



MAPLEHILL SCHOOL
STUDENT
HANDBOOK
2015 - 2016

Our Vision

Maplehill School is a safe, caring, land-based educational community where relationships inspire learning.

Our Mission

Our mission is to provide real-world educational experiences where students and adults gain practical skills and personal successes.

Through the acquisition of academic, vocational, and social skills, students are prepared for further education, training, employment, and independent living. Students leave Maplehill School with the strength of character and self-worth that allows them to live socially responsible, positive, productive lives, give to others, and contribute to the health and beauty of their surroundings.

Maplehill School is a private, non-profit school for students from grades 7-12.

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Plainfield, VT 05667
(802) 454-7747
Farm # 454-1169
Fax: 454-1902**

**Email: info@maplehillschoolandfarm.org
Website: www.maplehillschoolandfarm.org**

COMMUNICATIONS

Quality communication reduces misunderstandings. As a school community we place great value in practicing responsible communication. We encourage parents/guardians to call with questions, comments, praises or concerns. Please let us know if there are circumstances that may be affecting the quality of your educational experience here. We shall write or call with the same. If a student is going to be absent, please call by 8:15 AM on that day to inform us and transportation services. If we have not heard anything by 8:45, we shall call the parents/guardians.

In the case of a school emergency cancellation, it will be announced on TV stations WCAX & WPTZ as well as radio stations 107.1 FM, 100.9 FM & 1450 AM.

COMMUNITY MEETING

Community meetings are regular meetings to make announcements, acknowledge achievements and discuss plans or concerns. Community meetings are considered to be class time in the Integration Program and all students are expected to attend.

COMPUTERS AND TECHNOLOGY

Maplehill School makes use of computer technology to enhance the learning experience of the students. This includes: improvement of keyboarding techniques, photo processing and editing and internet research. Computers are used only for educational or therapeutic purposes. Students may not use school computers to check personal email, surf the web for entertainment purposes or visit websites that do not serve an educational purpose. All student activity on computers is monitored by a member of the school faculty or staff.

CURRICULUM

Maplehill School is approved by the State of Vermont to grant diplomas, and therefore follows the curriculum requirements recommended or required by the Department of Education. The department has adopted "The Framework of Standards" which is a comprehensive document that outlines vital results, field of knowledge and learning opportunities that all Vermont students should experience throughout their school years.

The curriculum provides opportunities for students to grow personally and academically and develop a sense of community. The curriculum further offers opportunities to explore the natural environment and learn basic life skills in order to be self-sufficient.

DRESS

Items of clothing or jewelry which are inappropriate for school are those which:

- Promote the use of alcohol, tobacco, drugs or violence

- Depict, in words or graphics, messages which demean, harass, exploit or ridicule others
- Contain profanity or refer to or depict, in words or graphics, obscene gestures, actions or messages
- Are excessively revealing, e.g. items that expose the chest, abdomen, navel, buttocks or underwear.

When students are in violation of the dress code, Maplehill will attempt to resolve the issue with the student. If the problem persists, parents/guardians may be contacted.

DRUGS, ALCOHOL AND WEAPONS

In order to maintain a safe environment, drugs, alcohol, and weapons of any kind are strictly prohibited. By State and Federal law, weapons are defined as, but not limited to: gun, knife, metal knuckles, straight razor, noxious, irritating or poisonous gas, and poison, other items used with the intent to harm, threaten or harass students, staff, parents/guardians or school visitors. Maplehill School includes lighters in this category as a threat to both people and property.

If anything questionable is found, it will be confiscated, and an immediate inquiry will take place. Violation of this policy will be addressed as outlined under **POLICIES & PROCEDURES**. Depending upon the seriousness of the infraction, the student may be suspended from participation in school activities and the incident may be reported to the police. A student's refusal to cooperate will result in an immediate suspension from school activities.

Any acts of violence, whether self-imposed, directed at others, or directed at property may lead to suspension.

See Appendix

ELECTRONIC DEVICES & TOYS

Electronic devices such as: cell phones, personal computers, cameras, iPods, video games, remote control toys, etc. can be used as deemed appropriate by Maplehill School Staff for academic and therapeutic purposes only. Students must have permission from Maplehill Staff for any use of electronic devices. Maplehill School will take no responsibility for any electronic devices that are damaged, lost or stolen before, during or after the school day. Violation of this policy will be addressed as outlined under **POLICIES AND PROCEDURES**.

EMERGENCY PLANS

In case of unusual events that prompt extraordinary responses, Maplehill School follows set emergency procedures when necessary. These procedures address instances where: an evacuation of the school is necessary, where keeping students at school for longer than scheduled is necessary or where enlisting the on-site support of emergency services is called for.

EVALUATION OF PROGRESS

Maplehill School conducts regular student evaluations and assessments.

On a quarterly basis, the school prepares a progress report that includes a grade sheet for each subject area in the curriculum, a narrative report and an IEP goals report. Parent conferences are offered to parents/guardians as needed or by request.

Maplehill School faculty internally conducts regular assessments of each student. These are used to individualize curriculum offerings and to continually develop appropriate accommodations for each student. The compilation of these assessments is used to inform quarterly progress reports. These assessments are used when a weekly progress report is needed to ensure accountability for a student's progress.

In cases where a daily evaluation is needed to ensure a close and clear tabulation of a student's progress, Maplehill School maintains direct contact with parents/guardians by telephone. In some instances, the school arranges for a daily checklist of evaluation goals to be sent home and returned the next day with parent/guardian signature.

Maplehill School contacts a student's parent/guardian if the student's behavior and/or scholastic achievement are causing concern for the faculty. The school addresses initial concerns in such cases directly and immediately with the student and involves parents/guardians when these initial efforts are ineffective.

EXPECTATIONS

1. At Maplehill School, all people are **respectful**. This means that they will speak in a way that considers the feelings and dignity of others, rather than to degrade or ridicule them; that they honor the personal, physical, and emotional boundaries of others; that they treat the property of the school and of others and the land with utmost care; and that they support the learning environment of the school.
2. People are **engaged** throughout the day. This may be in the form of participating in teacher-directed classes and activities; initiating and working on their own learning projects (approved by a teacher); attending group meetings; or helping with daily chores.
3. People are **responsible**. This refers to: keeping commitments and agreements; being where they are asked to be or obtaining permission to be elsewhere; following through on school work of all forms and doing the best they can with it; and taking responsibility for their own feelings and behaviors.
4. People remain present in the prescribed boundaries of the school. Faculty members need to know where all students are at any given time.

Maplehill School addresses the above expectations through individual instruction, guidance and encouragement; checklists to account for behavior; group councils for feedback, public acknowledgement, conflict resolution practices, and small group meetings. The school recognizes and attends to the principle that attending to the emotional/behavioral expressions of

individual needs provides the greatest opportunities for overall student success. Developing, maintaining and repairing social relationships are high priorities at Maplehill School. These form the basis for continued growth and development both socially and academically.

HEALTHY FOOD PROGRAM

Maplehill School recognizes the value of sharing mealtimes in developing self-esteem and building rapport. We put a lot of effort and attention into creating a beneficial dining experience through our Healthy Food Program, which is a significant part of Maplehill School educational program. The Healthy Food Program includes a light breakfast/snack in the morning, a full mid-day meal and access to fruits and vegetables throughout the day. In addition to supporting nutritious eating habits, the program creates numerous opportunities for practical living experiences around food shopping and budgeting, menu planning, preparation, serving, social graces and clean up. Each day, the midday meal begins with an explanation of what is being served, where the ingredients came from – including meat and vegetables from Maplehill School Farm itself – a conversation about healthy portions and finally a moment of peace for individual reflection and appreciation.

The breakfast and lunch costs per student and payment options are included in the Healthy Food Program Form, which we ask parents/guardians to fill out each year and return to us. Families have the option to fill out a Household Income Form to determine whether or not their child qualifies for a free or reduced-price meal at Maplehill School.

Maplehill School holds to certain agreements about food and beverages during the school day. Food and beverages are consumed only in the dining room, the kitchen area or other approved areas. Students must have permission to be in the kitchen. The school monitors student use of “energy drinks” and snack foods with excessive sugar content during the school day. In cases where those food or drink items seem to be affecting behavior, the school can intervene. Students who are under the age of 18 must have written permission to consume caffeinated drinks.

HOUSEKEEPING

The condition of the building depends on the pride we as a community take in keeping it clean, orderly, and aesthetically pleasing. Part of this maintenance requires some time each day to tidy and clean up. Each person is responsible to pick up after him/herself. Additionally students take part in housekeeping chores to maintain the cleanliness of the school. Maplehill School faculty works directly with students to complete these chores and students receive credit based upon their work. Students may earn the privilege of being paid to do deeper, more extensive cleaning as job training.

INTEGRATION

Integration is the word used to describe all efforts by members of Maplehill School community to bring relevance to students’ work in school. It is practiced through choice in elective classes, job placements outside of school, individualized courses of study, process meetings and any

number of opportunities available in the extended community that have educational value and speak directly to the needs of an individual.

PARENT/GUARDIAN INVOLVEMENT

Parents/guardian involvement is a crucial component to their child's education. The more parents/guardians are able to support both students and faculty, and are a part of our decision-making and planning, the better. We invite and welcome parents/guardians to join us for special events, such as our Harvest Supper, celebrations of student accomplishments, and seasonal festivities.

More specifically, parents/guardians are asked to come to school to join student and faculty at:

- 1.) The first day of school to review this handbook with students and teachers and to meet all faculty and staff
- 2.) Individual student, teacher, parent conferences and team meetings
- 3.) Special Events - Harvest Supper, our annual fundraising event, held in October and the Graduation and Awards Ceremony in June

PERSONAL PROPERTY

Maplehill School is not liable for damage or theft of any personal items that are at school or during school activities. The school may assist individuals in cases where efforts are made to recover damages.

POLICIES & PROCEDURES

Policies have been and continue to be adopted to address state mandates for maintaining a safe environment. Currently listed in the appendix of this document are policies pertaining to: Student Conduct and Discipline, Hazing, Student Harassment Prevention, Weapons and Electronic Devices.

Though we work with EXPECTATIONS to maintain a positive climate, infractions do occur. We attempt to handle any infraction during the course of the school day, providing opportunities for learning to correct mistakes and take responsibility for one's own actions. The following behaviors require further action if they are repeated, excessive, or not satisfactorily corrected within the course of the school day.

1. Threatening behavior/violence/speech
2. Vandalism/theft of property/environment
3. Using foul, offensive, or demeaning language
4. Disrupting the learning process
5. Inappropriate use of electronic devices

Negative behaviors are addressed in the following way:

1. A faculty or staff member identifies the problem behavior.
2. The student is given a chance to de-escalate, when necessary.

3. A faculty member and student discuss the issue, until they arrive at a mutually satisfactory resolution. A written agreement may be developed which the student signs to verify understanding and agreement.
4. If that does not occur, the student may have a private conference with a faculty member until a resolution is agreed upon. This may or may not involve other members of the community.
6. If this does not occur by the end of the day, or if the incident is not adequately addressed, the parents/guardians are called. When called, the parents/guardians are asked to address the student's behavior and to contact the school the following morning to report on outcomes.
7. If this same set of circumstances occurs frequently, before returning to school, a meeting is held with the student, faculty and parents/guardians. This group adopts a plan that includes the student's agreement to address the behavior.
8. Upon the lack of further progress, a full team meeting is called to discuss the requirements for remaining in school and address, if necessary the possibility of revoking the student's enrollment.
9. In any event, students are required to take responsibility for their actions and make restitution or other restorative actions whenever possible.

In cases of excessively negative or unsafe behavior, the student may be suspended and will only be reinstated after a meeting with the parent/guardian at the school. Suspension is used not only to provide a suspended student with the opportunity to re-commit to being enrolled at Maplehill, but also to provide the remainder of Maplehill School community with an opportunity to re-establish behaviors that reflect the agreements of the community.

SCHOOLWORK

Maplehill School maintains that students have a responsibility to complete their schoolwork during allocated class periods. Unfinished class work supersedes students' regularly scheduled elective classes and is addressed by a Maplehill faculty in one-on-one or small group tutorial sessions. Unfinished class work may become homework. A Maplehill School faculty member will contact parent/guardian directly if homework has been assigned on any given evening.

A goal of Maplehill School is to help students to be successful in completing schoolwork. They may need help with the work itself, with organization, with communication, with forgetfulness, or they may simply have had a rough day or night and need extra time. If a failure to complete work or attempting to complete work becomes chronic, and conferences are unsuccessful, a meeting is called to review the student's placement at Maplehill School.

SEARCH & SEIZURE

Maplehill School, reserves the right, with reasonable doubt, to conduct searches of students and their personal effects. Searches are conducted by at least two Maplehill faculty members. Students are expected to actively cooperate by emptying their pockets, backpacks, etc. Parents/guardians are called in to assist in cases of student refusal and are informed about the

nature of a search and its results in all cases. Inappropriate items found in a search are confiscated and may be released at an appropriate time to the students or to the parent/guardian. Illegal items taken during a search are referred to appropriate law enforcement officials.

STUDENT HEALTH

Each year, parents/guardians fill out a student medical form. Any prescription medication to be taken during school time is locked in the office to be administered by faculty at appropriate times. A letter from the student's doctor concerning the prescription and dosage must be on file. By state policy, parents/guardians must report when all medications are transported to school. Over-the-counter medications are given only with parent/guardian permission. For the health and well being of the entire community, **anyone who is sick is asked to stay home or may be sent home.**

TOBACCO POLICY

Maplehill School is a tobacco-free environment. Use or possession of tobacco products is prohibited at the school or during school events. Violation of this policy will be addressed as outlined under POLICIES & PROCEDURES.

TRANSPORTATION

The sending school district for students is responsible for providing student transportation. This means that it is the responsibility of parent/guardian to inform transportation services of changes or unique needs in schedules. These must also be approved by the sending school district that covers these costs.

Transportation services are considered a privilege rather than a right and student behavior during transportation is to be consistent with the standards of Maplehill School. A student's failure to behave accordingly may result in the loss of their transportation arrangement.

Safety is a primary concern and dismissal procedures help to ensure student safety. Students are to be picked up or dropped off only in the parking lot of the school. Drivers may not drop students off or wait for them on the road. Students may go to their rides only after they have been dismissed from school.

Students who wish to drive to school must obtain permission from the school to do so. At a minimum, the student must submit written permission from parents/guardians (if under the age of 18) and show proof of registration and insurance. Maplehill School reserves the right to revoke a student's permission to drive to school at any time. The school does not allow for any student driver to transport another student to the school.

Any other ride arrangements need to be preapproved by the school.

WEEKLY SCHEDULE

We operate Monday through Friday 8:30 AM to 2:30 PM.

Maplehill School makes every effort to dismiss students promptly. There are circumstances however, in which certain students or even the entire student body is required to stay a little beyond the stated dismissal time to properly complete the school day.

VANDALISM

In cases where a student's behavior leads to damage to school grounds or associated properties, the student will make restitution. This restitution will include a monetary payment to cover costs of materials and labor. In cases where repair is not possible, the cost will be for replacement. Students may be offered an opportunity to eliminate labor costs by working with faculty/staff to complete the required work. If the student wishes to utilize this opportunity, they must make arrangements begin the work the following school day to address the damage. If a student does damage, his/her parent/guardian will be informed about the incident and be asked to assist in arranging the logistics of such work.

APPENDICES

I.

STUDENT CONDUCT AND DISCIPLINE

Policy

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

The goal of this policy is to create an environment where the rules for student behavior are clearly stated, are understood and accepted by students and staff, and are applied in compliance with due process requirements. This policy is to be applied in conjunction with the school's overall discipline plan developed pursuant to 16 V.S.A. § 1161a.

Student Responsibilities

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

Administrative Responsibilities

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

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

The Program Director or his designee shall be responsible for carrying out discipline procedures conforming to the following guidelines.

1. A student may request a meeting with the Program Director or his designee to review any disciplinary action, other than suspension or expulsion, affecting the student. If requested, the Program Director or his designee shall hold an informal meeting to

review the incident and to hear the views of the student and any other persons who may have information that the Program Director or designee believes to be relevant in the circumstances. The Program Director or designee shall issue a prompt decision to the student, which may be oral or written. Except as otherwise provided in this policy, the decision of the Program Director will be final.

Suspension or expulsion of students shall be imposed in accordance with state and federal law and regulations, due process requirements, and the following rules and procedures:

- A. The Program Director or his or her designee may assign a student to in-school detention for up to 10 consecutive school days for any infraction of school rules. As provided in the school's overall discipline plan, students assigned to in-school detention will be provided with reasonable opportunities to complete academic assignments and to benefit from counseling or other activities designed to bring about improvements in their behavior.
- B. A student who poses an immediate danger to persons or property or a significant threat of disrupting the academic process of the school shall be removed from the school or to a place within the school determined by the Program Director or his or her designee to be sufficiently secure to ensure the safety of students and school personnel and the continuation of the academic process. The Program Director or designee shall notify a parent or guardian of a student who is removed from school without undue delay. If the parent or guardian cannot be notified, the student will be detained at school or at another safe and secure setting for the remainder of the school day.
- C. No student will be removed from school for more than the remainder of a school day unless the student and his or her parents/guardians are given an opportunity for an informal hearing pursuant to paragraph "D" of this policy. When immediate removal of a student is necessary prior to a hearing, the hearing shall be held as soon as possible following the removal.
- D. The Program Director may suspend a student for a period of 10 days or less for misconduct occurring on or off school grounds. Except as provided in paragraph "B" above, prior to such a suspension, the student and his or her parent or guardian shall be given an opportunity for an informal hearing with the Program Director or his or her designee. The student and his or her parent or guardian must be given notice of the charges, an explanation of the evidence against the student, an opportunity for the student to tell his or her side of the story, and a decision in writing to the parent or guardian.
- E. The Program Director may, in accordance with 16 V.S.A. §1162(a), impose a long-term suspension or expulsion of a student (for longer than ten days and up to 90 school days or the remainder of the school year, whichever is longer) for

misconduct on school property or at a school-sponsored activity when the misconduct makes the continued presence of the student harmful to the welfare of the school.

- F. In accord with the overall discipline plan developed under 16 V.S.A. §1161a, short-term (ten days or less) or long-term suspension or expulsion may be imposed for misconduct **not** on school property or at a school-sponsored activity where direct harm to the welfare of the school can be demonstrated.
 - G. Long- term suspension or expulsion must be preceded by notice and formal due process procedures, including the opportunity for a hearing before the IEP team for Special Education students or a similarly constituted group. The Program Director shall notify the student and his or her parents/guardians in writing of the nature of the charges, the date, the time and place of the hearing, the right to have legal representation, and the disciplinary action to be recommended. This notice shall be provided in sufficient time to allow the student and his or her parents/guardians to prepare for the hearing. At the hearing, the student and parent/guardian shall be given an opportunity to present evidence and to cross-examine witnesses. The Program Director shall issue a written decision within 14 days of the conclusion of the hearing.
2. Notwithstanding the above provisions, a legal pupil who has a disability or is suspected of having a disability, and is eligible for special education services or Section 504 services may be removed from his or her current educational placement for disciplinary reason for more than 10 consecutive days, or for more than 10 cumulative days in a school year only in accordance with Vermont State Board of Education Rules 4313 or 4312. The Program Director, with the agreement of the Special Education Director, may impose short-term disciplinary sanctions on special education students as provided in Vermont State Board of Education Rule 4313. The Program Director and the Special Education Director will develop additional procedures as needed to govern the discipline of students with disabilities.
 3. In the event a student brings a weapon to school, the procedures set forth in the Weapons policy shall apply.

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

I. Statement of Policy

Maplehill School is committed to providing all of its students with a safe and supportive school environment in which all members of the school community are treated with respect.

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

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

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

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

II. Implementation

The superintendent or his/her designee shall:

1. Adopt a procedure directing staff, parents and guardians how to report violations of this policy and file complaints under this policy. (See Model Procedures on the Prevention of Harassment, Hazing and Bullying of Students)

¹ Throughout this model policy and the related procedures, "District" shall apply to Independent Schools and should be substituted as appropriate. References to the Superintendent shall equate to "Head of School" or "Headmaster" as appropriate, with regard to Independent Schools. Where language suggests a "District" will take action, it shall be the Superintendent, the Head of School, the Headmaster or his/her designee.

2. Annually, select two or more designated employees to receive complaints of hazing, bullying and/or harassment at each school campus and publicize their availability in any publication of Maplehill School that sets forth the comprehensive rules, procedures, and standards of conduct for the school.
3. Designate an Equity Coordinator to oversee all aspects of the implementation of this policy as it relates to obligations imposed by federal law regarding discrimination. This role may be also be assigned to one or both of the Designated Employees.

4. Respond to notifications of possible violations of this policy in order to promptly and effectively address all complaints of hazing, harassment, and/or bullying.
5. Take action on substantiated complaints. In cases where hazing, harassment and/or bullying is substantiated, Maplehill School shall take prompt and appropriate remedial action reasonably calculated to stop the hazing, harassment and/or bullying; prevent its recurrence; and to remedy the impact of the offending conduct on the victim(s), where appropriate. Such action may include a wide range of responses from education to serious discipline.

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

III. Constitutionally Protected Speech

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

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

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

- B. **“Complaint”** means an oral or written report information provided by a student or any person to an employee alleging that a student has been subjected to conduct that may rise to the level of hazing, harassment or bullying.
- C. **“Complainant”** means a student who has provided oral or written information about conduct that may rise to the level of hazing, harassment or bullying, or a student who is the target of alleged hazing, harassment or bullying.
- D. **“Designated employee”** means an employee who has been designated by the school to receive complaints of hazing, harassment and bullying pursuant to subdivision 16 V.S.A. 570a(a)(7). The designated employees for each school building are identified in Appendix A of this policy.
- E. **“Employee”** includes any person employed directly by or retained through a contract with Maplehill School, an agent of the school, a school board member, a student teacher, an intern or a school volunteer. For purposes of this policy, “agent of the school” includes supervisory union staff.
- F. **“Equity Coordinator”** is the person responsible for implementation of Title IX (regarding sex-based discrimination) and Title VI (regarding race- based discrimination) for Maplehill School and for coordinating Maplehill School’s compliance with Title IX and Title VI in all areas covered by the implementing regulations. The Equity Coordinator is also responsible for overseeing implementation of Maplehill School’s *Preventing and Responding to Harassment of Students and Harassment of Employees* policies. This role may also be assigned to Designated Employees.
- G. **“Harassment”** means an incident or incidents of verbal, written, visual, or physical conduct, including any incident conducted by electronic means, based on or motivated by a student’s or a student’s family member’s actual or perceived race, creed, color, national origin, marital status disability, sex, sexual orientation, or gender identity, that has the purpose or effect of objectively and substantially undermining and detracting from or interfering with a student’s educational performance or access to school resources or creating an objectively intimidating hostile, or offensive environment.

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

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

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

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

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

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

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

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

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

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

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

I. **"Notice"** means a written complaint or oral information that hazing, harassment

or bullying may have occurred which has been provided to a designated employee from another employee, the student allegedly subjected to the hazing, harassment or bullying, another student, a parent or guardian, or any other individual who has reasonable cause to believe the alleged conduct may have occurred. If the school learns of possible hazing, harassment or bullying through other means, for example, if information about hazing, harassment or bullying is received from a third party (such as from a witness to an incident or an anonymous letter or telephone call), different factors will affect the school's response. These factors include the source and nature of the information; the seriousness of the alleged incident; the specificity of the information; the objectivity and credibility of the source of the report; whether any individuals can be identified who were subjected to the alleged harassment; and whether those individuals want to pursue the matter. In addition, for purposes of violations of federal anti-discrimination laws, notice may occur when an employee of Maplehill School, including any individual who a student could reasonably believe has this authority or responsibility, knows or in the exercise of reasonable care should have known about potential unlawful harassment or bullying.

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

APPENDIX A

Designated Employees:

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

Name:

Title:

Contact Information:

Name:

Title:

Contact Information:

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

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

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

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

- C. Other reporting: Any other person who witnesses conduct that s/he reasonably believes might constitute hazing, harassment and/or bullying under this policy should promptly report the conduct to a designated employee.
- D. Documentation of the report: If the complaint is oral, the designated employee

shall promptly reduce the complaint to writing in a Student Conduct Form, including the time, place, and nature of the alleged conduct, the identity of the complainant, alleged perpetrator, and any witnesses. Both the complainant and the alleged perpetrator will have the right to present witnesses and other evidence in support of their position.

- E. False complaint: Any person who knowingly makes a false accusation regarding hazing, harassment and/or bullying may be subject to disciplinary action up to and including suspension and expulsion with regard to students, or up to and including discharge with regard to employees. There shall be no adverse action taken against a person for reporting a complaint of hazing, harassment and/or bullying when the person has a good faith belief that hazing, harassment and/or bullying occurred or is occurring.
- F. Rights to Alternative Complaint Process: In addition to, or as an alternative to filing a harassment complaint pursuant to this policy, a person may file a harassment complaint with the Vermont Human Rights Commission or the Office for Civil Rights of the U.S. Department of Education at the addresses noted below:

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

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

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

- A. Upon **notice of information** that hazing, harassment and/or bullying may have occurred the designated employee shall:
- i. Promptly reduce any oral information to writing, including the time, place, and nature of the conduct, and the identity of the participants and complainant.
 - ii. Promptly inform the school administrator(s) of the information;
 - iii. If in the judgment of the school administrator, the information alleges conduct which may constitute harassment, hazing or bullying, the school

administrator shall, as soon as reasonably possible, provide a copy of the policy on hazing, harassment and bullying and these procedures to the complainant and accused individual, or if either is a minor, cause a copy to be provided or delivered to their respective parent or guardian.

- B. Upon **initiation of an investigation**, the designated employee shall:
- i. Notify in writing both the complainant and accused individual (or if either is a minor inform their respective parent or guardian) that:
 1. an investigation has been initiated;
 2. retaliation is prohibited;
 3. all parties have certain confidentiality rights; and
 4. they will be informed in writing of the outcome of the investigation.
- C. All notifications shall be subject to state and/or federal laws protecting the confidentiality of personally identifiable student information. Pursuant to 34 CFR Part 99.30, a school administrator may seek the consent of the parent/guardian of the accused student, or the accused eligible student (if 18 or older, the accused student has the ability to consent), in order to inform the complainant of any disciplinary action taken in cases where the school determined that an act(s) of harassment, hazing, and/or bullying, or other misconduct occurred. The parent/guardian or eligible student shall provide a signed and dated written consent before an educational agency or institution discloses personally identifiable information from the student's education records.

III. Investigating Hazing, Harassment and/or Bullying Complaints

- A. Initiation of Investigation - Timing. Unless special circumstances are present and documented, such as reports to the Department for Children and Families (“DCF”) or the police, the school administrator shall, no later than one school day after Notice to a designated employee, initiate or cause to be initiated, an investigation of the allegations, which the school administrator reasonably believes may constitute harassment, hazing or bullying.
- B. Investigator Assignment. The school administrator shall assign a person to conduct the investigation; nothing herein shall be construed to preclude the school administrator from assigning him/herself or a designated employee as the investigator. No person who is the subject of a complaint shall conduct such an investigation.
- C. Interim Measures. It may be appropriate for the school to take interim measures during the investigation of a complaint. For instance, if a student alleges that he or she has been sexually assaulted by another student, the school may decide to place the students immediately in separate classes and/or transportation pending the results of the school’s investigation. Similarly, if the alleged harasser is a teacher, allowing the student to transfer to a different class may be appropriate. In all cases, the school will make every effort to prevent disclosure of the names

of all parties involved – the complainant, the witnesses, and the accused -- except to the extent necessary to carry out the investigation. In all cases where physical harm has resulted and/or where the targeted student is known to be expressing suicidal ideation, or experiencing serious emotional harm, a safety plan will be put in place. Safety plans must also be considered in cases where the targeted student is known to have difficulty accessing the educational programs at the school as a result of the inappropriate behavior. No contact orders, or their enforcement, may also be appropriate interim measures.

and District employees who are accused of certain types of infractions, including but not limited to sexual harassment under Federal Title IX. The rights established under Title IX must be interpreted consistent with any federally guaranteed due process rights involved in a complaint proceeding, including but not limited to the ability of the complainant and the accused to present witnesses and other evidence during an investigation. Maple Hill School will ensure that steps to accord due process rights do not restrict or unnecessarily delay the protections provided by Title IX to the complainant.

- E. Standard Used to Assess Conduct. In determining whether the conduct constitutes a violation of this policy, the investigator shall consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. The complainant and accused will be provided the opportunity to present witnesses and other evidence during an investigation. The school will also consider the impact of relevant off- campus conduct on the school environment where direct harm to the welfare of the school can be demonstrated or the conduct can be shown to pose a clear and substantial interference with another student's equal access to educational programs. Whether a particular action constitutes a violation of this policy requires determination based on all the facts and surrounding circumstances.
- F. Completion of Investigation – Timing. No later than five school days from the filing of the complaint with the designated employee, unless special circumstances are present and documented, the investigator shall submit a written initial determination to the school administrator.
- G. Investigation Report. The investigator shall prepare a written report to include a statement of the findings of the investigator as to whether the allegations have been substantiated, and as to whether the alleged conduct constitutes hazing, harassment and/or bullying. The report, when referencing student conduct, is a student record and therefore confidential. It will be made available to investigators in the context of a review conducted by either Vermont AOE, or investigations of harassment conducted by the Vermont Human Rights Commission or U.S. Department of Education Office of Civil Rights.
- H. Notice to Students/Parents/Guardians. Within five school days of the conclusion of the investigation, the designated employee shall:
 - i. Notify in writing both the complainant and accused individual (or if either is a minor inform their respective parent or guardian) that:

1. the investigation has been completed;
 2. whether or not the investigation concluded that a policy violation occurred (and which policy term was violated, i.e. harassment, hazing and/or bullying);
 3. that federal privacy law prevents disclosure of any discipline imposed as a result of the investigation unless the eligible student consents to such disclosure, pursuant to 34 CFR Part 99.30, as set forth in Section II, Part C, above.
- ii. Notify the Complainant Student - or if a minor, their parent(s) or guardian - in writing of their rights to:
1. an internal review by the school of its initial determination as a result of its investigation as to whether harassment occurred;
 2. request an Independent Review of the school's "final" determination as to whether harassment occurred within thirty (30) days of the final determination or although a "final" determination was made that harassment indeed occurred the school's response to that harassment was inadequate to correct the problem; and that the review will be conducted by an investigator to be selected by the superintendent from a list developed by the Agency of Education;
 3. file complaints of harassment with either the Vermont Human Rights Commission and/or the federal Department of Education's Office of Civil Rights.
- iii. Notify the Accused Student – or if a minor, their parent(s) or guardian - in writing of their right to appeal as set forth in Section V of these procedures.

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

IV. Responding to Substantiated Claims

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

(i) Potential Remedial Actions. Remedial action may include but not be limited to an age appropriate warning, reprimand, education, training and counseling, transfer, suspension, and/or expulsion of a student, and warning, reprimand, education, training and counseling, transfer, suspension and/or termination of

an employee. A series of escalating consequences may be necessary if the initial steps are ineffective in stopping the hazing, harassment and/or bullying. To prevent recurrences counseling for the offender may be appropriate to ensure that he or she

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

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

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

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

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

Maplehill School will take reasonable steps to prevent any retaliation against the student who made the complaint (or was the subject of the harassment), against the

person who filed a complaint on behalf of a student, or against those who provided information as witnesses. At a minimum, this includes making sure that the students and their parents, and those witnesses involved in the school's investigation, know how to report any subsequent problems and making follow-up inquiries to see if there are have been any new incidents or any retaliation.

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

V. Post Investigative Reviews

Rights of Complainants

A. Internal Review of Initial Harassment Determinations By Complainant.

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

B. Independent Reviews of Final Harassment Determinations By Complainant.

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

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

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

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

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

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

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

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

Rights of Accused Students

A. Appeal. Any person determined to have engaged in an act(s) of hazing, harassment and/or bullying may appeal the determination and/or any related disciplinary action(s) taken, directly to the school board of the school district. The school board shall conduct a review on the record. The standard of review by the school board shall be whether the finding that an act(s) of hazing, harassment, and/or bullying has been committed constitutes an abuse of discretion by the school level fact finder. Appeals should be made to the school board within ten (10) calendar days of receiving the determination that an act(s) of hazing, harassment

and/or bullying has occurred and/or any announced discipline. The school board shall set the matter for a review hearing at the next scheduled school board meeting to the extent

practicable, but not later than 30 days from receipt of the appeal filing.

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

VI. Confidentiality and Record Keeping

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

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

The school will evaluate the confidentiality request in the context of its responsibility to provide a safe and nondiscriminatory environment for all students. The factors the school might consider in this regard include the seriousness of the alleged harassment, the age of the student harassed, whether there have been other complaints or reports of harassment against the alleged harasser, and the rights of the accused individual to receive

information about the accuser and the allegations if a formal proceeding with sanctions may result. If information about the incident is contained in an “education record” of the student alleging the harassment, as defined by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g, the school will consider whether FERPA prohibits it from disclosing information without the student’s consent.

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

VII. Reporting to Other Agencies

- A. Reports to Department of Children and Families. When a complaint made pursuant to this policy includes allegations of child abuse, any person responsible for reporting suspected child abuse under 33 V.S.A. § 4911, *et seq.* must report the allegation to the Commissioner of DCF. If the victim is over the age of 18 and a report of abuse is warranted, the report shall be made to Adult Protective Services in accordance with 33 V.S.A. § 6901 *et seq.*
- B. Reports to Vermont Agency of Education. If a harassment complaint is made in a public school about conduct by a licensed educator that might be grounds under Vermont law for licensing action, the principal shall report the alleged conduct to the Superintendent and the Superintendent shall report the alleged conduct to the Commissioner. If a harassment complaint is made in an independent school about conduct by a licensed educator that might be grounds under Vermont law for licensing action, the head of school is encouraged to report the alleged conduct to the Secretary of Education.
- C. Reporting Incidents to Police
- a. FERPA Rights. Information obtained and documented by school administration regarding the school’s response to notice of student conduct that may constitute hazing, harassment and/or bullying may constitute an “educational record” regarding the student or student(s) involved as defined by the Family Education Rights and Privacy Act. Accordingly, such information may not be disclosed without prior parent approval to local law enforcement except in response to a lawfully issued subpoena, or in connection with an emergency if disclosure is necessary to protect the health or safety of the student or other individuals.

- b. First Hand Reports. Nothing in this policy shall preclude persons from reporting incidents and/or conduct witnessed first-hand that may be considered to be a criminal act to law enforcement officials.
 - c. Hazing Incidents. It is unlawful to (1) engage in hazing; (2) solicit direct, aid, or attempt to aid, or abet another person engaged in hazing; or (3) knowingly fail to take reasonable measures within the scope of the person's authority to prevent hazing. It is not a defense in an action under this section that the person against whom the hazing was directed consented to or acquiesced in the hazing activity. Hazing incidents will be reported to the police in a manner consistent with the confidentiality rights set forth above in this section.
- D. Continuing Obligation to Investigate. Reports made to either DCF or law enforcement shall not be considered to absolve the school administrators of their obligations under this policy to pursue and complete an investigation upon receipt of notice of conduct which may constitute hazing, harassment and/or bullying.

VIII. Disseminating Information, Training, and Data Reporting

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

Legal References:

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

Education, Classifications and Definitions, 16 V.S.A. §11(26);(30)(A);(32);
 Education, 16 V.S.A. §140(a)(1); Education, 16 V.S.A. §166(e);
 Education, Bullying, 16 V.S.A. §570c;
 Education, Harassment, Hazing and Bullying, 16 V.S.A. § 570;
 Education, Harassment, 16 V.S.A. §570a;
 Education, Harassment, 16 V.S.A. §570c;
 Education, Harassment, 16 V.S.A. §570f;
 Education, Hazing, 16 V.S.A. §570b;
 Education, Hazing, 16 V.S.A. §570f
 Education, Discipline, 16 V.S.A. §1161a;
 Education, Suspension or Expulsion of Pupils; 16 V.S.A. §1162;
 Child Abuse, 33 V.S.A. §§4911 et seq.;
 Adult Protective Services, 33 V.S.A. §6901 et seq., all as they may be amended from time to time.

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

IV

WEAPONS POLICY

Policy

It is the policy of Maplehill School to comply with the federal Gun Free Schools Act of 1994, and 16 V.S.A. §1166 requiring school districts to provide for the possible expulsion of students who bring weapons to school. It is further the intent of Maplehill School to maintain a student discipline system consistent with the requirements of the federal Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act and the Vermont State Board of Education rules.

Definitions

1. For the purposes of this policy, the terms “weapon” and “school”, and “expelled” shall have the following meanings:
 - A. **Weapon** means a firearm as defined in Section 921 of Title 18 of the United States Code and 13 V.S.A. §4016, including,
 - i. any weapon whether loaded or unloaded which will or is designed to or may readily be converted to expel a projectile by the action of an explosive
 - ii. the frame or receiver of any weapon described above
 - iii. any firearm muffler or firearm silencer
 - iv. any explosive, incendiary, or poison gas
 - a. bomb
 - b. grenade

- c. rocket having a propellant charge of more than four ounces
 - d. missile having an explosive or incendiary charge of more than one quarter ounce
 - e. mine, or
 - f. similar device
 - v. any weapon which will, or which may be readily converted to expel a projectile by the action of an explosive or other propellant, and which 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 the two immediately preceding examples and from which a destructive device may be readily assembled
 - vii. Any other weapon, device, instrument, material or substance whether animate or inanimate, which in the manner it is used is intended to be used, is known to be capable of producing death or serious bodily injury.
- B. **School** means any setting which is under the control and supervision of Maplehill School. It includes school grounds, facilities, school-sponsored events whether held on or off school grounds and vehicles used to transport students to and from school or school activities.
- C. **Expelled** means the termination for at least a calendar year of educational services to a student. At the discretion of the Program Director, an expelled student may be afforded limited educational services at a site other than the school during the period of expulsion under this policy.

Sanctions

Any student who brings a weapon to school shall be brought before a review team (IEP team for Special Education students or similarly constituted team) for a hearing.

A student found by the review team after a hearing to have brought a weapon to school may be expelled. However, the Program Director may modify the expulsion on a case by case basis when if finds circumstances such as, but not limited to:

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

An expulsion hearing conducted under this policy shall afford due process as required by law. In addition, any student who brings a weapon to school shall be referred to a law enforcement agency.

As required by state law, the Program Director shall annually provide the Commissioner of Education descriptions of the circumstances surrounding expulsions imposed under this policy, the number of students expelled and the type of weapons involved.

APPENDIX A

Designated Employees

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

Lorita Adkins
Executive Director/Director of Operations
454-7747

Joe Astick
Program Director
454-7747

Jim Gerstman
Dean of Students - Small Group Program (SGP)
454-7747

Mitch Hunt
Dean of Students - Individual Care Program (ICP)

Roseanne Scotta
Special Education Coordinator
454-7747