be deliberately indifferent to Actual Knowledge of sexual harassment.
 - iii. If the Complaint is filed by the Title IX Coordinator, he/she is not a party to the action, and the District must comply with all of the provisions of the Title IX Grievance Process relative to respondents and complainants.
 - b. Supportive Measures. The Title IX Coordinator will contact the Complainant to discuss and offer supportive measures.

2. Respondent Rights. In cases where no Formal Complaint of Sexual Harassment is either filed by the Complainant or the Title IX Coordinator **no disciplinary action may be taken** against the Respondent based upon conduct that would constitute sexual harassment under this policy. Nevertheless, the Title IX Coordinator may contact the respondent to discuss, and or impose, non-disciplinary supportive measures.
3. Timeliness of Formal Complaints of Sexual Harassment. Although the District will initiate the Title IX Grievance Process regardless of when the Formal Complaint of Sexual Harassment is submitted, delays in reporting may significantly impair the ability of school officials to investigate and respond to the allegations.
4. Jurisdiction Over Parties. Although there is no time limit per se to filing a Formal Complaint of Sexual Harassment, Complaints may be dismissed if either the Complainant or Respondent is no longer enrolled or employed by the District.
5. Manner of Filing and Content of Formal Complaints of Sexual Harassment. Formal Complaints of Sexual Harassment may be filed with the Title IX coordinator in person, by mail, or by email and must be in writing. While forms may be obtained from the Title IX Coordinator or on the District or school website, at a minimum, a Formal Complaint of Sexual Harassment must:
 - a. contain the name and address of the Complainant and the student's parent or guardian if the complainant is a minor student;
 - b. describe the alleged sexual harassment;
 - c. request an investigation of the matter;
 - d. when filed by the Complainant be signed by the Complainant or otherwise indicate that the complainant is the person filing the complaint, or if not filed by the Complainant be signed by the Title IX Coordinator.
6. Consolidation of Complaints. The District may consolidate formal complaints of allegations of sexual harassment where the allegations of sexual harassment arise out of the same facts or circumstances and the formal complaints are against more than one respondent; or by more than one complainant against one or more respondents; or by one party against the other party. When the District has consolidated formal complaints so that the grievance process involves more than one complainant or more than one respondent, references to the singular "party", "complainant", or "respondent" include the plural, as applicable.

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

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

sexual harassment as defined by Section II.M., and the date and location of the alleged conduct, if known.

- a. Supplemental Notice Required Upon Change in Investigative Scope. If, in the course of an investigation the District decides to investigate allegations about the Complainant or Respondent that are not included in the original Notification, the District must provide simultaneous notice of the additional allegations to the parties whose identities are known.
3. The written notice must include a statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the Title IX Grievance Process set forth in Section IV. of the Policy.
4. The written notice must inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney (who may be present during any Grievance proceeding, including any related meeting or proceeding). The District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
5. The written notice must inform the parties of any provision in the District's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

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

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

5. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

E. Sexual Harassment Investigation.

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

1. Include objective evaluation of all relevant evidence, including inculpatory and exculpatory evidence. (Evidence about the complainant's sexual predisposition or prior sexual behavior are **not** relevant, unless such evidence about the complainant's prior sexual behavior is offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the evidence concerns specific incidents of the complainant's prior sexual behavior with respect to the respondent and is offered to prove consent.)
2. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District and not on either of the parties;
3. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
5. Provide the parties with the same opportunities to have others present during any interview or other part of the investigation, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
6. Provide, to a party (e.g., Respondent or Complainant – and parent/guardian as appropriate) whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
7. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the recipient does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation;
8. PRIOR to completion of the Sexual Harassment Investigative Report, the District, through the Title IX Coordinator, must send to each party and party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report;

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

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

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

5. Written Initial Determination Regarding Responsibility. Within 10 days following the close of the period set for responses to the last round of follow-up questions, the Initial Decision-Maker must issue a Written Initial Determination to the Title IX Coordinator, the Superintendent and the parties simultaneously, which, while applying the preponderance of the evidence standard, must include:
 - a. Identification of the allegations potentially constituting Sexual Harassment as defined in this Policy, section II.M.;
 - b. A description of the procedural steps taken from the receipt of the formal complaint through the Initial Determination Regarding Responsibility, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
 - c. Findings of fact supporting the Written Initial Determination Regarding Responsibility;
 - d. Conclusions regarding the application of the District's applicable codes of conduct, policies, administrative regulations or rules to the facts;
 - e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility (i.e., whether or not the respondent is responsible for sexual harassment), any disciplinary sanctions the District imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the District to the Complainant; and
 - f. The District's procedures and permissible bases for the Complainant and Respondent to appeal (as set forth in Section IV.H, below).
6. Finality of Decision. The Initial Determination Regarding Responsibility becomes final, and identified as the **Title IX Sexual Harassment Final Decision** either:
 - a. On the date that District provides the parties with Written Determination of the Appeal, if an appeal is taken as set forth in Section IV.H. (below); OR
 - b. Where no appeal is taken, the date on which an appeal would no longer be considered timely.
7. Duty to Effectuate Title IX Sexual Harassment Final Decision.
 - a. District Response to Sexual Harassment. Once a **Title IX Sexual Harassment Final Decision** is issued, the District may implement remedies as set forth in Section III.D. above, and action as necessary to respond in a manner not deliberately indifferent in light of the known circumstances in cases of a Determination of Title IX Sexual Harassment Final Decision concluding responsibility for Sexual Harassment. The issue of responsibility for the conduct at issue shall not be subject to further review or appeal within the District (except as provided by District policy or collective bargaining agreement or applicable law). Appeals of disciplinary sanctions may be made pursuant to the District's ordinary review process for discipline, or to the extent applicable through any statutory or other processes provided under collective bargaining agreements or individual contracts.

- b. Responsibility for Response. The Title IX Coordinator is responsible for effective implementation of remedies.
- c. Other Actions Pursuant to Applicable Code of Conduct, Policies, Agreements, Contracts. The District may also proceed against the Respondent or Complainant pursuant to the District's applicable code of conduct or other Board policies, collective bargaining agreement, individual contract or administrative rules/regulations/procedures.

G. Dismissal of a Formal Complaint.

- 1. The District must dismiss a formal complaint with regard to Title IX sexual harassment if the alleged conduct:
 - a. Would not constitute sexual harassment, even if proved;
 - b. Did not occur in the District's education program or activity; or
 - c. Did not occur against a person in the United States.
- 2. The District may dismiss a formal complaint with regard to Title IX sexual harassment if at any time during the investigation or determination of responsibility stage(s):
 - a. A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
 - b. The respondent is no longer enrolled or employed by the District; or
 - c. Specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
- 3. Upon dismissal of a formal complaint, the District must promptly send written notice of the dismissal and the reason(s) therefore simultaneously to the parties.
- 4. The dismissal of a formal complaint under Title IX does not preclude the District from continuing any investigation or taking action under other District policies, code of conduct or administrative rules/regulations. In some cases, the District may have an obligation to continue an investigation and proceed under a different policy or mandated process.

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

- 1. Method of Filing. Either party may appeal the Initial Determination of Responsibility or the dismissal of a Formal Complaint of Sexual Harassment (or any allegations therein) by notifying the Superintendent in writing ("written appeal"), with a copy to the Title IX Coordinator. If there are multiple determinations of responsibility, the written appeal shall specify which ones are included in the appeal.
- 2. Deadline for Notice of Appeal. The Notice of Appeal must be in writing and received by the Superintendent, with a copy to the Title IX Coordinator, within 10 days of

either the Initial Determination of Responsibility or the written Notice of Dismissal being communicated to the parties, as appropriate.

3. Grounds For Appeal. Either party may only appeal the Initial Determination of Responsibility or the Dismissal of a Formal Complaint of Sexual Harassment (or any allegations therein) based upon one or more of the following grounds, which must be stated specifically in the party's written appeal:
 - a. Procedural irregularity that affected the outcome of the matter;
 - b. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
 - c. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
4. Appellate Decision-Maker. The Appellate Decision-Maker shall not be the same person as the Initial Decision-Maker that reached the determination regarding responsibility or the Dismissal of a Formal Complaint of Sexual Harassment, the Investigator(s) or the Title IX Coordinator. The Appellate Decision-Maker shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. The Appellate Decision-Maker shall be trained as set forth in section V.F.2. and 3.
5. District Notification of Appeal and Duty to Equitable Treatment of Parties During Appeal. The District must notify the both parties in writing when an appeal is filed and implement appeal procedures equally for both parties.
6. Opportunity to Brief Appellate Decision-Maker.
 - a. Deadline In Cases Other than Newly Available Evidence. Except in cases of newly available evidence, each party shall have 10 days "reasonable and equal opportunity] from the date of the Notification of Appeal under section H.5. above, to submit to the Appellate Decision-Maker a written statement in support of, or challenging, the Initial Determination Regarding Responsibility.
 - b. Deadline in Cases of Newly Available Evidence. In cases where the basis of the appeal is newly available evidence affecting the outcome, the party relying upon such evidence shall submit to the Appellate Decision-Maker such evidence or a summary of such evidence along with the party's appeal statement first and within 7 days from the date of the Notification of the Appeal. In such instances the Appellate Decision-Maker shall then forward such documentation on to the opposing party, whereupon the opposing party shall thereafter have 7 days to review and submit their Brief to the Appellate Decision-Maker.
7. Written Determination of the Appeal
 - a. The Appellate Decision-Maker shall provide a Written Determination of the Appeal after considering the record and the parties' appeal statements, describing the result of the appeal and the rationale of the result. The appeals decision maker will only overturn the Initial Determination of Responsibility upon

a conclusion that it was clearly erroneous (i.e., either made on unreasonable grounds, or without any proper consideration of the circumstances). If the basis or one of the bases for the appeal was new evidence, the appeals decision maker may either make a determination of responsibility regarding that evidence or refer it back to the appropriate stage of the Title IX Grievance Process. The Appellate Decision shall be provided simultaneously to both parties, with a copy to the Title IX Coordinator and the Superintendent of Schools.

- b. Upon issuance of the Written Determination of the Appeal, it becomes a **Title IX Sexual Harassment Final Decision**, as set forth in Section IV.F.6, with commensurate Title IX obligations for the District to act as set forth in Section IV.F.7.

V. **Responsible Personnel.**

A. **Bias or Conflicts of Interest.**

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

B. **Title IX Coordinator.**

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

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

verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

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

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

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

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

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

iii. Coordinating the effective implementation of supportive measures; and

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

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

C. Investigators.

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

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

D. Decision-Makers.

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

2. Responsibilities.

- a. **Initial Decision-Makers** shall be responsible for issuing an Initial Determination Regarding Responsibility following a Sexual Harassment Investigation and other duties set forth in Section IV.F. above.
- b. **Appellate Decision-Makers** shall be responsible for issuing a Written Determination of the Appeal, and other duties set forth in Section IV.H. above.

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

1. Conflict of Interest or Bias. Any individual assigned to facilitate an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.
2. Responsibilities. Facilitators shall be responsible for facilitating a process of informal resolution as permitted in section IV. D. above.

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

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

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

Thetford Town School District

C13 Homeless Students (Required)

Date Warned: 4-13-21

Date Adopted:

Date Revised:

Date Reviewed:

Policy

The Thetford Town School District (District) is committed to the success of every student. Homeless students in the District will have access to the education and other services needed to ensure that an opportunity is available to meet the same academic achievement standards to which all students are held.

The District will designate a liaison for students in homeless situations to carry out duties as required by law.

The District will ensure that homeless students are not stigmatized nor segregated on the basis of their status as homeless. A homeless student will be admitted to the school district in which the student is actually living or to the student's school of origin as requested by the parent and in accordance with the student's best interest. Transportation will be provided to and from the student's school of origin at the request of the parent, or in the case of an unaccompanied student, the District's liaison for homeless students. Homeless students will have access to all programs and services for which they are eligible, including but not limited to special education services, preschool, school nutrition programs, and language assistance for English learners.

Definitions

1. **Homeless students** means those lacking a fixed, regular and adequate nighttime residence, including:
 - A. Sharing the housing of other persons due to loss of housing, economic hardship, or similar reason;
 - B. Living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
 - C. Living in emergency or transitional shelters;
 - D. Being abandoned in hospitals;
 - E. Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings;
 - F. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings; and
 - G. Migratory children living in conditions described in the previous examples.
2. **Enroll and enrollment** mean attending classes and participating fully in school activities.
3. **Unaccompanied youth** means a homeless child or youth not in the physical custody of a parent or guardian.
4. **School of Origin** includes preschools and, when a child or youth completes the final grade level served by the school of origin, it also includes the designated receiving school at the next grade level for all feeder schools.

Implementation

The Superintendent shall develop written procedures to ensure the following rights of eligible

students:

1. Equal access to the same free, appropriate public education, including public preschool education, as is provided to other children and youth
2. Immediate enrollment, even when records normally required for enrollment are not present
3. Remain in the school of origin, if it is in the student's best interest, in order to maintain educational stability
4. Access to all educational and related services for which they are eligible, including Title I services and free school meals
5. Full participation in school, which may include participation in extracurricular activities
6. Transportation, provided by the LEA, to and from the school of origin
7. Privacy

Thetford Town School District

CODE D1 Proficiency Based Graduation Requirements (Required)

Date Warned: 04-13-21

Date Adopted:

Date Revised:

Date Reviewed:

PROFICIENCY BASED GRADUATION REQUIREMENTS (PBGRs)

It is the policy of the Thetford Town School District to ensure students can engage in rigorous, relevant and comprehensive learning opportunities that allow them to demonstrate proficiency in literacy, mathematics, scientific inquiry, global citizenship, physical education, artistic expression, and transferable skills. A student meets the requirements for graduation when the student demonstrates evidence of proficiency in these curriculum content areas, and when they meet any additional graduation requirements described by this Board (Insert additional requirements here).

The Thetford Town School District will use credits for the purpose of demonstrating that a student has met the graduation requirements. Credits will specify the proficiencies demonstrated in order to attain a credit and shall not be based on time spent in learning (use only if the District will continue to use credits to demonstrate progress towards meeting the graduation requirements). Students in the Thetford Town School District will receive credit for learning that takes place outside of the school, school day, or the classroom, provided that any credits earned occur under the supervision of an appropriately licensed educator.

Responsibilities of the Superintendent

The superintendent shall develop procedures to ensure:

1. The PBGRs described in this policy reflect the learning standards adopted by the State Board of Education.
2. Students are being assessed as proficient against the comprehensive set of board-adopted PBGRs set forth in this policy prior to their receipt of a high school diploma.
3. Course credits will specify the proficiencies demonstrated to attain that credit, and that those proficiencies will align with the PBGRs set forth in this policy.
4. Student learning outcomes attained through Flexible Pathways opportunities—including career and technical education, virtual learning, work-based learning, service learning, dual enrollment, and early college—are linked clearly to expectations of proficiency identified in this policy.
5. Learning opportunities identified in students' Personalized Learning Plans (PLPs) support expectations of proficiency identified in this policy.

6. All students will meet the same set of PBGRs set forth in this policy, with accommodations or modifications being provided for students who require them under an IEP or 504 plan.
7. Information regarding PBGR implementation and assessment is provided to students and parents at least annually.

Monitoring of PBGR Implementation

The responsibilities described above will be monitored at a frequency and by a method chosen by the board. The board can monitor any policy at any time by any method, but will ordinarily depend on the following schedule:

Administrative Procedure	Frequency	Month
1. Student proficiency assessment reflects PBGRs	Biannually	Jan., July
2. Course descriptions specify proficiencies to be attained	Annually	August
3. Flexible Pathways and PBGRs are aligned	Annually	August
4. PLPs and PBGRs are aligned	Annually	August
5. PBGR accommodations and modifications	Biannually	Jan., July

Thetford Town School District

CODE D3 Responsible Computer, Network & Internet Use (Required)

Date Warned: 04-13-21

Date Adopted:

Date Revised:

Date Reviewed:

Purpose

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

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

Policy

It is the policy of the Thetford Town School District to provide students and staff access to a multitude of information technology (IT) resources including the Internet. These resources provide opportunities to enhance learning and improve communication within our community and with the global community beyond. However, with the privilege of access comes the responsibility of students, teachers, staff and the public to exercise responsible use of these resources. The use by students, staff or others of district IT resources is a privilege, not a right.

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

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

The superintendent is responsible for establishing procedures governing use of IT resources consistent with the provisions of this policy. These procedures must include:

1. An annual process for educating students about responsible digital citizenship. As defined in this policy, a responsible digital citizen is one who:
 - **Respects One's Self.** Users will maintain appropriate standards of language and behavior when sharing information and images on social networking websites and elsewhere online. Users refrain from distributing personally identifiable information about themselves and others.
 - **Respects Others.** Users refrain from using technologies to bully, tease or harass other people. Users will report incidents of cyber bullying and harassment in accordance with the district's policies on bullying and harassment. Users will also refrain from using another person's system account or password or from presenting themselves as another person.
 - **Protects One's Self and Others.** Users protect themselves and others by reporting abuse and not forwarding inappropriate materials and communications. They are responsible at all times for the proper use of their account by not sharing their system account password.
 - **Respects Intellectual Property.** Users suitably cite any and all use of websites, books, media, etc.
 - **Protects Intellectual Property.** Users request to use the software and media others produce.
2. Provisions necessary to ensure that Internet service providers and other contractors comply with applicable restrictions on the collection and disclosure of student data and any other confidential information stored in district electronic resources.
3. Technology protection measures that provide for the monitoring and filtering of online activities by all users of district IT, including measures that protect against access to content that is obscene, child pornography, or harmful to minors.
4. Methods to address the following:
 - Control of access by minors to sites on the Internet that include inappropriate content, such as content that is:
 - ✓ Lewd, vulgar, or profane
 - ✓ Threatening
 - ✓ Harassing or discriminatory
 - ✓ Bullying
 - ✓ Terroristic
 - ✓ Obscene or pornographic
 - The safety and security of minors when using electronic mail, social media sites, and other forms of direct electronic communications.
 - Prevention of unauthorized online access by minors, including "hacking" and other unlawful activities.

- Unauthorized disclosure, use, dissemination of personal information regarding minors.
 - Restriction of minors' access to materials harmful to them.
5. A process whereby authorized persons may temporarily disable the district's Internet filtering measures during use by an adult to enable access for bona fide research or other lawful purpose.

Policy Application

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

Limitation/Disclaimer of Liability

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

Enforcement

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

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

Thetford Town School District

CODE D4 Title 1 Comparability Policy (Required)

Date Warned: 04-13-21

Date Adopted:

Date Revised:

Date Reviewed:

Policy

If a school in the Thetford Town School District becomes eligible to receive Title I funds, the school district in which the school is located shall provide comparable services, staffing levels, curriculum materials and instructional supplies for Title I eligible and non-Title I eligible schools. The district shall use local and state funds to ensure equivalence among schools in staffing and the provision of curricular materials and instructional supplies. Students in all schools shall be eligible for comparable programs and supplemental supports. The district shall utilize district-wide salary schedules for professional and non-professional staff.

The superintendent or his or her designee shall develop procedures for compliance with this policy and shall maintain records that are updated biennially documenting the district's compliance with this policy.

Thetford Town School District

CODE D 5 Animal Dissection (Required)

Date Warned: 04-13-21

Date Adopted:

Date Revised:

Date Reviewed:

Policy

It is the intent of the Thetford Town School District to comply with the requirements of Act 154 of 2008 regarding the right of students to be excused from participating in or observing activities involving the dissection or vivisection of animals. Students enrolled in district schools shall have the right to be excused from participating in any lesson, exercise or assessment requiring the student to dissect, vivisect or otherwise harm or destroy an animal or any part of an animal, or to observe any of these activities, as part of a course of instruction.

Definition

As used in this policy, the word "animal" means any organism of the kingdom animalia and includes an animal's cadaver or the severed parts of an animal's cadaver.

Alternative Education Method

A student who is excused under this policy shall be provided with alternative methods through which he or she can learn and be assessed on material required by the course. The alternative methods shall be developed by the teacher of the course, in consultation with the principal if necessary.

Discrimination

No student shall be discriminated against based on his or her decision to exercise the right to be excused afforded by this policy.

Procedures

The (superintendent/principal) shall develop and implement procedures to ensure compliance with the provisions of Act 154 of 2008. The procedures shall include provisions for the timely notification to each student enrolled in the course and to the student's parent or guardian of the student's right to be excused from participating in or observing the lesson and the process by which a student may exercise this right.

Thetford Town School District

CODE D6 Class Size Policy (Required)

Date Warned: 04-13-21

Date Adopted:

Date Revised:

Date Reviewed:

Policy

It is the intent of the Board to comply with Sections 15 and 16 of Act 153 of 2010 requiring superintendents to work with school boards to develop policy guidelines for minimum and optimal average class sizes in regular and technical education classes. Class size guidelines will be used to inform annual decisions related to staffing and program offerings.

Implementation.

1. The superintendent or his or her designee shall, in consultation with building principals, develop supervisory union wide class minimum, maximum and optimum average class size guidelines that take into account the instructional needs of specific elementary grade intervals and required and elective courses at the secondary level.
2. Class size guidelines in the supervisory union may vary as necessary to reflect differences among school districts due to geography and other factors, such as school size and programmatic needs.
3. The guidelines shall also ensure compliance with state or federal requirements related to matters such as student-teacher ratios, special education, technical education and English Language Learners.
4. The superintendent shall report to the Board at least annually on the implementation of this policy, and shall include in his or her report information related to the use of the guidelines in determining actual class sizes and program offerings in the schools within the supervisory union.
5. This policy shall be posted on the supervisory union's website and forwarded to the Secretary of Education by January 15, 2011.

Thetford Town School District

CODE E1 Title I, Part A Parental Involvement Policy (Required)

Date Warned: 04-13-21

Date Adopted:

Date Revised:

Date Reviewed:

The Thetford Town School District maintains programs, activities, and procedures for the involvement of parents of students receiving services, or enrolled in programs, under Title I Part A of Elementary and Secondary Education Act. These programs, activities and procedures are described in school district and school level compacts.

Definition:

Parent: Includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the child's welfare).

School District Parental Involvement Compact

The superintendent or his or her designee shall develop an LEA-Level Parental Involvement Compact according to Title I, Part A requirements. The LEA Compact shall include: (1) the school district's expectations for parental involvement, (2) specific strategies for effective parent involvement activities to improve student academic achievement and school performance, and (3) other provisions required by law. The superintendent or designee shall ensure that the Compact is distributed to parents of students receiving services, or enrolled in programs, under Title I Part A.

School Level Parental Involvement Compact

Each building principal or his or her designee shall develop a School-Level Parental Involvement Compact in accord with Title I, Part A requirements. The School Level Parental Involvement Compact shall include: (1) a process for continually involving parents in its development and implementation, (2) how parents, the entire school staff and students share the responsibility for improved academic achievement, (3) the means by which the school and parents build and develop a partnership to help students achieve the State's standards, and (4) other provisions as required by law. Each principal or designee shall ensure that the compact is distributed to parents of students receiving services, or enrolled in programs under Title I, Part A.

Title I, Part A Parental Involvement Policy:

Appendix A.

Sample School District Parental Involvement Compact.

This school district compact outlines the joint responsibility of the School District, and parents. The following opportunities for parental involvement are provided by the Oxbow Unified Union School District.

1. The school district involves parents in the joint development of its plan to help low-achieving students meet challenging achievement and academic standards (NCLBA §11112), and the process of school review and improvement (NCLBA §11116) by:
 - A. Establishing a school district committee with parents and representatives of other impacted programs, including Head Start.
 - B. Establishing communication between the school district staff and parents.
 - C. Developing a school district process, through newsletters, electronic communications of other means, to communicate with parents about the plan and to seek their input and participation.
 - D. Training personnel on effective collaboration strategies for parents with diverse backgrounds that may impede participation, such as language difficulty.
2. The school district provides the coordination, technical assistance, and other support necessary to assist participating schools in planning and implementing effective parent involvement activities to improve student achievement and school performance by:
 - A. Providing workshops to assist schools in planning and implementing strategies.
 - B. Establishing training programs for school personnel and parents responsible for communication strategies at the school level.
 - C. Providing information to parents about the assessment tools and instruments that will be developed to monitor progress.
 - D. Seeking input from parents in developing workshops and other activities.
3. The school district builds the capacity of schools and parents for strong parental involvement by:
 - A. Providing ongoing communication about the school district committee through newsletters or other written or electronic means.
 - B. Utilizing the schools' parent-teacher organizations to assist in identifying effective communication strategies.
 - C. Providing a master calendar of school district meetings to discuss pertinent topics.
4. The school district coordinates and integrates parental involvement strategies under this Compact with parental involvement strategies under other programs by:
 - A. Sharing data from school and other programs to assist in developing new initiatives to improve student achievement and school improvement.
5. The school district conducts, with involvement of parents, and annual evaluation of the content and effectiveness of its parental involvement policy in improving the academic quality of schools served under Title I, Part A, including identifying barriers to greater participation by parents in activities authorized by Title I, Part A or the

parental involvement policy and compact of the district. (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background), and use the findings of such evaluation to design strategies for more effective parental involvement, and to revise, if necessary, its parental involvement policies by:

- A. Evaluating the effectiveness of the content and communication methods through a variety of methods, including: focus groups, surveys, workshops, and informal meetings with staff, parents and teachers.
 - B. Identifying potential policy and compact changes to improve and revise programs.
6. The school district involves parents in the activities of the schools served under Title I, Part A by:
- A. Providing communication and calendar information to parents of planned meetings, discussions or other events and encouraging participation.
 - B. Providing school and parent-teacher organization coordination of events.

Title I, Part A Parental Involvement Policy Appendix B

School Level Parental Involvement Compact

This parental involvement compact outlines joint responsibilities of the school and parents. Opportunities for parental involvement are provided by the school by:

1. Convening an annual meeting, at a convenient time, to which all parents of participating children are invited and encouraged to attend, inform parents/guardians of their school's participation under Title I, Part A and to explain the requirements of Title I, Part A and the right of the parents to be involved. The principal or his or her designee shall:
 - a. Invite all parents of participating children to the annual meeting at school.
 - b. Explain the rights of parents to be involved in establishing this compact.
 - c. Introduce and involve the building representatives on the S.U.-level committee.
 - d. Provide an overview of Title I and give parents an opportunity to express questions and concerns.
 - e. Indicate mechanisms by which the committee work will be communicated to parents.
 - f. Seek the involvement and input of parents.
 - g. Provide child care so that all parents who would otherwise be unable to attend may attend.
2. Offering a flexible number of meetings, such as meetings in the morning or evenings, and may provide, with funds provided under Title I, Part A, transportation, child care, or home visits, as such services relate to parental involvement. The principal or his or her designee shall:
 - a. Provide parents with opportunities to ask questions and discuss informally student academic achievement and school performance.
 - b. Engage school-based parent organizations to assist with communication and implementation needs.
 - c. Develop and use outreach programs to involve community groups and organizations.
3. Involving parents in an organized, ongoing, and timely way, in the planning, review, and involvement of programs under Title I, Part A, including the planning, review, and improvements of the school parental involvement compact and the joint development of the school wide program plan under NCLBA, except that if the school has in place a process for involving parents in the joint planning and design of the school's programs, the school may use that process, if such process includes an adequate representation of parents of participating children. The principal or his or her designee shall:
 - a. Identify and establish a process by which an adequate representation of parents of participating children can occur.
 - b. Establish a schedule for the school-based committee to plan, review, and recommend improvements to the S.U. parent involvement policy.

4. The principal or his or her designee shall:
 - a. Provide parents of participating children timely information about programs.
 - b. Communicate updates through the use of school newsletters, the school web site, email and telephone contact, and home visits if needed.
 - c. Provide a description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet.
 - d. Provide parents, upon request, opportunities for regular meetings to formulate suggestions and to participate as appropriate in decisions relating to the education of their children, and respond to any suggestions as soon as practicably possible.
 - e. Develop means for parents to ask questions and receive answers.
 - f. If the school plan developed under Section 1114(b)(2) of the NCLBA is not satisfactory to parents of participating children, submit any comments from parents to the S.U. board when the plan is made available to the S.U. board, and provide a process consistent with board policies and procedures on complaints, for parents to express their concerns to the school district board of directors.
5. Shared Responsibilities for High Student Academic Achievement.
 - a. The school is responsible for providing a high-quality curriculum and instruction in a supportive and effective learning environment that enables children served under Title I, Part A to meet the state's student academic achievement standards. Each parent of a participating child is responsible for supporting their children's learning by:
 - I. Monitoring attendance, homework, and television viewing.
 - II. Volunteering in their child's classroom and participating as appropriate in decisions relating to their children's education and extracurricular activities.
 - b. Communication between teachers and parents occurs through:
 - I. Parent-teacher conferences in elementary schools at least annually, during which the compact shall be discussed as it relates to the individual child's achievements.
 - II. Frequent reports to parents on their children's progress.
 - III. Reasonable access to staff, opportunities to volunteer and participate in their child's class, and observation of classroom activities.
6. Building Capacity for Involvement.
 - A. To ensure effective involvement of parents and to support a partnership among the school's involved, each school shall:
 - I. Provide assistance to parents of children served in understanding the State's academic content standards and State student academic achievement standards, State and local assessments, monitoring a child's progress and work with educators to improve the achievement of their children.
 - II. Provide materials and training to help parents work with their children.
 - III. Educate teachers and other staff in the value and utility of contributions of parents and how to effectively communicate with and work with parents as

- equal partners, implement and coordinate parent programs that will build ties between them.
- IV. To the extent feasible and appropriate, coordinate and integrate parent involvement programs and activities with Head Start, Reading First, Early Reading First, Even Start, the Home Instructions Programs for Preschool Youngsters, the Parents and Teachers Program and public preschool and other programs and conduct other activities, such as parent resource centers that encourage and support parents in more fully participating in the education of their children.
 - V. Ensure that information is sent to the parents of participating children in a format and language that can understand.
- B. To ensure effective involvement of parents and to support a partnership among the school's involved, each school may:
- I. Involve parents in the development of training for teachers, principals and other educators to improve the effectiveness of such training.
 - II. Provide necessary literacy training from funds received under Title I if the District has exhausted all other reasonably available sources of funding for such training.
 - III. Pay reasonable and necessary expenses associated with local parental involvement activities, including transportation and child care costs to enable parents to participate in school-related meetings and training sessions.
 - IV. Train parents to enhance the involvement of other parents.
 - V. Arrange school meetings at a variety of times, or conduct in-home conferences between teachers and other educators, in order to maximize parental involvement and participation.
 - VI. Adopt and implement model approaches to improving parental involvement.
 - VII. Establish a District-wide parent advisory council to provide advice on all matters related to parental involvement in Title I supported programs.
 - VIII. Develop appropriate roles for community-based organizations and businesses in parent involvement activities.
 - IX. Provide other reasonable support for parental involvement activities under this section as parents may request.
7. In carrying out the parental involvement requirements of this compact, the school, to the extent practicable, will provide full opportunities for the participation of parents with limited English proficiency or disabilities, including providing information and school reports in a format and, to the extent practicable, in a language such parents understand.

Thetford Town School District

CODE F1 Travel Reimbursement (Required)

Date Warned: 04-13-21

Date Adopted:

Date Revised:

Date Reviewed:

Policy

It is the policy of the Thetford Town School District/Supervisory Union) to reimburse the reasonable expenses for travel for school business on an actual cost basis, on a per diem or mileage basis in lieu of actual costs incurred, to the extent that budgeted funds permit.

Reimbursement will be only for those expenses that are reasonable and necessary for the activities of the Thetford Town School District/Supervisory Union). The method of reimbursement will be consistent whether expenses are incurred in furtherance of federally funded or non-federally funded activities. Prior approval from the superintendent or his or her designee will be required.

Implementation

Pursuant to this policy and consistent with relevant collective bargaining agreements, the superintendent or his or her designee will establish written procedures to govern the reimbursement and method of prior approval for the following: air/rail travel, meals, lodging, and mileage.