

REVISED DECEMBER 2008

Lamoille Union School District #18
Policy Manual

Lamoille Union Middle School,
High School

and

Green Mountain Technology &
Career Center

E.O.E.

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FORWARD

Lamoille Union Middle School, High School and Green Mountain Technology and Career Center make up Lamoille Union High School District #18. District #18 is a member of Lamoille North Supervisory Union #25. These districts are supported by the member towns. All schools shall be legally operated and conducted in the public's best interest by the Board of School Directors.

Directors shall be duly elected by the respective electorate and are responsible to them for the proper operation of the school.

The primary obligation of the District #18 Board is to ascertain and interpret the needs, objectives, values, and ideals of the communities served by the schools. These areas shall be rendered into policy by the Directors under the powers of 16 V.S.A. § 563 (1). These policies shall be established after solicitation of public input, re-evaluated on a regular basis, and amended to reflect current situations.

Classifications and Definitions

For the purposes of this manual, unless context otherwise clearly requires:

**STANDARDS, PROCEDURES
& RULES**

are written statements intended to provide for implementation of policies. Development and implementation of these is delegated by the Board to the Superintendent of Schools. Standards, procedures, and rules are subject to change without being warned.

DEFINITION

For purposes of clarity and brevity, the term District #18 shall be used throughout the Policy manual to mean Lamoille Union Middle School, High School and the Green Mountain Technology and Career Center.

1.0 School Board Organization and Meetings

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed 09/06/05

Legal Reference 16 V.S.A. § 554.

1 V.S.A. § 310-312 et seq.

Section 1.1 Board Meetings

Section 1.1

The meeting schedule will be published and made available to the news media by the Superintendent. Special and emergency meetings will be called by the chair on his or her own initiative or by the chair when requested by a majority of the board. Special and emergency meetings will be held only after compliance with the provisions of the Open Meeting Law. An agenda for each meeting will be prepared by the Superintendent after consultation with the board chair.

Executive sessions of the board will convene only after full compliance with the provisions of Vermont's Open Meeting Law. Unless specifically determined by the board, minutes of executive sessions will not be kept.

Agenda

Agendas shall be publicly posted in advance of meetings.

Minutes

Minutes shall be taken at both committee and full board meetings. Minutes will be available to the public through the Superintendent's office.

1.0 Policy, continued

Date Warned: 08/26/99
Date Adopted: 10/18/99
Date Reviewed: 09/06/05
Legal Reference 16 V.S.A. § 554.
1 V.S.A. § 310-312 et seq.

Section 1.2 Regular Board Meetings

Section 1.2

School board meetings will be regularly held on the 1st and 3rd Tuesday of each month.

Date Warned: 08/26/99
Date Adopted: 10/18/99
Date Reviewed: 09/06/05
Legal Reference 16 V.S.A. § 554.
1 V.S.A. § 310-312 et seq.

Section 1.3 Parliamentary Procedure

Section 1.3

The School Board will conduct all of its meetings in accordance with Roberts' Rules of Order as expressed in 16 V.S.A. § 554 (b).

Date Warned: 08/26/99
Date Adopted: 10/18/99
Date Reviewed: 09/06/05
Legal Reference 16 V.S.A. § 554.
1 V.S.A. § 310-312 et seq.

Section 1.4 Committees

Section 1.4

The Chairperson of the Board of School Directors shall annually appoint members of its body and any others he/she so chooses to necessary committees. These committees shall be delegated only those powers as prescribed by the Board. A committee may be terminated by a vote of the Board at any time.

1.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed: 09/06/05

Legal Reference 16 V.S.A. § 554.

1 V.S.A. § 310-312 et seq.

Section 1.5 Board Relations with the Principals and Technical Center Director

Section 1.5

The Superintendent will develop guidelines for Board relations with the Principals, Director, and other administrators. Guidelines for Board relations with Principals and Directors would take into account:

- (a) the responsibility of the Superintendent to direct the administration and coordination of education program in District #18,
- (b) the periodic need of Board members for information most readily available from school administrators,
- (c) the need to maintain a distinction between the administrative role of the administrators and the policy making role of the Board.

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed: 09/06/05

Legal Reference 16 V.S.A. § 554.

1 V.S.A. § 310-312 et seq.

Section 1.6 Board Relations with Staff

Section 1.6

Staff participation in the development of educational and personnel policies will be encouraged and facilitated by the board.

Board members will adhere to procedures required by board policy and Vermont law related to collective bargaining and teacher evaluation.

1.0 Policy, continued

Date Warned: 08/26/99
Date Adopted: 10/18/99
Date Reviewed: 09/06/05
Legal Reference 16 V.S.A. § 554.
1 V.S.A. § 310-312 et seq.

Section 1.7 Public Participation at Board Meetings

Section 1.7

It is the intention of the board to encourage public participation at its meetings. When the pressure of board business is severe, or when a large number of people wish to speak on matters before the board, reasonable rules of participation may be used to insure that meetings are conducted in an orderly fashion and that the business at hand is completed in a timely manner.

The board will provide opportunities for public participation at its meetings prior to board action on any item on the board agenda.

Date Warned: 08/26/99
Date Adopted: 10/18/99
Date Reviewed: 10/04/05

Section 1.8 Board Goal Setting and Self-Evaluation

Section 1.8

The board will participate in goal setting and self-evaluation activities developed or recommended by the superintendent at least annually. Particular attention will be given to board goals and performance in the following areas: Policy making, Policy implementation, Community relations, Board interpersonal communications skills, Board-Superintendent relations, Fiscal/budget management, The instructional program, Labor relations, Board in-service training, Government relations.

1.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed: 10/04/05

**Legal Reference 16 V.S.A. §§ 557,
558, 559, 563(20),262(c)**

Section 1.9 Board Member Conflict of Interest

Section 1.9

Members of the board recognize the ethical duty of all public officers to avoid conflicts of interest. In the case of school board members, this duty is extended by Vermont statutory law to include a requirement that boards adopt policies and procedures to avoid the appearance of conflicts of interest. In order to comply with the obligations thus imposed, the board and its members will adhere to the following standards.

- a. Board members will be familiar with, and adhere to, those provisions of Vermont education law which define school board powers, (16 V.S.A. § 563) and govern board member compensation, (§ 557) and public bidding processes, (§ 559).
- b. A board member will do nothing intended to give the false impression that he or she has the authority to make decisions or take action on behalf of the board or the school administration.
- c. A board member will not take any action which is intended to give the impression that he or she would represent special interests or partisan politics for personal gain.
- d. A board member will not use his or her position in any manner intended to unfairly promote personal fiduciary interests or the fiduciary interests of family members, friends or supporters.
- e. A board member will not accept anything of value in return for taking particular positions on matters before the board.
- f. A board member will do nothing intended to leave 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.

When a board member becomes aware of involvement in 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.

1.0 Policy, continued

Date Warned: 05/03/01

Date Adopted: 05/15/01

Date Reviewed: 10/04/05

Cross references: District #18 Policies, Section 3.0

1.10 Decisions in the Absence of Board Policy

Section 1.10

When a situation arises that is not covered by Board policy and requires immediate attention, the Superintendent will act to resolve the situation. He or she must inform the Board immediately that such action has been necessary. The Superintendent's decision may be reviewed at the next regular meeting of the Board and a policy may be established per policy adoption procedures.

When the District needs an attorney, the Board authorizes the Superintendent to enlist the services of the attorney(s) he/she feels are best qualified for the purpose. The Superintendent's decision may be reviewed at the next regular meeting of the Board.

2.0 Operation and Organization

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

Legal Reference: 16 V.S.A. § 563

Section 2.1 Philosophy and Goals

Section 2.1

We believe that every student has a right to an education, and has the personal responsibility to contribute to that process. The school program should reflect the needs and aspirations of the students, the realities and opportunities of the immediate community, and the horizons of the broader world. The purpose of District #18 is to provide educational opportunities, consistent with these aims, which lead the student to develop an awareness of her/himself and his/her role in the family, community, nation and world.

The program of elective and required courses should be flexible enough to meet students' needs for future education both formal and informal. We strive to encourage students in the directions most meaningful to their present and future needs.

All students should develop the life skills needed in society. Visual, written, and oral communication are ever more important in this changing world. Survival math and language skills are essential for all and students are encouraged to develop more sophisticated skills, social abilities, and understandings of the forces which shape the community, nation and world as part of the preparation for life which the school strives to offer.

General Goals

1. Develop an awareness of civic rights and responsibilities together with an understanding of the obligations and responsibilities of citizenship.
2. Develop an awareness, appreciation, understanding and the ability to get along with people who think, dress and act differently.
3. Develop reading, writing, listening and speaking skills in English.
4. Develop knowledge and understanding of democratic ideas and ideals.
5. Develop the ability to examine, reason, use scientific methods and proceed towards the solution of a problem logically.
6. Understand and practice the skills related to family living.
7. Develop skills necessary to enter a specific field of work.
8. Develop skills in the use of numbers.
9. Learn how to use leisure time.
10. Develop a fund of information and concepts in the natural and social sciences.

2.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

**Legal Reference: Title VI, Title IX, ADA,
Section 504, of the 1973 Rehabilitation Act**

Section 2.2 Non-Discrimination

Section 2.2

It is the policy of the District #18 school board to respect the legal rights of all students, parents, employees, applicants for admission or employment, sources of referral of applicants for admission and employment, and all unions or professional organizations holding collective bargaining or professional agreements with the school district.

The board will seek to comply with all applicable federal and state non-discrimination laws. The board will not discriminate against any person or group on the basis of race, color, religion, national origin, sex, ancestry, place of birth, age, physical or mental disability, marital status, sexual orientation and/or a positive HIV blood test.

2.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

Section 2.3 School-Community Relations

Section 2.3

- I. The Board believes that an effective community relations program is a necessary component of a school system's organization and operation.
- II. The Board believes that the academic and social success of students is largely determined by a positive, supportive relationship between staff, administration, parents and community members. New educational initiatives mandate or encourage the strengthening of the parent/school/community relationship. It is important that parents are involved in their child's education at home, in school, and within the larger community.
- III. It is the intent of the Board to balance the need of the public and media to be informed about school programs and activities with the privacy interests of student and the responsibility of the school to operate with a minimum of disruption. Accordingly, the principal/director and/or his/her designee may regulate visits to the school by parents, community members or news media subject to the certain guidelines.

Community Relations

The school system's community relations program should:

1. encourage a better understanding of the objectives, accomplishments and needs of the school system;
2. be a planned, systematic, two-way process between the board and the school community;
3. use a variety of media including meetings, letters, circulars, seminars, publications and personal contacts;
4. provide the channels necessary for resolving grievances and eliminating misunderstandings;
5. inform concerned persons as to their rights, privileges and responsibilities.

The board delegates to the principal, director, superintendent, and/or community relations committee the responsibility for developing a community relations program which conforms with the above principles.

Parental Involvement

The superintendent shall develop and implement programs to the extent possible based upon written procedures to accomplish the following objectives.

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

2.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

Legal reference: 16 V.S.A. §§ 1161a

33 V.S.A. §§ 4915

Section 2.4 Law Enforcement

Section 2.4

It shall be the policy of District #18 that a reasonable and cooperative effort be maintained between the school administration and law enforcement agencies. Law enforcement officials may be summoned in order to conduct an investigation of alleged criminal conduct on the school premises or during a school sponsored activity or to maintain the education environment. They may also be summoned for the purpose of maintaining or restoring order when the presence of such officers is necessary to prevent injury to persons or property. Administrators have the responsibility and the authority to determine when the assistance of law enforcement officers is necessary within their respective jurisdictions. The school district's administrators shall at all times act in a manner which protects and guarantees the rights of students and parents.

Appropriate procedures shall be in place.

Refer to District policy # 6.11 for Search/Seizure and Locker Inspections.

2.0 Policy, continued

Date Warned:

Adopted from VT DOE Model

Date Reviewed: 07/05/05

Legal References: Act 91 of 2004

(2004 VT Laws Act 91) 16 V.S.A. §§11(a) (26),

565 (harassment), 1161a. 21 V.S.A. § 495(5)

(retaliation) 33 V.S.A. §§ 4911 et seq. (child

abuse) 9 V.S.A. §§ 4500 et seq. (public

accommodations; retaliation)

20 U.S.C. §§1681 et seq. (Title IX, Civil

Rights Act) 34 C.F.R. Part 106 42 U.S.C. §2000d

(Title VI of the Civil Rights Act of 1964) 20

U.S.C. §1232g; 34 C.F.R. Part 99 (FERPA)

Davis v. Monroe County Board of Education 526 U.S. 629 (1999)

Franklin v. Gwinnett 503 U.S. 60 (1992)

Saxe v. State College Area School District, 240 F. 3d 200 (3rd Cir. 2001)

Cross References

1. See District #18 Policy 2.5.1 for Harassment of Employees.
2. See District #18 Policy 4.13 for Reporting Suspected Child Abuse or Neglect.
3. See District #18 Policy 6.5 for Student Conduct and Discipline.
4. See District #18 Policy 6.18 for Confidentiality of Student Records.

Section 2.5 Harassment of Students

Section 2.5

I. Policy

A. District #18 is committed to providing a safe and supportive school environment in which all students are treated with respect. This policy involves incidents(s) and/or conduct that occurs on school property, on a school bus or at a school-sponsored activity, or misconduct not on school property, on a school bus or at a school-sponsored activity where direct harm to the welfare of the school can be demonstrated.

B. The purpose of this policy is to prevent harassment as defined in 16 V.S.A. § 11(a)(26) and amended by Act 91 of 2004, and to ensure that District #18's responses to allegations of harassment comply with 16 V.S.A. §565 as amended by Act 91 of 2004, Title VI and IX of the Civil Rights Act. It is the further purpose of this policy, when it is found that harassment has occurred, to ensure that prompt and appropriate remedial action, reasonably calculated to stop harassment, is taken by school district employees.

C. It is the intent of District #18 to apply and enforce this policy in a manner that is consistent with and protects students' rights to free expression under the First Amendment of the U.S. Constitution. District #18 respects and promotes the rights of students and others to speak freely and to express their ideas, including ideas that may offend the sensibilities of others. However, District #18 does not condone and shall take action in response to behavior that interferes with the learning of students and is not otherwise

protected expression.

II. Definitions

A. Harassment

(1) “Harassment” means an incident or incidents of verbal, written, visual or physical conduct based on or motivated by a student’s or a student’s family member’s actual or perceived race, creed, color, national origin, marital status, sex, sexual orientation, or disability 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.

(2) Harassment includes conduct which violates subsection (1) of this definition and constitutes one or more of the following:

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

(i) Submission to that conduct is made either explicitly or implicitly a term or condition of a student’s education.

(ii) Submission to or rejection of such conduct by a student is used as a component of the basis for decisions affecting that student.

(b) 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 racial customs.

(c) Harassment of members of other protected categories, which 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, sex, sexual orientation, or disability 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.

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

C. “Complainant” means a student who has filed on oral or written complaint to an employee or is the alleged victim in a report made by another alleging conduct and/or incident(s) that may rise to the level of harassment.

D. "Employee" includes any person employed directly by or retained through a contract with District #18, 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.

E. "Designated Employee" means an employee who has been designated by District #18 to receive complaints of harassment pursuant to 16 V.S.A. § 565(c)(1).

F. "Principal" means the building level administrator, or his/her designee, at an independent or public school designated by a school governing board to be a school principal, headmaster, or technical center director.

III. Reporting of Student Harassment Complaints

A. A student who believes that s/he has been harassed, or who witnesses conduct that s/he believes might constitute harassment, should report the conduct to a designated employee, or to any other school employee.

B. When a student reports such conduct to a school employee, other than a designated employee, that school employee shall refer the report to a designated employee.

C. An employee who witnesses conduct that s/he believes might constitute student harassment under this policy shall take prompt and appropriate action to stop the conduct and immediately report the conduct to a designated employee.

D. Any other person who witnesses conduct that s/he believes might constitute student harassment under this policy should report the conduct to a designated employee.

E. Consistent with this policy and 16 V.S.A. §565, the Superintendent or Principal shall develop procedures regarding the reporting of student harassment complaints and District #18's handling of such reports.

F. Annually, District #18 shall select two or more designated employees to receive complaints and shall publicize their availability.

IV. Procedures Following a Report

A. Consistent with this policy and 16 V.S.A. §565, the Superintendent or Principal shall develop procedures for complaint response following a report, initiation of an investigation, investigation, independent review, and alternative dispute resolution provisions.

B. Independent Review: A complainant who desires independent review under 16 V.S.A. §565(f) because s/he is either dissatisfied with the final determination of the school officials as to whether harassment occurred, or believes that, although a final determination was made that harassment occurred, the school's response was inadequate to correct the problem, shall make such request in writing to the Superintendent. Upon such request, the Superintendent shall initiate an independent

review, and shall comply with District #18's procedures and any applicable rules on this subject promulgated by the Commissioner of the Vermont Department of Education ("Commissioner"). District #18 may request an independent review at any stage of the process.

V. Discipline and/or Corrective Action

If after investigation, harassment has been found, District #18 shall take prompt and appropriate disciplinary or remedial action reasonably calculated to stop the harassment. Consistent with this policy, District #18's Student Conduct and Discipline policy and 16 V.S.A. §565, the Superintendent or Principal shall develop procedures regarding discipline and corrective action including final action on a complaint, retaliation, false complaints, and appeal provisions.

There will be no adverse action taken against a person for reporting a complaint of harassment when the complainant has a good faith belief that harassment occurred or is occurring or for participating in or cooperating with an investigation. Any person who knowingly makes a false accusation regarding harassment will be subject to disciplinary action.

VI. Confidentiality; Notification of Results; and Record Keeping

A. The privacy of (1) the complainant, (2) the accused individual, and (3) the witnesses shall be maintained consistent with District #18's obligations to investigate, to take appropriate action, and to comply with laws governing the disclosure of student records or other applicable discovery or disclosure obligations.

B. Subject to state and/or federal laws protecting the confidentiality of personally identifiable student information, the complainant and the accused individual shall be informed in writing of the results of the investigation. If either the complainant or the alleged individual is under the age of 18, subject to the above limitation, his or her parent(s) or guardian(s) shall be provided with a copy of this policy and related procedures, notified when an informal resolution to a harassment complaint is attempted, notified when a complaint is filed, and notified in writing of the investigation results. An authorized school official may seek waiver of confidentiality rights in order to inform the complainant of remedial measures undertaken.

C. The Superintendent or Principal 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. The report of the investigation shall be kept for at least six years after the report is completed.

VII. Mandatory Reporting to State Agencies

A. If a harassment complaint is made that conduct by a licensed educator might be grounds under the State Board of Education Rules for suspension or revocation of a license or endorsement, the Principal shall report to the Superintendent and the Superintendent shall report the alleged conduct to the Commissioner.

B. When a person responsible for reporting suspected child abuse under 33 V.S.A. §4911, et seq.,

determines that a complaint made pursuant to this policy must be reported to the Commissioner of the Department for Children and Families, he or she shall make the report as required by law and related District policy. If the victim is a vulnerable adult, as that term is defined in 33 V.S.A. §6902(14), the report shall be made to Adult Protective Services in accordance with 33 V.S.A. § 6903 and 6904.

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

VIII. Dissemination of Information, Training, Comprehensive Plan for Responding to Student Misbehavior and Data Gathering

A. Dissemination of Information. Annually, prior to the commencement of curricular and co-curricular activities, District #18 shall provide notice of this policy and its procedures to students, custodial parents or guardians of students, and employees. Notice to students shall be in age-appropriate language and include examples of harassment. At a minimum, this notice shall appear in any publication of the District that sets forth the comprehensive rules, procedures and standards of conduct for the District.

B. Training. The Superintendent or Principal shall develop age-appropriate methods of discussing the meaning and substance of this policy with students and staff to help prevent harassment. Training may be implemented within the context of professional development and the school curriculum to develop broad awareness and understanding among all members of the school community. Staff training shall enable staff to recognize, prevent and respond to harassment.

C. Comprehensive Plan for Responding to Student Misbehavior. District # 18's comprehensive plan pursuant to 16 V.S.A. §1161a(a)(6) shall include provisions that promote the positive development of youth and actions to prevent misconduct from escalating to the level of harassment.

D. Data Gathering. The District shall provide the Vermont Department of Education with data requested by the Commissioner.

IX. Complaints to the Vermont Human Rights Commission and the U.S. Office of Civil Rights

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 in the procedures accompanying this policy.

2.0 Policy, continued

Date Warned: 12/27/01

Date Adopted: 01/08/02

Date Reviewed: 11/30/01

**Legal References: 16 V.S.A. §§ 11(a) (26),
(definitions) 21 V.S.A. §§ 495 et seq. (Unlawful
employment practice, sexual harassment) 29
C.F.R. 1604.11 et seq. (Equal Opportunity
Employment Commission) 42 U.S.C. § 2000 et
seq. (Title VII of the Civil Rights Act of 1964)**

Cross Reference: 2.5 Harassment of Students

Section 2.5.1 Harassment of Employees

Section 2.5.1

Policy

The District # 18 Board is committed to providing all employees a safe and supportive environment in which all members of the school community are treated with respect. Harassment is a form of unlawful discrimination (as well as disrespectful behavior) which will not be tolerated.

The District # 18 Board shall provide employees a work environment free of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct, or communications constituting harassment as defined and otherwise prohibited by state and federal law.

Definitions

1. Adverse Action: Includes any form of intimidation, reprisal or harassment such as suspension, termination, change in working conditions, loss or diminishment of privileges or benefits, or other disciplinary action.
2. Employee: For purposes of this policy, an employee includes any person employed directly or through a contract with another company by the school district, agents of the school, School Board members and any student teacher, intern, or school volunteer.
3. Harassment: Harassment means unlawful harassment and constitutes a form of discrimination. It is verbal, written or physical conduct based on an employee's race, religion (creed), color, national origin, marital status, sex, sexual orientation, age, ancestry, or disability which has the purpose or effect of substantially interfering with an employee's work or creating an intimidating, hostile or offensive working environment.
4. The terms "intimidating", "hostile", and "offensive" include conduct which has the effect of causing humiliation, embarrassment, or discomfort.
5. School Community: Includes but is not limited to all students, school employees, contractors, unpaid volunteers, work study students, interns, student teachers, and visitors.
6. Sexual Harassment: Is a form of sex discrimination and means unwelcome sexual advances, requests for sexual favors, or other verbal, written 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 decisions affecting such individuals: or

- C. The conduct has the purpose or effect of substantially interfering with the individual's work performance or creating an intimidating, hostile or offensive working environment

Examples

Harassment can include any unwelcome verbal, written or physical conduct which offends, denigrates or belittles an individual because of an employee's race, religion (creed), color, national origin, marital status, sex, sexual orientation, age, ancestry, or disability. Such conduct includes, but is not limited to, unsolicited derogatory remarks, jokes, demeaning contact, stalking, threatening, bullying, extorting or the display or circulation of written materials or pictures.

Examples

Harassment can include any unwelcome verbal, written or physical conduct which offends, denigrates or belittles an individual because of an employee's race, religion (creed), color, national origin, marital status, sex, sexual orientation, age, ancestry, or disability. Such conduct includes, but is not limited to, unsolicited derogatory remarks, jokes, demeaning contact, stalking, threatening, bullying, extorting or the display or circulation of written materials or pictures.

Sexual Harassment - Sexual harassment may include, but is not limited to, unwelcome touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, pressure for sexual activity whether written, verbal or through physical gestures, display or sending pornographic pictures or objects, obscene graffiti, and spreading rumors related to a person's alleged sexual activities.

Racial and Color Harassment - Racial and color harassment can 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, comments on manner of speaking, and negative references to racial customs.

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

National Origin Harassment - Harassment on the basis of national origin includes unwelcome verbal, written or physical contact directed at the person's national origin such as negative comments, insults or taunts regarding surnames, manner of speaking, customs, language or ethnic slurs.

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

Sexual Orientation Harassment - Harassment on the basis of sexual orientation is unwelcome verbal, written or physical conduct directed at the characteristics of a person's sexual orientation such as ridicule, taunts, slurs, negative name calling and imitating mannerisms.

Disability Harassment - Harassment on the basis of a person's mental or physical condition includes any unwelcome verbal, written or physical contact directed at the characteristics of a person's disabling condition such as imitating manner of speech or movement, ridicule or insults based on manner of speech or movement or interference with necessary equipment.

Harassment includes, but is not limited to, examples cited in this policy.

Reporting

1. **Mandatory**: It is the express policy of District #18 to require, employee targets of harassment and employees who have first hand knowledge of such harassment to report such claims. Employees who witness or are targets of harassment shall report the

incident(s) immediately to their immediate supervisor or another administrator who is not the subject of the complaint as may be appropriate under the circumstances. Targets of harassment should directly inform the person(s) engaging in the harassing conduct or communication that such conduct is offensive and must stop.

2. Privacy: Complaints will be kept confidential to the extent possible given the need to investigate and act upon investigative results.
3. Retaliation: There will be no adverse action taken against a person for reporting a complaint of harassment when the complainant honestly believes harassment has occurred or is occurring or for participating in and cooperating with an investigation. Any individual who retaliates against any employee or student who reports, testifies, assists or participates in an investigation or hearing relating to a harassment complaint will be subject to appropriate action and/or discipline by the School District.

Administrative Responsibility and Action

1. Administrative Reporting: A staff member who receives a complaint of harassment shall promptly inform the Principal, Director, or another administrator who is not the subject of the complaint.
2. Investigation: The School District is responsible for acting on any information regarding harassment of which it is aware. The Superintendent shall provide for a thorough, prompt investigation of the incident and the investigation. After a report or complaint, formal or informal, written or oral, has been received, a written report shall be completed in a timely fashion in accordance with school procedures. No person who is the subject of a complaint shall conduct such an investigation.
3. Final Action on Complaint: The District shall take disciplinary or remedial action as appropriate in order to ensure that further harassment does not occur. Such action may include, but is not limited to, education, training, counseling, transfer, suspension and/or termination of an employee.
4. False Complaint: Any person who knowingly makes a false accusation regarding harassment will be subject to disciplinary action up to and including suspension and/or discharge of the employee(s).
5. Appeal: A person judged to be in violation of this policy and subjected to action under it may appeal the determination and/or the action taken in accordance with procedures adopted under this policy or any bargaining agreement.
6. Dissemination: The Superintendent shall use all reasonable means to inform students, staff members, and the community that the District will not tolerate harassment. A copy of this policy and its implementation procedures shall be provided to students, staff and parents/guardians each year and shall be included in appropriate materials that are disseminated to the school and community.
7. Training: The Superintendent shall develop age-appropriate methods of discussing the meaning and substance of this policy with students and staff in order to help prevent harassment. Training may be implemented within the context of employee professional development and the school curriculum to develop broad awareness and understanding among all members of the school community.
8. The Superintendent is responsible for developing procedures that will guide the implementation of this policy.

Alternative Complaint Process

In addition to, or as an alternative to filing an harassment complaint pursuant to this policy, a person may file an 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 in the procedures accompanying this policy.

2.0 Policy, continued

Date Warned: 06/14/01

Date Adopted: 07/03/01

Date Reviewed: 09/18/01

Legal reference: 16 VSA §§ 140 (a-d)

Family Rights and Privacy Act (FERPA) (20 U.S.C. § 1232 (g) and 34 C.F.R. Part 99) in 33 V.S.A. §4912(2) and 33 V.S.A, § 6902(1), (7) and (9), 33 V.S.A. §4914, 33 V.S.A. §6904.

Cross Reference: District # 18 2.5 & 6.5

Section 2.6 Hazing

Section 2.6

Policy

It is the policy of Lamoille Union High School District #18 (hereinafter District # 18) that all its schools provide safe, orderly, civil and positive learning environments. Hazing has no place in District #18 schools and will not be tolerated. Accordingly, District #18 adopts the following definitions and procedures to prohibit hazing and will ensure the enforcement thereof.

Definitions

“Hazing” means any act committed by a person, whether individually or in concert with others, against a student in connection with pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization which is affiliated with District #18: and which is intended to have the effect of, or should reasonably be expected to have the effect of, humiliating, intimidating or demeaning the student and/or endangering the mental or physical health of the student. “Hazing” also includes soliciting, directing, aiding, or otherwise participating actively or passively in the above acts. Hazing may occur on or off school grounds.

Examples of hazing include;

1. Any type of physical brutality such as whipping, beating, striking, branding, electrical shocks, placing a harmful substance on or in the body, or other similar activity; or
2. Any type of physical activity such as sleep deprivation, exposure to the elements, confinement in a small space, or other activity that creates or results in an unreasonable risk of harm or that adversely affects the mental or physical health or safety of student; or
3. Any activity involving consumption of food, liquid, alcoholic beverage, liquor, drug, or other substance that subjects a student to an unreasonable risk of harm; or
4. Any activity that induces, causes, or requires a student to perform a duty or task, which involves the commission of a crime or an act of hazing.

Hazing shall not include any activity or conduct that furthers legitimate curricular, extra-curricular, or military training program goals provided that the goals are approved by the District #18 School Board and provided that the activity or conduct furthers those goals in a manner that is appropriate,

contemplated by the School Board, and normal and customary for similar school programs. An example of this exception might be reasonable athletic training exercises.

“Organization” means a fraternity, sorority, athletic team, association, corporation, order, society, corps, cooperative club, or other similar group, whose members primarily are students of District #18, and which is affiliated with District #18.

“Pledging” means any action or activity related to becoming a member of an organization.

“Principal” means the principal of a school or the director of a technical center or any person designated by them to carry out a particular function.

“Student” means any person who: (1) is enrolled in any school or program operated by District #18, (2) has been accepted for admission into any school or program operated by District #18, or (3) intends to enroll in any school or program operated by District #18 during any of its regular sessions after an official or academic break.

Retaliation

It shall be a violation of this policy for a person to retaliate against a student or other person for reporting a suspected incidence of hazing or cooperating in any investigation proceeding regarding an incident of hazing.

Section 2.6 Procedures
Board Adopted Procedures

Date Warned:

Date Adopted:

Date Reviewed:

Notification of Hazing Policy

The student handbook shall contain: (1) a description of this hazing policy in age-appropriate language, (2) examples of hazing, and (3) a listing of those persons whom the Board has designated to receive reports of hazing. The schools of District #18 also shall effectively inform students about the substance of this hazing policy and its procedures by posting in prominent sites on campus.

Prior to the first practice or meeting session, each student who participates in a co-or extra-curricular activity that begins prior to the commencement of any course offering shall be provided by the coach or supervisor of the activity, a copy of the excerpt from the student handbook regarding the hazing policy. Each coach or supervisor of a co-or extra-curricular activity shall orally explain to participants the prohibition against hazing, the reasons for the prohibition, and the potential consequences to participants and, in the case of a club or an athletic team, to the club or team itself.

Annually, custodial parents and guardians of students shall be provided a copy of this hazing policy prior to the commencement of co-or extra-curricular activities.

Annually, staff members shall be provided with a copy of this hazing policy prior to the opening of school. Coaches or supervisors of co-or extra-curricular activities shall be provided a copy of this hazing policy upon employment with District #18.

Reporting of Hazing

Students who have reason to believe that an incident of hazing might or did occur, shall report such belief to any coach or an extra-curricular team, teacher, school nurse, guidance counselor, or school administrator. Staff members who have received such a report from a student or who might otherwise have reason to believe that an incident of hazing might or did occur shall report such belief to the principal of the school, or in the event of the unavailability of the principal, to an assistant administrator. The report may be in writing or orally. If the report is made orally, the recipient shall make a written record of the report.

It is possible that an incident of hazing might also fall within the definition of abuse, neglect, or exploitation as those terms are defined in 33 V.S.A. §4912(2) and 33 V.S.A, § 6902(1), (7) and (9). To the extent a staff member is a mandatory reporter of suspected child abuse or neglect or abuse of disabled adults, reporting a suspected incidence of hazing does not relieve the reporter of any obligations additionally to report such suspicions to the Commissioner of the Vermont Department of Social and Rehabilitation Services as set forth in 33 V.S.A. §4914 or to the Commissioner of the Department of Aging and Disabilities as set forth in 33 V.S.A. §6904.

Investigation of Reports of Hazing

The principal, or in the event of the unavailability of the principal, an assistant administrator, upon

receipt of a report of hazing, promptly shall cause an investigation to commence. The investigation shall be timely and thorough and the findings and conclusions of the investigation shall be reduced to writing. Unless there are exceptional circumstances, the investigation shall be concluded within ten (10) school days.

Disciplinary Action

If the investigation concludes a student committed an act of hazing or otherwise violated this policy, that student shall be subject to appropriate disciplinary action, including but not limited to suspension or expulsion from co- or extra-curricular activities or from school. Any disciplinary action against a student shall be subject to the procedures set forth in Section 6.5 of this Policy Manual.

If the investigation concludes that two or more students from the same athletic team or other co- or extra-curricular activity directed, engaged in, aided or otherwise participated in actively or passively an incident of hazing, disciplinary action may be imposed against the team or activity, including cancellation of one or more athletic contests or the entire athletic season.

It is not a defense in a disciplinary proceeding under this policy that the person against whom the hazing was directed consented to or acquiesced in the hazing activity.

Nothing in this policy shall limit or preclude District #18 from disciplining a student or other person affiliated with District #18 under any District #18 policy as well as under the terms of this policy.

Training of Staff

The principal shall ensure that each staff member, with particular emphasis on staff members who are coaches or supervisors of co- or extra-curricular activities, receive training in preventing, recognizing and responding to hazing. At a minimum, the principal shall meet the obligations under notification in this policy.

Reporting Incidents of Hazing to Law Enforcement Officials

All staff members are subject to the confidentiality requirements of the Family Rights and Privacy Act (FERPA) (20 U.S.C. § 1232 (g) and 34 C.F.R. Part 99). Accordingly information deriving from student records (if information is obtained through other means, the restrictions of FERPA do not apply) which is personally identifiable, may not be disclosed without parental consent unless it meets one or more of the exceptions specified in 34 C.F.R. part 99. Certain of these exceptions, may permit the reporting of hazing to law enforcement officials. Those relevant exceptions are:

- (1) Where there is a health or safety emergency;
- (2) Where information has been subpoenaed; or
- (3) Where the records in question are created and maintained by a law enforcement unit established by the school.

2.0 Policy, continued

Date Warned: 12/06/05

Date Adopted: 12/27/05

Date Reviewed:

Legal reference: 16 V.S.A. § 565

Cross Reference: District #18 Policies 2.5 and 2.6

Section 2.7 Bullying

Section 2.7

Policy

It is the policy of Lamoille Union High School District #18 that all its schools provide safe, orderly, civil and positive learning environments. Harassment, hazing and bullying have no place and will not be tolerated.

Definitions

- a. Bullying is a form of dangerous and disrespectful behavior.
- b. Bullying means any overt act or combination of such acts directed against a student by another student or group of students and which:
 - (1) occurs during the school day on school property, on a school bus or at a school sponsored activity;
 - (2) is intended to ridicule, humiliate or intimidate the student; and
 - (3) is repeated over time.

Behavior that does not rise to the definition of bullying may still be subject to disciplinary action. Any student who knowingly makes false accusations may be subject to disciplinary action.

Notice of Prohibition

District #18 will enact both proactive and reactive steps to prevent bullying from occurring.

- a. A statement shall be included in school handbooks prohibiting bullying to make student aware of the prohibition, the penalties for engaging in bullying and the procedures for reporting bullying.
- b. Strategies will be developed by school administrators to enable staff to effectively prevent and/or intervene in bullying.

Specific Violations and Consequences

- a. First report - Whether confirmed or not, all parties involved in bullying will be informed of future consequences and develop a plan for avoiding bullying and/or being victimized in the future. If confirmed, parents/guardians of all parties will be notified. If administration deems the first report of bullying "severe" and the report is confirmed, this offense may be considered a second or third offense.
- b. Second and third reports - If confirmed, administration will assign disciplinary/intervention measures including, but not limited to parent/guardian notification, detention, in-school detention, suspension, loss of privileges, and required meetings with a counselor.
- c. Fourth report - If confirmed, the following consequences will occur:
 - (1) Suspension for up to ten school days;

(2) Recommendation to the School Board for long-term suspension (the following procedure will be followed);

(a) The School Board will convene a hearing within ten school days of the suspension period.

(b) All parties shall be entitled to representation by counsel at their own expense.

(c) Upon conclusion of the hearing the Board will make its decision.

(3) The student and parent/guardian shall be notified prior to the beginning of the first day after the ten school day suspension and a written decision shall follow.

(4) In no case shall a long-term suspension from school result in a penalty that is less severe than the one imposed for the second violation.

(5) Referral to a qualified counselor for an initial evaluation. The counselor will make recommendations for a re-entry plan that must be followed. The student must demonstrate a good-faith effort to comply with the plan or the administration, at its discretion, may refer the matter to the School Board for further action.

Retaliation

It shall be a violation of this policy to retaliate against a student or other person reporting suspected bullying or cooperating in any investigation proceeding regarding bullying. A student who retaliates may be suspended for up to ten school days and/or referred to the School Board for long term suspension.

3.0 Policy Development

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

Legal Reference: 16 V.S.A. § 563(1),(4)

Section 3.1 Policy Development

Section 3.1

Policy development is the board's most important responsibility. It is the intent of the board to develop policies for the successful and efficient operation of District #18.

The board accepts the definition of policy as set forth by the National School Boards Association:

"Policies are principles adopted by the school board to chart a course of action. They tell what is wanted; they may include why and how much. Policies should be broad enough to indicate a line of action to be followed by the administration in meeting a number of problems; narrow enough to give clear guidance. Policies are guides for action by the administration, who then sets the rules and regulations to provide specific directions to school district personnel."

These policies should serve to inform and guide all people interested in or connected with the school district.

The policies of the district are to be interpreted consistently with Vermont law and the regulations of the Vermont State Board of Education. These policies should also be interpreted consistently with those educational objectives, procedures, and practices which are generally accepted in the public education field.

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

Legal Reference: 16 V.S.A. §563(1),(4)

Section 3.2 Policy Adoption

Section 3.2

Warning

No policy will be adopted by the board unless first warned in accordance with 16 V.S.A. § 563 or other applicable state statutes.

4.0 Administration

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

Legal Reference: 13 V.S.A.Ch. 41 §1753

Section 4.1 False Interruptions of School

Section 4.1

Because it is totally responsible for the safety and welfare of students and adults within its buildings and on its grounds, it shall be the policy of District #18 to treat any interruption or threat as a real danger to lives, safety and property of all.

Administrators will make every effort to locate the perpetrator(s) and may solicit the assistance of law enforcement agencies. This School Board may direct the administrator that time lost be rescheduled.

Date Warned: 6/ 15/00

Date Adopted: 6/20/00

Date Reviewed:

District #18 Policies affected: 2.3, 2.4, 2.5, 4.1, 4.5, 4.11, 4.21, 9.1

4.2 Security Surveillance

Section 4.2

District #18 is committed to providing a safe and secure environment to all that enter our school environment and facilities and/or use District #18 services and physical resources.

District #18 recognizes it has a responsibility to taxpayers to take reasonable steps without infringing upon the rights of citizens, to protect the facilities and resources provided by the community for the education of District #18 students.

As a part of the Board's effort to accomplish the aforesaid, modern technology may be used to provide security within our buildings, on our campus, and on our transportation system. This technology may include the use of video surveillance technology such as is provided through the use of video cameras.

Procedures for the use of video materials shall be developed by the administration. These procedures shall clearly spell out parent/student rights, rules regarding storage of videotapes, rules for viewing videotapes, and protection of video materials from damage. These procedures shall be available to the public upon request to the administration.

4.0 Policy, continued

Date Warned: June 3, 2008
Date Adopted: August 19, 2008

Section 4.4 Games of Chance

Section 4.4

The board does not permit formal or informal student-sponsored games of chance (for example bingo, raffles, and the like), in or at school, as a class or extra-curricular activity or project. Only school-sponsored or board-recognized parent-sponsored organizations may be allowed to promote and conduct games of chance for the purpose of supporting student activities. Board-approved parent-sponsored clubs and organizations must make fundraising requests to the administration in advance of a “game of chance” or fundraising event.

4.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

Legal Reference: 13 V.S.A. § 3705

Section 4.5 Trespass

Section 4.5

The buildings and property of District #18 are public; However, by law, they have been assigned a responsibility of the District #18 Board of Directors. For the security and protection of these properties.

While it is the intent of the District #18 Board of Directors that the public have access to the school, it shall be a matter of policy to deny such access to those who attempt to disrupt or interfere with the normal school program or to those whose intent is to damage school property.

Under the authority granted it in 13 V.S.A. § 3705, the District #18 Board of Directors delegates to the Principal/Director the handling of unlawful trespass on school property. The Principal or Director may, in her/his absence, designate to a staff member the responsibility for the above. The primary purpose of District #18 is the education of the students assigned to District #18. These activities occur at various times during the day and as such are the responsibility of the school administration.

- (a) The use of these buildings and land will be (primarily) for school conducted classes and activities.
- (b) Buildings, parking lots, athletic fields, and similar spaces will be used first by the school.
- (c) Any person or group wishing to use these facilities must secure permission in advance from the principal or director. This permission is not to be granted if it interferes with the normal operation of the school.
- (d) Permission will be granted for the use of parking lots, athletic fields and similar areas by other than students or teachers during the daylight hours as long as this use does not interfere with the regular school program.
- (e) Organized groups or individuals wishing to use the buildings or land of District #18 for organized meetings, group meetings, assemblies, rallies, and similar activities must secure permission in advance and may be requested to guarantee law enforcement and protection for the property and buildings.
- (f) Any individual on these properties after 8 o'clock at night, except at school sponsored activities or with previous permission, may be arrested for trespass. Any group or organization holding an unapproved meeting in or on school property will also be subject to prosecution for trespass. In either case, the responsible school authorities are to notify the police at once. Students holding unauthorized meetings in violation to this stated policy will be subject to suspension (and a hearing before the Board of Directors)

4.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed

Section 4.6 Visitors

Section 4.6

It shall be the policy of the District #18 Board of Directors that:

1. Visitors to school grounds shall report immediately to an administrative office. A sign to that effect shall be posted in view at all entrances to the building.
2. Distribution or posting of materials by non-students or adults within the building is not allowed without prior administrative approval.
3. Requests for assemblies, class time or school time from non-students or adults must be approved by the principal/director. In cases where the principal/director feels the subject is controversial, the Board of School Directors shall be requested to render a decision.
4. Permission to allow students to attend rallies outside the building during school hours may be granted by the principal/director.
5. The principal/director may refuse the use of school grounds for any purpose that will conflict with the schedule of curricular or extra-curricular activities.

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed: 05/11/00

Section 4.7 Awards

Section 4.7

It is hereby established that awards made to any students through District #18 be governed as follows:

1. All awards must receive prior approval by the Principal, Director, or Superintendent.
2. All Awards of money will be in amounts of at least \$25.00.
3. All monetary awards must be funded as to provide sufficient capital for the duration of the award (when established). This money is to be placed in an account at a local bank made payable to the District #18's awards fund.
4. All monetary awards will be established for a period of no longer than ten years subject to renewal or review.
5. All awards must be open to all District #18 students. This is not meant to exclude awards for specific categories. EXAMPLE: A vocational award would not be open to non-vocational students.
6. The administration reserves the right to control all awards and to determine, within the established criteria, to whom awards will be given. Their decision is final.

4.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

Legal Reference: 16 V.S.A. §

563(14)

Section 4.8 Selection of Library Materials

Section 4.8

It is the policy of District #18 to select materials for the school library in accordance with the following:

1. When selecting materials for purchase for the media center, the media specialist will evaluate the existing collection and the curriculum needs and will consult reputable, professionally prepared selection aids and other appropriate sources. For the purpose of this policy the term "media" includes all materials considered part of the library collection, plus all instructional materials housed in resource centers and classrooms (if any) which are not text materials. For the purpose of this policy, the term "media center" is the space, room or complex of rooms and spaces designated as a library, media center, instructional materials center, or similar term. It may include units not contiguous to the center where facilities dictate. These units would include but not be limited to resource centers, production centers, and television studios.
2. Recommendations for purchase will be solicited from members of the faculty and student body.
3. Materials obtained either by purchase or gift shall be judged by the criteria set forth in the policy on the Selection of Instructional Materials and shall be accepted or rejected in accord with those criteria.
4. Selection is an ongoing process which shall include the removal of materials no longer appropriate and the replacement of lost and worn materials still of educational value.
5. Complaints related to the selection of library materials will be handled through the policy on Procedure for Handling Complaints.

4.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed: 09/07/04

Legal Reference: 16 V.S.A. § 563(5)

VT State Board of Education Manual of Rules and Practices § 2311.2

Section 4.9 Emergency Disaster Plan

Section 4.9

The District #18 Board of Directors believes that the protection of its students is essential at all times. The Board, therefore, places the prime responsibility for their well being upon the administration of the school.

This plan is developed to be used in case of fire, tornado, blizzard, (flood,) earthquake, nuclear attack, bomb in building, civil disturbance, etc. All members of the faculty and other employees should:

1. Familiarize themselves with this plan;
2. Be prepared to activate it immediately;
3. Perform any duties to which they are assigned to make its activation effective.

That portion of the plan to be posted in the room shall be in a prominent spot. All who use that room should familiarize themselves with the provisions as it applies to that room.

Drills and Evacuations

The principal/director shall hold drills and evacuations as may be necessary to insure that all students, faculty members, and others are sufficiently familiar with such and that it can be activated and accomplished quickly and efficiently. These drills shall be held monthly at both regular and inopportune times to take care of almost any situation. Everyone in the building, including other employees, instructors not in regular classrooms, and visitors, must obey instructions in the room they occupy when the alarm is sounded.

A plan has been devised for quickly evacuating the gym in case of an emergency or disaster.

4.0 Policy, continued

Date Warned: 11/18/03
Date Adopted: 01/20/04
Date Reviewed: 07/05/05
Legal Reference(s): 7 V.S.A. §
1001(4),2 16 V.S.A. 140 18 V.S.A. §
4226,1421 et seq.

VT State Board of Education Manual of Rules & Practices § 2311.2,4200,4300,4312,4313
Federal No Child Left Behind Act of 2001 (PL 107-110)
Controlled Substances Act 21 USC and 812
Individuals with Disabilities Education Act (IDEA) 504
Referenced District #18 Policies 4.14, 6.5, 6.11, 6.17

Section 4.10 Substance Abuse

Section 4.10

PHILOSOPHY

Consistent with state and federal laws, District #18 School Directors believe:

1. Every student has the right to a drug free school and that it is the responsibility in general of our communities and specifically of all students, parents and school personnel to work together to achieve this goal.
2. A student's abuse of alcohol, tobacco, drugs or other substances is detrimental to the education of that student and is likely to be detrimental to the education of other students and to the well-being of the entire school community.
3. Substance abuse and dependency are treatable health problems and that the school's responsibility is to provide preventative education for all students, intervention (identification and referral) for those students using drugs, and support for those students attempting to change patterns of use that interfere with their overall school performance.

POLICY STATEMENT

This policy applies to grades 7-12 in District #18.

In support of this philosophy, District #18 prohibits the use or possession of drugs, anything portrayed as a drug, tobacco, alcohol, other potentially harmful substances or any device associated with these substances, on school premises or at school sponsored activities, wherever located. The only exceptions to this policy are medical use of drugs, authorized in writing in advance by a licensed health-care provider.

Any student who is required to take medication during the school day must bring the medication to the health office for proper storage and dispensing according to health care professional orders. All medications including those sold over the counter or "non-prescribed" substances must be given to the nursing staff in the health office and used under their supervision. In the case of controlled substances, a parent or adult guardian must transport the medication in its original container directly to the health office. The prescription must be clearly in the name of the student and it must be dispensed as ordered

by a health care professional.

All plans and procedures described in this Policy shall comply with Federal and State laws referenced above, including Vermont State Board of Education Rules 4200, Alcohol and Drugs (policy and program requirements); 4300, Disciplinary Action (suspension, expulsion, due process procedures); 4313, Discipline procedures for students eligible for Special Education Services; and 4312, Discipline procedures for students who are not eligible for Special Education Services, but who may qualify under Section 504 of the IDEA. These Rules are available in the Superintendent's Office.

DEFINITIONS

A. "Substance" includes any of the following:

1) "Drug":

- a) Means a controlled substance identified in Schedules I, II, III, IV or V of the Controlled Substance Act, 21 U.S.C. § 812 (c); but
- b) Does not include such a substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision.
- c) It does mean controlled substances including, but not limited to, cannabis (marijuana); hallucinogens (LSD, psilocybin mushrooms); stimulants (cocaine, amphetamines such as "speed" or Ritalin); depressants (barbiturates, "Quaaludes"); narcotics (opium, heroin); inhalants (nitrous oxide, medical products, or other fume-producing substances); or anabolic steroids.

2) "Tobacco":

In any form (for smoking, chewing, etc.) NOTE: Pursuant to 16 V.S.A. § 140, no person shall be permitted to use tobacco on public school grounds and no student shall be permitted to use tobacco at public school sponsored functions.

3) "Alcohol":

Means alcohol, spirits and malt beverages as defined by 7 V.S.A. § 2. "Alcohol" as used in this Policy includes, but is not limited to, beer, porter, stout, ale, wines, cordials and liquors. Alcohol may also include medicinal products such as Listerine and Nyquil which contain alcohol. If a student is using such a product for medicinal purposes, the medicinal purpose must be reported to the school nurse and the product kept by the nurse during school hours. If the administration discovers the student in possession of such a medicinal product and the nurse has no prior knowledge of the student's medicinal need of the product, the product shall be considered "Alcohol" for the purposes of this Policy.

B. "Substance Abuse":

Means the ingestion of any substance in such a way that it interferes with a person's ability to perform physically, intellectually, emotionally or socially.

C. "Suspension":

1. Out-of-school suspension: The student is removed from school property and no teaching services are provided to the student for ten or less school days. Students may, at their own

initiative, obtain their assignments, complete work on their own and receive credit for such work. Students who are suspended may not participate in school activities or be on school property without an appointment approved by the principal or his/her designee.

2. In-school suspension: A student is removed from classes but remains in school at a designated location.
3. Long-term suspension: A suspension of more than ten days imposed by the School Board.

D. "Expulsion":

Means the removal of a student from the school for the remainder of the school year. The School Board may order a student expelled if, after a hearing, it determines that the student's conduct makes the student's continued presence harmful to the welfare of the school. Nothing contained in this section shall prevent a superintendent or principal, subject to subsequent due process procedures, from removing immediately from a school a pupil who poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process of the school. Also, these definitions may be impacted if the student is disabled, handicapped or suspected thereof. See Section III.

No educational services will be provided to an expelled student; the student shall receive no credit and the student may not be on school property or participate in school activities. However, the School Board may, in its discretion or if required by law, order that services be provided and credit earned.

E. "Parent(s)":

Means the natural parent(s), legal guardian or custodian.

F. Student Assistant program (S.A.P.).

Counselors in the program offer individual counseling, family support and referral for substance abuse treatment services.

G. "School Day":

Means a day on which school is in session with students present and attending classes.

H. "Re-entry Plan":

Means any plan developed by school personnel in consultation with the student and parents to promote the well being of an individual student, his/her re-admission to school, and the well being of the school environment. It may contain whatever provisions that are consistent with other District policies and State and Federal laws which are deemed necessary.

I. "Retaliation":

Includes but is not limited to, verbal or physical threats, intimidation, assault and/or battery or an attempt to do any of the foregoing.

I. PROGRAMS AND SERVICES

A; Educational Programs

The District shall provide the following educational programs:

1. School Personnel - an on-going in-service drug education for all school personnel.
2. Students:
 - a. Age appropriate drug education programs for students in compliance with curriculum guidelines established by the State of Vermont.
 - b. Student Assistance Programs (S.A.P.) offering individual counseling, family support and referral for ongoing treatment services
3. Parents - Information and training programs.

. B. Self-referral for Assistance with Drug or Alcohol Problems:

When a student recognizes that he/she has a problem with drug or alcohol use and chooses to do something about the problem, the school will cooperate as fully as possible with the student.

A student who seeks the assistance of any staff member shall be offered educational resources, individual or group counseling and/or referral to a community agency. These services shall be provided without consequences providing all these conditions are met:

1. The student is self-referred, not “caught” in violation of school or legal policies.
2. There is no immediate apparent threat of harm to self or others.
3. A commitment is made to develop a rehabilitation plan.

C. In-school Support and Referral System:

Appropriate school personnel shall be available to consult with students whose behavior or performance may indicate a problem with substance abuse (hereafter “abuse”).

In addition, all school personnel who observe academic, social or personal behavior of a student that may indicate abuse are expected to discuss their observations and concerns with the student. If the problematic behavior continues or the staff member feels the need for assistance, a referral should be made.

D. Community Support and Referral System:

The District shall maintain a written referral agreement with a community substance abuse treatment provider such as Copley Behavioral Medicine. Individual assessment and treatment is available from various agencies on a sliding payment scale. Under no circumstances shall the District be obligated for financial responsibility for assessment or treatment.

The District shall maintain a liaison with the Lamoille County Sheriff’s Department for the purpose of obtaining assistance in determining appropriate and effective courses of action when incidents related to substance abuse occur within the school environment and to ensure that current law enforcement requirements are followed.

The District shall work cooperatively with all appropriate state and community agencies in order

to provide effective substance-abuse counseling and educational programs for students, staff and parents.

II. VIOLATION AND CONSEQUENCES OF THIS SUBSTANCE ABUSE POLICY

A. Violation:

It shall be a violation of this Policy for anyone to possess, sell, distribute or exchange; participate in a sale, distribution or exchange or attempt to sell, distribute or exchange any substance as defined above on school property (including on buses, at bus stops, or walking to or from school) or at any school sponsored activity, in the United States or foreign country.

It shall also be a violation of this Policy for anyone to purchase, use, possess, be under the influence of substances as defined above or to possess a device reasonably related to substance abuse or to participate in any related incident on school property (including buses, at bus stops or walking to or from school) or at any school sponsored activity in the United States or a foreign country.

It shall also be a violation of this Policy and other applicable School District policies for anyone to retaliate in any way against any person who may or has participated or cooperated in an investigation of the above violations. The District considers retaliation a very serious matter and it will be the basis of separate disciplinary action.

A student suspected of a violation shall be expected to comply with a school and/or police investigation.

B. Consequences:

The consequences for all violations of the policy, except retaliation, shall be twofold, namely disciplinary and socially rehabilitative.

All disciplinary action shall afford the student and parent the opportunity for an informal hearing before an appropriately designated school official. This informal hearing shall comply with the requirements of due process, namely:

1. Inform the student of the charges against him/her
2. Explain the evidence
3. Give the student an opportunity to tell his/her side of the story
4. Explain the consequences

Following the informal hearing, the school official shall provide the parent/guardian with a written decision including an outline of the consequences and recommendations.

However, when a student's conduct or condition is deemed to be an immediate threat to himself or herself, others, property or the educational environment, the student may be immediately suspended pending a due process hearing to be held as soon as possible thereafter.

Students who are suspended or expelled for violating this policy may, at the discretion of the

school administration or School board, continue to receive educational or counseling services deemed to be in the best interest of the student. (See Section on Students with a Disability).

C. Specific Violations and Consequences:

(See Section IIA for the complete definition of a violation).

Note: Violations and consequences are cumulative throughout a students' 7-12 grade career. (For example, if a student were to violate any provision of this policy in the eighth grade then again in the eleventh, it will count as a second violation).

1. **Sale, Distribution or Exchange of Substances Governed by this Policy**

Consequences - All of the following will occur:

- a) Suspension for ten school days;
 - b) Recommendation to the School Board for long-term suspension (the following procedure will be followed):
 - a. The School Board will convene a hearing within ten school days of the suspension period.
 - b. All parties shall be entitled to representation by counsel at their own expense.
 - c. Upon conclusion of the hearing, the Board will make its decision.
 - c) The student and parent shall be notified prior to the beginning of the first school day after the ten school day suspension and a written decision shall follow.
 - d) In no case shall a long-term suspension from school result in a penalty that is less severe than the one imposed for a second violation.
 - e) Referral to the S.A.P. for an initial screening and evaluation. S.A.P.counselor will make a referral for appropriate treatment services.
 - f) A re-entry plan will be developed by school personnel in consultation with the student and parents. The student must demonstrate a good-faith effort to comply with the plan or the administration, at its discretion, may refer the matter to the School Board for further disciplinary action.
- Athletic eligibility affected (see Policy 6.17)

2. **Purchase, Use, or Possession of a Substance Governed by this Policy; Being Under the Influence of Same; Possession of a Reasonably Related Substance-Abuse Device; Participation in a Related Incident; or Refusal to Cooperate with an Investigation.**

Consequences:

First Violation: All of the following will occur:

- a) Suspension for up to a maximum of ten school days. The School Administration shall determine the length of suspension and whether it be in-school or out-of-school suspension, depending on the nature of the infraction and the student's cooperation once it is discovered
- b) Before the student may return to classes, he/she must provide proof of a scheduled appointment with the Student Assistance Program ("S.A.P.") Counselor. The student's suspension will be continued until demonstration of the appointment is provided or ten school days is reached, whichever occurs first. If the student fails to provide demonstration of the above-referenced option, the Administration, at its

- discretion, may refer the matter to the School Board for further disciplinary action.
- c) Referral to the S.A.P. for assessment and referral to treatment services if appropriate.
 - d) A re-entry plan will be developed by school personnel in consultation with the student and parents. The student must demonstrate a good-faith effort to comply with the plan or the administration, at its discretion, may refer the matter to the School Board for further disciplinary action.
 - e) Athletic eligibility affected (see Policy 6.17)

Second Violation: All of the following will occur:

- a) Suspension for ten school days. The administration shall determine whether in-school or out-of school suspension is appropriate, and may substitute a mandatory secession program for a portion of the suspension.
- b) Referral to the S.A.P. for assessment and referral to treatment services if appropriate.
- c) A re-entry plan will be developed by school personnel in consultation with the student and parents. The student must demonstrate a good-faith effort to comply with the plan or the administration, at its discretion, may refer the matter to the School Board for further disciplinary action.
- d) Athletic eligibility affected (see Policy 6.17)

Third Violation: The procedure for the consequences of a Sale, Distribution or Exchange (Section II, C.1.) shall apply.

3. Retaliation:

Consequences: Retaliation is a serious matter and shall be addressed in accordance with the District's policies and rules regarding suspension and expulsion consistent with relevant state statutes and Vermont State Board of Education Rules. Depending upon the circumstances and the seriousness of the incident, a student may be suspended for up to ten days and/or referred to the School Board for expulsion.

III. STUDENTS WITH DISABILITIES OR STUDENTS SUSPECTED OF BEING DISABLED

When disciplining students who receive or are eligible for services under the Individual with Disabilities Education Act (IDEA), § 504 of the Rehabilitation Act ("§ 504"), or similar passages in State law, the District will comply with such laws, including but not limited to the IDEA, the 1997 Amendments to the IDEA, § 504 and applicable Vermont state statutes and regulations. If the Lamoille County Sheriff's Department or other appropriate law enforcement agency is notified regarding a suspected violation of law and the student has a disability, the District shall forward copies of the student's special education and disciplinary records to the law enforcement agency for its consideration in responding to the matter of a reported crime or if necessary to comply with a court order or subpoena..

IV. SEARCH AND SEIZURE

District #18 policy provides for the school to handle any alcohol/tobacco/drug related

incident until the student has been discharged to the parent, guardian, social service, medical worker, and/or law enforcement agency. Explicitly permitted therefore is search and seizure as outlined in District #18 policy 6.11.

V. ANNUAL REPORT

Each year, according to Vermont Education Law, schools submit an annual report. Included in this report will be a description of the school's alcohol and drug abuse prevention programs, the apparent success and effectiveness of the program, an evaluation of the curriculum and an assessment of the problems of alcohol and drug abuse within the school. This report shall follow the standard format provided by the Vermont Department of Education.

4.0 Policy, continued

Date Warned: August 21, 2007
Date Adopted: October 2, 2007
Legal Reference: 16 V.S.A. Sec. 563(3)(5)

Section 4.11 School Buildings, Grounds, and Equipment Use

The District #18 buildings, grounds, and equipment exist to support students and their educational programs. Therefore all school-related functions and uses will have priority over other uses. The Board of Directors encourages the use of its facilities by other groups and organizations whenever such use will not conflict with, detract from, or incur additional expense to District #18, its mission, and its students.

Access to facilities is prioritized as follows:

1. School, school-related, or school-sponsored programs or activities for students of Lamoille Union High School, Lamoille Union Middle School, and/or Green Mountain Technical & Career Center.
2. School-related or school-sponsored activities for schools within the sending communities (including the GMTCC attendance areas), especially when such facility (i.e., conference center, auditorium) is not available within that community.
3. Youth non-profit, civic, educational and/or athletic community groups, particularly for the benefit of students (i.e., 4-H, Scouts).
4. Adult non-profit, civic, educational, and/or athletic community groups.
5. All other classes, meetings, organizations, programs, functions, or events on a first-come, first-served basis.

No use or service fees will be charged for school-related or school-sponsored functions (Priority 1). Priority 2 and 3 users will not be charged use fees during regular operational hours, but will be charged use fees after hours as well as service fees for setup, additional or after hours cleaning, and after-hours access. Priority 4 and 5 users will be charged use and service fees. School administrators shall establish the fee schedule.

District #18 policy concerning smoking, drugs, alcohol, weapons, and games of chance shall apply to all uses of its buildings, grounds, and equipment at all times. All facility use must be authorized and coordinated by the school administrators who may choose to limit access to any facility at any time for reasons of safety, security, maintenance, appropriateness of use, or non-payment of fees. Use of some facilities may be restricted to those with certain qualifications or specialized training. All user organizations will be expected to provide evidence of liability insurance indemnifying the district.

4.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

Section 4.12 Adult Vocational / Technical Education Plan

Section 4.12

It is the policy of district #18, to encourage the adult population of our community and surrounding communities to continue their education at every possible level. To facilitate this process, the district will provide the necessary equipment, facilities, supplies and programs to meet the needs of the community. The Green Mountain Technology and Career Center (GMTCC) has established the following objectives to adhere to this policy:

1. To provide adult vocational education programs that will meet community and labor and industry needs.
 - a. Adult Education Programs will be provided; also, facility, training aids and instructors to the best of our ability.
 - b. There will be a reasonable charge to the participants for the program.
2. To provide equipment and maintenance for these programs.
 - a. Serviceable equipment to meet needs of specific program(s).
 - b. Provision of lights and heat for facility.
 - c. Provision of custodial services.
3. To provide supervision for programs.
 - a. The Director of the GMTCC will be the primary supervisor of all programs taking place at the center.
4. To permit use of facilities by outside agencies operating adult education programs. Facilities and equipment may be used only under the following conditions:
 - a. The GMTCC Director will have full supervisory authority and overall responsibility for the operation of any or all programs at the center.
 - b. The outside agency will give present GMTCC staff a priority opportunity to teach the program.
 - c. The adult program will take place so as not to interfere with regular programs.
 - d. A nominal fee will be charged for use of equipment, facility, and supplies.

4.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

Legal Reference: 33 V.S.A., Ch 14 §

681, et seq.

Section 4.13 Child Abuse and Neglect Reporting

Section 4.13

It is the policy of the District #18 Board of Directors to report suspected child abuse to Social Rehabilitation Services (SRS) Human Services Agency or its designated unit, in accordance with the regulations outlined in Vermont's Child Abuse and Neglect Reporting Statute, 33 VSA, Chapter 14. School teachers and other employees shall be annually notified of this statute by the school principal./director. School personnel reporting such abuses or neglect shall be entitled to confidentiality, vis-a-vis the school administration as well as vis-a-vis parents. This policy permits an SRS investigator to interview a child without parental permission in the presence of a school district employee designated by the principal/director.

The principal/director will provide training to employees regarding child abuse, what is considered reasonable evidence of abuse and regarding the requirements of Chapter 14. District #18 will file reports on individual child abuse cases. These reports will be kept in a special file in the school and will not become part of the child's permanent record. The file shall contain All information relevant to the suspected child abuse which is provided to SRS. This file shall be accessible only to the individuals involved in making the report.

Information from a student's educational file may be disclosed to SRS without parental permission only when it is clearly relevant to determining whether or not a child is being abused. Written or oral reports made to an SRS investigator by a school employee regarding the basics for suspecting child abuse may be considered part of the child abuse record and should not be included in the student's education record.

4.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

Legal Reference: 16 V.S.A. § 1161

(a), et seq.

Education of the Handicapped Act PL 94-142

Section 504, Rehabilitation Act of 1973

VT State Board of Education Manual of Rules and Practices § 4300

Section 4.14 Due Process

Section 4.14

The adoption of policies, rules and regulations shall be made at public meetings convened and conducted consistent with Vermont Statutes.

In matters relating to pupils, employees, citizens, the District #18 board of directors may conduct hearings upon the request of any party directly involved in the proceedings provided all preliminary prerequisites have been met.

Due process rights apply to those matters as specified in appropriate regulations promulgated by the federal government, State of Vermont, the District #18 board of directors; approved policies of the board of directors; and other items as the board may deem appropriate.

Due process is provided through a formal hearing(s) as part of the decision making procedures. The hearing(s) may be requested by a parent/guardian, parties primarily and directly involved, a school official, a legal representative of a party.

Formal hearings shall provide for:

- A. Written notice of changes
- B. Written advance notification of the date, time, place, purpose of the hearing
- C. Right to counsel
- D. Privilege against self-incrimination
- E. Right to transcript of the proceedings and the decision rendered
- F. Right of appeal
- G. Right to have witnesses present and to be heard
- H. Right to a prompt hearing and decision

Appeals made to the District #18 board of directors shall follow the above provisions for a hearing unless mutually agreed by both parties, an appeal to the board shall not be made unless every effort has been made to resolve it (1) by the parties involved, (2) by the school administrators (3) by the superintendent of schools.

In cases of such hearings, the school system may seek the advice and counsel of its attorney.

4.0 Policy, continued

Date Warned: 08/26/99
Date Adopted: 10/18/99
Date Reviewed: 05/11/00
Legal Reference: 16 V.S.A. §

563(14)

Section 4.15 Textbook Selection and Adoption

Section 4.15

I. Selection Process:

- A. The school district shall provide all textbooks used by pupils
- B. A textbook is defined to include only those books ordered in quantities of ten or more for use in the teaching-learning process. Excluded from this definition are workbooks, periodicals, library books.
- C. The selection of textbooks shall be subject to the approval of the superintendent of schools - 16 VSA §3743.
- D. A copy of the requested textbook will be made available to the superintendent of schools for his evaluation.
- E. Requisitions, upon approval, for new textbooks shall be submitted to the superintendent for routing.

Date Warned: 08/26/99
Date Adopted: 10/18/99
Date Reviewed:

Section 4.16 Student Teachers

Section 4.16

District #18 recognizes its role in the preparation and training of college students for entrance into the teaching profession. The final approval for the acceptance and continuation of student teachers is the responsibility of the principal/director.

No District #18 teacher shall be required to assume the responsibility of supervising a student teacher. If accepted, the cooperating District #18 teacher shall participate in the training of the student teacher in accordance with accepted practices established by the college and District #18.

When it has been determined that the role of a student teacher is detrimental to the education of a District #18 pupil(s), the agreement may be abrogated by the principal or director.

The principal/director shall determine if the sponsoring college has met its obligations in providing adequate training, sufficient time and proper supervision. When/wherein it is felt the college has not, or will not, then student teachers shall not be accepted.

4.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

Section 4.17 Controversial Issues

Section 4.17

In 1969, the State Board of Education issued the following policy: (1) The State Board of Education recommended to all school boards that they establish clearly defined policies, through administrative process in the local schools, setting up channels of communication for the voicing of student opinions; (2) The State Board of Education further recommends to all school boards that they preserve the right and obligation of staff to present controversial issues fairly and without bias and that they adopt a local policy to this effect; (3) In the event that controversy within a particular school or school system becomes prolonged and is adversely affecting the normal operation of the schools, the superintendent of the district is invited to bring the case to the attention of the Commissioner of Education who may volunteer the good offices of the State Board of Education in resolving the controversy if, in his/her opinion, such board involvement would be helpful.

This policy is designed to set guidelines for students and teachers in regard to policies which may be followed where controversial issues are involved.

1. No material may be posted in the building or distributed to students on school property by other than students or teachers without previous approval of the principal/director.
2. Teachers and students wishing to distribute or post approved material may do so as long as the material is signed by the responsible person, and the posting and distributing does not interfere with the normal operation of school.
3. People or organized groups may not use class or school time to advance special programs without previous approval by the administration. Any presentation of this nature must follow acceptable guidelines for the presentation of all sides of an issue and an equal basis.
4. Teachers and students may not invite outside speakers on campus to discuss controversial issues without prior approval of the administration.

4.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

Section 4.18 Political Candidates

Section 4.18

It is the intent of the District #18 Board of Directors that students have the opportunity to become informed on political issues. One avenue towards accomplishing this is to provide time for candidates to talk with students. Therefore, it shall be the policy of the District #18 Board of Directors regarding political candidates speaking to groups of students at school:

1. Candidates are welcome to speak to classes on invitation of the faculty. However, the opposing candidates must be given the opportunity to appear before the class.
2. Candidates are welcome to visit the school at any time, as is any citizen. No disruption of the school schedule will be allowed, however.
3. Neither political banners, signs, nor similar materials may be posted in the building or on school grounds other than the times the candidate is speaking.
4. Arrangements will not be made for candidates to speak to the whole student body during school hours but they are welcome to speak to those who desire to listen after school hours. The only exception to this will be if the school makes arrangements for opposing candidates to appear together at the same time at an assembly.

4.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

Section 4.19 Computer & Internet Policies

Section 4.19

COMPUTING AND INTERNET RESOURCES POLICY

The District #18 Board of Directors declare unethical and unacceptable behavior just cause for taking disciplinary action, revoking networking privileges, and/or initiating legal action for any activity through which an individual:

1. Uses the Network for illegal, inappropriate, or obscene purposes, or in support of such activities. Illegal activities shall be defined as a violation of local, state, and/or federal laws. Inappropriate use shall be defined as a violation of the intended use of the network, and/or purpose and goal. Obscene activities shall be defined as a violation of generally accepted social standards for use of a publicly owned and operated communication vehicle;
2. Uses the Network for any illegal activity, including violation of copyrights or other contracts violating such matters as institutional or third party copyright, license agreements and other contracts;
3. Intentionally disrupts network traffic or crashes the network and connected systems;
4. Degrades or disrupts equipment or system performance; uses District #18 computing resources for commercial or financial gain or fraud;
5. Steals data, equipment, or intellectual property;
6. Gains unauthorized access of others' files, or vandalizes the data of another user;
7. Gains or seeks to gain unauthorized access to resources or entities;
8. Forges electronic mail messages, or uses an account owned by another user; wastefully uses finite resources; invades the privacy of individuals;
9. Posts anonymous messages;
10. Saves any information to public hard drives;
11. Possesses any data which might be considered a violation of these rules in paper, magnetic (disk), or any other form.

Consequences of Violations

Consequences of violations include but are not limited to:

- | | |
|-------------------------------------|---|
| 1. Suspension of Internet access | 2. Revocation of Internet access; |
| 3. Suspension of network Privileges | 4. Revocation of network Privileges; |
| 5. Suspension of computer access | 6. Revocation of computer access; |
| 7. Referral for disciplinary action | 8. Legal action and prosecution by authorities; |

4.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

Section 4.20 Loss of Personal Property

Section 4.20

The Board of School Directors may authorize the payment for loss of personal property in special situations. Items damaged or stolen in the line of duty as a result of malicious acts and without the fault of the owner may be considered for reimbursement. Loss or damage will be reported directly to the head school administrator and police as soon as the loss or damage is known. Claim forms will be properly filled out and forwarded to the head school administrator.

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

Legal Reference: 16 V.S.A. § 556

Section 4.21 Recovery of Damages

Section 4.21

Every effort shall be made to recover damages from adult vandalism or from the parents of juvenile vandals to cover the theft of equipment or the destruction of school property. This policy will apply not only to damages as a result of breaking and entering at night or during holidays, but also to damage done to school property by pupils during the course of the school day, over and above normal wear and tear.

4.0 Policy, Continued

Date Warned: 01/20/00

Date Adopted: 02/01/00

Date Reviewed:

Legal Reference: 16 V.S.A. §

1564(4) 16 V.S.A. § 556, 16 V.S.A. § 559

Relevant District #18 policies 4.

Section 4.22 Property Disposal

Section 4.22

The District #18 Board of School Directors may declare District #18 personal property as surplus and authorize its disposal when it is: no longer useful to the district, too costly to repair, deemed to be unsafe, taking up needed storage space.

Items falling into one or more of the preceding categories that are deemed to be consumable such as books, computer software, supplies, mops, brooms, etc. may be disposed of by the principal or director. The administrator should first determine if there is a purchaser (such as a buyer of used books) who wishes to purchase the item. If there is no prospective purchaser then the administrator may dispose of the item after removing any personal identifying information.

Equipment, furniture, building materials that fall into one or more of the categories described in the first paragraph such as: computers, hand tools (\$300 +per item), chairs, roofing ballast, brick, over the road vehicles, floor polishers, busses, etc; may be disposed of by the Superintendent and/or his/her designee according to procedures developed at the administrative level.

If any equipment is disposed of due to it being unsafe then a disclaimer explaining what the hazard is must accompany the item to the purchaser. Sale of such equipment is discouraged and scrapping it encouraged.

Equipment purchased with state and or federal money will be disposed of according to state and federal regulations applicable to such equipment. Proceeds from such sales will be distributed according to these statutes as well.

It is understood that if any hazardous materials are to be disposed of that all proper procedures will be taken and proper authorities notified according to state and federal regulation.

Items with an estimated recovery value of \$1,000+ will be advertised through a bidding process.

Before beginning the bidding process, permission for the disposal of all equipment with over \$1,000 estimated value will be obtained from the Board.

Policy 4.21 deals with recovery of damages and shall be used when applicable.

Proceeds from all sales will be recorded in the District #18 budget and not in school internal accounts.

The disposal of real estate and/or buildings may be done only as prescribed by State Statutes.

5.0 Personnel

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

Section 5.1 Master Agreement

Section 5.1

Please refer to the current Master Agreement(s).

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

Section 5.2 Military Commitment

Section 5.2

Annual Military Commitment

(National Guard Reserves)

It shall be the policy of the District #18 Board of Directors to permit teachers who request a leave of absence from the assigned duties to fulfill their annual military obligations. The salary of the substitute teacher will be withheld from the payroll check of the teacher.

5.0 Policy, continued

Date Warned: 03/15/05

Date Adopted: 04/05/05

Date Reviewed: 07/05/05

Legal Ref: 4 V.S.A. §1102(b)(8)

16 V.S.A. §§251 et seq. 16 V.S.A. §563

(12) 20 V.S.A. §§2062, 2063

20 V.S.A. §2056c

Section 5.3.1 Criminal Records Check

Section 5.3.1

I. Philosophy

Providing a safe learning environment for students is a primary consideration in District #18 employment decisions. Therefore, it is the policy of District #18 to select for employment only persons of good character who have the skills and other qualifications necessary to fulfill job requirements while complying with the provisions of state law regarding the recruitment, selection and employment of school district employees and contractors.

II. Definitions

Persons subject to criminal records checks under this policy include:

1. All those recommended for full-time, part-time or temporary employment in District #18
2. Student teachers and interns
3. Contractors, employees of these contractors, and volunteers who may have unsupervised contact with individual students.

III. Policy

1. Recruitment

- A. The District #18 Board of School Directors is committed to securing the services of the best personnel available.
- B. The District #18 Board of School Directors does not discriminate in accordance with its policy pertaining to hiring practices (Policy 5.3).

2. Selection

- A. It is the policy of District #18 Board of School Directors to select employees solely on the basis of character, professional qualifications, and critical job requirements.
- B. The Superintendent shall require that all applicants, as a condition of employment consideration, cooperate fully with background investigations, supplying references and releases so the District #18 can contact previous employers. Applicants the Superintendent is prepared to recommend for employment will be expected to provide

fingerprints, releases and other information necessary to conduct criminal record background investigations. The costs of such checks will be borne by the prospective employee. All offers of employment will be conditioned upon completion of the background investigation and a finding that the information provided by the application during the pre-employment process was accurate, complete and truthful.

3. Appointment

A. The appointment of licensed and non-licensed employees will be made by the Board upon the recommendations of the Superintendent.

B. Contracts of employment or other notification of employment will be conditional pending receipt of criminal records check information and evaluation of that information.

5.0 Policy, continued

Date Warned: 06/14/01

Date Adopted: 07/03/01

Date Reviewed: 03/22/02

Legal reference: 16 VSA § 260

Section 5.4 Temporary Personnel/Volunteers

Section 5.4

Temporary Personnel

- A. Should an occasion arise whereby personnel are deemed necessary to continue an orderly school operation and it is not possible to obtain board approval because of time until the next schedule meeting, the principal/director, with approval of superintendent, is authorized to temporarily employ necessary personnel until such time as the matter is reviewed at the next scheduled board meeting.
- B. Temporary personnel, will complete an application for employment, have references checked, and undergo a criminal check. If possible, these steps will be completed prior to commencing the activity and be completed according to established procedures.

Volunteers

- A. The District #18 Board believes it to be in the best interests of all members of the school community to involve community members, parents and others, as unpaid volunteers in school activities.
- B. Volunteers, student teachers, any employee of a contractor who has unsupervised contact with students, will complete an application for employment, have references checked, and undergo a criminal check. If possible, these steps will be completed prior to commencing the activity and be completed according to established procedures.
- C. Volunteers and student teachers will be assigned a professional staff member to supervise them.

5.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

Legal Reference: 16 V.S.A. § 165

16 V.S.A. § 242 (3), 563 (12), & 1752

21 V.S.A. § 1721, et seq.

VT State Board of Education Manual of Rules and Practices § 2120.4 & 2120.5

Section 5.5 Evaluation

A crucial aspect of a school's program is the impact of the instructional process. This process must be appraised. Evaluation of the instructional process cannot be avoided nor neglected.

Three considerations aid in determining the effectiveness of a teacher evaluation system:

The extent to which all personnel understand and accept the evaluation system.

The concepts and purposes that have been identified and form the basis for evaluation.

The fashion in which the procedure is personalized, accepted and implement

The principle goal of faculty evaluation is to enhance and improve instruction. Unless the professional teacher sees and feels a need to improve, no process or procedure will be effective.

Section 5.5

Purposes of Evaluation

1. To provide a continuous and consistent system of teacher appraisal in a fair and accurate manner which in turn will help to provide a climate for maintaining and improving the quality of instruction.
- To provide opportunities to enable teachers and administrators to become more skillful, effective and creative in their work by:
 - Assisting teachers in the personal identification and analysis of their characteristics and skills, thereby enabling them to direct more effectively and with greater sensitivity the growth and development of students.
 - Providing teachers with the opportunity to seek further professional growth once their strengths and areas that need improvement have been identified and acknowledged.
 - Assisting teachers in the formulation and evaluation of specific performance objectives.
3. To provide a variety of opportunities for self-analysis.
4. To improve the process by which the teacher and the schools realize their goals and objectives.
5. To improve the quality and effectiveness of the in-service program.
6. To develop an accountability to the school-system and the community for the quality of the instructional program.
7. To foster closer teamwork and understanding between faculty and appraisers.
8. To be certain that standards of good teaching are maintained for the school in which the teacher is employed.
9. To ascertain that school policies, rules and regulations are followed.

5.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed: 07/05/05

Legal Reference: 1 V.S.A. § 312

16 V.S.A. § 165

21 V.S.A. § 1721, et seq.

VT State Board of Education Manual of Rules and Practices § 2120.4 & 2120.5

Section 5.6 Professional Growth-Re-licensure

Section 5.6

The District #18 Board of Directors encourages members of the professional staff to seek professional growth and to actively participate in curriculum study and in-service programs. The Board believes that not only one's years of experience makes a teacher of value, but these years, in concert with a continuously planned and sound program for professional growth.

Initial licensure and continuing licensure are the responsibility of the individual staff member.

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

Section 5.7 Instructional Organization

Section 5.7

The patterns of instructional organization shall be flexible and diverse in order to meet the needs, interests, and abilities of the pupils.

5.0 Policy, continued

Date Warned: 8/26/99
Date Adopted: 10/18/99
Date Reviewed:
Legal Reference: Federal Equity
Access Act, 20 USC § 4071, et seq.

Section 5.8 Extra-Curricular Activities

Section 5.8

The desirability and the need of a broad, dynamic and well organized program of extra-curricular activities is universally recognized as a vital part of the total learning process.

Such a program should include the opportunity for every student who desires to do so, to participate in activities designed to provide further motivation in athletics, cultural areas, dramatics, recreation and other similar interests.

To further this end, extra-curricular activities, as defined, are encouraged. All extra-curricular activities shall be approved in advance by the board of school directors upon the recommendation of the Superintendent. Before making a recommendation to the board, the Superintendent shall seek the advice of the principal or director and through her/him the advice of appropriate personnel.

Non-school personnel may be used to direct extra-curricular activities when it is not possible to secure the qualified services of contracted personnel for a given program.

Conditions of employment and all other related matters shall be consistent with the appropriate section of the Master Agreement.

Date Warned: 08/26/99
Date Adopted: 10/18/99
Date Reviewed:

Section 5.9 Job Descriptions

Section 5.9

Although job descriptions are important tools for the management of the schools, they are not Board policy.

They may be included within this manual and section for convenience and accessibility.

5.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

VT State Board of Education Manual of Rules and Practices § 5500

Section 5.10 Substitutes

Section 5.10

As substitute teachers perform an invaluable service to the school, it shall be the policy of the District #18 Board of School Directors to select those persons who are deemed by the Administration to be best qualified for the assignment.

Unlicensed persons employed as substitutes must have a high school diploma.

Use of substitutes will be regulated by the rules of 5510 of the Vermont State Department of Education rules.

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed: 10/26/00

Legal Reference: 16 V.S.A. § 1752

1 V.S.A. § 312, et seq.

Section 5.11 Public Complaints About Personnel

Section 5.11

The board places trust in its employees and desires to support their actions in such a manner that employees are freed from unnecessary, spiteful, or negative criticism and complaints. The Board also recognizes a citizen's right to voice concerns and complaints regarding personnel. The following procedures are established to ensure that a citizen's complaint will be given respectful attention and that the integrity of the educational program will be upheld. "Complaint" means criticism of a particular school employee by a district resident that implies a demand for action by school authorities.

5.0 Policy, continued

Date Warned: 09/17/02
Date Adopted: 10/15/02
Date Reviewed: 07/05/05
Legal Reference:

Section 5.12 Resignations

Section 5.12

The District #18 Board of School Directors recognizes that it has an obligation to consider employee resignations in a manner that is timely and fair to both the employee and the District #18 school community.

Unless collective bargaining agreements(s) states otherwise, resignations by a licensed or unlicensed employee shall be submitted in writing to the Superintendent with a copy to the immediate supervisor.

1. A resignation by a licensed employee shall take effect on a date determined and approved by the District #18 School Directors after receiving the recommendation of the Superintendent.

2. A resignation of an unlicensed employee shall be effective upon acceptance by the Superintendent.

A resignation by a licensed or unlicensed employee may not be withdrawn unilaterally by the employee once it has been submitted to the Superintendent.

5.0 Policy, continued

Date Warned: 12/06/05

Date Adopted: 12/27/05

Date Reviewed:

Section 5.13 Overtime and Compensatory Time—Hourly Employees Section 5.13

A. Policy

This policy establishes guidelines for overtime pay and compensatory time off for hourly employees of the Lamoille North Supervisory Union (LNSU) and its member school districts. Administration of overtime pay and compensatory time off will be governed by the Fair Labor Standards Act (FLSA) of 1938, as amended, and Title 29, Code of Federal Regulations. Only “non-exempt” employees are covered by this procedure and eligible for overtime pay and compensatory time off.

B. General

1. Generally, non-exempt employees are those who are required by federal law to be paid overtime at the rate of “time and one-half” their regular hourly wage for all hours worked in excess of forty hours in the defined work week. However, the FLSA provides for government and quasi-government agencies, e.g. school districts, to compensate for time worked over 40 hours in wages or compensatory time.
2. The defined work week for non-exempt employees for purposes of determining entitlement to overtime pay or compensatory time off begins at 12 a.m. Sunday morning and ends at 11:59:59 p.m. the following Saturday.
3. The supervising administrator may request that non-exempt employees work hours in excess of forty in a work week when it is in the best interests of the organization. Non-exempt employees will be granted either compensatory time or overtime pay for hours worked over 40 in a work-week. An accurate record of all hours worked, including the additional hours, must be made on the prescribed LNSU timesheet.
4. Working more than 40 hours in a work week *without prior approval* is prohibited and may result in disciplinary action up to and including dismissal.

C. Procedural Guidelines

1. Compensatory time will be accrued by the LNSU Central Office at the rate of one and one-half hours for each hour worked in excess of 40 in a work week. Hours worked by full-time employees on a non-scheduled workday, Saturday, Sunday, or a holiday, will be paid or accrue compensatory time at the rate of one and one-half hours for each hour worked to the extent that the hours worked exceed 40 in the defined work week.
2. Non-exempt employees will not receive compensatory time for “traded” work time. Traded work time is established when an employee and supervisor agree that the employee will work additional time on a workday for equivalent time off during the same work week. (The total number of work hours in the week is not affected.)

3. By statute, a maximum of two hundred and forty hours of compensatory time may be accrued. Non-exempt employees must receive overtime pay for excess hours worked once their accrual reaches this maximum.
4. The supervising administrator will be responsible for insuring that a biweekly timesheet is submitted to the LNSU Central Office clearly documenting in the "Notes/Explanation" section any reported hours worked over forty that are to be accrued as compensatory time rather than paid.
5. As a general rule, compensatory time should be used soon after it has been earned. Use of compensatory time shall be permitted within a reasonable period after an employee makes a request for such if the use of compensatory time does not unduly disrupt the employer's operation. Such time taken must be reported on the LNSU timesheet and clearly marked as compensatory time taken in the "Notes/Explanation" section. Employees must request prior approval to use compensatory time. Accrued compensatory time will be used and exhausted before vacation is approved to be taken. It may be combined with vacation time if doing so will exhaust compensatory time.
6. Employees will be paid for accumulated compensatory time upon termination or upon changing from non-exempt to exempt status. The rate of pay will either be the employee's regular rate of pay at the time of termination or status change, or the employee's average regular rate of pay during the last three years of employment, whichever is greater. Regarding the second option, if the employee has been employed less than three years, the average for the actual period of service will be used.
7. At board discretion employees may be paid for accumulated compensatory time at any time prior to a request for its use. This decision will not affect subsequent granting of compensatory time off for future work weeks. Compensatory time accruals will be paid off at the pay rate in effect when the payment is to be made. If an employee's pay rate changes between the date that the compensatory time was earned and the date it is to be paid, the greater rate shall be applicable.
8. Only hours actually worked, excluding paid vacation, personal days, or sick leave, will be used to determine eligibility for the provisions of this policy. Part-time non-exempt employees will be paid straight time for all hours worked up to forty and granted compensatory time or overtime pay, as appropriate, for hours worked in excess of forty.
9. Prior to approving work assignments resulting in worker overtime eligibility, a supervising administrator shall ensure that funds are available to make potential overtime payments.
10. If a nonexempt employee works in multiple positions and qualifies for overtime by working more than forty hours in a combination of positions, the overtime pay owed will be computed at a "blended rate", as allowed by statute. The blended rate will be calculated by computing total compensation during the work week from all applicable pay rates and then dividing by the total number of hours worked at all jobs.

5.0 Policy, continued

Date Warned: 12/06/05

Date Adopted: 12/27/05

Date Reviewed:

Section 5.14 Exempt Employee Pay

Section 5.14

A. Policy

In accordance with the Fair Labor Standards Act (FLSA) and Title 29, Code of Federal Regulations, “exempt” employees, paid on a salary basis, i.e. receipt each pay period of a predetermined amount, may not have their pay reduced for variations in the quantity or quality of work performed. Such employees who feel their pay may have been improperly reduced should immediately report this to the Lamoille North Supervisory Union (LNSU) Central Office, Director of Human Resources, following the procedures specified below.

B. Provisions Mandated by the FLSA “Salary Basis Rules”

1. Exempt employees must normally receive their full weekly salary for any week in which they perform any work, without regard to the number of days or hours worked. However, payment need not be made for any workweek in which an employee performs NO work at all for the organization, except that, if an employee is ready, willing, and able to work, deductions may not be made for time when work is not available.

2. FLSA regulations prohibit deductions from exempt employee pay for absences due to the circumstances listed below. Such improper pay deductions are, therefore, specifically prohibited by the LNSU and its member school districts, regardless of the circumstances. Administrators may not direct the LNSU Central Office to make any of these improper deductions from pay.

a. For performance of jury duty. (See 3c below.)

b. For attendance at a trial as a witness. (See 3c below.)

c. For temporary military leave, such as performance of annual training by members of the National Guard or Reserves. (See 3c below.)

d. For absences caused by the operating requirements of the LNSU or any member school district.

e. For partial day absences other than those specifically discussed below.

3. The few permissible deductions from the pay of an exempt salaried employee are listed below. In these cases deductions may be made as long as they are consistent with other LNSU and/or district policies, practices, and collective bargaining agreements.

Deductions may be made for:

a. Absence of one or more full days for personal reasons other than sickness or disability (partial day absences must be paid).

b. Absence of one or more full days due to sickness or disability, consistent with the sick leave policies of the LNSU and its member school districts.

- c. Fees received by the exempt employee for jury or witness duty or for temporary military duty, such as to meet an annual training requirement, may be applied to offset the pay otherwise due to the employee for that day or week.
- d. Penalties imposed for infractions of safety rules of major significance.
- e. Unpaid disciplinary suspensions of licensed teachers of one or more full days in accordance with 16 VSA §1752(h).
- f. Deductions for the first and last week of employment, when only part of the week is worked by the employee, as long as this practice is consistently applied to all exempt employees in the same circumstances.
- g. Deductions for unpaid leave taken in accordance with a legitimate absence under the federal Family and Medical Leave Act or the Vermont Parental & Family Leave Act.

C. Compliance Procedure

1. Exempt employees who believe their pay has been improperly reduced should immediately contact the Director of Human Resources, LNSU Central Office, to request inquiry into the situation.
2. The employee will be asked to specify in writing, using the guidance above, the circumstances of the pay deduction and whether it has occurred on other occasions.
3. The LNSU will review pay records and, as necessary, interview administrators as well as the payroll representative to determine if the allegation is correct.
4. If the deduction is found to be improper, the LNSU or appropriate district will reimburse the employee as promptly as possible (but in no case later than two pay periods subsequent to identification of the problem).
5. Further inquiry may be made into pay-related decisions of the responsible administrator to determine if this was an isolated incident or a pattern that requires further action. If warranted, the responsible person(s) may be held accountable for the error(s) made, consistent with LNSU and district disciplinary policies.
6. The resolution of the situation will be documented (including confirmation on the part of the employee that the situation has been satisfactorily resolved) and filed with the employee's pay records.
7. Following the resolution of such problem(s), the LNSU Central Office will reserve the right to inquire further into the administrator's practices and decisions relating to the pay of hourly employees under her/his supervision to determine if the district is being placed at risk of FLSA violations.

[Note: This policy should be distributed in writing to all exempt employees via all available methods including district employee handbooks, board policy manuals, the LNSU website, and by inclusion in collective bargaining agreements.]

6.0, Students

Date Warned: 05/17/05

Date Adopted: 06/07/05

Date Reviewed: 07/05/05

Legal Reference: 16 V.S.A. § 906

Cross References: District #18 Policies 6.2, 6.3, 6.4, 6.4.1

Section 6.1 Graduation Requirements

Section 6.1

The District #18 Board of School Directors believes that all students can and should learn to be responsible citizens, excellent communicators, confident participants, critical thinkers, creative problem solvers, and community contributors and collaborators. In furtherance of this belief, the District #18 Board of School Directors establishes the following course load and graduation requirements:

1. Beginning with the class of 2001, in order to receive a diploma, Lamoille Union High School students must complete:

- 20 units of credit including
 - 4 English
 - 3 Science
 - 3 Mathematics
 - 3 Social Studies (one of which must be U.S. History)
 - 1.5 Physical Education (Athletes will be given waiver for ½ credit of Physical Education for each season of JV or Varsity sport competition with a maximum of 1 credit waived.)
 - 1 Fine Arts
 - 4.5 Electives

Alternatives outlined in District #18 Policy may be used to meet the aforementioned course work.

2. Beginning in the school year 2003-2004, full time status students are required to take the following minimum course load equivalents toward meeting the above graduation requirements:

- Grade 9 - 7 credits
- Grade 10 - 6 credits
- Grade 11 - 6 credits
- Grade 12 - 5 credits

3. Beginning with the class of 2007, in order to receive a diploma, students must complete:

- 24 units of credit including:
 - 4 English
 - 3 Social Studies (one of which must be U.S. History)
 - 3 Mathematics
 - 3 Science
 - 1 Fine Arts/Visual or Performing Arts
 - 1.5 Physical Education (Athletes will be given waiver for 1/2 credit of Physical Education for each season of JV or Varsity sport competition with a maximum of 1 credit waived.)
 - 1/2 Health

8 Electives

Additionally, Special Education students will:

- have a transition plan in place
- have participated in community activities as required per federal and state regulations
- have met their IEP requirements

Course requirements will be offered in a manner so that students can graduate in a timely fashion similar to age appropriate peers.

6.0 Policy, continued

Date Warned: 05/03/01

Date Adopted: 05/15/01

Date Reviewed:

Legal Reference: VT State board rule

2120.2.2 (b) 4th paragraph

Section 6.1.1 Middle Level Grade Advancement

Section 6.1.1

District #18 is committed to the successful education of all students and believes that non-advancement is usually not appropriate. Most students are able to complete middle level studies in two (2) years. There are however, a few students who will have very limited success in high school unless more time is spent at the middle level gaining additional basic skills and knowledge. With this in mind, procedures accompanying this policy have been developed to ensure that a fair and equitable assessment of each student takes place before recommending non-advancement.

6.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed: 07/05/05

Section 6.2 Graduation Requirements-Waiver

Section 6.2

The District #18 Board of Directors support the twenty (20) graduation credits and the 24 credits beginning with the class of 2007 as a requirement for receiving a diploma from Lamoille Union High School. For details, refer to Policy 6.1 Graduation Requirements.

It shall be the policy of the School Directors to waive the graduation credit requirements only when the student's best interest can be served. The principal, at the request of the Directors of Guidance, parent and/or student, may make the request for waiver to the superintendent as early as possible, but in no case later than October 1 of the student's senior year.

Prior to granting any exception, the Board of School Directors shall be fully satisfied that every alternative effort has been explored; i.e., summer school, tutoring, independent study, and has been found to be neither available nor attainable.

With the superintendent's recommendation, the school directors may waive/exempt a student from meeting the minimum graduation credit requirements. Waiver/exemption may be granted:

- A. When a student is placed in a multi-year plan and/or individual educational plan; the basic staffing team may recommend a lesser amount of credits.
- B. When, in the best interest of a student, the graduation credit requirements are waived as recommended by the superintendent with the support recommendation of the principal and director of guidance.
- C. When a student has been unable to accumulate the necessary graduation credits because of scheduling, health absences, transferring to Lamoille Union High School or for reasons beyond the school or student's control.

Unless an exemption/waiver can be granted under one of the above, no recourse will be allowed.

6.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed: 07/05/05

Legal Ref: Section 1C of Act 119 of 1998

16 V.S.A. § 563 (24) 16 V.S.A. § 166 b

6.4 Courses Outside of Regular Curriculum

Section 6.4

The District #18 Board of Directors recognizes that students have diverse interests, abilities, and needs. These needs can be partially met through the provision of alternative learning opportunities. The Board also recognizes an obligation to remove barriers to alternative learning opportunities and facilitate access to those opportunities. Therefore it is the Policy of District #18 to permit credit to be given for: courses offered through correspondence schools approved to do business in Vermont by the Vermont Department of Education, summer school courses offered by accredited post-secondary institutions, courses offered over the Internet, and special interest workshops and camps.

Students seeking to take advantage of one or more of these opportunities, must submit a request to a team consisting of the Principal and/or Director (or designee), a guidance person and the department chair (or designee) of the discipline being considered. This request must be submitted prior to enrollment.

If the course is in lieu of one required to meet graduation requirements, then the committee must determine that the courses are equivalent in terms of scope and sequence. Courses taken for graduation credit that are replacing elective courses need not meet this obligation.

If a student needs the credit in order to graduate and confirmation of credit arrived after graduation; the student will not be allowed to participate in graduation ceremonies. His/her diploma will be delivered as soon as practicable after school ends.

District #18 assumes no responsibility for transportation or any costs associated with taking advantage of the alternative education opportunity. Note: exceptions may be made for costs incurred as a part of an IEP requirement.

Credit will not be assigned for graduation purposes for course(s) equivalent to one already satisfactorily completed by the student.

Assignment of Credit

The Carnegie Unit will be the basic unit of credit. Satisfactory performance in alternative programs shall be matched and prorated. A sample of alternative programs follows:

Post Secondary Institutions - a maximum of one high school credit for each semester college course .

Summer school courses - ½ credit for each 60 hours of class time.

Independent Study - As agreed to when compared to a Carnegie Unit.

Correspondence Courses - As recommended by the provider.

Travel Programs - As agreed to when compared with a Carnegie Unit.

Internet courses - ½ credit for each credit offered or recommended for secondary schools by the provider.

Short term (i.e.: ski schools/ dance programs/swimming programs/martial arts etc.) - ½ credit for each 60 hours in class.

If a student request is rejected then the request may be resubmitted to the Superintendent. If the request is denied at the Superintendent level, it may be appealed to the district #18 Board. The decision of the board shall be final.

6.0 Policy, continued

Date Warned: 08/21/00

Date Adopted: 09/05/00

Date Reviewed:

Legal References: V.S.A. 23 § 906

Related District #18 Policy 6.1 & 6.2

6.4.1 Course Placement by Examination

Section 6.4.1

The District #18 Board of Directors recognizes that students have diverse life experiences. Some experiences may have provided students with extensive background in selected subject areas. For example, a student may have lived in a Spanish speaking country for an extended period and therefore has a grasp of the language and culture of that place beyond the norm for District #18 students. The Board also recognizes it has an obligation to remove barriers to alternative learning opportunities and to facilitate access to those opportunities. Therefore, it is the Policy of District #18 to encourage students to challenge courses they have extensive knowledge and experiences in, so they may move to a more challenging level in their learning experience.

School administrators shall develop procedures that permit students having strong backgrounds to test out of courses. These procedures shall contain steps to screen out those students with marginal backgrounds and thus help maintain the integrity of the process and serve the best interests of both student and school community.

Further, the procedures will include provisions for the student to be provided with information regarding the scope and sequence of the course so he/she can better focus on how to prepare for taking the test.

No credit toward graduation will be granted for successfully passing a challenge test.

If a student request is rejected then the request may be resubmitted to the Superintendent. If the request is denied at the Superintendent level, it may be appealed to the district #18 Board. The decision of the Board shall be final.

6.0 Policy, continued

Date Warned: 05/03/01

Date Adopted: 05/15/01

Date Reviewed:

Legal References: 16 V.S.A. § 1545

Cross Reference: District #18 Policy 6.4

6.4.2 Vocational Course Credit, Acceptance of

Section 6.4.2

It is the policy of Union High School District #18, to award credit toward graduation without alteration of grades for courses offered within a technical education program approved by the Vermont State Board of Education. The credit assignment for the technical program must be consistent with all State Board rules and the policies of District #18.

For clarity, current practice is, for courses with no embedded credits, is to assign six credits for courses meeting all day long for a year or six credits for courses meeting one half day for two years.

For vocational courses including embedded credits, one credit is awarded for each State Board approved embedded course credit with the vocational credit reduced accordingly. Total credit assigned for vocational courses containing embedded credit shall not exceed six credits. An embedded credit must meet the equivalency test of being two years long if the vocational course is one half day for two years or of being embedded in a full day vocational course meeting for one year.

Academic courses offered by the vocational center shall be recognized for credit toward graduation with unaltered grades if the course(s) meet state standards.

6.0 Policy, continued

Date Warned: 10/10/01

Date Adopted: 11/06/01

Date Reviewed: 08/17/02

**Legal Ref.: 16 VSA § 563, 1161a,
1162 et seq.**

**Related District #18 Policies: 2.4, 4.14, 6.6, 6.11, 6.18, 6.19.2, 6.19.10, 6.19.19
Education of the Handicapped Act (P.L. 94-142)
Section 504, Rehabilitation Act of 1973
VT State Board of Education Manual of Rules & Practices § 4311, 4312**

Section 6.5 Student Conduct and Discipline

Section 6.5

I. Statement of Principle

It is the policy of District #18 that all schools within the district shall provide safe, orderly, civil and positive learning environments for both students and staff. Disruptive student behaviors will not be tolerated.

II. Disciplinary Action

- A. Any student act or series of acts which, individually or in concert, would materially and substantially disrupt the work and discipline of students, teachers, or administrative staff is subject to disciplinary action.
- B. A student violation of law, which is committed on school grounds, in school property, or while under school staff supervision may be subject to disciplinary and/or criminal action if the action materially and substantially disrupts the work and discipline of students, teachers or administrative staff.
- C. A student act which is a violation of law, which is committed outside of school grounds, and/or is not within school disciplinary jurisdiction cannot alone justify administrative discipline.

III. Initiation of the Discipline Process

The principal/director is authorized to determine whether or not an act or acts of a student has materially and substantially disrupted the work and discipline of students or teachers.

In the event a determination of disruption is made, the principal/director is authorized to commence the discipline process, including suspension for not more than ten school days. Such suspension shall forbid participation in any school sponsored activities (extra-curricular, athletics, field trips, dances, graduation, etc.) that are scheduled (including those planned for non-school days) during the suspension. A determination by the board of school directors that less than ten days or no suspension is in the best interests of the student and the other students and teachers, shall override the decision of the administration.

IV. Law enforcement officials

Refer to District #18 policy # 2.4 and related procedures.

V. Search/Seizure and Locker Inspections

Refer to District #18 policy # 6.11.

VI. Confidentiality: Investigation

A. When a statement(s) is made by a student to a teacher or administrative staff member under circumstances where the student intends the statements to remain confidential, the teacher or staff member should retain such confidentiality. However, if information contained therein pertains to a situation which, unless acted upon by a person having more authority and/or professional competence (including the parents) will result in harm to others or the student and/or will result in material and substantial disruption of the work and discipline of students, teachers and administrative staff, then the teacher or staff member shall promptly refer the matter to the principal/director only. If there is doubt as to the applicability of this paragraph to a particular situation, the teacher or staff member should promptly discuss the matter with the principal/director only, whose judgment shall control.

Also refer to District #18 Policies 6.18, 6.19.2, 6.19.10, 6.19.19

VII. Due Process

Applies to all students being suspended or expelled but not to in-school detention. Also refer to District #18 Policy # 4.14.

VIII Definitions

A. In-School Detention - The removal of a student from the regular education classroom setting for part of a full day.

B. Short Term Suspension_- The removal of a student from the school setting for a period of time not to exceed ten school days.

C. Long Term Suspension_- The removal of a student from the school setting for more than ten days by the school board. A due process hearing is required.

D. Expulsion - The permanent removal of a student from the school setting. Requires a recommendation by the superintendent to the school board and subsequent action by the board. The student must be granted a request to return to school for a new school year.

E. Students with Disabilities_- A student who has a disability or is suspected of having a disability, and is eligible or may be eligible for special education services or protection under Section 504.

F. Unbiased decision maker - One who has not actively participated in or assisted in the investigation. This person did not witness the misconduct.

IX. Parental Notification - The principal/director shall notify the parent or legal guardian of the student being removed from the school. If the parent or legal guardian cannot be located, then another agency,

such as social services or the police department may be called.

X Unbiased Decision Maker - For long term suspension and expulsion situations, it is assumed that the principal/director is an unbiased decision maker. However, if this is not the case, then the superintendent shall act as the unbiased decision maker during the proceedings.

XI. Student Services - Reasonable efforts shall be taken to assist suspended students in their efforts to keep up with school work. Special education law shall continue to be followed for those students.

XII. The superintendent and school administration shall develop, implement and update the procedures needed to implement this policy. They shall have on file a comprehensive plan for responding to student misbehavior that shall promote the positive development of the student.

6.0 Policy, continued

Date Warned: 09/07/04
Date Adopted: 10/05/04
Date Reviewed:
Legal Ref: 16 V.S.A. §1162,
Suspension or Expulsion of Pupils

Section 6.5.1 Students Expelled/Suspended from Other Schools

Section 6.5.1

1. Statement of Principle

District #18 believes that a safe environment is necessary for students to receive the maximum benefit from their education and is necessary for a productive employment environment.

2. Policy

From time to time, a student is expelled or receives a long-term suspension from one public school district and attempts to enroll in another public school district to continue his or her education. If a student is expelled or receives a long-term suspension from a public school district within the United States and attempts to enroll in any District #18 school or school program, the Board will be deemed to have adopted and will enforce the terms and conditions of the former school district's expulsion or long-term suspension.

6.0 Policy, continued

Date Warned: December 4, 2007
Date Adopted: January 22, 2008
Legal References: 20 USC §7151 (Gun Free Schools Act of 1994)
20 USC §921 (Firearms: Definitions)
16 VSA §1162 (Expulsions)
16 VSA §1166 (State law pursuant to Gun Free Schools Act)
13 VSA §§4004, 4016 (Possession of Weapons on School Property)
20 USC §§1400 et seq. (Individuals with Disabilities Education Act)
29 USC §794 (Section 504, Rehabilitation Act of 1973)
Vermont State Board of Education Manual of Rules & Practices,
§§4311, 4312

Section 6.6 Firearms, Weapons, and Dangerous Devices

I PHILOSOPHY

It is the goal of District #18 Board to provide safe, orderly, civil, and positive learning environments for both students and staff. To achieve this goal, in general, firearms and dangerous devices are not allowed on school grounds. Infraction may result in severe consequences up to and including expulsion from school for a calendar year.

II DEFINITIONS

- A. General. For the purposes of this policy, the Board differentiates between the terms “firearm” and “dangerous device” and potential discipline measures differ.
- B. Firearm. Under 18 USC §921 and 16 VSA §1166, the following shall be considered as firearms for the purposes of this policy:
- (i) Any weapon which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive including but not limited to rifles, shotguns, and short-barreled shotgun.
 - (ii) The frame or receiver of any weapon described above.
 - (iii) Any firearm muffler or firearm silencer.
 - (iv) Any explosive, incendiary or poison gas i.e. (1) bomb; (2) grenade; (3) rocket having a propellant charge of more than four ounces; (4) missile having an explosive or incendiary charge of more than one quarter ounce; (5) mine, or; (6) similar device unless under the supervision of a teacher and used as part of the curriculum.
 - (v) Any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant (including air), and which has any barrel with a bore of more than one-half inch in diameter.
 - (vi) Any combination of parts either designed or intended for use in converting any device into any destructive device described in subparagraphs (iv) and (v), and from which a destructive device may be readily assembled.
- C. Dangerous Device. The following are considered to be Dangerous Devices: spring guns, slingshot, razor blades, bludgeon, explosive smoke bombs, ice pick, brass knuckles or artificial knuckles of any

kind, knives, poisons, a pocket knife where the blade is carried in partially-opened position, and any object that is carried for purposes of inflicting injury upon another person. Also, a Dangerous Device includes any object that is used in the manner for which it is not intended but instead used in a manner which could cause serious bodily injury or fear of serious bodily injury.

- D. Exception. Any Dangerous Device under the supervision of a teacher and used as part of the curriculum as approved by the administration in advance.
- E. "To school" means any setting which is under the control and supervision of the school district. It includes school grounds, facilities and vehicles used to transport students to and from school or school activities. In addition, "to school" includes school-sponsored events or activities.
- F. Suspension. The removal of a student from the school setting for a period of time not to exceed ten school days.
- G. Long Term Suspension. The removal of a student from the school setting for more than ten days by the school board. A due process hearing is required.
- H. Expulsion. The termination for at least a calendar year of educational services to a student. At the discretion of the board and administration, an expelled student may be afforded limited educational services at a site other than the school during the period of expulsion under this policy.

III CONSEQUENCES

- A. Firearm. Any student who brings a firearm to school or possesses a firearm at school shall be brought to the Board for an expulsion hearing.

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

- (i) The student was unaware that he or she had brought a firearm to school or possessed a firearm at school.
- (ii) The student did not intend to use the firearm to threaten or endanger others.
- (iii) The student did not bring a firearm to school but may have gotten it from another student while at school.
- (iv) The pupil is disabled and the misconduct is related to the disability. (Note: A student who has a disability or is suspected of having a disability, and is eligible or may be eligible for special education services or eligible for protection under Section 504, may be suspended or expelled for weapons violations only after compliance with the procedures outlined in the Individuals with Disabilities Education Act ("IDEA") and its implementing regulations and applicable Rules of the State Board of Education.)
- (v) The pupil does not present an ongoing threat to others and a lengthy expulsion would not serve the best interest of the pupil.
- (vi) The administration had given prior written approval for the item to be brought to school for educational purposes.

An expulsion hearing conducted under this policy shall afford due process as required by law.

Any student who brings a firearm to school shall be referred to a law enforcement agency. In addition, the incident may be referred to the Department of Social and Rehabilitative Services.

As required by state law, the superintendent shall annually provide the commissioner of education with descriptions of the circumstances surrounding expulsions imposed under this policy, the number of students expelled, and the type(s) of firearm(s) involved.

- B. **Dangerous Device.** Any student who brings to school or possesses at school a Dangerous Device or uses an object in a manner which would cause serious bodily injury or reasonable fear thereof shall be disciplined by the administration. If conduct is sufficiently serious to warrant greater than ten days suspension, the superintendent can refer the matter to the Board. If the Board determines that the student engaged in misconduct in violation of the policy, and that misconduct makes the continued presence of the pupil harmful to the welfare of the school, then it can impose appropriate long term suspension or expulsion (to the end of the school year or 90 days whichever is longer).

6.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

Legal Reference(s):

Section 6.7 Free Speech

Section 6.7

Student Responsibilities in Exercising Rights of Free Speech

- I. It shall be the policy of this school district to recognize and protect the rights of student expression, and to balance these rights with the interests of an orderly and efficient educational process and of a student environment suitable for the healthy growth and development of all students.
- II. The school shall assume no responsibility for the contents of any written material produced, posted, circulated or otherwise distributed, or of student conduct, taken in accordance with this policy, insofar as such matter of conduct may related to any interests other than those of an orderly and efficient educational process and proper school environments.
- III. In order to protect the valid exercise of Constitutional Rights, the maintenance of a sound educational process and a constructive school environment, printed material produced or distributed within the confines of school district property shall meet the following criteria:
 - A. Material shall be non-commercial.
 - B. Material shall not contain libelous or obscene language.
 - C. Material shall not advocate illegal actions
 - D. Material shall not contain false statements or innuendoes that would maliciously subject any person to hatred, ridicule, contempt or injury of reputation.
 - E. Material shall not advocate actions which will imminently threaten to disrupt the educational process of the school.
 - F. Material published, posted, or otherwise distributed shall bear the names of one or more students principally involved in the promotion of this material, and when applicable, the name of the sponsoring student organization or group.
 - G. Material may not be sold on school property.
 - H. Distributors of materials will be held responsible for cleaning up litter caused by such distribution.

6.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

**Legal Reference(s): 16 V.S.A. § 2901
& 2902**

VT State Board of Education Manual of Rules and Practices § 2194

Section 6.8 Home Bound instruction

Section 6.8

It shall be the policy of the District #18 Board of Directors to provide home/hospital instruction to any child expected to be unable to attend school for at least ten (10) consecutive school days. The condition must be one that limits physical activity and actually keeps the student home bound.

Any condition which does not meet the above requirements but which may indicate the desirability of home instruction should be discussed with the Principal and/or Director and the Director of Special Services.

Each child receiving home instruction shall be taught an average of two hours per subject. Instructional time must be consistent with medical recommendations.

Tutoring shall follow the regular school calendar. The Director of Special Services will be responsible for hiring appropriate tutor(s).

A medical report shall be submitted to the Director of Special Services at the time the referral is made.

Materials needed for tutoring are requested from the teacher.

Follow-up reporting to the teacher is the responsibility of the Director of Special Services.

6.0 Policy, continued

Date Warned: 12/27/01
Date Adopted: 01/08/02
Date Reviewed: 12/03/02

Section 6.9 Senior Privileges (Lamoille Union High School)

Section 6.9

I. Statement of Principle:

The District #18 Board of Directors recognizes that eighteen year old students will soon be voting, registering for the draft, and moving on with their lives and careers. Further they recognize that, while there will always be exceptions, most senior students care about other people, their school and the community in which they live and work. Therefore, the Directors believe it to be in the best interests of the mature student to permit opportunity to continue to grow in areas of responsibility.

II. On Campus Privileges:

On campus senior privileges will be reviewed annually by the school administration. Administrators shall seek input from faculty, staff, students and parents when setting eligibility rules and/or making changes to senior privileges. All members of the education community, including parent and guardians, shall be apprised of these privileges and eligibility rules through student and faculty handbooks and other means.

III. Eligibility:

To be considered, a student must: have no class cuts, no discipline problems on file, no on campus automobile infractions, have no incomplete grades, be passing all classes, have satisfactorily completed fifteen credits and have a program of study which will permit him/her to graduate during the current school year.

The student must be aware that all District #18 Board policies and procedures are to be complied with. In addition he/she must comply with usual sign in/out procedures.

IV. Consequences:

A senior may lose privileges for tardiness, unexcused absenteeism, violation of school rules and policies, failure to maintain satisfactory academic performance in all classes, and/or parent/guardian request. Academic performance will be reviewed quarterly.

6.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

**Legal Reference(s): 16 V.S.A. § 823 & 1073, et
seq. 16 V.S.A. § 1093 & 3448**

VT State Board of Education Manual of Rules and Practices § 1250

Section 6.10 Residency of Pupils

Section 6.10

It shall be the policy of the District #18 Board of Directors to furnish a grade 7-12 school education.

The legal residence of all pupils under the care and custody of a state agency or a license child placement center shall be determined by the Commissioner of Education. In all other cases, the board of school directors shall determine a pupil's residence, which shall be where his or her parent or private legal guardian resides. Residence for the purpose of this policy shall mean a person's true, fixed and permanent home, the place to which he/she intends to return when absent. The person who claims to be a resident of the member town must demonstrate such attachment to the community as would be typical of a permanent resident of the union.

Where a person claims to be a private legal guardian, such a person shall furnish the board with a certified copy of the decree, judgment, order or grant of authority, which it is claimed grants such guardianship. The board expressly reserves the right to inquire into the propriety and validity of any such court proceeding in making its determination.

The residence of a minor pupil, who is emancipated, such as by marriage, and as a consequence, has assumed legal control of her/himself, and has left the home of his/her parents, is not necessarily the residence of his parents; however, it shall be presumed to be, if the principal support of the pupil and the pupil's spouse is either or both of their parents or when the pupil does not seem to have a visible means of financial support.

The residence of a pupil who has attained the age of 18 years shall be determined with reference to the source of her/his financial support, him/herself or her/his parents. In the event of the latter, the parent's residence shall be presumed to be the pupil's residence.

If a pupil is deemed to be a resident of another school district by the applicable authority in that district, such pupil shall be deemed not to be a resident of District #18.

In all instances, the burden of proving residence shall lie with the person claiming residence. That burden must be met upon a showing of clear and convincing evidence.

Any person or tax payer who is dissatisfied with the decision of the board as to the pupil's residence may appeal to the Commissioner of Education, who shall determine the pupil's residence. His /her decision shall be final.

6.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

Legal Reference(s):

Section 6.11 Search, Seizure, and Inspection

Section 6.11

Whenever the school administration has just and sufficient cause to suspect that a student is in possession of substances or devices either illegal or dangerous to him or her self, other persons or the school community, student may be required to submit to a search and the confiscation of articles illegal or dangerous. Illegal items will be turned over to law enforcement personnel for disposal.

Refusal to allow the search constitutes insubordination and is grounds for suspension by the administration. A search will be made only with a witness present and every effort will be made to respect the student's privacy and dignity.

Lockers are the property of District #18 and are used as a privilege by its students, therefore they may be searched and inspected by the school administration with or without notice to the students.

6.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed: 03/08/02

Legal Reference(s): Act No. 90 of 1971

15 V.S.A. § 670 & 16 VSA § 1075

Family Rights and Privacy Act of 1974 (PL 93-380) 34 CFR Part 99

Section 6.12 Age of Majority

Section 6.12

(18 years old and above)

Act No. 90 of 1971 (State of Vermont) provides that "persons of the age of 18 years shall be considered of age, and until they attain that age, shall be considered minors. Whenever referred to in the laws of the state, a person who is an adult or who has reached majority shall be a person of 18 years of age or more.

- A. All students who have reached the age of majority shall be considered students in the same manner as those under the age of 19 in that:
 - 1. The entire curriculum shall be available to them without special restrictions.
 - 2. They shall be governed by all regulations formulated for students.
 - 3. They shall have equal opportunities to participate in extra-curricular and other student activities, as was the case prior to the enactment of this law.
- B. A student at the age of 18 has legal control of her/himself, therefore policies and regulations which refer to parent or guardian now, in a legal sense, refer to the student her/himself. Unless we are instructed otherwise by the individual student who has reached the age of majority, we will continue to keep the parent or guardian informed as is the case with all other students.
- C. A student attending District #18 who reaches the age of majority may be required to complete either a certificate of residence (Title 16, paragraph 1075, VSA) or provide evidence of having registered with the town clerk as a resident as a condition of enrollment (see addendum and Title 16, paragraph 1075, VSA)
- D. Students 18 years of age or older are under the same rules and regulations as any other student. However, they may complete a written request to terminate communication with their parents or guardians.

6.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

Legal Reference(s):

Section 6.13 Field Trips

Section.13

The District #18 Board of Directors believes field trips are as much a part of the curriculum as are chalkboards, globes, textbooks, visual aids. The use of field trips is encouraged when they relate to school programs and provide for students' learning experiences which cannot be provided in the school setting. All field trips must be approved by the principal and/or director.

Individuals planning field trips are responsible for:

- A. Submitting written request to the principal/director for authorization to take a field trip.
 - 1. Obtaining an adequate number of adult chaperones for the specific nature of the trip.
 - 2. Submit list of chaperones and trip restrictions to the administration for approval.
- B. Distributing and collecting the parent/guardian authorization forms and any necessary fees. collecting
- C. Assuring that no student will be denied the opportunity to participate for either economic reasons or for reasons of discipline not related to the field trip.
- D. Providing to parents for extended trips a core of information pertaining to items such as emergency procedures, names of chaperones, addresses, and phone numbers of overnight stops, costs, clothing lists, etc.
- E. Providing an accurate roster of pupils going on the trip to all faculty and the office at least one day before departure.

The principal/director is responsible for:

- A. Arranging bus transportation
- B. Submitting to the superintendent for board approval, requests for extended trips. Whenever possible, field trips shall be taken in school owned and operated vehicles.
- C. The principal/director and/or the school board reserve the right to deny requests.
- D. To determine that necessary funds are available in advance of the trip.

All school rules and consequences apply on all school trips as outlined in student handbooks. Teachers, as professionals, will use common sense and sound safety practices as guidelines for procedures for supervision of students off campus. The safety of students and teachers is the primary concern while on the trip, due process is secondary.

Any incidences will be followed up by the administrator at the conclusion of the field trip. The administrator will follow procedures and consequences as outlined in the student handbook and will acknowledge the integrity of the teacher.

6.0 Policy, continued

Date Warned: 08/5/02

Date Adopted: 08/20/02

Date Reviewed: 07/5/05

**Legal Reference(s): 16 VSA § 1121 &
1122**

Section 6.14 Attendance

Section 6.14

I. Attendance Law

Section 1121 - Attendance by children of school age required

A person having the control of a child between the ages of six and sixteen years, shall cause the child to attend a public school, an approved or recognized independent school or a home study program for the full number of days for which that school is held, unless the child: is mentally or physically unable to attend; has completed the tenth grade; or is excused by the superintendent or a majority of the school directors as provided in this chapter; or is enrolled in and attending a postsecondary school as defined in this title.

Section 1122 - Pupils over sixteen

A person having the control of a child over sixteen years of age who allows such child to become enrolled in a public school, shall cause such child to attend such school continually for the full number of the school days of the term in which she/he is so enrolled, unless such child is mentally or physically unable to continue, or is excused in writing by the superintendent or a majority of the school directors. In case of such enrollment, such person, and the teacher, child, superintendent, and school directors shall be under the laws and subject to the penalties relating to the attendance of children between the ages of seven and sixteen years.

II Rationale/Philosophy of Attendance:

It is the policy of District #18 to set high expectations for consistent student school attendance in accordance with Vermont law in order to facilitate and enhance student learning.

III. Attendance - School Policy

State law requires school attendance. A student's attendance should not be interrupted, except for extremely important matters or unavoidable circumstances. Parents/guardians are responsible for notifying the school when their student will be absent.

Types of absences, e.g.: excused, unexcused, tardy, will be reviewed annually by the school administration. Administrators may seek input from faculty, staff, students and parents when setting rules and/or making changes to attendance procedures. All members of the education community, including parents and guardians, shall be apprised of these policies through student and faculty handbooks and other means.

IV. Appeals to the school attendance policy

District # 18 LUHS students may appeal school administration actions regarding absences by submitting an appeal, in writing, to the principal within five (5) days of receipt of administration action.

GMTCC students may appeal challenged absences to the Technical Center Director.

6.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

**Legal Reference(s): SB Policy
2372.1&.2&.3 (1990)**

Section 6.16 Early Admittance

Section 6.16

Students may be admitted to the Green Mountain Technology and Career Center with, 9th, or 10th grade status consistent with, State Board of Education Policy dated July 20, 1977.

Such students will be admitted on a space available, first come first serve basis, and they may not displace an eligible Junior or Senior applicant.

Requests for admission must be sent to the Director and must include reasons for early admission. Special consideration should be given prior to the request in line with the State Board Regulation will be admitted for enrollment on the basis of their potential for achieving the occupational or other objectives of such instruction.

All students admitted under early admissions will be considered on probationary status. This means that students may be removed from classes at the Center for reasons related to continuous discipline problems, excessive absenteeism, or lack of readiness to participate in a technical/vocational program. Prior to removal from a program, a staffing involving the student, parent(s)/guardian, administration and the instructor will occur.

6.0 Policy, continued

Date Warned: 09/02/97

Date Adopted: 09/16/97

Date Reviewed: 07/05/05

Legal Reference(s): 16 V.S.A. § 1073 et seq. (Legal pupils) 16 V.S.A. § 563(24) (Participation of home study students)

Referenced District #18 Policy 4.10 Substance Abuse

Section 6.17 Extra-curricular Activities - Athletics

Section 6.17

PHILOSOPHY The District #18 Board of School Directors supports an interscholastic athletic program, which will encourage both competitiveness, participation, and enhance school spirit. The programs should strive to be competitive while at the same time allowing every individual the maximum opportunity to participate in an activity. Sports, like life is a competitive situation in which some will excel, some will succeed, some will fail, and all will benefit merely by being participants.

POLICY It is the policy of the District #18 Board of School Directors to provide an interscholastic athletic program for boys and girls to complement and supplement their educational programs. All school-sponsored activities will be under the ultimate control of the District #18 and will comply with all policies and procedures of the school.

IMPLEMENTATION

Athletic programs should meet the following criteria:

1. Programs should provide a wide basis of participation in both team and individual sports in interscholastic competition.
2. Programs should provide athletic facilities and opportunities for participation of an equal basis for girls and boys.
3. Programs should employ qualified personnel in coaching and supervision positions.
4. Programs should stress the educational as well as recreational benefits derived from participation in interscholastic sports.
5. Programs should conform fully to the rules and regulations of the Vermont Principals' Association.

The District #18 Board of School Directors will make determinations related to individual activities to be included in the athletic program of the District based on the following considerations:

1. The level of student interest in participating in an activity.
2. The level of community interest in an activity.
3. The impact of adding or eliminating an activity on the balance of opportunities for girls and boys to participate in the total athletic program.
4. The potential of the activity to remain competitive with other participating schools.
5. The availability of qualified personnel to coach and supervise the activity.

CRITERIA FOR ELIGIBILITY FOR PARTICIPATION

1. Students must have passing grades in five (5) credits or courses taken during the previous marking period. Students who fail to meet this academic eligibility requirement may request review of their progress.
2. Students must be in good disciplinary standing as determined by the Principal.

3. Students must be in regular attendance and must be in attendance on the day of the event unless excused by the Principal.

4. Students will also meet the criteria set forth in the guidelines of the Vermont Principals' Association.

5. Violation of Policy 4.10 Substance Abuse will affect eligibility for participation in athletics.

SUBSTANCE ABUSE AND CONSEQUENCES The use or possession of drugs, alcohol, or tobacco products on or off school premises will result in the immediate suspension of the student athlete for the remainder of the season. The student will appeal before a Standards Board prior to reinstatement the following season, which must give permission for the student to participate. Students suspended must meet the school policy regarding drug/alcohol counseling before reinstatement and are encouraged to join SADD.

6.0 Policy, continued

Section 6.18 Student Records

Section 6.18

Policy

Lamoille Union High School District #18 recognizes the importance of keeping accurate and appropriate education records for students as part of a sound educational program. District #18 is committed to act as trustee of this information and to maintain these records for educational purposes while serving the best interests of its students. Information contained in student education records belongs primarily to the students and/or their parent(s) or guardian(s).

The principle of confidentiality underlies all policies and procedures for the collection, maintenance, disclosure and destruction of educational records. The building principal or director will be the legal custodian of all records in their respective school(s). The superintendent has overall responsibility for school records throughout the district and for ensuring that adequate systems are in place to maintain such records.

Parental Notification

Annually, the school will notify parents of students currently in attendance, and eligible students (age 18 and over) currently in attendance of their rights under the Family Rights and Privacy Act (FERPA) of 1974. Notice will be given in a manner likely to inform the parents/guardians and eligible students of their rights. The notice will include a statement that the parent(s)/guardian(s) or eligible student has a right to:

1. Inspect and review the student's education records;
2. Request the amendment of the student's education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights;
3. Consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that the Act authorizes disclosure without consent;
4. File with the U.S. Department of Education a complaint concerning alleged failures by the school to comply with requirements of the Act; and
5. Obtain copies of the school's policy, written procedures, and/or protocols related to student records.

Release of Student Information

Disclosure of student information will be made only with the written consent of the parent/ guardian or eligible student subject to the following exceptions:

1. Information may be disclosed to officials of the school in which the student is enrolled who may have legitimate educational interest in the records and require the information to adequately meet their legal obligations;
2. Information may be disclosed upon request to officials of a school in which the student intends to enroll;
3. Under court order or subpoena;
4. To individuals seeking Directory Information (see page 2 for a listing);
5. In connection with a student's request for financial aid;
6. To appropriate parties in a health or safety emergency.

Review of Student Information

Parent(s)/guardian(s) of student or eligible students may inspect and review the student's records upon request. Parent(s)/guardian(s) should submit requests to the principal/director in writing specifying as precisely as possible the information s/he wishes to inspect. The principal/director will make appropriate arrangements to meet with the parent(s)/guardian(s) for such inspection according to procedures developed by the school administration.

If an eligible student or parent(s)/guardian(s) believes the education records contain information that is inaccurate, misleading or in violation of any of the student's rights, s/he may request the building principal/director to amend the record. If the building principal/director decides not to amend the record as requested, the student or parent(s)/guardian(s) may appeal using the district's general appeal process.

The school district will maintain a record of all requests for and/or disclosures of information from a student's records according to the school's procedures. The district will also record all requests for the amendment of records and the disposition of the request(s).

Directory Information

The following information is designated as "directory information." The school(s) will release directory information without prior written consent unless the parent(s)/guardian(s) or eligible student informs the principal/director in writing that any or all of the information designated below should not be released without prior consent.

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

NOTE: FERPA regulations permit the identification as directory information and "information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed." This list is therefore suggestive.

Juvenile Court Records

The Family Court is required to inform, in writing, the superintendent of the district in which the student is enrolled within seven days of a court finding that the student has committed a delinquent act requiring notice.

Sharing of Information

The superintendent shall inform only those for whom the information is necessary for the rehabilitation program of the child or for the protection of staff or students, and only after first evaluating rehabilitation and protection measures that do not involve informing staff or students. "Need to know" should be narrowly and strictly interpreted. Persons receiving this information shall not discuss the information with anyone except the superintendent, the child, the child's parent(s)/guardian(s), law

enforcement personnel, the student's probation officer or others who have been similarly informed.

Maintenance of Records

The notice from the Family Court shall be maintained by the superintendent in a file separate from the student's education record. Upon graduation of the student or when the student turns 18, the superintendent shall destroy the record.

Staff Training

Annually, the superintendent is responsible for the consistent procedural implementation of this policy on education records for all students in the district. The procedures shall abide by all federal and state laws and regulations governing the collection, maintenance, disclosure and destruction of education records.

Transfer of Records

When a student transfers to another school or school district, all student records shall be forwarded.

Date Warned: 10/10/01

Date Adopted: 11/06/01

Date Reviewed: 12/05/06

Legal Reference(s): 15 V.S.A. § 670 (non-custodial parents) 20 U.S.C. § 1232, 34

C.F.R. Part 99 33 V.S.A. § 5536a (juvenile court records)

Federal Family Rights and Privacy Act of 1974 (P.L. 93-380)

Vermont State Board manual of Rules and Practices § 2193

6.0 Policy, continued

Date Warned: 05/18/04

Date Adopted: 06/15/04

Date Reviewed: 07/05/05

**Legal Ref: 16 V.S.A. §§ 2901, 2902
and 2904 16 V.S.A. §§ 1961 et seq.**

Act 230 of the 1990 Vermont Legislature

Act 157 of the 1996 Vermont Legislature

Act 117 of the 2000 Vermont Legislature

Vermont State Board of Education Rules 2194 and 2120.8.1.3.1

Section 6.19.3 Educational Support System

Section 6.19.3

Policy

It is the policy of District #18 to provide a continuum of educational services through a comprehensive Educational Support System to increase the ability of the school to meet the needs of all students in the general education environment.

Definitions

1. *General education environment* means school and non-school environments used for educational purposes by students with and without disabilities such as regular classrooms, school libraries, learning centers and community job sites.
2. *Accommodations means* those evaluation procedures, curricula, materials or programmatic adaptations, behavior management interventions and supplemental aids and services that are necessary for a student to benefit from his or her education or to participate in co-curricular activities.
3. *Supplementary aids and services means* special assistance, materials, equipment and other supports that are provided in regular education classes or other education related settings to enable students to be educated in the general education environment.

Implementation

Each school in District #18 shall develop a comprehensive system of education services to create an Educational Support System (ESS), designed and implemented in consultation with parents, to assist teachers in accommodating children in the regular classroom. The system shall consist of one or more Educational Support Teams (EST) composed of staff from a variety of teaching and support service positions and shall incorporate a range of referral, support and remedial services as well as the means to determine the effectiveness of accommodations or services recommended by the EST.

1. The ESS shall:
 - A. Be integrated to the extent appropriate with the general education curriculum;
 - B. Provide a range of support and remedial services, including instructional and behavioral interventions and accommodations;
 - C. Be designed to provide students with needed accommodations and supplementary aids and services regardless of their eligibility for categorical programs;
 - D. Assist all students in working toward attainment of the Vermont Framework or comparable standards;

- E. Provide clear procedures and methods for handling a student who disrupts a class, including provision of educational options, support services and consultation or training for staff where appropriate;
- F. Ensure collaboration with families, community supports and the system of health and human services;
- G. Collaborate, to the extent appropriate, with families and community health and human service agencies to assist educators in meeting the academic needs of all students.

2. The EST shall:

- A. Provide a procedure for timely referral for evaluation for special education or other categorical program eligibility when warranted;
- B. Be composed of staff from a variety of teaching and support services positions;
- C. Screen referrals of individual students to determine what classroom accommodations and supplementary aids and services have been tried;
- D. Determine whether any additional accommodations, supplementary aids and services, or referral to other public or private agencies may appropriately meet a referred student's educational needs;
- E. Assist teachers in planning and providing supplementary aids and services and other accommodations to students in need of classroom supports or enrichment activities;
- F. Collaborate, to the extent appropriate, with families and community health and human services agencies to assist educators in meeting the academic needs of all students;
- G. Develop a means to determine the effectiveness of accommodations and supplementary aids and services provided through the ESS; and
- H. Maintain a written record of its actions.

3. The District #18 Board designates the Principal(s) and Director to:

- A. Appoint the members of each school's Educational Support Team (EST);
- B. Provide professional development and other resources needed to enable the EST and other school district personnel to implement the Educational Support System;
- C. On an annual basis provide information regarding the existence, purpose and function of the ESS to parents;
- D. Develop and maintain written administrative procedures in accordance with state Board regulations to implement this policy;
- E. Maintain written EST records for each student receiving services through this process as required by Vermont statutes.
- F. Complete and submit reports required by the Commissioner of Education to comply with Vermont statutes and regulations;
- G. Provide the District #18 Board an annual report on the status of the ESS including the report to the Commissioner, information on the services and supports provided, the funding sources of the ESS, how the capacity of each ESS to meet its obligations has been addressed in school action plans, and the effectiveness of accommodations, supplementary aids and services provided through the ESS.

6.0 Policy, continued

Date Warned: 03/27/02
Date Adopted: 04/16/02
Date Reviewed: 03/08/02
Legal Reference:

Section 6.19.16 504 Policy

Section 6.19.16

It is the policy of District #18 that no otherwise qualified person shall be deprived of education by reason of a handicap. A handicapped person is defined as: any person who (1) has a physical or mental impairment which substantially limits one or more life activities; (2) has a record of such impairment; (3) or is regarded as having such an impairment.

Annually, and in a manner regularly utilized by this District, notice shall be published of the District's Commitment to assure that no eligible person shall be deprived of an appropriate education or related services by virtue of his or her handicap.

A "qualified handicapped person" means: With respect to public preschool, elementary, secondary, or adult educational services, a handicapped person: (1) of an age during which non-handicapped persons are provided such services; (2) of an age during which it is mandatory under state law to provide such services to handicapped persons or; (3) to whom a state is required to provide a free appropriate public education under 621 of the Education of the Handicapped Act. (Now IDEA) (34 CFR 104.8 and 104.32)

The 504 Coordinators for District #18 shall be the LUHS Principal and GMT&CC Director.

Pursuant to the Rehabilitation Act of 1973, all students who are legal pupils of this District who are qualified handicapped persons are entitled to a free, appropriate public education designed to meet their specific needs when it can be demonstrated that their handicap impairs their ability to benefit from a regular educational program. A FAPE is intended to include related services and transportation where appropriate.

Pursuant to 16 V.S.A. 2901 (Act 230) no child who is deemed in need of supplementary, services to achieve success in the regular classroom shall be deprived of supplementary services because of ineligibility under IDEA or 504. The district will make available a continuum of services designed to meet the individual needs of all students who are failing or at risk of failing academically. The services will be provided in the regular classroom to the greatest extent possible. Where the student is removed from the mainstream for more than 50% of the school day, the District will utilize goals and objectives designed to reintegrate the student in the mainstream environment at the earliest appropriate opportunity.

To accommodate the supplementary support system, the District will develop and provide to its staff an instructional support program which will include training, teacher assistance for accommodations and remedial services, screenings, guidance, referral and remedial services and a procedure for referral for special education (IDEA) or a 504 evaluation.

6.0 Policy, continued

Date Warned:

Date Adopted: 12/15/92

Date Reviewed: 11/6/01

Legal Reference:

Section 6.19.17 Excess Cost Policy

Sections 6.19.17

It is the policy of District #18 to provide mainstream Special Education Services as part of the basic tuition costs for those students tuitioned to this school by districts who are not members of District #18. Basic mainstream special education services are defined as those services provided by the school's Resource Room Teachers, Consulting Teachers, Learning Specialists, and Speech-Language Pathologists.

Sending school districts are also responsible for excess costs which include but are not limited to the following:

- a) Individual Instructional Assistants
- b) Evaluations conducted by personnel not part of the regular school staff
- c) Augmentative Equipment and Supplies
- d) Special Education Transportation
- e) Counseling
- f) Outside Consultations
- g) Project Prepare
- h) Diversified Occupations Collaborative
- i) Medical Equipment

6.0 Policy, continued

Section 6.20 Comprehensive HIV/Bloodborne Pathogen

Section 6.20

General

The Human Immunodeficiency Virus is not transmitted through casual contact and, therefore, is not reason in itself to treat individuals having HIV differently from other members of the school community. Accordingly, with respect to HIV disease, including acquired immune deficiency syndrome (AIDS), the District #18 School Board recognizes:

- The rights of students and employees with HIV,
- The importance of maintaining confidentiality regarding the medical condition of any individual,
- The importance of an educational environment free of significant risks to health, and
- The necessity for HIV education and training for the school community and the community-at-large.

A. General Provisions: (Reference District #18 Policy 2.2)

1. District #18 shall not discriminate against or tolerate discrimination against any individual who has or is perceived as having HIV.
2. A student who has or is perceived as having HIV is entitled to attend school in a regular classroom, unless otherwise provided by law, and shall be afforded opportunities on an equal basis with all students.
3. No applicant shall be denied employment and no employee shall be prevented from continued employment on the basis of having or being perceived as having HIV. Such an employee is entitled to the rights, privileges, and services accorded employees generally; including benefits provided school employees with long-term diseases or disabling conditions.

B. Confidentiality, Disclosure and Testing:

1. A student or student's parent/guardian, or an applicant/employee may, but is not required to, report HIV status to any school personnel.
2. No school official shall require any applicant, employee, or prospective or current students to have any HIV-related test.
3. Except as otherwise permitted by law, no school personnel shall disclose any HIV-related information, as it relates to prospective or current school personnel or students, to anyone except with written consent. District #18 will not discriminate against any individual who does not provide written consent. (District #18 policy # 6.18 and employee master agreements should be referred to for additional assurances.)

C. Education and Instruction:

1. HIV is not itself, a disabling condition, but it may result in conditions that are disabling. To the extent

that a student who has HIV is determined to meet criteria for eligibility for accommodation under state and federal non-discrimination laws or for special education services, the school district shall meet all procedural and substantive requirements.

2. District #18 shall provide systematic and extensive comprehensive health education to staff and students that includes education on HIV infection, other sexually transmitted diseases as well as other communicable diseases, and the prevention of disease, as required by state law.

D. Exposure to Bloodborne Pathogens and Universal Precautions:

District #18 shall comply with applicable VOSHA rules in order to protect employees who are reasonably expected to be exposed to bloodborne pathogens as part of their regular job duties.

Date Warned: 03/30/00

Date Adopted: 04/18/00

Date Reviewed: 01/02/07

Legal Reference(s): 1 V.S.A. § 317

(7)&(11) 16 V.S.A. § 131 et seq., § 906 18

V.S.A. § 112 7 21 V.S.A. §§ 201 (2) & §

224 and 495 (a)(6)&(7)

Section 504 of the Rehabilitation Act of 1973

Individuals with Disabilities Education Act (IDEA) PL 94-142

Title VI, Civil Rights Act of 1964, and as amended by the Equal Employment Act of 1972

American with Disabilities Act, P.L. 12101, et seq.

Occupational Exposure to Bloodborne Pathogens Standard (29 C.F.R. § 1910.1030

Relevant District #18 Policies 2.2, 6.18

6.0 Policy, continued

Section 6.21 International Student Program

Section 6.21

The District #18 Board of Directors supports the principles of approved student exchange programs which offer academic, intellectual and social competence.

Tuition payment for a foreign student assigned to a local family under an approved agency may be waived as follows:

A request for waiver of tuition for a participant in an exchange program shall be made by the responsible family in writing to the building principal/director, not less than 60 days prior to enrollment. The request, with the principal/director's recommendation, shall be forwarded to the Superintendent of Schools.

The Superintendent of Schools shall have the authority to approve two international exchange tuition waivers each school year based on this policy and shall so inform the Board of Directors when that occurs.

Further requests for tuition waivers will be referred directly to the Board of Directors with a recommendation from the Superintendent of Schools.

Date Warned: 08/26/99
Date Adopted: 10/18/99
Date Reviewed: 06/06/06

6.0 Policy, continued

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed: 17 June 2003

**Legal Reference: Section 1 of Act 119 of
1998 16 V.S.A. § 166b 16 V.S.A. § 563(24)**

Section 6.22 Integration of Home Schooled Students

Section 6.22

Integration of Vermont Department of Education Home Study Students Who Reside in Lamoille District #18 and Request Participation in school Programs and Activities.

PHILOSOPHY:

The purpose of this policy is to encourage and support excellence in education for all secondary school students living within District #18. The District #18 Board of School Directors recognizes that some families believe home schooling is the best education format for their children. The district #18 Board of School Directors believes that home study and fully enrolled students can benefit from participating together in school activities and programs and strives to provide educational services in ways which are consistent with the needs of both fully enrolled students and home study students.

POLICY:

The District #18 Board of School Directors will allow requesting home study students enrolled in the Vermont Department of Education Home Study Program to participate in courses, programs, activities and services and use of school educational materials and equipment at LUHS/MS/GMTCC.

6.0 Policy, continued

Date Warned: 11/19/02

Date Adopted: 12/17/02

Date Reviewed: 07/05/05

**Legal References: Title VI of the Civil
Rights Act of 1964, 42 U.S.C.2000(d) 34**

C.F.R. Part 100 9 V.S.A. 4502

Vermont State Board of Education Manual of Rules and Procedures, Rule 1250

Section 6.23 Limited English Proficiency Students

Section 6.23

It is the policy of the District #18 Board of School Directors to ensure that students with limited-English proficiency (LEP) have meaningful access to school programs. This includes both academic and extra curricular programs.

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

6.0 Policy, continued

Date Warned: 02/21/06

Date Adopted: 03/14/06

Date Reviewed:

**Legal Ref: 16 VSA § 1045,
1046, and 1048**

Section 6.24 Driver Education

Section 6.24

I. Philosophy

It is the policy of District #18 to provide safe, orderly, civil and positive learning environments for both students and staff. District #18 provides educational opportunities including both elective and required courses. Driver Education is an important part of this curriculum. Likewise, we emphasize that ours is an alcohol and drug free environment. Driver Education, alcohol and drugs do not mix!

II. Policy

It is the policy of District #18 to recognize that Vermont State laws and regulations govern Driver Education.

In addition to students who are actively enrolled, the District #18 Board of School Directors will allow a student attending a private school, or a student enrolled in State approved home school programs, to register for Driver Education, providing the student has the legal right to attend LUHS. Students will be enrolled according to procedures and timelines determined by the administration. These procedures are published in the LUHS Student/Parent Handbook.

In support of our philosophy, while enrolled in District #18, students cited for motor vehicle, alcohol or drug violations on school grounds by a law enforcement officer or school employee will be delayed from enrolling in Drivers Education for a minimum of six months and/or one Driver Education registration cycle beyond their same age peers. Only students who successfully complete an administratively approved drug/alcohol/safety educational program may register for the Driver Education class session following the penalty period.

Students who incur a second offense will be prohibited from taking Driver Education all together.

The Substance Abuse Policy 4.10 for District #18 students is in effect on school grounds and at all District #18 sponsored events such as field trips, athletic events, and dances.

7.0 Finances

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

Legal Reference: 16 V.S.A. § 563

Section 7.0 Annual Budget

Section 7.0

The annual budget of District #18 shall reflect the needs and goals of the schools.

The superintendent shall be responsible for implementing the plan and will collect all data needed for the preparation of the budget. All personnel shall comply with any requests for information.

The District #18 board of Directors shall deliberate on the budget at regular or special meetings called for that purpose. These meetings shall be conducted in open sessions except when matters of contract or personality are involved. A public budget information meeting may be held prior to formal presentation at the District #18 annual meeting.

7.0 Policy, continued

Date Warned: 12/07/00

Date Adopted: 12/19/00

Date Reviewed:

Legal Reference: 16 V.S.A § 563

Section 7.1 Purchasing Policy

Section 7.1

The Board of Directors extends the authority for the purchasing needs of the district to the Superintendent or his/her designee. This authority to spend is in accordance with the approved budget and with specific guidelines adopted by the Board.

Purchases will only be made when they are in the best interest of the District. The goal of purchasing for the District will be to seek optimum value in an objective and ethical manner, and in full compliance with local laws.

When purchasing goods or services, the following will be taken into consideration:

- best possible quality;
- lowest possible cost;
- specifications of the user;
- availability when needed;
- least possible expenditure of time for the person requesting; and
- compliance of suppliers and staff with equal opportunity and other Board of Director policies.

In order to receive the greatest value for each dollar expended, it shall be the policy of the school district to purchase in quantity whenever possible and practical. This includes the use of state contracts and the use of competitive quotations, prices or other opportunities whenever applicable.

Purchase orders shall be coded to the account code that most accurately describes their purpose, NOT, to an account where there are remaining funds available.

Proper purchasing procedures so specified by administrative procedure must be followed without exception.

Building Principals/Directors or others with purchasing authority are responsible to monitor proper purchasing by their staff members and to insure that purchases are kept within approved budgets.

All factors being equal, preference will be given to local firms. The district reserves the right to reject any or all bids and quotations.

**Section 7.1, Procedure
Board Adopted Procedures**

Date Warned:

Date Adopted: 11/21/00

Date Reviewed:

Legal Reference: 16 V.S.A § 563

Purchasing Procedures

Any purchases and/or commitment of funds by the District will be done through Purchase Orders or Board approved contracts. All purchases shall have Purchase Orders assigned and authorized in advance before the initiation of a purchase. If an order is placed over the telephone, an authorized school official must still approve the purchase ahead of time.

The Purchase Order system must be considered inviolate except in cases of emergency or in unusual circumstances (i.e.: cafeteria purchases). If an employee makes a financial commitment (a direct purchase or reimbursable expense) without prior approval, s/he is at risk of having that expenditure denied and becoming personally responsible for the financial commitment.

In order to insure proper budget oversight and control, employee requests for reimbursement of expenses incurred must be made on a monthly basis. Failure to adhere to this requirement may result in a denial of the reimbursement request.

Board approved contracts, certain professional services (i.e.: testing/counseling services) and regular/monthly invoices for expenditures like utilities and travel reimbursement do not require a Purchase Order.

I. Requesting Goods & Services - Requisitions

1. A request for goods or services will be made to the Principal/Director or his/her designee. A requisition at a minimum should include the date, the item to be purchased, the amount (including handling and shipping charges, if known), the account to be charged and other pertinent information.
2. Unapproved requisitions will be returned to the requesting employee.
3. An approved requisition will be forwarded to the A/P clerk of the School.

II. Ordering Goods & Services - Purchase Orders

1. The A/P clerk of the School will be responsible for completing a Purchase Order (PO). A PO should contain the following information, if applicable:
 - PO #
 - Vendor name;
 - Order date;
 - Complete description with part number or model numbers, if available;
 - Date required;

Ship To location if different from PO address;
Budget account code (the code assigned shall be the Handbook II code that best describes the purchase, NOT to an account where there are remaining funds available);
Quantity;
Unit of measure;
Unit price;
Amount, including handling & shipping; and
POs for grants must include the name of the grant and grant year to insure proper accounting.

2. POs will be completed using a purchase order form.
3. The POs will be presented to the Principal/Director for approval and signature.
4. POs not approved by the Principal/Director will be marked "Voided" and destroyed by the A/P Clerk of the School.
5. Copies of approved POs will be distributed to the vendor, the Central Office (CO) and filed in the "Outstanding PO File" of the school.
6. Upon receipt, the CO's A/P Clerk will "Date Stamp" the PO as received and review.
7. The CO's A/P Clerk will reconcile questionable POs with the A/P Clerk of the School.
8. The CO's A/P Clerk will encumber the funds committed by the PO and file the PO in the CO's "Outstanding PO" file by school/site.

III. Contracts & Agreements

1. The Board or its designee may only approve contracts for good and services.
2. Upon receipt of an approved contract, the CO will assign the contract a unique "contract ID number" and file in the "Contract Log Book".
3. A current listing of approved contracts with their ID numbers will be provided to the Board's Clerk and School's A/P Clerk.

IV. Special Education Purchase of Professional Services

The purchase of professional special education services may be authorized by the Special Education Administrator issuing a LUHS *Request for Special Education Services* to the provider.

V. Receipt of Goods or Services - Invoice

1. When the School has received goods, the receiving report/packing list and all copies of the invoices will be compared with the PO. Care should be taken to insure that the School actually received the goods or services ordered. When a school employee accepts a shipment and indicates all is in order, the School District then becomes liable for payment. All items that need to be returned to the manufacturer/supplier because of damage or incorrect shipment must be accounted for and documentation of the return kept on file. If the invoice amount differs from that ordered on the PO, the A/P Clerk of the School would reconcile the difference. The return of goods or reconciliation of differences must be reported to the CO. This may be done in a memo format or by writing directly on the invoice.

2. The School's A/P Clerk will date stamp the invoice when received at the School.
3. For those invoices not having an approved PO, the Principal/Director or her/his designee will review the invoice. The Principal/Director will approve the invoice for payment by initialing and signing the invoice. If the invoice is from an approved contract, the contract ID number will be written on the invoice. Invoices not approved for payment will be marked so and returned to the vendor for cancellation or adjustment.
4. The invoice(s) and PO Reconciliation report will be forwarded to the CO.
5. The CO's A/P Clerk will date stamp invoices and PO Reconciliation report when received at the CO.
6. The CO's A/P Clerk will make corrections to the posted POs using the reconciliation report.
7. The CO's A/P Clerk will enter the invoice into the accounting system.

VI. Vendor Payment - Issuing Checks

1. On the Friday prior to a regularly scheduled Board meeting, the CO's A/P Clerk will:
 - a. Identify all invoices to be paid;
 - b. Print out the Check Register, Voucher Warrant, payment checks and the Board Orders Summary sheet; and
 - c. Forward the Check Register, Voucher Warrant, payment checks and the Board Orders Summary sheet to the Board's Clerk. Attached to the Check Register will be copies of the invoices being paid.
2. Paid invoices will be filed in the CO by Order date and check number.
3. Once approved by the Board, the signed "Orders" and the checks will be delivered to the Treasurer for signing and distribution.
4. The School's Principal/Director will notify the CO's A/P Clerk of any invoices not approved for payment when returning a copy of the Board Orders Summary sheet.
5. The CO's A/P clerk will void any checks issued for unapproved invoices in the accounting system and make other corrections as required.

VII. Monthly Reconciliation

1. At the end of each month, the CO's A/P Clerk will print out a listing of all POs outstanding and forward the report to the School's Principal/Director.
2. The Principal/Director will review the report and notify the CO of any deletions or corrections to the outstanding POs.
3. The CO's A/P Clerk will make the requested changes to the outstanding purchase orders.

VIII. Other

1. Payments to vendors will not be made from statements but from invoices only.
2. Invoices received directly at the CO will be sent to the School for review and approval before entry into the accounting system.
3. Employees who proceed with purchases outside of this system may be held personally responsible and accountable for improper procedures and costs relating thereto.

7.0 Policy, continued

Date Warned: 09/03/02
Date Adopted: 10/01/02
Date Reviewed: 07/05/05
Legal Reference:

Section 7.2 Petty Cash

Section 7.2

The District #18 Board of School Directors recognizes that it is prudent to establish a limited number of petty cash accounts for the convenience of staff and administrators to reduce purchasing and accounting costs. Therefore, the District #18 Board of School Directors authorizes the use of petty cash funds consistent with the following:

1. The District #18 Board shall approve the establishment of all petty cash accounts and shall designate a different individual to manage each account.
2. Each petty cash account shall not exceed the maximum amount approved by the District #18 Board.
3. Petty cash accounts shall not be used to pay individuals for services rendered.

Date Warned: 05/20/03
Date Adopted: 06/17/03
Date Reviewed: 07/05/05
Legal Reference: 16 V.S.A. § 563

Section 7.3 Credit Card Purchases

Section 7.3

The District #18 Board of School Directors recognizes that it is prudent to allow the use of a limited number of Credit Cards for the convenience of staff and administrators to reduce purchasing and accounting costs. Therefore, the District #18 Board of school directors authorizes the use of Credit Cards consistent with the following:

1. The District #18 Board of School Directors shall approve the application for each credit card requested.
2. Purchases made with District #18 credit cards shall be for business use only. Personal purchases are not allowed.
3. District #18 credit cards are primarily used to take advantage of circumstances for cost savings and not to circumvent the use of the Purchase Order system.
4. Procedures will be established so that payment of credit card invoices will be made in time to avoid paying interest charges or other charges for use of the credit card.

8.0 Instruction

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

Legal Reference: 16 VSA § 906 & 242 (2)

Section 8.1 Curriculum

Section 8.1

It is the policy of District #18 to support the LNSU Curriculum Coordination Policy adopted by the LNSU Board on May 6, 1998. The District #18 Board shall continue to meet its responsibility to direct development, adoption, and curriculum specific to the needs and resources of District #18 while ensuring alignment with the LNSU Curriculum Coordination Policy.

District #18 affirms that all instructional material, including teacher manuals, films, tapes, computer related and or other instructional materials; shall be available for inspection by the general public. This includes both regular and experimental program materials and information.

Suggestions for the addition of a new course (s) or the deletion of existing course (s) may be made by anyone. These suggestions are to be in writing and submitted to the Principal or Director who, will determine if the suggestion has sufficient merit to continue in the curriculum development process. The administrator (s) will then submit viable suggestions to the Superintendent for possible referral to the Curriculum Coordinator and District #17 Curriculum Committee.

Annually, the Principal and/or Director may recommend to the Superintendent that a course (s) be cancelled for the school year when enrollment or other circumstances dictate that it is prudent to do so. Enrollment and other criteria for suspension of course offerings shall be specified in administrative procedures.

Course descriptions shall be published annually as administrative procedure.

Section 8.1 Procedures Curriculum - GMTCC

Date Approved by Regional Advisory Board: 03/08/00

Date Adopted by LUHS Bd.: 03/21/00

Date Reviewed:

Legal Reference(s): 16 V.S.A. § 1534, 16 V.S.A. § 1541

Program Deletion Procedures for the Green Mountain Technology and Career Center

Criteria -

A technology program may be recommended for deletion when any one or a combination of the following criteria is met:

- Has an enrollment of eight (8) or less on October 15
- The program advisory committee recommends deletion
- The program duplicates another program in substantial content
- The Director, government-building inspector, or fire official deems the laboratory or part of the facility unsafe for the conditions of the work experience required by the program.
- The cost per pupil to operate the program is excessive as judged by twice the average cost of all other combined programs
- The job market for the program is limited in annual openings in Vermont to less than twenty (20) per year according to Department of Employment and Training data
- Other reasons as documented by the Director

Procedures -

1. The Director will submit a written list of program(s) recommended for deletion with the pertinent criteria to the Regional Advisory Board before the November meeting.
2. At the November meeting, the Regional Advisory Board will recommend for deletion or suggest program modification to the District #18 Board.
3. The recommendation of the Regional Advisory Board is placed on the agenda of the District #18 Board for discussion and possible action.
4. An affirmative vote on the recommendation by the District #18 board cancels or modifies the program for the next school year.
5. Teacher notification will follow Board policy for contract non-renewal when necessary.

A one-year program will be deleted before the course program listing is supplied to the sending schools for the following year's application process. In the case of a two-year program, only second year students will be allowed to complete the program with the program terminating at the end of that year.

Modifications to a program or other conditions will be implemented with the new school year when approved by the Board.

8.0 Policy, continued

Date Warned: November 4, 2008
Date Adopted: December 16, 2008
Legal References: Act 154 of 2007-2008 Adjourned Session
16 V.S.A. §912

Section 8.2 Animal Dissection

It is the intent of School District #18 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. Building administrators shall develop and implement procedures to ensure compliance with the provisions of the law.

9.0 Transportation

Date Warned: 08/26/99

Date Adopted: 10/18/99

Date Reviewed:

Legal Reference: 16 V.S.A. § 1221

Section 9.1 Transportation

Section 9.1

I. Eligible Pupils

Students 7-12 enrolled in District #18 who live with parents or guardians who reside in Hyde Park, Johnson, Cambridge, Eden, Belvidere and Waterville are eligible for morning transportation from central pick-up points in the above named towns to Lamoille Union School in buses provided by District #18. These same students are eligible for afternoon transportation from District #18 to within a reasonable walking distance of their parents' or guardians residence in buses provided District #18.

- A reasonable walking distance will be determined by the District #18 Board, taking into consideration: (1) the age of the student, (2) the health and physical fitness of the student, (3) the adequacy of the walking surface, (4) the speed and frequency of traffic.
- Bus service will be provided only on public roads whose width, bridges and general condition makes it possible to operate the size buses commonly used by District #18, safely and efficiently.
- District #18 is not responsible for highway maintenance, snow plowing, or for bus turn around development or maintenance.
- District#18 will not provide special drive or purpose vehicles for the pickup of eligible students living in remote areas or areas of difficult accessibility.

II. Bus Routes and Schedules

- A map outlining the established bus routes is available for examination in the office of the superintendent of schools.

* This map is annually reviewed and up-dated by the school board, upon the recommendation of the school bus operators and the superintendent of schools.

- An important consideration in the adjustment of bus routes, is the availability and adequacy of maintained bus turn-around points.
- Students will be left off at collection points designated by the school bus operator along the established routes. Appeal to the designation of these points may be made to the school board by filing an appeal in writing with the superintendent of schools.
- The school bus operator is granted the authority to adjust, on a day to day to day basis the bus routes when road conditions because of snow, ice or other hazards, in his opinion, warrants such an

adjustment.

- The riding on a public school bus is a privilege which is conditional upon behavior that does not endanger the other passengers or subject them or the bus driver to abusive language. Driving a school bus is one of the most difficult and responsible positions in the school system. The driver is often responsible for the safety and welfare of sixty or more student passengers. He/she must have the cooperation of parents, students, the school staff and the school board if he/she is to fulfill this responsibility in maintaining discipline and good behavior on the bus. When a student misbehaves on a bus under District #18 jurisdiction, the rules for suspension of riding privileges are:
 - When necessary to maintain order, the driver may suspend a student temporarily (for a maximum of one day) until a hearing can be held. The driver is to tell the student directly and inform the Lamoille Union administration that the suspension is in effect from the moment the student is put off the bus.
 - The student may be put off the bus at home, or at the school. Every effort should be made to have the student complete the trip to school or home before beginning the suspension. Only when the safety of others is endangered may a student be put off the bus elsewhere.
 - The driver must notify school administration, which will in turn notify the parents. The driver will provide student's name, problem behavior, date, bus number and name, to the administration and be available within 24 hours for an informal hearing with the student.
 - The administration will arrange the informal hearing with the driver and attempt to notify the parents by phone. The student will be given written notice of the outcome of the hearing.
- Possible outcomes may include: warning, fixed duration suspension (1 day-1 year), indefinite suspension (until problem is resolved), parent conference
- Students and parents will be financially responsible for malicious damage to the vehicle and furnishings of the bus.

III. Late Afternoon Transportation

The principal/director has authority to provide such additional transportation, in the late afternoon or evening that in her/his opinion will best serve the interest of the students and District #18. In general, this transportation will be from Lamoille Union High School to central points in one or more of the villages that are in the six towns of District #18.

9.0 Policy, continued

Date Warned: 05/03/01

Date Adopted: 05/15/01

Date Reviewed: 07/05/05

**Legal References: V.S.A. 23 Ch. 1,
Sect. 34, 921**

Cross-Reference: District #18 Policy 6.12

9.2 Transportation in Private Vehicles

Section 9.2

The District #18 Board does not encourage the use of private vehicles for the conduct of school business. The Board does recognize there may be occasions when an appropriate school vehicle is not available and private transport must be used. To safeguard drivers and students when this situation arises and to minimize risk to the District; the following policy and related procedures shall be observed:

Note: This policy is not intended to deal with privately owned vehicles used exclusively to carry members of a car owner's household or informal arrangements such as sharing of actual gasoline expense or participation in a car pool intended to transport students to and from school.

1. Approval must be obtained from the Principal, Vocational Director, Superintendent, or the person designated by the administrator prior to transporting students and/or using private vehicles during the school day. Procedures for obtaining this approval will be in place.
2. School administrators will have the consent of the parent/guardian of all children to be transported. (Students over age eighteen or an emancipated minor not living at home may sign the form.) Procedures for obtaining this consent will be in place and will ensure that the signer of the form is aware that private transportation is to be used.
3. Other than mileage reimbursement, the owner/operator of the private vehicle is not to be compensated for in any way for the use of the vehicle to transport children. (Note: If other compensation is paid, it might create a "for hire" situation and invalidate the owner's insurance.)
4. The number of persons being transported may not exceed the manufacturer's rated capacity, the vehicle must have a legal inspection sticker, be properly registered, seatbelts must be used by all occupants, and the operator must be at least eighteen years of age and have a valid operator license (not a permit). Procedures will be in place to ensure that these criteria are met.
5. If a student must ride in or use a private vehicle as a matter of routine, the administrator may issue a standing permit. Procedures will be in place to safeguard confidentiality when necessary.
6. If transporting students, the owner/operator must complete a form indicating that he/she has insurance including coverage for "uninsured motorist", minimum insurance per Title 23 (currently \$100,000/\$300,000/\$50,000 for 9 passengers or less; \$300,000/\$500,000/\$50,000 all other). Further, they shall disclose all current motor vehicle violations. Procedures will be in place to gather and file this information.

7. Employees shall not be required to use personal vehicles in the conduct of school business unless contracted to do so. However, if they do, District #18 shall provide liability coverage and mileage reimbursement at the periodically updated IRS reimbursable rate. Non-employees shall be informed that their insurance coverage applies first and District #18 insurance coverage only applies if District #18 bears primary responsibility and the claim exceeds the individual's coverage.
8. If road conditions are hazardous, private vehicles may be used in cases of emergency only.

Date Warned: January 22, 2008
Date Adopted: February 19, 2008
Legal References: 49 U.S.C. §§ 5331, 31306 (Omnibus Transportation Employee Testing Act of 1991)
49 C.F.R. Parts 40, 382, 391, 392, 395 and 653

Section 9.3 Drug and Alcohol Testing of Motor Vehicle Personnel

I STATEMENT OF PURPOSE

This policy is intended to ensure compliance with drug and alcohol testing requirements provided by Federal law. It applies to transportation employees who are directly employed by Lamoille Union School District #18. This policy is not applicable to contracted transportation services; in those cases, compliance with Federal law is the responsibility of the contracted service provider.

II POLICY STATEMENT

This policy shall apply to every employee who operates a commercial motor vehicle and who is required by federal law to have a commercial driver's license or who are considered to be safety sensitive employees. Safety sensitive employees are those who hold commercial drivers' licenses or who operate vehicles which may only be operated by holders of commercial drivers' licenses, or those who perform safety sensitive functions as defined in federal regulations. This policy is required by the Omnibus Transportation Employee Testing Act of 1991 and the regulations, (49 C.F.R. Part 382) (the "federal regulations").

The school facilities director shall set forth the procedures of complying with this policy and the federal regulations and shall provide copies of this policy and the regulations to each employee subject to this policy.

Nothing in this policy shall prohibit the dismissal or other disciplinary action against an employee pursuant to any other policy, regulation, ordinance or law. This policy is intended to supplement, and not supplant, any such other policy, regulation, ordinance or law.

This policy is being adopted pursuant to the requirements of the Act. It is not intended to permit, nor shall it be construed as permitting, any employee to come to work under the influence of drugs or alcohol, regardless of the level. Such employees will be subject to disciplinary action, including dismissal

III DEFINITIONS

1. "Alcohol" means the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohol, including methyl and isopropyl alcohol.
2. "Alcohol use" means the consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.
3. "Commercial motor vehicle" means a motor vehicle that has a gross vehicle weight rating of 26,001 or more pounds or is designed to transport 16 or more passengers, including the driver.

4. "Driver" means any person who operates a commercial motor vehicle, including, but not limited to, full-time, part-time, casual, intermittent and occasional drivers and, for purposes of pre-employment/pre-duty testing, persons applying to be drivers.
5. "Performing a safety-sensitive function" means a driver is considered to be performing a safety-sensitive function during any period in which he or she is actually performing, ready to perform, or immediately available to perform any safety-sensitive function.
6. "Safety-sensitive function" means any of those on-duty functions set forth in 49 C.F.R. §39.5.2 On-Duty Time, paragraphs 1-7, including, but not limited to, waiting to be dispatched; inspecting, servicing or conditioning a commercial motor vehicle; all driving time; all time in or upon any commercial motor vehicle; all time loading and unloading a vehicle; and all time repairing, obtaining assistance or remaining in attendance upon a disabled vehicle.

IV IMPLEMENTATION/PROCESS

Employees will be tested through an appropriate testing agency or medical facility for five prohibited drugs: marijuana, cocaine, opiates, amphetamines, and phencyclidine. Tests will also be conducted for specific prohibited alcohol related conduct while performing in safety sensitive functions. This policy prohibits the performance of safety sensitive functions by a driver having any measurable amount of alcohol as indicated by an alcohol breath test.

A. Pre-Employment Testing

1. Prior to the first time a driver performs safety-sensitive functions for the school, he/she shall undergo testing for controlled substances. Testing will be done through an appropriate testing agency.

B. On-Duty and Pre-Duty Use

1. Alcohol concentration: No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having any measurable amount of alcohol in their system.
2. Alcohol possession: No driver shall be on duty or operate a commercial motor vehicle while the driver possesses alcohol, unless the alcohol is manifested and transported as part of a shipment.
3. No driver shall use alcohol while performing safety-sensitive functions, or perform safety-sensitive functions within four (4) hours after using alcohol.
4. Refusal to submit to tests: No driver shall refuse to submit to an alcohol or controlled substance test. Refusal to take tests as required by this policy will constitute a verified drug or alcohol test result. An employee who refuses a required test will be subject to the same sanctions as an employee who tests positive for drug or alcohol misuse.
5. Controlled substances use: No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor

vehicle. No driver shall report for duty, remain on duty or perform a safety-sensitive function, if the driver tests positive for controlled substances.

Consequences of Alcohol Misuse

Employees who engage in prohibited alcohol conduct will, at a minimum, be immediately removed from safety sensitive functions. Employees who have engaged in alcohol misuse will not be returned to safety sensitive duties until they have been evaluated by a substance abuse professional, designated by the employer, and have complied with any treatment recommendations to assist them with an alcohol problem. In addition, employees who engage in prohibited alcohol conduct may be subject to further disciplinary action, up to and including dismissal.

Consequences of Drug Use

Employees who test positively for drug use will, at a minimum, be immediately removed from safety sensitive duty when a physician designated by the employer has determined that the positive drug test resulted from the unauthorized use of a controlled substance. If the positive test result is determined by the physician to be caused by the authorized use of a controlled substance, the employee will not be removed from the safety sensitive position. If physician determines positive drug test resulted from an unauthorized use of a controlled substance, the employee will not be returned to safety sensitive duties until he/she has been evaluated by a substance abuse professional designated by the employer has complied with rehabilitation recommendations, and has a negative result on a return to duty test. Follow-up testing will be conducted to monitor the returned employee's continued abstinence from drug use. In addition, employees who engage in the unauthorized use of controlled substances may be subject to disciplinary action up to and including dismissal.

Employee Education Programs

The employer will provide information and educational materials to safety sensitive employees and supervisors of safety sensitive employees on the consequences of drug and alcohol abuse and treatment resources in accordance with the requirements of the Testing Act. At a minimum, supervisors of safety sensitive employees will annually be required to attend at least one hour of training on the signs and symptoms of drug use and an additional hour on the signs and symptoms of alcohol abuse.

C. Post-Accident Testing

Post-accident tests will be conducted after accidents (as defined by federal regulation) on employees whose performance could have contributed to the accident.

1. As soon as practical after an accident, the employer will test for alcohol and controlled substances of any driver through an appropriate testing agency or medical facility (a) who receives a ticket arising from the accident or (b) who was performing safety-sensitive functions with respect to the vehicle and an accident (as defined by federal regulation) occurs or employees whose performance could have contributed to the accident.

2. A driver who is subject to post-accident testing shall remain readily available for such testing and shall not use alcohol for eight (8) hours after the accident or until he/she undergoes the alcohol test, whichever occurs first.

D. Random Testing

All drivers shall be subject to unannounced random alcohol and controlled substances tests. A driver who is notified of selection for random testing must proceed to a designated test site immediately, unless the driver is performing a safety-sensitive function, in which case the driver shall proceed to the site as soon as possible after ceasing to perform the function.

E. Reasonable Suspicion Testing

A driver shall be subject to alcohol or controlled substances' testing when there is reasonable suspicion to believe the driver has violated the prohibitions in paragraph IV.B of this policy.

F. Return-to-Duty Testing

Before a driver returns to duty requiring the performance of a safety sensitive function after violating paragraph IV.B of this policy, the driver shall undergo an alcohol test with a result indicating no measureable alcohol concentration or a controlled substances test with a negative result.

G. Follow-up Testing

A driver who violates paragraph IV.B of this policy and who is determined pursuant to this policy to be in need of assistance in resolving problems associated with alcohol misuse and for use of controlled substances shall be subject to unannounced follow-up alcohol and controlled substances testing as directed by a substance abuse professional.

H. Referral, Evaluation and Treatment

1. A driver who violates paragraph IV.B of this policy shall be advised of the resources available to him/her in evaluating and resolving problems associated with the misuse of alcohol and the use of controlled substances. A driver identified as needing assistance in resolving such problems shall be evaluated by a substance abuse professional to determine that the driver has properly followed any and all prescribed rehabilitation programs. The evaluation and rehabilitation shall be provided by substance abuse professionals approved by the employer and paid for by the driver. The school will not pay for the rehabilitation and treatment of any employee who has tested positive for drug or alcohol use, whether or not such rehabilitation and treatment is made a precondition of that employee's continued employment or return to a safety sensitive position.
2. The provisions of this paragraph shall not apply to applicants for driver positions who violate paragraph IV.B of this policy. Such persons shall not be employed.

10 Wellness

Section 10.1 Wellness

Section 10.1

STATEMENT OF PURPOSE

The Lamoille North Supervisory Union Board of School Directors is committed to creating a healthy environment in its schools that enhances lifelong wellness practices, promotes healthy eating and physical activity in order for staff and students to grow.

POLICY STATEMENT

The Wellness Policy shall focus on current and future health education, physical education and services by addressing the following areas:

- Nutrition Education Goals
- Physical Education Goals
- Physical Activity goals
- Nutritional Guidelines

IMPLEMENTATION/PROCESS

Nutrition Education Goals

Nutrition Education will be taught within the Health and Physical Education Curriculum in accordance with federal and state laws. The nutrition education component will focus on good and wide food choices emphasizing diet as a “way of life” conducive to good health.

Physical Education Goals

Physical Education shall provide students the knowledge and skills necessary for lifelong physical activity in line with state and federal law. Students shall receive physical education opportunities within the school day.

Physical Activity

Opportunities will be available for students to participate in supervised, physical activities beyond the physical education curriculum to maintain fitness and promote a healthy lifestyle throughout the normal instructional day. All students will have opportunities, support and encouragement to be physically active on a regular basis.

Nutritional Guidelines

All foods and beverages sold during the school day will comply with existing state and federal laws, inclusive of non-competition regulations as established by law. Foods and beverages sold through the Nutrition and Food Service program will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students at the guidelines established by law, appropriate for that level.

This Policy serves as assurance that the school’s guidelines for reimbursable school meals are not less restrictive than regulations and guidance issued by the Secretary of Agriculture pursuant to the National School Lunch Act and the Child Nutrition Act. The Nutrition and Food Service program will provide clean, safe and acceptable settings for students to eat. To reinforce nutrition education and establish healthy attitudes towards eating and food choices, nutrition and dietary guidelines may be integrated

throughout the curriculum.

Food sold within or outside of the normal school day at school sponsored events or as available in vending machines on school owned property will include healthy food and beverage choices.

Assessment Guidelines

Administration will ensure compliance with the Wellness Policy and will provide a report of the school district's compliance with the Policy to the school board as requested through data available to them. Policy development and review will involve the school board, community, students and staff.

AUTHORITY AND CROSS-REFERENCE

16 V.S.A. §§131 & 906(b)(3)

National School Lunch Act, 42 U.S.C. 1751

Child Nutrition Act of 1966, 42 U.S.C. 1751

Child Nutrition and WIC Reauthorization Act of 2004

Section 204 of Public Law 108-265

Code of Federal Regulations, 7 CFR Part 210 and Part 220

Legal Review: 7/17/06

Date Warned: 06/20/06

Date Adopted: 08/01/06

Date Reviewed: