

F-28-R: Federal Child Nutrition Act Wellness Policy ^[1]

Purpose

The intent of this Policy is to ensure compliance with the local policy requirements of the federal Child Nutrition and WIC Reauthorization Act of 2004. In accord with those requirements, this Policy has been developed in consultation with parents, students, representatives of the school food services authority, school administrators, teachers of physical education, school health professionals and the public.

Policy Statement

It is the policy of the the member district schools of the Washington West Supervisory Union: Fayston Elementary School, Harwood Union High School, Moretown Elementary School, Waitsfield Elementary School, Warren Elementary School, and the Waterbury/Duxbury Union School District (Crossett Brook Middle School and Thatcher Brook Primary School) to establish goals for nutrition education, physical activity and other school based activities that are designed to promote student wellness. With the objective of promoting student health and reducing childhood obesity, the district will also establish nutrition guidelines for all foods available at school during the school day.

I. Goals for Nutrition Promotion and Education. ^[2]

- A. The school district shall provide nutrition promotion and education programs as required by state law and regulations of the State Board of Education. In particular, the district shall provide a nutrition component in its Comprehensive Health Education program and shall develop curricular programs intended to accomplish applicable goals enumerated in the Vermont Framework of Standards and Learning Opportunities. ^[3]
- B. Nutrition education and promotion programs shall be conducted by appropriately licensed staff members.
- C. To the extent practicable, nutrition education and promotion shall be integrated into core curricula in areas, such as science and family and consumer science courses.

II. Goals for Physical Activity. ^[4]

- A. The district shall provide physical education classes for all students as required by Vermont School Quality Standards.
- B. The district shall provide other physical activity opportunities for students through recess periods in appropriate grades and, as appropriate, before or after school activities such as interscholastic athletics and physical activity clubs or intramural sports.

III. Goals for Other School Based Activities. ^[5]

- A. The district shall ensure that guidelines for reimbursable school meals are not less restrictive than regulations and guidance issued by the Secretary of Agriculture pursuant to sections (a) and (b) of section 9A(a) and (b) of the Richard B. Russell National School Lunch Act as those regulations and guidance apply to schools. ^[6]
- B. The district shall provide adequate space for eating and serving school meals.

- C. The district shall provide a clean and safe meal environment for students.
- D. The district shall establish meal periods that provide adequate time to eat and are scheduled at appropriate hours.
- E. Food shall not be used in district schools as a reward or punishment.
- F. The district shall provide training opportunities as appropriate for food service and other staff members in areas of nutrition and wellness.

IV. Nutrition Guidelines.^[7]

- A. No foods of minimal nutritional value, as listed in 7 CFR 210, Appendix B and 7 CFR 220, Appendix B shall be sold in food service areas during breakfast and lunch periods.^[8]
- B. The sale of foods during meal periods in food service areas shall be allowed only if all income from the sale, including the sale of approved foods or drinks from vending machines, accrues to the benefit of the school, the school food service program, or the student organizations sponsoring the sale.^[9]
- C. To the extent practicable, the district shall ensure that foods offered at school other than through the National School Lunch or School Breakfast programs, including foods sold through vending machines, shall comply with the A la Carte and Vending Guidelines established by the Vermont Departments of Health and Education.

V. Policy Implementation.^[10]

- A. The superintendent or his or her designee shall periodically monitor district programs and curriculum to ensure compliance with this policy and any administrative procedures established to carry out the requirements of this policy. The district shall periodically inform and update the public about the content and implementation of this policy, including the extent to which district schools are in compliance with this policy, the extent to which this policy compares to model local school wellness policies and a description of the progress made in attaining the goals of this policy.^[11]
- B. The district shall permit parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators and the general public to participate in the development, implementation and periodic review and update of this policy.^[12]

The superintendent or his or her designee shall report at least annually to the board and to the public on the district's compliance with law and policies related to student wellness. The report shall include information as to the content and implementation of this policy, and an assurance that district guidelines for reimbursable meals are not less restrictive than regulations and guidelines issued for schools in accordance with federal law.^[13]

Date Warned:
Date Adopted:
Dates Revised:
Legal Reference(s).

16 V.S.A. §§131 & 906(b)(3).
Richard B. Russell National School Lunch Act, 42 U.S.C. 1751 et seq.
Child Nutrition Act of 1966, 42 U.S.C. 1771 et seq.
Healthy, Hunger Free Kids Act of 2010, Section 204 of Public Law 111-296.
Code of Federal Regulations, 7 CFR Part 210 and Part 220.

^[1] Section 204 of Healthy Hunger Free Kids Act of 2010, Public Law 111-296

^[2] These goals are intended to be illustrative. Local policy makers should consider the addition of locally established goals. For examples of goals used elsewhere, consult the resources listed in the material accompanying this model policy.

^[3] 16 V.S.A. §§131 & 906.

^[4] These goals are intended to be illustrative. Local policy makers should consider the addition of locally established goals. For examples of goals used elsewhere, consult the resources listed in the material accompanying this model policy.

^[5] These goals are illustrative. Local policy makers should consider the addition of locally established goals. For examples of goals used elsewhere, consult the resources listed in the material accompanying this policy.

^[6] This provision is required of schools participating in National School Lunch and Breakfast programs.

^[7] The federal law requires that local wellness policies include "nutrition guidelines selected by the local educational agency for all foods available on each school campus...during the school day with the objectives of promoting student health and reducing childhood obesity." Include locally established guidelines as appropriate.

^[8] Required of schools participating in National School Lunch and Breakfast programs.

^[9] Required by cited federal regulations.

^[10] The Healthy, Hunger Free Kids Act requires the establishment of "a plan for measuring implementation of the local wellness policy, including the designation of 1 person within the local education agency or at each school, as appropriate, charged with operational responsibility for ensuring that the school meets the local wellness policy." For examples of implementation plans, consult the references cited in the materials accompanying this model policy.

^[11] P.L. 111-296 Sec. 9A(b)(5)(A) and (B).

^[12] P.L. 111-296 Sec. 9A(b)(3); 42 U.S.C. 1758(b).

^[13] P.L. 111-296 Sec. 9A(b)(4) and (5).

Washington West Supervisory Union Model Policy

Policy F29

F-29: Student Self-Expression and Student Distribution of Literature

Student Distribution of Non-School Sponsored Literature

It is the policy of the member district schools of the Washington West Supervisory Union: Fayston Elementary School, Harwood Union High School, Moretown Elementary School, Waitsfield Elementary School, Warren Elementary School, and the Waterbury/Duxbury Union School District (Crossett Brook Middle School and Thatcher Brook Primary School) to allow limited distribution of non-school sponsored literature on school grounds or at school events by students. Accordingly, the Superintendent/Principal may allow students to distribute these materials so long as they are in compliance with this policy.

Non-school sponsored literature means any printed, written, or electronic materials prepared by non-school organizations or individuals that are not made as a part of the curricular or approved extracurricular programs of the district. They include such things as fliers, invitations, announcements, pamphlets, posters, photographs, pictures, audio recordings, digital recordings, and electronic messages. Materials prepared under the supervision of school staff as part of classroom instruction or classroom activities are not restricted by this policy.

Distribution means circulating non-school sponsored literature in ways that include: handing to others on school property or during school-sponsored events; posting on school property such as walls, bulletin boards, and district web-sites; placing upon desks, tables, on or in lockers; or making available in principal's office.

This policy prohibits the distribution of literature that:

- A. Is obscene, vulgar, or profane, or harms the reputation of others;^[1]
- B. Violates federal, state or local laws;
- C. Advocates the use or availability of tobacco, alcohol or illegal drugs^[2];
- D. Incites violence;
- E. Interferes with or advocates interference with the orderly operation of the schools;^[3]
- F. Primarily seeks to advertise for sale products or services;^[4] or
- G. Has fundraising as its primary purpose.^[5]

When a student wishes to distribute copies of non-school sponsored literature, the materials must include the name of the person or organization sponsoring the literature, and shall be submitted to the Superintendent/Principal to review ahead of time in order to confirm that the literature does not fall in one of the prohibited categories listed above.

The Superintendent/Principal does not need to review the literature ahead of time when the materials will be distributed by a student to other attendees of a student group meeting at school during non-instructional time. However, even in these cases, students must ensure that the materials do not fall into one of the prohibited categories.

The Superintendent/Principal may place reasonable time, place,^[6] and manner^[7] restrictions on the distribution of non-school sponsored literature. However, the Administrator cannot use these restrictions or others to discriminate as to the point of view reflected in the materials.^[8]

Student Self-Expression

Students have a right to express themselves on school property and at school functions through speech or expressive actions, provided they do not materially and substantially interfere with the orderly operation of the school and the rights of others.

This policy prohibits student self-expression that:

- A. Is obscene, vulgar, or profane, or harms the reputation of others;
- B. Violates federal, state or local laws;
- C. Advocates the use or availability of tobacco, alcohol or illegal drugs;
- D. Incites violence; or
- E. Interferes with or advocates interference with the orderly operation of the schools.

The situation in which students express themselves may affect the amount of freedom they are given in their speech. If the speech is part of a school-sponsored publication, when a reasonable person would think that the speech is endorsed by the school district, the school district may exercise more control. School district representatives may have editorial control over the style and content of student speech in school-sponsored activities, such as class work or a school newspaper, so long as their edits are reasonably related to legitimate school-related concerns.^[9]

Date Warned:
Date Adopted:
Dates Revised:
Legal Reference(s).

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^[1] *Bethel School District No. 403 v. Fraser*, 478 U.S. 675 (1986) (student may be disciplined for giving speech at school assembly that contained sexual innuendos and vulgar language). T-shirt that impugned character of sitting U.S. president was not vulgar or offensive within meaning of *Fraser* according to Second Circuit Court of Appeals. *Guiles v. Marineau*, 461 F.3d 320 (2d Cir. 2006).

^[2] *Morse v. Frederick*, 551 U.S. 393 (2007) (school officials may prohibit speech that they reasonably believe advocates illegal drug use, so long as the speech cannot be interpreted as commenting on any political or social issue). Student had First Amendment right to wear T-shirt that criticized President Bush by depicting him as a drug and alcohol user and a "chicken-hawk" because it did not advocate use of drugs. *Guiles v. Marineau*, 461 F.3d 320 (2d Cir. 2006).

^[3] The standard for evaluating the reasonableness of controls on student self-expression and student speech is whether or not the speech substantially or materially disrupts school activity, or could reasonably be forecast to cause such disruption. *Tinker v. Des Moines Indep. Community Sch. Dist.*, 393 U.S. 503 (1979) (students protesting Vietnam War entitled to wear black armbands).

^[4] As indicated here, a district could choose to prohibit all distribution of literature that promotes the sale of products or services. As with all viewpoint neutral prohibitions, care must be taken that the prohibition is evenly enforced without exceptions. If a district wishes to allow distribution of materials supporting some commercial activity but not others, it must make the distinction based on criteria that are objective and viewpoint neutral.

^[5] A common question may be whether students selling items to raise money for parent-teacher organizations is permitted. If such organizations are clearly delineated (either in this policy or elsewhere) as school-sponsored groups and their literature is delineated as school-sponsored literature, then distribution of their fundraising materials would not be restricted by this policy.

^[6] Examples of a "place" restriction might be that literature be posted only on bulletin boards and not on windows, or that it be made available on a specified table in the principal's office. The district must bear in mind that the restrictions must be aimed at preventing disruption to student learning.

^[7] A "manner" restriction might specify whether or not persons distributing the material may stand at the main entrance to the building, or might limit the number of copies of a pamphlet that may be distributed.

⁷ The basic principle in evaluating the constitutionality of restrictions on distribution of materials in a limited public form is that the restrictions may not be based on the viewpoint of the materials or the one distributing them. *Lamb's Chapel v. Center Moriches Union Free School Dist.*, 508 U.S. 384 (1993); *Rosenberger v. Univ. of Virginia*, 515 U.S. 819 (1995); *Good News Club v. Milford Central Schools*, 533 U.S. 98 (2001).

^[9] *Hazelwood Sch. Dist. v. Kuhlmeier*, 484 U.S. 260, 273 (1988) (school officials may exercise editorial control over school newspaper); *Peck v. Baldwinville Central Sch. Dist.*, 426 F.3d 617 (2d Cir. 2005) (teacher may censor elementary school student's poster expressing religious views when it did not meet pedagogical requirements of class assignment).

Washington West Supervisory Union Model Policy

Policy G1

G-1: Curriculum Development & Coordination ^[1]

Policy

It is the policy of the member district schools of the Washington West Supervisory Union: Fayston Elementary School, Harwood Union High School, Moretown Elementary School, Waitsfield Elementary School, Warren Elementary School, and the Waterbury/Duxbury Union School District (Crossett Brook Middle School and Thatcher Brook Primary School) that the supervisory union board shall be responsible for establishing a supervisory union-wide curriculum by either developing the curriculum or assisting member school districts to develop it jointly. The supervisory union curriculum shall be coordinated to allow students to meet or exceed standards established by the Vermont State Board of Education.^[2] Curriculum plans shall be coordinated between sending and receiving schools within the supervisory union and will be periodically reviewed to determine compatibility with schools outside the school district that are attended by students residing within the school district.^[3]

The supervisory union shall assist each school in the supervisory union to follow the curriculum developed in accord with this policy.^[4]

The superintendent shall be responsible for assisting the supervisory union and member school district boards in the development, implementation, coordination, and evaluation of the curriculum.^[5]

The superintendent shall conduct systematic evaluations of all programs within the curriculum and report the results to the school board at least annually.

Date Warned:

Date Adopted:

Legal Reference(s): 16 V.S.A. §261a(a) (1) (Duties of supervisory union boards)
16 V.S.A. §242(1) (Duties of Superintendents)
16 V.S.A. §165(a)(3)(B) (School Quality Standards)

Cross Reference:

^[1] 16 V.S.A. 261a(a) does not explicitly require a policy on curriculum development. It does require the supervisory union board to "establish a supervisory union-wide curriculum by either developing the curriculum or assisting the member districts to develop it jointly.

^[2] 16 V.S.A. §165(a)(3)(B).

^[3] 16 V.S.A. §261a(a)(3).

^[4] 16 V.S.A. §261a(a)(2).

^[5] 16 V.S.A. §242(1).

Washington West Supervisory Union Model Policy

Policy G3

G-3: FIELD TRIPS

Policy

It is the policy of the member district schools of the Washington West Supervisory Union: Fayston Elementary School, Harwood Union High School, Moretown Elementary School, Waitsfield Elementary School, Warren Elementary School, and the Waterbury/Duxbury Union School District (Crossett Brook Middle School and Thatcher Brook Primary School) that the Board endorses the use of field trips as extensions of classroom experiences.

Implementation

Teachers shall organize and carry out field trips according to the following guidelines.

1. Teachers should submit to the Principal a written request for a field trip which includes a statement of learning outcomes and associated costs.
2. At the conclusion of the trip, the teacher responsible should submit a brief report to the Principal indicating the extent to which the objectives of the trip were met.
3. Teachers organizing field trips will be responsible for obtaining permission slips from parents, scheduling transportation, and overseeing arrangements with the site of the field trip.

Date Warned:

Date Adopted:

Legal Reference(s):

Cross Reference:

Curriculum Development (G1)

Washington West Supervisory Union Model Policy

Policy G4

G-4: SELECTING LIBRARY MATERIALS

Policy

It is the policy of the member district schools of the Washington West Supervisory Union: Fayston Elementary School, Harwood Union High School, Moretown Elementary School, Waitsfield Elementary School, Warren Elementary School, and the Waterbury/Duxbury Union School District (Crossett Brook Middle School and Thatcher Brook Primary School) to provide students access to a wide variety of educational materials in individual classrooms and in the media center to support student learning.

Definitions

For the purpose of this policy:

1. **Media** include 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.
2. **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 so dictate. These units would include but not be limited to resource centers, production centers, and television studios.

Implementation

1. When selecting materials to be purchased for the media center, the media specialist will evaluate the existing collection and the school's (District's) curriculum needs and will consult reputable, professionally prepared selection aids and other appropriate sources.
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.

Complaints related to the selection of library materials will be handled through the policy on Procedure for Handling Complaints.

Date Warned:

Date Adopted:

Legal Reference(s): 16 V.S.A. §563(14) (Powers of school boards)

Cross Reference: Complaints About Instructional Materials (G6)

Selection of Instructional Materials (G5)

Washington West Supervisory Union Model Policy

Policy G5

G-5: SELECTION OF INSTRUCTIONAL MATERIALS

Policy

It is the policy of the member district schools of the Washington West Supervisory Union: Fayston Elementary School, Harwood Union High School, Moretown Elementary School, Waitsfield Elementary School, Warren Elementary School, and the Waterbury/Duxbury Union School District (Crossett Brook Middle School and Thatcher Brook Primary School) to provide students with a broad variety of instructional materials to support student learning.

Implementation

Instructional materials will be selected by professional staff in accordance with the following criteria and procedures:

1. Instructional materials should enrich and support the current curriculum, taking into consideration the varied interests, abilities, and maturity levels of students served.
2. Instructional materials should stimulate growth in factual knowledge, literary appreciation, aesthetic values, and ethical standards.
3. Instructional materials should provide a background of information which will enable students to make intelligent judgments in daily life.
4. Instructional materials should present opposing sides of controversial issues so that, with guidance, young citizens may develop the practice of critical thinking.
5. Instructional materials should be representative of different racial, religious, ethnic, and cultural groups, emphasizing their valuable contributions to American heritage and should be free from sex-role stereotyping to the extent possible.
6. Books and instructional materials should be chosen for values of interest and enlightenment of all the students of a community and to encourage students to read regularly. A book will not be excluded because of the race, nationality, or the political or religious views of the author.
7. Since books and instructional materials are selected to provide for the interest and needs of the school community and the school program, they may be selected cooperatively by teachers, principals, and librarians, sometimes with the assistance of students and parents.
8. In the selection of books and other instructional materials, consideration should be given to factual accuracy, authoritativeness, balance, and integrity. Aesthetic values also must be considered in selection of materials.
9. Books and instructional materials will be viewed by members of the staff to assure their timeliness and continued appropriateness.
10. The Superintendent has ultimate authority under 16 V.S.A. §563 (14) to preview and approve instructional materials.

Date Warned:

Date Adopted:

Legal Reference(s): 16 V.S.A. §563 (14) (Powers of school boards)

Cross Reference: Complaints About Instructional Materials (G6)

Selecting Library Materials (G4)

Washington West Supervisory Union Model Policy

Policy G7

G-7: Educational Support System

Policy

It is the policy of the member district schools of the Washington West Supervisory Union: Fayston Elementary School, Harwood Union High School, Moretown Elementary School, Waitsfield Elementary School, Warren Elementary School, and the Waterbury/Duxbury Union School District (Crossett Brook Middle School and Thatcher Brook Primary School) 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.^[1]

Implementation

The superintendent (or principal) shall be responsible for developing written procedures^[2] to establish and implement the educational support system. The procedures shall comply with the requirements of Act 117 of 2000 and State Board of Education Rules 2194 and 2120.8.3.^[3]

Date Warned:

Date Adopted:

Legal Reference(s): Act 230 of the 1990 Vermont Legislature
 Act 157 of the 1996 Vermont Legislature
 Act 117 of the 2000 Vermont Legislature
 16 V.S.A. §§2901, 2902, 2904 (General policy, ESS and EST)
 16 V.S.A. §§ 2961 et seq. (Special education funding)
 Vt. State Board of Education Manual of Rules & Practices, §§2120.8., 2194

Cross Reference:

^[1] See 16 V.S.A. § 2902(a) requiring that "...a school district board shall assign responsibility for developing and maintaining the educational support system either to the superintendent pursuant to a contract entered into under section 267 of this title or to the principal. See also State Board of Education Rule 2120.8.3 and 2194.

^[2] 16 V.S.A. §563(1) provides in part: "A school board may...approve or disapprove rules and regulations proposed by the principal or superintendent for the conduct and management of public schools in the district." (*Emphasis added*)

^[3] State Board Rule 2194(a) requires that "Each school shall ensure that a comprehensive system of support services is in place, including an Educational Support Team...". (See SBE Rule 2194(b)) for required components of the educational support system.)

Washington West Supervisory Union Model Policy

Policy G8

G-8: LOCAL ACTION PLAN

Policy

In accordance with state law, it is the policy of the member district schools of the Washington West Supervisory Union: Fayston Elementary School, Harwood Union High School, Moretown Elementary School, Waitsfield Elementary School, Warren Elementary School, and the Waterbury/Duxbury Union School District (Crossett Brook Middle School and Thatcher Brook Primary School) to establish annually a local action plan, based on student achievement data, that sets forth goals and associated resources needed to improve student performance.

Implementation

The School Board, after consultation with the Superintendent and the Principal(s), will approve a planning process and action plan designed to utilize resources effectively to support high level student learning.

1. The School Board will designate participants to serve on the action planning team from recommendations made by the Superintendent, Principal(s), other Board members and feedback from educators and other community members. Participants will include teachers, School Board members, administrators, parents, other community members, and may involve students when appropriate;
2. The plan will be developed using student performance data obtained from state and local assessments and other formal and informal information related to student performance such as, but not limited to, dropout, transfer and retention rates, course enrollment patterns, gender differences, student poverty, graduation rates, and access to technology;
3. The School Board will approve the plan which will contain:
 - o specific goals and objectives for improved student learning;
 - o educational activities and strategies specifically designed to achieve these goals, including professional development for administrative and instructional staff as well as leadership development for School Board members;
 - o assessments of and efforts to maintain a safe, orderly, civil and positive learning environment free from harassment, hazing and bullying;
 - o time lines for expected results;
 - o recommendations for the financial support required to achieve the goals and objectives; and
 - o links to the multi-year goals and objectives of the school's strategic plan.
4. The Principal is responsible for implementing the action plan and will work collaboratively with the Superintendent to provide (specify how often and when) progress reports to the School Board;
5. At least annually (specify a date), the School Board will reconvene the action planning team to review the action plan, determine its effectiveness toward meeting the stated goals, and revise as necessary based upon updated student performance data and other locally developed evaluative criteria;
6. The Principal, in collaboration with the Superintendent, will prepare a plan for Board approval to ensure that the community is informed annually (specify when) about the school's progress toward meeting the goals of the plan.

The Superintendent will assure that the District's policies on supervision and evaluation, student assessment, reporting, professional development, and other policies and procedures are aligned to support the accomplishment of action plan goals and objectives.

Date Warned:

Date Adopted:

Legal Reference(s): 1 V.S.A., § 312 (Open meetings)
16 V.S.A., § 165 (a)(1) (Public School Quality Standards)
Vermont State Board of Education Rules §2120.1

Cross Reference: Board Member Education (B1)
Board Goal-Setting and Self-Evaluation (B2)
Professional Development (D2)
Evaluation and Supervision of Staff (D4)
Budgeting (E2)
Student Assessment (F22)
Annual School Reports (H6)

Washington West Supervisory Union Model Policy

Policy G9-R

G-9-R: Grade Advancement: Retention, Promotion & Acceleration of Students ^[1]

Policy

It is the policy of the member district schools of the Washington West Supervisory Union: Fayston Elementary School, Harwood Union High School, Moretown Elementary School, Waitsfield Elementary School, Warren Elementary School, and the Waterbury/Duxbury Union School District (Crossett Brook Middle School and Thatcher Brook Primary School) that the goal is for each student to progress in his or her educational program by reaching a standard of achievement necessary to progress from grade to grade. *Note: deletion of sentence in current model policy re: application of policy to elementary grades only*

Definitions

1. **Acceleration** is the advancement of a student by more than one grade beyond the current grade level.
2. **Promotion** is the single grade step most students take from year to year.
3. **Retention** allows a student to repeat all or part of a grade in order to more fully prepare for the work of the next grade.

Promotion, retention and acceleration decisions will be based on the extent to which a student is meeting the standards established by the Vermont Framework of Standards and Learning Opportunities as well as other relevant factors, including social, emotional, physical and mental growth, past academic performance, behavior, motivation, and attendance.

Implementation

The Superintendent or his or her designee will develop rules to implement this policy. The rules will specify a process for determining the promotion, retention or acceleration of individual students.

Date Warned:

Date Adopted:

Legal Reference(s): VT State Board of Education Manual of Rules & Practices: §2120.2.2 (d)

Cross Reference:

^[1] SBE Rule 2120.2.2(d). "Each school shall develop and adopt policies on grade advancement."

Washington West Supervisory Union Model Policy

Policy G12-R ^[1]

G-12-R: Title I Comparability Policy

It is the policy of the member district schools of the Washington West Supervisory Union: Fayston Elementary School, Harwood Union High School, Moretown Elementary School, Waitsfield Elementary School, Warren Elementary School, and the Waterbury/Duxbury Union School District (Crossett Brook Middle School and Thatcher Brook Primary School) that if one of the schools becomes eligible to receive Title I funds, the school district in which the school is located shall provide comparable services, staffing levels, curriculum materials and instructional supplies for Title I eligible and non-Title I eligible schools. The district shall use local and state funds to ensure equivalence among schools in staffing and the provision of curricular materials and instructional supplies. Students in all schools shall be eligible for comparable programs and supplemental supports. The district shall utilize district-wide salary schedules for professional and non-professional staff.

The superintendent or his or her designee shall develop procedures for compliance with this policy and shall maintain records that are updated biennially documenting the district's compliance with this policy. ^[2]

Date Warned:

Date Adopted:

Date Last Reviewed:

Legal Reference: 20 USCA §6321(c).
20 USC 7801(26) (LEA defined)
16 V.S.A. 144

^[1] This policy is required of school districts that operate Title I schools. Comparability requires that LEAs document that the services provided with state and local funds in Title I schools are comparable to those provided in non-Title I schools in the LEA. If an LEA serves all of the schools in its district with Title I funds, the LEA must use state and local funds to provide services that, taken as a whole, are "at least comparable" in each participating school. The comparability requirements do not apply to an LEA that does not have more than one building for each grade span.

^[2] Required by 20 U.S.C. §6321(c)(3).

Washington West Supervisory Union Model Policy

Policy G13-R^[1]

G-13-R: Animal Dissection

Policy

It is the policy of the member district schools of the Washington West Supervisory Union: Fayston Elementary School, Harwood Union High School, Moretown Elementary School, Waitsfield Elementary School, Warren Elementary School, and the Waterbury/Duxbury Union School District (Crossett Brook Middle School and Thatcher Brook Primary School) to comply with the requirements of Act 154 of 2008 regarding the right of students to be excused from participating in or observing activities involving the dissection or vivisection of animals. Students enrolled in District schools shall have the right to be excused from participating in any lesson, exercise or assessment requiring the student to dissect, vivisect or otherwise harm or destroy an animal or any part of an animal, or to observe any of these activities, as part of a course of instruction.^[2]

Definition

As used in this policy, the word “animal” means any organism of the kingdom animalia and includes an animal’s cadaver or the severed parts of an animal’s cadaver.^[3]

Alternative Education Method

A student who is excused under this policy shall be provided with alternative methods through which he or she can learn and be assessed on material required by the course. The alternativemethods shall be developed by the teacher of the course, in consultation with the principal if necessary.^[4]

Discrimination

No student shall be discriminated against based on his or her decision to exercise the right to be excused afforded by this policy.^[5]

Procedures

The (Superintendent/Principal) shall develop and implement procedures to ensure compliance with the provisions of Act 154 of 2008.^[6] The procedures shall include provisions for the timely notification to each student enrolled in the course and to the student’s parent or guardian of the student’s right to be excused from participating in or observing the lesson and the process by which a student may exercise this right.^[7]

Date Warned:

Date Adopted:

Legal Reference: Act 154 of 2007-2008 Adjourned Session 16 V.S.A. §912

^[1] See Act 154 of 2008, Sections 4 and 5. An animal dissection policy is required of all public and approved independent schools regardless of whether the school’s curriculum includes lessons or activities involving animal dissection. Section 5 of Act 154 states: “On or before August 15, 2008, each school district and approved independent school shall develop and implement procedures pursuant to 16 V.S.A. §912(b)...which shall be adopted as policy within the district or approved independent school no later than November 1, 2008.”

^[2] 16 V.S.A. §912.

^[3] 16 V.S.A. §912(c).

^[4] This provision is a required component of the policy on this subject adopted by the school board. See 16 V.S.A. §912(b)(2).

^[5] This provision is a required component of the policy on this subject adopted by the school board. See 16 V.S.A. §912(b)(3).

^[6] See Section 4 of Act 154 of 2008; 16 V.S.A. §912(b) requiring procedures that provide “timely notification” to students and parents; processes for students to exercise this right.

¹⁶ 16 V.S.A. §912(b) (1). The law does not provide a definition of “timely notice.” Nor does the law require that the processes for students to follow when choosing to opt out of activities covered by the law have specific components. It is likely that annual notice to parents and students through handbooks or course syllabi will be sufficient to comply with the timely notice requirement. The notice should indicate approximately when dissection activities (if any) may take place in specific courses. Processes for students to use to opt out of activities covered by this policy should indicate how and when student must notify the course teacher of his or her intention to be excused from an activity,

NOTE: The footnotes in this model policy are for reference purposes only and should not be included in the adopted version of a school board policy on animal dissection.

Washington West Supervisory Union Model Policy

CODE H1

H-1: SCHOOL-COMMUNITY RELATIONS

Policy

It is the policy of the member district schools of the Washington West Supervisory Union: Fayston Elementary School, Harwood Union High School, Moretown Elementary School, Waitsfield Elementary School, Warren Elementary School, and the Waterbury/Duxbury Union School District (Crossett Brook Middle School and Thatcher Brook Primary School) to encourage the involvement of the community in its schools.

Implementation

An effective community outreach program is a necessary component of a school system's organization and operation. Therefore, the Board will provide the means necessary to develop and implement such a program.

The school system's community outreach program should:

1. create a planned, systematic, two-way communications process between the Board and the school community;
2. encourage a better understanding of the objectives, accomplishments and needs of the school system within the community;
3. create opportunities for school involvement through volunteerism, business/organizational partnerships, sponsorships, internships and other joint projects;
4. use a variety of media including but not limited to meetings, letters and e-mail, circulars, web sites, seminars, publications, communications media, and personal contacts;
5. provide the channels necessary for resolving grievances and eliminating misunderstandings;
6. inform concerned persons as to their rights, privileges and responsibilities.
7. provide that, when circumstances warrant, the board will designate an administrator or board member to be the spokesperson for the board or district on a given topic or specific incident. When such a designation has been made, the designated individual shall respond on behalf of the district or board to all inquiries related to the topic or incident, and board members and staff members will refer all inquiries to the designated individual.

The Board delegates to the (Principal, Superintendent, or community relations officer) the responsibility for developing a community relations program which conforms with the above principles.

Date Warned:

Date Adopted:

Legal Reference(s): 16 V.S.A. §165 (School Quality Standards)

Cross Reference: Local Action Plan (G8)

Parental Involvement (H2)

Visits to Schools (H5)

Annual School Reports (H6)

Washington West Supervisory Union Model Policy

CODE H2

H-2: PARENTAL INVOLVEMENT

Policy

It is the policy of the member district schools of the Washington West Supervisory Union: Fayston Elementary School, Harwood Union High School, Moretown Elementary School, Waitsfield Elementary School, Warren Elementary School, and the Waterbury/Duxbury Union School District (Crossett Brook Middle School and Thatcher Brook Primary School) to encourage and support the involvement of parents in their children's education.

Background

Research has shown that parent involvement is a key factor in the academic and social success of students. The Board believes it is important that parents are involved in their child's education at home, in school, and within the larger community. New educational initiatives mandate or encourage the strengthening of the parent/school/community relationship.

Implementation

The Superintendent shall develop and implement programs and procedures to accomplish the following objectives:

1. Parents should be informed about their children's educational programs, instructional methods and objectives, and notified directly of any significant changes.
2. Parents should be provided with opportunities to become informed about program design, operation and evaluation, and to communicate with educators on these subjects.
3. Parents should be encouraged to observe instructional activities, attend program meetings, discuss concerns with educators, participate in program evaluation and improvement efforts, and give recommendations to school staff, administration, and Board members.
4. 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.
5. 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.

Date Warned:

Date Adopted:

Legal Reference(s):

16 V.S.A. §165 (School Quality Standards)

Cross Reference:

Visits to Schools (H5)

School Community Relations (H1)

Washington West Supervisory Union Model Policy

CODE H3

H-3: COMMUNITY USE OF SCHOOL FACILITIES

It is the policy of the member district schools of the Washington West Supervisory Union: Fayston Elementary School, Harwood Union High School, Moretown Elementary School, Waitsfield Elementary School, Warren Elementary School, and the Waterbury/Duxbury Union School District (Crossett Brook Middle School and Thatcher Brook Primary School) that while the primary purpose of the school facilities is to educate students within this district, the school board recognizes that the facilities are a valuable community resource. Accordingly, the Superintendent may make school facilities available to individuals and community groups^[1] without discrimination in accordance with this policy, provided the facilities are preserved for regular school activities.^[2]

Individuals and groups may use school facilities for the following purposes:^[3]

- A. Meetings by parent-teacher organizations and school booster organizations whose purpose is to support the operations of the schools and the school district;
- B. Meetings by employees' professional organizations comprised of school district employees;^[4]
- C. Instruction in any branch of education, learning, and the arts;
- D. Social, civic and recreational meetings, and entertainment, provided the events are open to the public;^[5]
- E. Civic forums and community centers, provided the events are open to the public;
- F. Recreation, physical training and athletics, including competitive athletic contests for children and adults;
- G. Private academic tutoring or music lessons;^[6]
- H. Child care programs;
- I. Meetings, entertainment and occasions where admission fees are charged, when the proceeds are to be spent for an educational or charitable purpose, and the events are open to the public.^[7]

The superintendent may deny an application for use of facilities or terminate an individual or group's use for:

- A. Uses that are likely to cause a material and substantial disruption to school operations;
- B. Events and meetings promoting or sponsored by a political party;^[8]
- C. Political campaign events by someone running for office;
- D. Uses that interfere with school district maintenance and repair of facilities;
- E. Uses that could damage special equipment in the facilities;
- F. Uses that could reasonably be expected to or actually do give rise to a riot or public disturbance;
- G. Events or meetings of private for-profit entities;
- H. Events at which fees are charged for profit;
- I. Uses where alcoholic beverages or unlawful drugs are sold, distributed, consumed, promoted or possessed; and
- J. Uses prohibited by law.

The Boy Scouts of America, Big Sisters of America, Boys and Girls Clubs of America, Future Farmers of America, Girl Scouts of America, Little League Baseball, Inc. and any other group

intended to serve youth under the age of 21 listed in Title 36 of the U.S. Code may use school facilities upon payment of suitable fees and costs according to the district fee schedule.^[9]

The superintendent may place reasonable time, place, and manner restrictions on the use of facilities.^[10]

The superintendent shall set a fee schedule and shall administer it in a manner that does not discriminate based on viewpoint.^[11] All users shall be required to demonstrate adequate insurance coverage and shall agree to hold the district harmless from any and all liability resulting from their use of the facilities. All users shall be required to make clear in all announcements and publicity that their events and activities are not sponsored by the school district.

The superintendent may allow individuals and groups to use special equipment, such as audiovisual equipment, provided that the group uses an operator of the equipment who is approved by the superintendent.^[12]

Date Warned:

Date Adopted:

Legal references: 16 V.S.A. §563 (3), (5) (Powers of school boards)
Boy Scouts of America Equal Access Act, 20 U.S.C. 7905
Lamb's Chapel v. Center Moriches Union Free School Dist., 508 U.S. 384 (1993)
Good News Club v. Milford Central Schools, 533 U.S. 98 (2001)
Travis v. Owego-Apalachin School Dist., 927 F.2d 688 (2d Cir. 1991)
Bronx Household of Faith v. Board of Education, 331 F.3d 342 (2d Cir. 2003)
Bronx Household of Faith v. Board of Education, ___ F.3d ___ (2d Cir. July 2, 2007)
Child Evangelism Fellowship of South Carolina v. Anderson, 47 F.3d 1062 (4th Cir. 2006)
Hickock v. Orange County Comm. College, 472 F. Supp. 2d 469 (S.D.N.Y. 2006)
Cross-reference: Policy F11 Student Clubs and Activities (Secondary)

^[1] This policy does not govern school-sponsored activities that are related to the curriculum, or student-run activities that are not related to the curriculum. The use of school facilities for those two purposes is governed by Policy F11.

^[2] A district has the legal right to preserve its facilities exclusively for the purpose of conducting its educational programs. It could do that by prohibiting all community use of its facilities. However, once a district allows any community use of its facilities, then it has created either a public forum or a limited public forum. A totally public forum is one where all uses are permitted on a first come first serve basis. A limited public forum is one where certain categories of use are allowed. *Travis v. Owego-Apalachin School Dist.*, 927 F.2d 688 (2d Cir. 1991) (good overview of differences between types of public forums). This is the most common approach for school districts.

In a limited public forum, once the district allows a community group to use its facility for one purpose then it and must open the facilities to all other community groups wishing to use the facilities for the same genre of activity. Access to facilities may not be restricted based on the group's viewpoint. *Lamb's Chapel v. Center Moriches Union Free School Dist.*, 508 U.S. 384 (1993); *Good News Club v. Milford Central Schools*, 533 U.S. 98 (2001). In these cases, the Supreme Court specifically held that religious groups' use of school facilities must be permitted when other groups seeking to teach morals have been permitted to use facilities. Furthermore, religious groups must be permitted to use school facilities for worship services that involve teaching morality if the district allows other groups who teach morals and character to use the facilities. *Bronx Household of Faith v. Board of Education*, 331 F.3d 342 (2d Cir. 2003). However, it is unclear at this writing whether schools may adopt a rule that prohibits use of facilities for religious worship services. See *Bronx Household of Faith v. Board of Education*, ___ F.3d ___ (2d Cir. July 2, 2007). A cautious approach, based on recent Supreme Court decisions, would suggest that even purely religious worship services must be permitted in school facilities.

^[3] This list is merely an example. An individual school district could decide to make this list broader or narrower. However, when designating categories of permissible uses, a district must remain viewpoint neutral. For example, if the district allows groups to meet to discuss anti-war activities, it must also allow groups to meet in support of the military.

^[4] As illustrated by the first two entries on this list, a district may allow certain types of groups, such as parent-teacher organizations or employee organizations to use school facilities. Such designations are constitutionally permissible because they do not specify the group by viewpoint. Similarly, a school district may adopt a policy that limits community use to groups whose members are mostly children or young adults, or that limits use of facilities to groups that are comprised predominantly of residents of the school district.

^[5] There is no constitutional requirement that events be open to the public. However, many school districts have this requirement in order to prevent the use of school facilities for exclusive, private functions.

^[6] This is an example of a viewpoint neutral exception to the prohibition on for-profit activities.

^[7] Again, the requirement that the proceeds from admission-charging events be used for educational or charitable purposes is not a constitutional one. Rather it is a preference that many school districts might wish to make.

^[8] In *Hickock v. Orange County Comm. College*, 472 F. Supp. 2d 469 (S.D.N.Y. 2006), the court permitted school with a limited public forum to adopt a policy of excluding events that promote the activities of political parties, since this is viewpoint neutral. If a school district adopts a policy that permits political events, then it must permit all political groups to hold events regardless of their viewpoint.

^[9] Boy Scouts of America Equal Access Act, 20 U.S.C. 7905 allows youth groups of certain designated patriotic societies access to schools.

^[10] Examples of a "time" restriction are that all groups conclude their meetings by 9 p.m. or that they limit the frequency with which they use facilities. A "place" restriction might be that the new gym not be used. A "manner" restriction might require all groups to leave the facility in the condition in which it was when they arrived. Such restrictions must be applied evenly to all groups and must not be designed to preclude particular groups from access.

^[11] As a matter of fiscal responsibility, fee schedules should take into account the actual cost to the district of the use of the facilities. Fees for different facilities may be tailored to the unique size or quality of the facility. Fees for one category of use may not be set differently depending on the type of group using the facility. It is permissible, however, for a district to set a schedule that charges no fees for parent-teacher organizations and employee professional organizations.

Child Evangelism Fellowship of South Carolina v. Anderson, 47 F.3d 1062 (4th Cir. 2006) held that it was unlawful to give school administrators discretion to waive fees for community groups' use of school facilities. The court left open the possibility that a set of narrow, objective, and definite standards that ensure viewpoint neutrality for fee

waivers might be permissible. The district's policy of allowing free use for three types of school organizations and when in the best interest of the district, without defining the groups, was improper. While it is unclear to what extent this decision will be followed by other courts, districts should proceed cautiously when waiving fees.

^[12] As with the use of facilities themselves, if any groups are allowed to use special equipment, then all groups who meet the same objective criteria regarding skilled operators of the equipment must be allowed to use it, regardless of their viewpoint. Requiring a skilled approved operator is reasonable in order to preserve the equipment for its primary purpose of aiding the education of the district's children.