

APPENDIX

Policies and State Statutes

All Vermont schools are governed by State Statutes that mandate various policies. One example is the requirements for immunizations that are listed on page 7 of this handbook. Examples of Federal Mandates are the FERPA guidelines and the IDEA guidelines described below. We are also required to notify parents annually about some policies. Franklin Central School has policies on the governance of the School Board, fiscal management, on instruction and students as well as personnel and support services. Franklin School maintains policies on asbestos abatement, harassment, bullying, smoking and alcohol free environments, drug and alcohol education, distribution of medications, food service management, emergency closings and field trips, to list just a few. If you are interested in obtaining copies of any of our policies or in reviewing any of our policies, you may do so by calling the school office for a free hard copy or by visiting the Franklin Northwest Supervisory Union website at www.fnwsu.org/school-policies/. Policies are subject to change and revised policies can also be found at the website or in the office.

ACT 157 & ACT 117 (An Educational Support System For All Students)

Act 157 (Act 230 was re-authorized in 1996 as Act 157) is a Vermont regular education initiative that requires, “a comprehensive system of education services that will result, to the maximum extent possible, in all students succeeding in the regular classroom. A range of effective educational services should be available to all students who are at risk of failing academically.” Act 117, passed in 2000, emphasized the requirements of Act 157 and was intended to strengthen the education system’s capacity to meet the needs of all students in the general education environment.

According to these regulations approved first in 1992, each public school in Vermont, “shall adopt a policy that establishes an instructional support system,” to assist teachers in making accommodations for children in the regular classroom. The system consists of an E.S.T., (Educational Support Team) and a range of classroom services that are coordinated by the teacher. An EST shall be established to accept referrals from teachers and parents. If warranted, the EST shall allow for the timely referral to special education. The membership of the EST may include teachers, guidance and administration.

I.D.E.A.

I.D.E.A. refers to the Individual with Disabilities Education Act (P.L. 94-142), a Federal law that requires the provision of special education programs and related services for students who qualify. Teachers, parents, and students participate in a comprehensive evaluation process. In order for a student to qualify for special education services based on the results of the comprehensive evaluation, the Evaluation and Planning Team must determine that:

- (1) the student meets the criteria of one or more of the disabilities,
- (2) the disability has an adverse effect on educational performance,
- (3) the student requires specially designed instruction that cannot be provided within the school’s current system of regular and supplemental services.

Once a student is found eligible, an Individual Education Plan with goals and objectives is developed and implemented. A student’s eligibility for special education services is re-evaluated every three years.

Section 504

Section 504 of the Federal Rehabilitation Act of 1973 requires that, “no otherwise qualified individual with handicaps ...shall, solely by reason of her or his handicap, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity,” conducted or sponsored by the school district. Under Section 504, “handicaps” are defined as conditions not primarily the result of cultural, environmental, or economic factors. “Handicaps” are physical or mental impairments which substantially limit one or more major life activities.

In order to be eligible for educational accommodations the student’s physical or mental impairment must substantially limit his/her learning. A record of such an impairment must exist or the student must be regarded as having such an impairment. A 504 plan consists of a program of aids and services that is designed to meet the individual student’s needs. The non-discrimination coordinator for the School District is The Superintendent of Schools, Superintendent of Schools Office 100 Robinhood Drive Swanton, VT 05488. 802-868-4967

Notice of Prohibition Against Bullying/Harassment/Hazing*

Franklin Central School recognizes that students should have a safe, orderly, civil and positive learning environment. Bullying is a form of dangerous and disrespectful behavior that will not be permitted. “Bullying” means any overt act or combination of such acts, including an act conducted by electronic means, directed against a student by another student or group of students and which: a) is repeated over time; b) is intended to ridicule, humiliate, or intimidate the student; and c) occurs during the school day on school property, on a school bus, or at a school-sponsored activity, or before or after the school day on a school bus or at a school-sponsored activity; or d) does not occur during the school day on school property, on a school bus, or at a school-sponsored activity and can be shown to pose a clear and substantial interference with another student’s right to access educational programs. Examples of bullying could include repeated name calling or threatening behaviors. In order for behaviors to be “bullying”, the behaviors must be repeated over time, directed at a particular student, **and** intended to ridicule, humiliate, or intimidate. Bullying may involve a range of misconduct that, based on the severity, will warrant a measured response of corrective action and/or discipline. Behaviors that do not rise to the level of bullying, as defined above, still may be subject to other disciplinary measures. Any student who knowingly makes false accusations regarding bullying may be subject to disciplinary action.

Harassment*

Our school is committed to providing a safe and supportive school environment in which all students are treated with respect and not subjected to harassment. Harassment examples could include saying hurtful things about skin color, gender, religion, or a disability. “Harassment” means an incident or incidents of verbal, written, visual or physical conduct, including any incident conducted by electronic means, based on or motivated by a student’s or a student’s family member’s actual or perceived race, creed, color, national origin, marital status, sex, sexual orientation, or disability that has the purpose or effect of objectively and substantially undermining and detracting from or interfering with a student’s educational performance or access to school resources or creating an objectively intimidating, hostile, or offensive environment.

Hazing*

Hazing has no place in a school which strives to provide a safe, orderly, civil and positive learning environment. “Hazing” means any act committed by a person, whether individually or in concert with others, against a student in connection with pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization which is affiliated with the school and which is intended to have the effect of, or should reasonably be expected to have the effect of, humiliating, intimidating, or demeaning the student or endangering the mental or physical health of a student. “Hazing” also includes soliciting, directing, aiding, or otherwise participating actively or passively in the above acts. Hazing may occur on or off school grounds. Hazing is prohibited by state law.

*The principal, Joyce Hakey, and Guidance Counselor, Christine Muratore, are designated by the district to receive bullying/harassment/hazing complaints. You may reach them at 285-2100. Copy of complete information on Bullying/Harassment/Hazing policy is available on our website www.fnwsu.org/fcs and www.fnwsu.org/school-policies/.

Search and Seizure

1. Desks, lockers, textbooks and other materials or supplies loaned by the school to students remain the property of the school and may be opened by school employees for cleaning, maintenance or emergencies. When prohibited items are found in the course of routine cleaning or maintenance, or in the case of emergency, they will be confiscated and a report will be made to the principal who will determine whether further investigation is warranted.
2. School property (including, but not limited to, computers used by students) may also be searched by school employees upon reasonable suspicion on the part of the principal, assistant principal, or superintendent that a law or school policy is being violated. Searches of school property in the possession of students will not extend to areas or items not reasonably calculated to aid in the enforcement of specific policies or laws.
3. Searches of students' persons or vehicles will be conducted if there is reasonable cause to believe that a breach of school policy or law is being committed. Search of a student's person will be conducted by a school employee of the same sex and, whenever possible, in the presence of another school employee.
4. School employees are not the agents of law enforcement officials. Search and/or seizure by law enforcement officials on school property may occur when a warrant or other legal basis exists authorizing such search and/or seizure, and when the requirements of the board's policy on interrogations by law enforcement officers has been complied with.
5. Copies of this policy will be distributed to students when they enroll in school by including it in the student handbook given to students.

Pupil Privacy Rights Notification

Parents shall be notified at least annually, at the beginning of the school year or when enrolling students for the first time in district schools, of this policy. The notification shall explain that parents/guardians or students 18 years of age or older, have the right to "opt out" of the following activities:

- the collection, disclosure and use of personal information gathered from students for the purpose of marketing or selling that information. This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational services for, or to students such as:
 1. college or other postsecondary education recruitment, or military recruitment;
 2. book clubs, magazines and programs providing access to low cost literary products;
 3. curriculum and instructional materials used in schools;
 4. tests and assessments;
 5. student recognition programs; and
 6. the sale by students of products or services to raise funds for school-related activities.
- the administration of any survey that includes the subject areas listed above; or
- the administration of any non-emergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school not necessary to protect the immediate health or safety of a student or other students and not otherwise permitted or required by state law.

Notification of Rights under FERPA for Elementary and Secondary Schools

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

- (1) The right to inspect and review the student's education records within 45 days of the day the School receives a request for access.

Parents or eligible students should submit to the School principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

(2) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate.

Parents or eligible students may ask the School to amend a record that they believe is inaccurate. They should write the School principal [or appropriate school official], clearly identify the part of the record they want changed, and specify why it is inaccurate. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

(3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such-as-a-disciplinary-or-grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. [NOTE: FERPA requires a school district to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request.]

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office