

Colchester School Board

Meeting Agenda and Packet

March 21, 2017

**Colchester School District  
Board of Education Meeting Agenda  
Colchester High School – Media Center  
March 21, 2017  
7:00 PM**

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<b>5:30-7:00 PM</b>	<b>Discuss Negotiations (Executive Session)</b>	<b>CHS Room 114A</b>
<b>7:00 PM</b>	<b>General Session</b>	<b>CHS Media Center</b>

**Agenda**

- I. Call to Order and Pledge of Allegiance**
- II. Citizen Participation\***
- III. Hear Nominations for School Board Reorganization and Approval of Newspaper of Record: Colchester Sun** **Action**
- IV. Report on State Placed Students** **Information**
- V. Approval of Administrator Contract Renewals 2017-2018** **Action**
- VI. First Reading of Acceptable Use Policy: G10** **Action**
- VII. First Reading of Employee Harassment Policy: D12** **Action**
- VIII. Reflection on Town Meeting Day** **Information**
- IX. Approval of Personnel Consent Agenda** **Action**
- X. Approval of Minutes: March 7, 2017** **Action**
- XI. Board/Administration Communication, Correspondence, Committee Reports** **Information**
- XII. Possible Future Agenda Items** **Information**
- XIII. Adjournment**

**On The Third Tuesday of Each Month\***

During the meeting, the school board will review the top questions and themes submitted to them via email to [SchoolBoard@colchestersd.org](mailto:SchoolBoard@colchestersd.org). Note: All submissions must be received before noon on the third Tuesday of every month.

Title 16 §243. Appointment, renewal; dismissal

(b) Length of contract. The principal shall be employed by written contract for a term of not less than one year nor more than three years.

<b>District/Building Administration/Supervisors 2017-18</b>
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Colchester High School		Position	Experience	Contract	FTE	Year	Recc
Baron	Heather	Principal	1	1	1.00	17-18	AM

  

Colchester Middle School			Experience	Contract	FTE	Year	Recc
Cote	Michele	Principal	2	1	1.00	17-18	AM
Tanquay	Julie	Director of Sp. Education	2	1	1.00	17-18	AM & MC

  

Malletts Bay School			Experience	Contract	FTE	Year	Recc
Benay	Julie	Principal	7	1	1.00	17-18	AM
Burke	Jordan	Asst. Principal	3	1	1.00	17-18	AM & JB

  

Porters Point School			Experience	Contract	FTE	Year	Recc
Millham	Carolyn	Principal	12	3	1.00	17-18	AM

## COLCHESTER SCHOOL DISTRICT

### **POLICY: COLCHESTER ACCEPTABLE USE POLICY (AUP) APPLYING TO THE CSD'S NETWORKS AND THE INTERNET**

**DATE ADOPTED: March 19, 2013**

#### **PURPOSE**

Colchester School District uses information technology ("IT") resources including the Internet to support and enrich the curriculum, to allow students and staff to benefit from access to electronic information resources and opportunities for collaboration that are uniquely provided by certain electronic technologies, and to enhance learning and teaching.

#### **POLICY**

All students and staff will use IT resources and the Internet as learning tools. Parents who want to limit their child(ren)'s access to these resources shall contact the school principal in writing if they wish to restrict their child's access to District IT resources, including the Internet.

The availability of access to electronic information does not imply endorsement by the District of the content, nor does the District guarantee the appropriateness or accuracy of information received. The District shall not be responsible for any information that may be lost, damaged, or unavailable when using the network.

The use by students, staff, or others of District IT resources is a privilege, not a right. The District's computer and network resources are the property of the District. Users shall have no expectation of privacy in anything they create, store, send, receive, or display on or over the District's computer or network resources, including personal files. The District reserves the right to monitor, track, and log use of IT resources and may deny access for unauthorized, inappropriate, or illegal activity. The District may revoke access privileges and/or administer appropriate disciplinary action for misuse of its IT resources. The District shall cooperate to the extent legally required with local, state, and federal officials in any investigation concerning or related to the misuse of the District's Internet, computers or network.

The District shall work to ensure Internet safety for all by taking steps that prevent access to material that is obscene, pornographic, or harmful as determined by the school principal or central office administrators.

Last Adopted: May 4, 2004  
 Date Warned: February 15, 2013  
 First Reading: February 19, 2013  
 Second Reading: March 5, 2013  
 Third Reading: March 19, 2013

In addition to those stated in law and defined in this policy, the District deems the following to be examples of inappropriate actions:

- ❖ Capturing, emailing, or publishing nude images;
- ❖ Defamation of character;
- ❖ Lewd, vulgar, or profane communication;
- ❖ Threatening, bullying, harassing, or discriminatory behavior;
- ❖ Researching weapons, bombs and/or incendiary devices;
- ❖ Terrorism;
- ❖ Gambling.

### **GENERAL PROCEDURES**

Students and staff may access the District's IT resources and the Internet in an appropriate and professional manner. All intellectual property produced by staff using school equipment and/or resources shall remain the property of the District. Users are expected to follow the rules of personal conduct outlined in the handbook, abide by state and federal laws in the use of the District's IT resources and the Internet, and comply with the individual responsibilities listed in this document.

### **RESPONSIBILITIES**

All users:

- ❖ Will be responsible for the proper use of their account;
- ❖ Will only use the system for its intended purposes and not for commercial purposes, illegal purposes, in support of illegal activities, or for any other activity prohibited by school policy or procedures;
- ❖ Will comply with all fair use and copyright regulations;
- ❖ Shall not promote personal, religious or political points of view (except as part of class assignments communicated with classmates and teachers);
- ❖ May not purposefully access or distribute information that is prohibited by the school;
- ❖ Will not use the network for wasteful or frivolous purposes such as playing network games;
- ❖ Shall not deliberately use the computer to annoy or harass others;
- ❖ Will be financially responsible for any repair needed to District technology due to connecting a personal device that caused damage.

### **COMMUNICATION**

All users:

- ❖ Shall be aware that email and other uses of the electronic communications system are not confidential, and are the properties of the District. Users should be cautious about the details they include in messages;

- ❖ Must understand that the system administrator may periodically purge data files with fair notice;
- ❖ Shall not present personal ideas/beliefs as the views or policies of the school;
- ❖ Shall not abuse the system by engaging in spamming (sending an unnecessary message to a large number of people), downloading large files, or uploading or creating computer viruses;
- ❖ **Strong Recommendation:** Maintain separate accounts for personal and school communication.

Staff:

- ❖ Must archive, electronically and/or with printed copy, communication with parents, students or others that may be relevant in possible disputes or litigation;
- ❖ Comply with federal CIPA and COPPA laws when creating assignments for students involving on-line communication tools.

**SECURITY**

All users:

- ❖ Will not use another person's system account, or present themselves as another person;
- ❖ Shall not gain or attempt to gain unauthorized access to resources or information, or do anything to circumvent network security;
- ❖ May not access data for which they are not an intended recipient or user;
- ❖ Must receive authorization from tech support staff for all downloads, program installations, and use of software on removable media so as to ensure verification of virus protection, copyright and network compatibility;
- ❖ Must scan all removable media (ex., flash drives, iPod, etc.) for viruses prior to use on the CSD network;
- ❖ Must not write down user names and passwords unless they are physically secure;
- ❖ Must logout or lock the computer when they leave it for any length of time;
- ❖ Must save all documents before locking a computer;
- ❖ Will ensure that personally-owned\* computers, laptops, notebooks, PDAs and other medium that can connect to the CSD network meet standards set forth by the technology team:
  - Apply current support pack patches and update the device regularly.
  - Install and keep current anti-virus software with the most recent anti-virus signatures.

*\*The school may or may not permit use of personal devices. Please check with tech support or the principal to know the local policy.*

**PARENTAL NOTIFICATION AND RESPONSIBILITY**

Each school will provide annual notice to parents/guardians about responsible use of District IT resources including the Internet, the policies and procedures governing their use, and the

limitation of liability of the District. The annual notice shall direct parents/guardians to contact the school principal in writing if they wish to restrict their child's access to District electronic resources, including the Internet.

### **DISCIPLINARY ACTIONS**

The school's electronic system is a limited forum and therefore the school may restrict individual user's speech for valid educational reasons. The school will not restrict speech on the basis of a disagreement with the opinions that are expressed. Users should expect only limited privacy in the contents of their personal files or record of Web research activities. Routine maintenance and monitoring of system resources may lead to discovery of policy violations, the student disciplinary code, or the law. An individual search may be conducted by the school principal or central office administrators (with the IT assistance if necessary) if there is reasonable suspicion that a user has violated this policy, the student disciplinary code or the law. If there is evidence that a violation has occurred, then the school principal or his/her designee will decide appropriate consequences in accordance with school policy and law. The school will cooperate fully with local, state, or federal officials in any investigation related to any illegal activities conducted through the school's electronic system. In the event there is a claim that an individual user has violated this procedure or student disciplinary code, the user will be notified and the opportunity to be heard in the manner set forth in the student disciplinary code.

### **LIMITATION OF LIABILITY**

The school makes no guarantee that the functions or the services provided by or through the District electronic system will be error free or without defect. The school will not be responsible for any damage individual users may suffer, including but not limited to, loss of data or interruptions of service. The school is not responsible for the accuracy or quality of the information obtained through or stored on the system. The school will not be responsible for financial obligations arising through the unauthorized use of the system. The user can be held financially responsible for any harm to the system as a result of intentional misuse.

## COLCHESTER SCHOOL DISTRICT

### **POLICY: ACCEPTABLE AND RESPONSIBLE COMPUTER, NETWORK and INTERNET USE**

**DATE ADOPTED:** DRAFT

### **PURPOSE**

The Colchester School District (“District”) recognizes that information technology resources (IT) are integral to educating today’s children for success in the global community. The Board fully supports access these electronic resources by students and staff. The purpose of this policy is to:

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

### **DEFINITION**

**Information Technology Resources (IT)** means (a) IT devices owned or leased by the District (such as computers, computer hardware and software, cell phones and laptops); (b) the Internet, e-mail, electronic and social media, and other network resources, including the District’s electronic storage, including but not limited to student data and student documents maintained by the District, that is accessed using the District’s IT on school property or remotely; and (c) all electronically stored student information in the District’s electronic files, regardless of how accessed.

### **POLICY STATEMENT**

It is the policy of the District to provide students and staff access to a multitude of IT resources, including the Internet. IT resources provide opportunities to enhance learning and improve communication within our community and with the global community. Users are expected to access IT resources as learning tools. The use of District IT resources is a privilege, not a right. With the privilege of access comes the responsibility of all users to exercise responsible use of these resources.

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



## POLICY APPLICATION

This policy applies to all users. "Users" is defined to include anyone who accesses the District's IT resources, on-site and/or via a remote location, and anyone who uses the District's IT devices either on or off-site.

## GENERAL PROCEDURES

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

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

- ✓ Bullying
  - ✓ Terroristic
  - ✓ Obscene or pornographic
  - The safety and security of minors when using electronic mail, social media sites, and other forms of direct electronic communications.
  - Prevention of unauthorized online access by minors, including “hacking” and other unlawful activities.
  - Unauthorized disclosure, use, dissemination of personal information regarding minors.
  - Restriction of minors’ access to materials harmful to them.
5. A process whereby authorized persons may temporarily disable the district’s Internet filtering measures during use by an adult to enable access for bona fide research or other lawful purpose.

### **OWNERSHIP OF IT RESOURCES**

The District’s IT resources are the property of the Colchester School District.

### **EXPECTATION OF PRIVACY**

Users shall have no expectation of privacy in anything they create, store, send, receive or display on or over the District’s computers or other network resources, including personal files, images, and e-mails and other electronic communications.

### **COMPLIANCE WITH CIPA**

In accordance with the Children’s Internet Protection Act (CIPA), the District uses a filtering system to track and monitor all computer and Internet use on the District network. The system is designed to prevent access to material that is obscene, pornographic, or harmful as determined by school administrators. No filtering system is perfect, however. Due to the nature of the Internet and evolving technology, however, even with supervision of students the District cannot guarantee students will not reach an inappropriate site. It is the responsibility of all users to report any inappropriate sites to school officials to ensure that content is filtered appropriately. Providing access to electronic information does not imply an endorsement by the District of the content, nor does the District guarantee the appropriateness or accuracy of information received.

### **IMPLEMENTING PROCEDURES/REGULATIONS**

The Superintendent/his/her designee is responsible for establishing and updating from time to time procedures governing use of IT resources consistent with the provisions of this policy. These procedures must include a description of the rules applying to all users of the District’s IT resources, and a process for educating elementary and secondary students annually about Internet safety and responsible digital citizenship.

## **LIMITATION/DISCLAIMER OF LIABILITY**

The District makes no guarantee that the functions or the services provided by or through its IT systems will be error free or without defect. The District is not liable for unacceptable use or violations of copyright restrictions or other laws, user mistakes or negligence, and costs incurred by users. The District is not responsible for ensuring the accuracy, age appropriateness, or usability of any information found on the District's IT resources network, including the Internet. The District is not responsible for any damage experienced, including, but not limited to, loss of data or interruptions of service. The District is not responsible for the accuracy or quality of information obtained through or stored on the IT resources system including the Internet, or for financial obligations arising through their unauthorized use.

## **ENFORCEMENT**

- The District reserves the right to revoke access privileges and/or administer appropriate disciplinary action for misuse of its IT resources. In the event there is an allegation that a user has violated this policy, the District will handle the allegation consistent with the student disciplinary policy. Allegations of staff member violations of this policy will be processed in accord with contractual agreements and legal requirements.

The District shall cooperate to the extent legally required with local, state and federal officials in any investigation related to the misuse of the District's IT resources.

*Warned:*

*Date Adopted:*

*Legal*

*References:*

*17 U.S.C. §§101-120 (Federal Copyright Act of 1976 as amended)*

*20 U.S.C. § 6777 et seq. (Enhancing Education Through Technology Act)*

*18 U.S.C. §2251 (Federal Child Pornography Law—Sexual Exploitation and Other Abuse of Children)*

*47 U.S.C. §254 (Children's Internet Protection Act)*

*47 CFR §54.520 (CIPA Certifications)*

*13 V.S.A. §§2802 et seq. (Obscenity, minors)*

*13 V.S.A. § 1027 (Disturbing Peace by Use of...Electronic Means)*

*13 V.S.A. §2605(Voyeurism)*

*Cross Reference: Student Conduct and Discipline*

*Selection of Instructional Materials*

*Complaints About Instructional Materials*

## COLCHESTER SCHOOL DISTRICT

### **POLICY: HARASSMENT OF EMPLOYEES**

**DATE ADOPTED:** November 1, 2000

### **POLICY STATEMENT**

It is the policy of the Colchester School District to maintain a working environment that is free from unlawful harassment, including sexual harassment. The Colchester School District prohibits any form of unlawful harassment on the basis of race, color, sex, sexual orientation, age, creed, national origin, ancestry, place of birth, HIV-positive blood test result, or against a qualified individual with a disability, or based on any other legally protected status.

### **GENERAL PROVISIONS**

1. **Violation.** It is a violation of this policy for school personnel to unlawfully harass a teacher, administrator, staff member, or other school personnel through conduct or communication on the basis of race, color, sex, sexual orientation, age, creed, national origin, ancestry, place of birth, HIV-positive blood test result, or against a qualified individual with a disability, or based on any other legally protected status. Sexual harassment, as defined below, is a form of unlawful harassment.
2. **Complaint.** Any teacher, administrator, staff member, or other school personnel who believes he or she has been subjected to unlawful harassment, including sexual harassment, may make an internal complaint as described below and/or pursue other remedies provided by federal and state law.

### **DEFINITIONS AND EXAMPLES**

1. **Definitions.**
  - a. *“Unlawful harassment”* means verbal, written, or physical conduct based on a person’s race, color, sex, sexual orientation, age, creed, national origin, ancestry, place of birth, HIV-positive blood test result, or against a qualified individual with a disability, marital, or other legally protected status, which has the purpose or effect of substantially interfering with a person’s work performance or creating an intimidating, hostile or offensive working environment. The term “unlawful harassment” specifically includes sexual harassment as defined in this policy.

**Examples.** Examples of behaviors which, if sufficiently severe, pervasive or persistent to interfere with a person’s employment performance or creating an

Date Warned: July 28, 2000  
 First Reading: August 2, 2000  
 Second Reading: October 4, 2000  
 Third Reading: October 18, 2000  
 Fourth Reading: November 1, 2000

intimidating, hostile or offensive working environment, would be unlawful harassment include but are not limited to the following, when such acts or behavior come within the above definition: physical aggression or force, the threat of physical aggression or force, demeaning comments or behavior, slurs, mimicking, jokes, gestures, name-calling, graffiti, stalking, use of nicknames emphasizing stereotypes, comments on manner of speaking, negative references to customs, and derogatory comments regarding surnames.

- b. “*Sexual harassment*” is a form of unlawful harassment which means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
- (i) Submission to the conduct is made either explicitly or implicitly a term or condition of that person’s employment;
  - (ii) Submission to or rejection of such conduct by a person is used as a component of the basis for employment decisions affecting that person; or
  - (iii) The conduct has the purpose or effect of substantially interfering with an individual’s employment performance or creating an intimidating, hostile or offensive working environment.

Examples. Examples of sexual harassment include, but are not limited to the following, when such acts or behavior come within one of the above definitions: unwelcome sexual; advances; suggestive or lewd remarks; unwanted hugs, tugs, kisses; requests for sexual favors; pornographic posters, cartoons or drawings; unwelcome sexual jokes or banter; retaliating for complaining about sexual harassment.

- c. “*School personnel*” means School Board members, school district employees, agents of the school district, unpaid volunteers, contractors and persons, other than students, who are subject to the supervision and control of the Colchester School District.

## **PROCEDURES:**

### **REPORTING**

1. School personnel. Colchester School District personnel should report an allegation of unlawful harassment (hereafter the term “unlawful harassment” specifically incorporates and includes the term “sexual harassment”) he or she has experienced or witnessed at school or during school sponsored activities to their supervisor, Principal, or to a person designated, in accordance with procedures developed under this policy, to receive complaints of unlawful harassment.

2. Mandatory report. Colchester School District personnel, including administrators, supervisors, and School Board members, who witness or receive a report, formal or informal, written or oral, of unlawful harassment at school or during school sponsored activities shall report it in accordance with procedures developed under this policy.
3. Coordinator. The Superintendent shall receive reports of unlawful harassment. If the report involves the Superintendent, the reporter shall make it directly to the School Board. The Colchester School District shall post the name, mailing address, and telephone number of its Coordinator conspicuously.
4. Privacy. The Colchester School District will respect the privacy of the complainant, the individual(s) against whom the report is directed, and the witnesses, to the extent possible consistent with the Colchester School District's obligations to investigate, take appropriate action, and conform with any disclosure obligations.

### **INVESTIGATION**

The Colchester School District shall conduct an investigation, in accordance with procedures adopted under this policy, as soon as practicable but not later than 15 business days following receipt of a report or complaint, formal or informal, written or oral, alleging unlawful harassment.

### **RETALIATION**

Retaliation against a person for reporting unlawful harassment or for cooperating in an investigation of unlawful harassment is unlawful. It shall be a violation of this policy for any person who learns of a complaint or investigation to take, or cause another person to take, any retaliatory action which affects the employment environment of any person involved in the complaint or the investigation. Persons who believe that they are being retaliated against should follow the complaint procedures of this policy. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment based on reporting unlawful harassment or for cooperating in an investigation of unlawful harassment.

### **ACTION**

1. Sanctions. The Colchester School District shall take appropriate action in all cases where this policy has been violated. Any person found to have violated this policy may be subject to appropriate consequences and/or remedial action including, but not limited to, warning, exclusion, suspension, transfer, dismissal, termination of contractual agreements, or remedial action such as training, education, or counseling.
2. False report. The Colchester School District shall take appropriate action against any teacher, administrator, staff member, or other school personnel who makes a false report of unlawful harassment knowing it to be false.

3. Retaliation. The Colchester School District shall take appropriate action against any teacher, administrator, school personnel, or other person who retaliates, or causes another person to retaliate, against any person for making a good faith report of unlawful harassment or for participating in an investigation or other part of the process established by this policy.

### **APPEAL**

A person aggrieved or directly affected by a determination under this policy may appeal the determination and/or the action taken in accordance with procedures adopted under this policy to the Superintendent or the School Board in accordance with the provisions of any applicable policies or agreements.

### **MANDATORY REPORT OF ABUSE**

Under certain circumstances, alleged harassment may also constitute possible abuse under Vermont law. The statutory obligation to report suspected abuse, therefore, may be applicable.

### **EXTERNAL REPORTS**

In addition to the School District's complaint procedures, a person may file a complaint of unlawful harassment or sexual harassment with the following agencies:

Vermont Human Rights Commission  
133 State Street  
Montpelier, VT 05633-0001  
(802) 828-2480

Vermont Attorney General's Office  
Civil Rights Unit  
109 State Street  
Montpelier, VT 05609-1001  
(802) 828-3171 (voice/TDD)

Equal Employment Opportunity Commission  
1 Congress Street  
Boston, MA 02114  
(617) 565-3200 (voice), (617) 565-3204 (TDD)

### **NOTIFICATION AND TRAINING**

1. Notification. The Superintendent shall insure that copies of the policy are:
  - a. Posted conspicuously in each school building in areas accessible to all persons;

- b. Printed in any school district publication that sets forth the comprehensive rules, procedures, and standard of conduct for school district employees; and
- c. Available, upon request, to all school personnel.



COLCHESTER SCHOOL DISTRICT  
HARASSMENT POLICY DOCUMENTATION FORM

Date Filed: \_\_\_\_\_ Time: \_\_\_\_\_

I. YOUR NAME: \_\_\_\_\_ ACCUSED: \_\_\_\_\_

Description of Incident:

Reported by: \_\_\_\_\_  
Signature

Witness (if applicable): \_\_\_\_\_  
Signature

II. INFORMAL MEETING DOCUMENTATION \_\_\_\_\_ Check: \_\_\_ Successful \_\_\_ Unsuccessful  
Date

Summary of Agreements:

III. NEXT STEPS (check all that apply):

- 1. \_\_\_\_\_ Resolution informally achieved.
- 2. \_\_\_\_\_ Additional informal meeting(s) scheduled.
- 3. \_\_\_\_\_ No resolution. Referred to formal procedure.

**SIGNATURES**

\_\_\_\_\_  
Party A Date

\_\_\_\_\_  
Party B Date

\_\_\_\_\_  
Witness (if applicable) Date

**CONFIDENTIAL FORM**  
MAINTAINED BY DESIGNATED BUILDING REPRESENTATIVE

**COLCHESTER SCHOOL DISTRICT**

**HARASSMENT POLICY APPEAL FORM**

1. Briefly describe the nature of your discrimination/harassment charge. What section of our district policy addresses your complaint?
2. Cite date, time, place, and person(s) involved in this discrimination/harassment charge. Attach copies of any evidence regarding your complaint, and list the names of any witnesses to your alleged discrimination.
3. State your understanding of the building administrator's or area supervisor's decision regarding your complaint.

4. What redress are you seeking? What outcomes do you expect from this appeal?

5. List any other local, state, or federal agency with whom you are processing this complaint.

Submitted by \_\_\_\_\_ DATE \_\_\_\_\_  
NAME

\_\_\_\_\_  
SIGNATURE

ROLE (check)  Student  Employee

**FORWARD ONE COPY OF THIS CONFIDENTIAL FORM TO:**

- Your Principal and/or Immediate Supervisor
- Colchester School District Administrative Offices



## COLCHESTER SCHOOL DISTRICT

### POLICY: HARASSMENT OF EMPLOYEES

DATE ADOPTED: DRAFT

### POLICY STATEMENT

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

### DEFINITIONS

1. Definitions.

- a. **Employee:** For purposes of this policy, any person employed by and subject to the direct supervision of the district. For purposes of this policy, an employee includes any person employed directly or through a contract with another company by the District, agents of the schools, School Board members and any student teacher, intern, school volunteer or work study student.
- b. **Unlawful Harassment:** Verbal, written, or physical conduct based on a an employee's race, religion, color, national origin, marital status, sex (including pregnancy), sexual orientation, gender identity, age, political affiliation, ancestry, place of birth, genetic information, physical and/or mental disability which has the purpose or effect of substantially interfering with an employee's work or creating an intimidating, hostile or offensive environment.
- c. **Sexual Harassment:** May include unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
  - (i) Submission to the conduct is made either explicitly or implicitly a term or condition of that person's employment;
  - (ii) Submission to or rejection of such conduct by a person is used as a component of the basis for employment decisions affecting that person; or

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(iii) Such conduct has the purpose or effect of interfering with an individual's employment performance or creating an intimidating, hostile or offensive working environment.

d. **Retaliation:** An adverse action taken against a person who engages in protected activity under this policy such as making a complaint of unlawful harassment, reasonably opposing conduct which is unlawful under State and Federal anti-discrimination laws, or for participating in or cooperating with an investigation.

## 2. Examples.

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

### **Sexual**

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

### **Race and Color**

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

### **National Origin and Place of Birth**

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

### **Age**

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

### **Marital Status**

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

**Sexual Orientation**

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

**Gender Identity**

Harassment on the basis of gender identity includes unwelcome verbal, written or physical conduct directed at an individual's actual or perceived gender identity, or gender-related characteristics intrinsically related to an individual's gender or gender identity, regardless of the individual's assigned sex at birth.

**Disability**

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

**Genetic Information**

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

**PROCEDURES:****REPORTING**

1. **Duty to Investigate.** In the event the district receives a complaint of unlawful harassment of an employee, or otherwise has reason to believe that unlawful harassment is occurring, it will take all necessary steps to ensure that the matter is promptly investigated and addressed. The Colchester School District is committed to take action if information regarding potential unlawful harassment is learned, even if the aggrieved employee does not wish to file a formal complaint.
2. **Designated Persons.** Every employee is encouraged to report any complaint of or suspected acts of unlawful harassment. Unlawful harassment should be reported to the non-discrimination coordinators or to the principal at the following address and telephone number: The building principal and/or Superintendent shall serve as the nondiscrimination coordinator for the Colchester School District and shall receive reports of unlawful harassment. If the report involves the Superintendent, the reporter shall make the report directly to the School Board.
3. **Investigation.** Allegations of unlawful harassment will be promptly investigated by a non-discrimination coordinator or designee. At the outset of the investigation, the complainant shall be provided with a copy of this policy. If the allegations are found to have been substantiated by the investigator, the district or Supervisory Union will take

appropriate disciplinary and/or corrective action. The non-discrimination coordinator or designee will inform the complainant(s) and the accused(s) whether the allegations were substantiated. The accused(s), the complainant(s) and any witness(es) shall be warned against any retaliation. If, after investigation, the allegation is found not to have been substantiated, the complainant(s) shall be informed of the right to contact any of the state or federal agencies identified in this policy.

4. **Filing a Complaint.** Employees are encouraged to report the alleged unlawful harassment as soon as possible to the non-discrimination coordinators or the principal.
5. **Mandatory Report.** Colchester School District employees, including administrators, supervisors, and School Board members, who witness or receive a report, formal or informal, written or oral, of unlawful harassment at school or during school sponsored activities shall report as soon as possible. Under certain circumstances, alleged harassment may also constitute possible abuse under Vermont law. The statutory obligation to report suspected abuse, therefore, may be applicable.
6. **Confidentiality.** The Colchester School District will respect the privacy of the complainant, the individual(s) against whom the report is directed, and the witnesses, to the extent possible consistent with the Colchester School District's obligations to investigate, take appropriate action, and conform with any disclosure obligations. Witnesses, complainant and the accused shall keep confidential matters related to the charge of unlawful harassment.

### **Alternative Complaint Processes**

Employees may file complaints with both the district and with state and federal agencies. If employees are dissatisfied with the results of an investigation, they may file a complaint with state and federal agencies. Complaints should be filed within 300 days of any unlawful harassment. The agencies are:

Vermont Human Rights Commission  
133 State Street  
Montpelier, VT 05633-0001  
(802) 828-2480

Vermont Attorney General's Office  
Civil Rights Unit  
109 State Street  
Montpelier, VT 05609-1001  
(802) 828-3171 (voice/TDD)

Equal Employment Opportunity Commission  
1 Congress Street  
Boston, MA 02114  
(617) 565-3200 (voice), (617) 565-3204 (TDD)



COLCHESTER SCHOOL DISTRICT  
HARASSMENT POLICY DOCUMENTATION FORM

Date Filed: \_\_\_\_\_ Time: \_\_\_\_\_

I. YOUR NAME: \_\_\_\_\_ ACCUSED: \_\_\_\_\_

Description of Incident:

Reported by: \_\_\_\_\_  
Signature

Witness (if applicable): \_\_\_\_\_  
Signature

II. INFORMAL MEETING DOCUMENTATION \_\_\_\_\_ Check: \_\_\_ Successful \_\_\_ Unsuccessful  
Date

Summary of Agreements:

III. NEXT STEPS (check all that apply):

- 1. \_\_\_\_\_ Resolution informally achieved.
- 2. \_\_\_\_\_ Additional informal meeting(s) scheduled.
- 3. \_\_\_\_\_ No resolution. Referred to formal procedure.

**SIGNATURES**

\_\_\_\_\_  
Party A Date

\_\_\_\_\_  
Party B Date

\_\_\_\_\_  
Witness (if applicable) Date

**CONFIDENTIAL FORM**  
MAINTAINED BY DESIGNATED BUILDING REPRESENTATIVE

**COLCHESTER SCHOOL DISTRICT**

**HARASSMENT POLICY APPEAL FORM**

1. Briefly describe the nature of your discrimination/harassment charge. What section of our district policy addresses your complaint?
2. Cite date, time, place, and person(s) involved in this discrimination/harassment charge. Attach copies of any evidence regarding your complaint, and list the names of any witnesses to your alleged discrimination.
3. State your understanding of the building administrator's or area supervisor's decision regarding your complaint.

4. What redress are you seeking? What outcomes do you expect from this appeal?

5. List any other local, state, or federal agency with whom you are processing this complaint.

Submitted by \_\_\_\_\_ DATE \_\_\_\_\_  
NAME

\_\_\_\_\_  
SIGNATURE

ROLE (check)  Student  Employee

**FORWARD ONE COPY OF THIS CONFIDENTIAL FORM TO:**

- Your Principal and/or Immediate Supervisor
- Colchester School District Administrative Offices



**PERSONNEL CONSENT AGENDA**

**Board Date: March 21, 2017**

**Licensed Employees (Teacher/Administrator)**

<b>Contract Type</b>	<b>First Name</b>	<b>Last Name</b>	<b>Category</b>	<b>Position</b>	<b>FTE/Hours</b>	<b>Building</b>	<b>Agenda Information</b>	<b>Person Replacing</b>	<b>Budgeted</b>	<b>Admin Support</b>
Teacher	C. Joseph	Johnston	End of Employment	Physical Education Teacher	1.0 FTE	CMS	Request to end Employment effective June 30, 2017			Yes
Teacher	Stephanie	Duncan	End of Employment	EEE Special Education Teacher	1.0 FTE	EEE	Request to end Employment effective June 30, 2017			Yes
Teacher	Hannah	Trieb	New Hire	Elementary Teacher	1.0 FTE	UMS	Request to Hire	Hannah Trieb	Yes (Replacing One-Year Only status; hired mid-year)	Yes

**Non-Licensed Employees (Support Staff), *Informational***

<b>Contract Type</b>	<b>First Name</b>	<b>Last Name</b>	<b>Category</b>	<b>Position</b>	<b>FTE/Hours</b>	<b>Building</b>	<b>Agenda Information</b>	<b>Person Replacing</b>	<b>Budgeted</b>	<b>Admin Support</b>
Support Staff	Tamarra	Lessor	End of Employment	Paraeducator - Special Education	32.5 hr	CHS	Notice of End of Employment			Yes
Support Staff	Laura	Rose	Leave of Absence	Paraeducator - Special Education	32.5 hr	CHS	Request Leave of Absence from March 13 - March 24, 2017			

## COLCHESTER SCHOOL DISTRICT

Board of Education Meeting  
CHS Room 114A  
Colchester High School Media Center

Tuesday, March 7, 2017  
5:30 p.m. (Executive Session)  
7:00 p.m. (General Session)

### MINUTES (Executive Session)

The Colchester Board of Education held an Executive Session to discuss contract negotiations on Tuesday, March 7, 2017, in CHS Room 114A. Those in attendance were: Board Chair Mike Rogers; Directors Lincoln White, Craig Kieny, and Curt Taylor; and Superintendent Amy Minor.

*Director White moved to enter Executive Session, seconded by Director Kieny. Board Chair Rogers called the meeting to order at 5:35 p.m. to have a discussion regarding negotiations. The motion passed unanimously, 4-0.*

No decisions were made.

*Director Kieny moved to exit Executive Session at 6:59 p.m., seconded by Director White. The motion passed unanimously, 4-0.*

### MINUTES (General Session)

The Colchester Board of Education held a regular board meeting on Tuesday, March 7, 2017, at the Colchester High School Media Center. Those in attendance were: Board Chair Mike Rogers; Directors: Lincoln White, Craig Kieny, Curt Taylor, and Lindsey Cox; Student Board Member Jaclyn Cline; Superintendent Amy Minor; Director of Special Education Carrie Lutz; Director of Curriculum & Instruction Gwen Carmolli; Principals: Heather Baron, Julie Benay, Carolyn Millham, and Chris Antonicci.

There were 3 people in the audience.

#### **I. Call Meeting to Order and Pledge of Allegiance**

Board Chair Mike Rogers called the meeting to order at 7:03 p.m. Board Chair Rogers led in the Pledge of Allegiance.

#### **II. Citizen Participation**

None.

#### **III. Hear Colchester School District Audit Report for FY'16**

Fred Duplessis, CPA from Sullivan, Powers and Co., provided the board and community with an overview of their audit report and findings for FY'16. A copy of the report is available on the district website. The audit was clear and in full compliance.

#### **IV. Report from Black River Design on Building Renovations**

John Hemmelgarn with Black River Design shared his analysis of the work that would need to be done on the PPS and UMS lots to expand those buildings to serve PreK – Grade 2 students. His analysis also included financial information and estimates. John stated that both schools are operating at or above the current space restraints. Both school principals echoed those statements saying it is extremely tight for students and faculty and it can often prevent them from doing large group collaboration lessons. Superintendent Minor stated she will form a committee to research and advise on the project. Once it was confirmed that renovating the existing buildings was an option, the board talked about having a future discussion about the scope of the prospective committee's work. Specifically, if the board would want them to explore both options on the table. The first being to renovate and expand both PPS and UMS to hold PreK – Grade 2. And the second option being to build a brand new PreK – Grade 2 school building which would combine both schools.

#### **V. Approval of Recommendation for Teacher Contract Renewals 2017-2018**

Superintendent Amy Minor provided the board with two memos outlining the contracts that she recommends to renew for the FY'18 school year.

*Director Cox moved to approve the Superintendent's recommendations for teacher contract renewals and individual contract renewals for FY'18 as provided, seconded by Director Kieny. Motion passed unanimously, 5-0.*

#### **VI. School Calendar**

Superintendent Amy Minor shared the first draft version of the 2017-2018 School Calendar with the board and community. The calendar was based off of the contract agreement which indicates there will be 176 student days, 8 in-service days, 1 teacher prep day, and 2 conference days for 187 total days. She is still working on early release days and will bring those forward at a future meeting.

#### **VII. Approval of Personnel Consent Agenda**

There were no items on the Personnel Consent Agenda for review.

#### **VIII. Approval of Minutes: February 21, 2017**

*Director Taylor moved to approve the minutes of February 21, 2017, seconded by Director Kieny. The motion passed unanimously, 5-0.*

#### **IX. Approval of Minutes: February 23, 2017**

*Director Taylor moved to approve the minutes of February 23, 2017, seconded by Director White. The motion passed unanimously, 5-0.*

#### **X. Approval of Minutes: March 1, 2017**

*Director Kieny moved to approve the minutes of March 1, 2017, seconded by Director White. The motion passed unanimously, 5-0.*

## **XI. Board/Administration Communications, Correspondence, Committee Reports**

- Director of Special Education Carrie Lutz, provided the results from Town Meeting Day.
  - The school budget passed 1,381 to 971.
  - Director Lincoln White will be returning to the school board for a three-year term.
  - Director Curt Taylor will be returning to the school board for a two-year term.
- Director White provided an update on contract negotiations.

## **XII. Possible Future Agenda Items**

- Carrie's Road Show
- 2<sup>nd</sup> Draft of 17-18 School Calendar
- Early Release Days in '17-'18
- Policies for Next Meeting (tobacco, AUP, building use and weapons)

## **XIII. Adjournment**

*Director Kieny moved to adjourn at 8:31 p.m., seconded by Director Taylor. The motion passed unanimously, 5-0.*

Recorder:

Board Clerk:

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Meghan Baule  
Communications Specialist

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Craig Kieny  
Board Clerk