

MEETING OF THE
MONTPELIER BOARD OF SCHOOL COMMISSIONERS

June 7, 2017
MINUTES

Minutes Approved:

Present

Board: Bridget Asay, Becky Bowen, Michele Braun, Steve Hingtgen, Tina Muncy, Peter Sterling
Administration: Superintendent Brian Ricca
Student: Omeed Fallahi
Public: Adrienne Gil, Matt Koucky, Heather McLane, Tom Sabo, Liliane Savard, Sarvesh Sharma, Emily Sheftman, Jason Tomasi, and others
Absent: Brynn Bushey, Jim Murphy

Item I – Call to Order The meeting was called to order at 6:03 p.m.

Item II – Executive Session

- Motion for Approval for Executive Session for the Purpose of Contract Negotiations and Employee Evaluation

Mr. Hingtgen moved that the Board find that discussing contract negotiations in open session would put the Board at a substantial disadvantage. Ms. Muncy seconded and the motion carried unanimously at 6:03 p.m.

- Motion to Move to Executive Session for the Purpose of Contract Negotiations and Employee Evaluation

Mr. Hingtgen moved that the Board enter into Executive Session in accordance with 1 VSA §313 to discuss contract negotiations and an employee evaluation. Ms. Muncy seconded and the motion carried unanimously at 6:03 p.m. On a motion duly made and seconded, the Board voted unanimously to leave Executive Session at 7:00 p.m.

Item III – Return to Open Session 7:02 p.m.

Item IV – Public Comment None.

Item V - Consent Agenda

- **Approval of** Minutes of May 31, 2017 School Board Meeting
- **Approval of** Warrants for Payroll & Accounts Payable for June 23, 2017 (Limitations Policy 2.4)
- **Approval of** Authorization for the Superintendent to Submit Consolidated Federal Program Grant and to Receive and Expend Federal Funds (Limitations Policy 2.3)

Mr. Sterling moved, seconded by Ms. Asay, to approve the consent agenda including minutes of the May 31, 2017 special meeting, Warrant 26 dated June 22, 2017 in the amount of \$119,206.47, and authorization for the superintendent to submit the Consolidated Federal Program Grant and to receive and expend federal funds. Motion carried unanimously.

Item VI – Limitations Policy 2.8 – Communication and Support to the Board

- Heather McLane and MHS Earth Group Student Presentation

Five students gave a PowerPoint presentation in support of their request for the Board to consider a ban on the sale of disposable water bottles in the cafeteria. Reasons, challenges, and concerns were presented,

as well as an explanation of the request's correlation with District learning expectations. Following the presentation and discussion, Ms. Bowen moved, seconded by Mr. Sterling, that the Board support a resolution to remove all plastic water bottle sales from the cafeteria. Motion carried unanimously.

Item VII – Governance Process Policy 4.7 – Board Committee Structure

- Discuss Food Service Committee and Charge

Mrs. Braun presented the notion of charging the District's Wellness Committee with this project and reviewed the Board's responsibilities for establishing a committee. A draft charge was presented by Mrs. Braun. Mr. Hingtgen suggested that values, sustainability and community integration be incorporated into #1 of the draft charge. Committee makeup was discussed. Ms. Bowen volunteered to serve as the board member on the committee. Reporting dates of January 15, 2018 for the annual report and October 15, 2017 and June 2018 for status reports were agreed to. The committee term will be one year.

- Approve Food Service Committee and Charge

Item VIII – Limitations Policy 2.1 – Treatment of Parents, Guardians, Students, and Citizens

- Review Superintendent's Report

A written report was provided (copy attached). Superintendent Ricca reviewed the substantive changes from last year's report to this year's report. The need for additional indicators in the area of 2.1.3 was discussed. Mr. Hingtgen suggested a follow-up letter for any complaints rising to the level of a meeting with the superintendent. Needed improvements in the area of 2.1.5 were also discussed. Mr. Hingtgen said the report did not contain sufficient information for him to determine compliance in this area. Efficient and immediate dissemination of new policy information was suggested.

- Accept Superintendent's Report

Ms. Asay moved, seconded by Ms. Bowen, to accept limitations report 2.1. The motion passed 3-2, Ms. Asay, Ms. Bowen and Mr. Sterling voting in favor, Ms. Muncy and Mr. Hingtgen voting against.

Item IX – Limitations Policy 2.4 (Financial Planning and Budgeting) and 2.8 (Communication and Support to the Board)

- Discuss Board Procedures for Reporting

Mrs. Braun identified policies requiring board reporting. There was consensus to include this as an agenda item for the August retreat.

Item X – Adjourn

On a motion duly made and seconded, the Board voted unanimously to adjourn at 9:04 p.m.



Students will be capable, motivated contributors to their local, national, and world communities.

Date: 6/2/17

To: Montpelier Public Schools Board of School Commissioners

From: Dr. Brian G. Ricca *BGR*

RE: Limitation Report 2.1

Limitation Report 2.1

With respect to the treatment of parents, guardians, students, and the public, the Superintendent shall not allow conditions, procedures, actions, or decisions which are unlawful, unethical, unsafe, disrespectful, disruptive, undignified, or in violation of Board policy. Accordingly, the Superintendent shall not:

1. *Use methods of managing information that fail to protect confidential information.*

Interpretation: I interpret this to mean the Superintendent is required to ensure that the information and management systems comply with all state and federal laws and regulations.

Evidence: As I reported last year for this report, all confidential information is stored in a safe and appropriate environment, per FERPA requirements, there is password protection on our computers and networks, locked and fire-proof filing systems, back-ups for data management systems, and procedures for storage and destruction of information/files.

Status: *In compliance.*

2. *Elicit information for which there is no clear necessity.*

Interpretation: This is a straightforward limitation. There must be a reason to collect the information that we are asking for.

Evidence: MPS solicits the following information (not meant to be an inclusive list):

- Registration and Beginning of Year Information: Student and family name(s), physical and mailing addresses, e-mail addresses, home, work, and cell phone numbers for immediate contact and general communication.
- Health and Immunization records for student protection, well being, and to meet State and Federal requirements.

- Native language to assist with instruction if necessary and communication with parents.
- Free and Reduced Lunch Information to ensure nutritional and educational needs of students.
- Special Education information to adhere to State/Federal regulations and statutes.
- Parent/Guardian permission and/or opt out for the use of pictures, family information, and students' work.
- Parent/Guardian permission for student participation in extra-curricular activities such as field trips and sports participation.

Status: *In compliance.*

3. *Fail to provide a process for the effective and efficient handling of complaints and concerns.*

Interpretation: This too is a straightforward limitation. There is to be a clear process for families to communicate concerns with the school district.

Evidence: With the acceptance of the complaint procedure by the School Board, there is now a process by which families can express their complaints to the appropriate people in Montpelier Public Schools. From my office, I can report thirty-six times people have connected with me with complaints this year. That breaks down to twelve calls and twenty-four e-mail messages that came from either parents and/or community members. Of those, three turned into meetings in my office. All but one of those in-person meetings resulted in the individuals leaving feeling heard by me. This is truly something that I am proud of my improvement on.

Status: *In compliance.*

4. *Fail to establish the clear expectation that all employee behaviors and attitudes contribute to an organized culture that is open and responsive, treating stakeholders with respect, dignity, and courtesy, and establishing a system-wide process for monitoring that culture.*

Interpretation: I continue to be troubled by the word "all" in this limitation. While I understand the spirit of this limitation, the expectation for the culture in MPS includes respect, dignity and courtesy across the district.

Evidence: Reports of any behaviors and/or attitudes that contribute negatively to our culture are investigated and responded to if warranted by building principals whether between adults, students, or between adults & students. This year, the Board adopted the VSBA's Harassment, Hazing and Bullying policy formally. However, the state-approved procedures have been, and continue to be, followed when the information is brought to the attention of school personnel.

Status: *In compliance.*

5. *Fail to assure a system of communication between the school district and parents that provides for two-way, timely, and full information about academic progress, safety and other important matters relating to education.*

Interpretation: I interpret this policy to mean that there are procedures in place that encourage communication between families and the schools in relation to all important aspects of a student's education.

Evidence: PowerSchool has been utilized for a variety of issues this year ranging from issues like the soil at Union Elementary School to the new 7/8 structure at the middle school, from transparency in how decisions are made to close or delay school to the tragic death of the parent of one of our pre-kindergarten students. This has been an area that has improved since last year. Many teachers and members of the Leadership Team continue to write blog posts regularly, inviting comments and follow-up conversations. I believe we have made great strides in this realm this year.

Status: *In compliance.*

6. *Fail to operate facilities with appropriate accessibility and privacy and meeting high health and safety standards*

Interpretation: I interpret this limitation to mean that all buildings are accessible per the standards set by the Americans with Disabilities Act and that health and safety standards are maintained at the highest level.

Evidence: Annual reviews continue to take place on a state level with the Director of Facilities for health, safety, and accessibility. Our commitment to capital improvements has been noted several times by several different Commissioners in recent meetings, as evidenced by our renewed attention to a possible bond, as well as thoughtful and deliberate use of our Reserve Fund while the bond items are contemplated.

Status: *In compliance.*

7. *Fail to inform parents, guardians, students, and citizens of this policy or to provide a way to be heard for persons who believe they have not been accorded a reasonable interpretation of their protection under this policy.*

Interpretation: This too is fairly straightforward and is related to 2.1.3.

Evidence: This policy is available on the website but is not distributed in a hard copy form.

Status: *Partially in compliance.* This coming year's district section of the handbook will contain this Limitation Policy, along with the updated complaint procedure. This will bring us into compliance per this section.

8. *Fail to establish procedures which respect the diversity of faiths and viewpoints within the school community and which seek to eliminate conflict between recognized religious holidays and academic and co-curricular timetables*

Interpretation: I interpret this policy to mean the Superintendent will eliminate conflict between recognized religious holidays and the educational operation of Montpelier Public Schools.

Evidence: Again this year, no specific conflicts have been brought to my attention in regards to religious observances. I continue to report that accommodations have been made when building principals have been made aware of conflicts due to a student's religious beliefs. I continue to make accommodations for staff members who wish to celebrate a particular religious holiday to ensure that they do not have to use a personal day. For further information, please see the attached pages from the MPS District Handbook.

Status: *In compliance.*

9. *Fail to establish procedures for the dissemination of non-school sponsored materials.*

Interpretation: This too is fairly straightforward.

Evidence: As a follow-up from last year's conversation, I inquired as to whether or not there is a contract with Coca-Cola in regards to the scoreboard at Main Street Middle School. No one in the Business Office can locate such a contract. To the best of our knowledge, Coca-Cola paid for the scoreboard and the benefit was the advertisement. Going forward we know that #6 (from the attached page from the Additional Limitations section of your Policy Governance Manual) must be adhered to when considering future profit-making enterprises in relation to Montpelier Public Schools.

Status: *In compliance.*

10. *Fail to establish procedures regarding the posting, dissemination and exhibition of material which promote the free exercised of speech and expression by students while maintaining an environment that is consistent with the district's educational mission.*

Interpretation: This limitation policy seeks to ensure the balance between honoring the rights of individuals in terms of free speech while maintaining an environment that honors the district's educational mission. The landmark case that this is based on is Tinker vs. Des Moines Independent Community School District (1969). The language that continues to be relevant in 2016 is that schools can only forbid conduct that would "materially and substantially interfere

with the requirements of appropriate discipline in the operation of the school.” We are also aware that this year, part of H. 513 (the omnibus education bill from this most recent legislative session) includes explicit freedom of expression protections granted for student journalists and their mentors. Since the Governor has signed the law, we will look to the Superintendents’ Association, as well as the School Boards’ Association, for specific guidance around this new statute.

Evidence: Please see the attached page from the MPS District Handbook.

Status: *In compliance.*

This is my report on Superintendent Limitation Policy 2.1, Treatment of Parents, Guardians, Students and Citizens.

I certify that the information contained in this report is true to the best of my knowledge.

- Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers
- Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program)

Notice Educational agencies and institutions shall give parents and students effective notice of their rights under this section.

Enforcement The Secretary shall take such action as the Secretary determines appropriate to enforce this section, except that action to terminate assistance provided under an applicable program shall be taken only if the Secretary determines that (1) there has been a failure to comply with such section; and (2) compliance with such section cannot be secured by voluntary means.

Office and Review Board The Secretary shall establish or designate an office and review board within the Department of Education to investigate, process, review, and adjudicate violations of the rights established under this section.

PUBLIC PRESCHOOL

Following the passage of Act 166 for universally funded preschool in Vermont, the Agency of Education has decided to give school districts an additional year to prepare for implementation while related rules and regulations are finalized. During the coming year, the Montpelier School District will provide prekindergarten services to families as we have in the past. The Vermont Legislature has approved state support for publicly funded preschool on a limited basis. The Montpelier School District has entered into an agreement with the Family Center of Washington County, with Turtle Island Children's Center, Inc., with Orchard Valley Waldorf School, and with Montpelier Montessori School to provide 6-10 hours of publicly funded preschool per week per school year for Montpelier residents. For more information on this program, please call the superintendent's office.

RETENTION & PROMOTION OF STUDENTS

The Montpelier School District believes that for retention to be a positive growth experience, both parent and school need to be in agreement and work cooperatively to support and encourage the child. When it is determined to be in the best interest of the child for reasons of lack of appropriate growth in academic achievement, social development, and/or maturation, a child may be retained.

The decision to retain the child will be made jointly by the principal and the child's parent or guardian after consultation with appropriate staff. Retention of a pupil with a disability will follow procedures required by federal and state regulations regarding the disability (i.e., this is regarded as a "change in placement" and as such will involve an IEP meeting).

At Montpelier High School, the number of credits that a student has earned determines promotion to the next grade level. To be promoted to the sophomore class, students must have earned a minimum of 5 credits. To be promoted to the junior class, students must have earned a minimum of 10 credits. To be promoted to the senior class, students must have earned a minimum of 15 credits. To graduate, students must have earned a minimum of 23 credits.

ROLE OF RELIGION IN THE SCHOOLS

Statement of Policy and Purposes

The primary mission of the public school is education. The proper role of religion in the public school lies in its academic value and not in the appropriation or endorsement of any particular religion or belief system, nor of religion over non-religion. By "academic value" is meant the meaning of religious systems and the role they have played in the development of human history and culture.

This policy preserves the school's role of deepening understanding of humanity as a whole, while preserving the family's role of guiding children in a particular belief system if it chooses to do so. This policy also safeguards the function of school as a meeting place for children and families of different backgrounds and beliefs, recognizes the increasing diversity of religious faith and expression present in our community, and prevents the effect of the marginalization of minority members of the school community. The application of this policy will enhance our understanding of and respect for differences in religious beliefs and practices, and deepen our understanding of our common humanity.

In furtherance of this policy:

1. All engagement with religion, whether in the form of teaching about a religious holiday, the role of religion in history, school programs, or the academic study of religion itself, must be done solely with education and understanding as its goal.
2. Curriculum planning should include the study of religions, where appropriate, as an important part of a complete education, which can enhance student understanding and appreciation of diverse religious beliefs and practices. It is incumbent on teachers to teach about religion broadly and inclusively.
3. Teaching about religious holidays, which is permissible, is different from celebrating religious holidays, which is not. There shall be no school-initiated or -sanctioned formal or informal celebration or observance of religion, religious holidays or religious festivals.
4. Our schools shall be sensitive and responsive to the experiences of those whose religious cultures or traditions are in the minority.
5. Staff shall be provided training, guidance and specific advice regarding the implementation of this policy.

Religious Holidays, Festivals and Observances

1. Care must be taken in planning and presenting the academic topics of religious holidays, festivals and observances. Teaching about such events is different from celebrating the event. Teaching serves the academic goals of educating students about history and cultures as well as about the traditions of particular religions. Celebrating religious holidays in the schools is unconstitutional. Instruction must be objective; it should not be weighed in favor of one religion or in favor of religion over non-religion.
2. The significance of holidays, festivals or observances may be explained or discussed as an academic unit and/or as questions or comments arise from the students. Aside from this instruction, religious holidays, festivals and

observances have no other place in the school program. Permitting any observance or celebration would destroy the delicate balance that allows a community of plural beliefs to remain cohesive.

3. School staff must act carefully and sensitively to minimize feelings of exclusion, isolation, or discomfort among students who do not celebrate any or all of the particular holidays. Utmost care must be exercised to do nothing that would belittle any religious or non-religious beliefs. No child should ever be put in an embarrassing or uncomfortable position because of his or her family's religious or non-religious beliefs.
4. When teaching about a religious holiday, festival or observance coincides with the observance of that holiday, teachers and administrators must assess whether this coincidence creates an atmosphere of valuing one tradition or belief system over another.

Religious Symbols and Signs

1. A religious symbol is any object that both portrays and participates in a supernatural object or referent such as an image of Shiva, a statue of Buddha, or a Christian cross.
2. A religious sign is cultural. It is an object or image that is so closely associated with a religion or religious celebration that it is often perceived as religious in nature. The dreidl, Christmas tree, Easter Bunny and Yule log are religious signs.
3. Religious signs or symbols may be included in educational activities as long as they are an integral part of the academic curriculum. They may be displayed as a part of an academic program and left on display only for the time their presence is necessary to the study. Children should not be discouraged from expressing themselves through the use of religious signs or symbols in art or craftwork. Religious signs or symbols may not be used as decoration.

Music, Assemblies and Programs

1. In all public school programs and study, care must be taken to avoid presentation of music as a celebration of a particular religion or religious holiday, and to ensure that there is no bias shown toward or against any religion or non-religion. Faculty must be sensitive to the words of the music chosen so as not to promote or discourage religion. In creating music programs, teachers must be careful to include a wide variety of music – sacred, perceived-to-be religious and secular – to maximize diversity and not emphasize the music of any one tradition or religion over another.
2. For the purpose of this section, "sacred" music is music that recognizes the existence of a supernatural referent or music that points to or embellishes the supernatural referent. "Perceived-to-be religious" music is not sacred; it is music that has become so closely associated with a religion or religious holiday that it is looked upon by a segment of the population as being of a religious nature.
3. Sacred and perceived-to-be religious music may be sung or played as part of the school's academic and co-curricular program. School concerts that present a variety of selections may include sacred and perceived-to-be religious music. These genres may be included in a music appreciation course or as a part of a study of various lands and cultures. The use of art, drama, or literature

with religious themes is permissible as long as it serves a sound educational goal in the curriculum, but not if used as a vehicle for promoting religious belief. School assemblies and special events can include religious art, music or drama but only if they are a part of a secular, objective program of education. The event may not promote, denigrate or focus on any one religion or religious observance.

4. Given the potential for personal conflict, students should not be required to sing sacred or perceived-to-be religious music nor placed in a position where they experience pressure or expectation to do so. Student participation in such events should be voluntary. Whenever possible, students and parents/guardians will be given prior notice of any programs that will include sacred or perceived-to-be religious music so that they may, if they wish, elect not to participate.
5. Teachers and administrators must assess whether the proximity of a program to a religious holiday may tend to emphasize that tradition over another.

Religion in the Curriculum

1. References to or the study of religion or religious music, art or drama may be a legitimate component of courses such as history, sociology or literature at any grade level in the school curriculum. When the subject occurs naturally in studying other topics, religion should be treated as part of that study. For example, the study of Native Americans, the Pilgrims, Greek mythology, or the Crusades may include the religious aspect of the topic.
2. High school courses in the comparative study of religion must be non-theologically based and directed toward a cross-cultural understanding of the human capacity for religious experience or expression. As such, these courses must not seek to evaluate the truth claims of various religions, but rather seek to achieve an understanding of the structures that underlie the diversity of religious expressions.
3. Courses in comparative religion should employ an interpretive method that focuses on the distinctly religious content, in addition to secular analytic categories such as politics, social needs and structures, economics, or literary criticism.

The School Calendar

1. The school calendar shall include dates of significant and diverse religious holidays, festivals and observances, along with a brief explanation of such events. With this information, teachers will be prepared to lead exploration and discussion that may further students' understanding and respect for differing beliefs and religious expressions.
2. Classroom and school-wide activities and scheduling shall be planned to minimize conflict with the religious festivals, observances, or holidays of all faiths. Where conflicts are unavoidable, care should be taken to avoid tests, special projects, introduction of new concepts, and other matters that would be difficult to make up by children absent due to a religious holiday. Teachers will be flexible in facilitating students' making up missed assignments or examinations due to such excused absences. Conversely, the students attending school should continue to have meaningful learning experiences.

Training of Staff

There shall be specific training and qualifications for faculty teaching courses or units substantially about religion, including competency in understanding and applying this policy. Staff at all levels will receive relevant diversity training to make them aware of the sensitive nature of discussing religion in the public schools.

Tips for Planning Activities Teaching about Religious Holidays, Festivals or Observances

Teachers planning such activities are encouraged to answer the following questions:

- Is this activity designed to, or might it have the effect of, either promoting or inhibiting a particular religion or religion in general?
- How does this activity serve the academic goals of the course or the educational mission of the school?
- Will any student or parent be made to feel like an outsider, not a full member of the community, by this activity or the way it is being taught or presented?
- Do I include activities to teach about religious holidays at various times of the year?
- Am I prepared to teach about the religious meaning of this holiday in a way that enriches students' understanding of religion, history or cultures?
- When I display student work that contains religious symbols or signs, do I include an explanation of how this work connects with current studies? Which Vermont Standard, Vital Result or Learning Opportunity is addressed by this activity?

SCHOOL CLOSINGS, DELAYED OPENINGS, AND EARLY DISMISSALS

School closings, delayed openings and early dismissals will be announced over WCAX TV (VAB System), WDEV Radio (550 AM), WSKI, WNCS (104.7 FM), on the school website (www.mpsvt.org), and via the AlertNow messaging system.

Because we do not transport students from many back roads and rural areas, it is our policy to keep the Montpelier Schools open whenever possible. We understand that parents may decide to not send their child to school because of inclement weather in their particular locale.

If school opening is delayed because of inclement weather, lunches will be served as usual. Students should not be sent to school early on delayed start days as school personnel may not be available for adequate supervision.

If it becomes necessary to close school once school has opened, announcements will immediately be made over the above radio stations.

SCHOOL RESOURCE OFFICER

Corporal Matthew Knisley of the Montpelier Police Department is the School Resource Officer for the Montpelier Public Schools. The School Resource Officer performs the following duties within the school system: group conferencing, truancy, and assisting in instruction of safety and investigations.

SECLUSION AND RESTRAINT

The Montpelier School District will follow Rule 4500 as set forth by the Vermont Department of Education effective August 15, 2011.

STAFF AVAILABILITY

Students may seek out any member of the school staff for individual assistance. If students have been absent or if they are having trouble understanding their work, they are encouraged to make an appointment with their teachers for help.

Parents/guardians who wish to speak to a teacher should contact the teacher directly if at all possible. If not, please work through the school counselor or the office secretary. We will be glad to assist you in making an appointment.

The principal, the school counselor and the school nurse are also available for parent conferences. Appointments can be made by calling the school.

STUDENT RECORDS & FAMILY PRIVACY

Under the Family Rights and Privacy Act of 1974, you, as a parent or a student enrolled in the Montpelier Public Schools, have the right to:

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

Directory Information

Directory information will be released unless the parent or student informs the principal in writing that any or all of the information designated below should not be released without prior consent:

- Name, address, and telephone number;
- Date and place of birth;
- Dates of school attendance, grades enrolled;
- Name, address, and telephone number of parent/guardian;
- Diplomas, certificates, honors and awards received;
- Participation in recognized school activities and sports;
- Weight and height of athletes.

Children may be photographed during the school year. Pictures/videos could appear in printed newsletters, our annual reports, or on our web site.

Parents/guardians may, within five (5) school days of this annual notification, notify the principal or the school official in charge of pupil education records of any refusal to permit part or all of this information to be designated as directory information for the pupil. This notification must be in writing.

DISSEMINATION OF NON-SCHOOL-SPONSORED MATERIALS

H01

(Page 1 of 1)

Definition

School-sponsored activities are (a) activities sponsored by the Montpelier School District, (b) activities sponsored by the Montpelier Recreation Department, or (c) activities sponsored by Community Connections, or (d) school-supporting activities sponsored by formal groups whose purpose is to support the school district (such as the UES Parents Group, MSMS PTO, and MHS Boosters).

Permitted Activities and Postings

1. The only materials that students may be asked to carry home are materials for school-sponsored activities.
2. Distribution on school grounds of materials for non-school-sponsored activities is prohibited by everyone except students.
3. Students may distribute materials on school grounds subject to reasonable time, place, and manner restrictions imposed by the principals or the superintendent. Student dissemination of materials is governed by the policy on Student Self-Expression.
4. Non-school-sponsored materials may be displayed at designated locations on school grounds upon approval of the principal or superintendent based on the material's acceptability and appropriateness in light of the Montpelier School District's mission and legal responsibilities. All materials permitted to be displayed on school grounds must include a notice approved by the principal or superintendent that the activity is not sponsored by the Montpelier School District.
5. School district equipment (including photocopiers and computers) shall not be used in the production or copying of non-school-district-sponsored materials.
6. In addition to meeting the requirements above, materials that support profit-making enterprises must be judged to contribute significantly to the Montpelier School District's instructional program or to the well being of the general community.
7. Advertisements may be accepted or rejected according to their appropriateness in light of the Montpelier School District's mission and legal responsibility.

Warned: July 9, 2004

Adopted July 21, 2004

It is not necessary to obtain the parent's or guardian's consent prior to conducting a search.

The requirements of this section do not apply in cases when it is reasonable to believe that delay would create an imminent risk to persons or property or when compliance would otherwise prevent enforcement of the law or school rules.

Manner of Search

The scope of each search shall be reasonably related to the circumstances that justify the search, and shall be no more intrusive than reasonably necessary.

A school property search shall be conducted by searching the lockers and other school property assigned to the student. A school property search shall be witnessed by a third person who is an adult.

A possessions search shall normally be conducted by requiring the student to empty his or her pockets, backpack, or purse. A search of a student's possessions shall be witnessed by a third person who is an adult.

A vehicle search shall be conducted only when there is reasonable suspicion that the student has contraband in the vehicle, and either the vehicle is on school grounds or the vehicle is being used to transport students to or from a school-sponsored event. A vehicle search shall be witnessed by a third person who is an adult. A student may be required to open locked spaces in a vehicle upon reasonable suspicion to believe that contraband is present within the locked space. If a student refuses to open a locked space, a vehicle may be detained on school grounds until police can be summoned and a warrant obtained.

A personal search of a student is permitted only after a search of the student's possessions has been completed and there remains a reasonable suspicion, based upon specific information, that the student has contraband on his or her person. A search of a student's person shall be:

- A. conducted by a person of the same sex as the student;
- B. witnessed by a third person who is an adult of the same sex as the student; and
- C. to the degree that circumstances allow, conducted in a manner that maximizes the student's interest in modesty and privacy.

Under no circumstances shall a school official perform a body cavity search.

Actions Following Search

Any contraband found during a search shall be confiscated. Any illegal substances found shall be turned over to law enforcement officials.

As soon as practical after a search, the person who conducted the search shall file the completed search checklist with the principal. The principal or designee shall inform the superintendent and parent(s) or guardian of the results of the search.

The student may be subject to discipline in accordance with the Montpelier School District's policies on Alcohol and Drugs, Tobacco Prohibition, Weapons, and other disciplinary policies and procedures of the schools.

STUDENT SELF-EXPRESSION

The school district seeks to protect the right of students to exercise the freedom of speech and expression while maintaining an environment supportive of the district's educational mission. This policy applies to students and student organizations. Material disseminated by groups or individuals other than students must comply with the policy on Dissemination of Non-School Sponsored Materials.

- I. Material or items produced, distributed, or displayed within school district property shall meet the following criteria:
 - A. Material shall not contain libelous or obscene language. Libelous language and obscene language are language that is considered libelous or obscene under controlling legal definitions.
 - B. Material shall not advocate illegal actions.
 - C. Material shall not advocate actions or create situations that threaten to disrupt school activities. For a student's speech or expression to be considered disruptive, there must exist facts upon which it is reasonable to forecast the likelihood of an immediate and substantial disruption of school activities resulting from such expression.

"School activities" means educational activity sponsored by the school and includes, by way of example and not by way of limitation, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, music concerts, school plays, and in-school lunch periods whether taking place the Montpelier Public Schools or in another location
 - D. Material shall not violate the Montpelier School District's harassment or bullying policies or state or federal laws regarding harassment and bullying.
 - E. Material published, posted, or otherwise distributed shall bear the names of one or more students principally involved in the promotion of this material, and when applicable, the name of the sponsoring student organization or group. In addition, notices placed upon school bulletin boards for non-school sponsored groups must bear a notice that the activity is not sponsored by the Montpelier School District.
 - F. Distributors of materials will be held responsible for cleaning up litter caused by such distribution.
 - G. Material shall be non-commercial unless approved by the school administration as contributing significantly to the Montpelier School District's instructional program or to the well being of the general community.
- II. In order to facilitate the posting, dissemination, or exhibition of material, the following specific criteria shall be part of the policy governing student expression:
 - A. Posters, Pamphlets, Newspapers, Flyers, etc.
 1. Such material dealing with school-sponsored activities shall have the approval of the faculty advisor.
 2. Such material dealing with non-school activities shall have the approval of the principal.

B. Public Address System

Use of the public address system of the schools by student groups or individuals is prohibited unless such use has been approved in advance by the school administration or its designee.

C. Approval of Material

Each school shall develop a procedure that ensures student requests are expeditiously reviewed by appropriate personnel for approval or disapproval prior to dissemination.

Dress Code

A. The school district recognizes that student dress is a fundamental aspect of self-expression. Nonetheless, appropriate attire is important to the education, health, and safety of each student.

B. The school system reserves the right to maintain that clothing and appearance shall meet the criteria of:

1. hygiene (cleanliness)
2. safety (for self, property, and others)
3. lack of distraction (extreme fashions)

C. Students may not wear articles of clothing that contain profanity or showcase the use of alcohol or illegal substances such as drugs, or encourage illegal activities. In case of doubt as to the suitability of a particular student's appearance or attire, a faculty member shall bring the matter to the attention of the principal. The faculty member and principal shall discuss the situation with the student. If the matter cannot be readily resolved, those three shall discuss it with the student's parent or guardian. Failure to comply with reasonable requests to modify appearance or dress may result in appropriate action to restore an environment supportive of the district's educational mission.

D. Students who seek to express themselves through dress shall conform to the criteria in I. A. through D. above.

TEXTBOOKS/FINES

All students are held responsible for the condition of their textbooks, and they will be assessed for any loss or damage that occurs during their possession of the book. No records or transcripts will be released from the school if a student owes the school any fines.

THEFT

Every member of the Montpelier School community should be able to feel that their belongings are safe.

Students who take or use the belongings of other individuals or the school without permission may be suspended for a minimum of one (1) day. In addition, the student will be required to perform work that benefits the school community. Subsequent instances of theft will result in more severe consequences, including the possibility of referral to the superintendent for expulsion. Students should report incidents of theft to the office. In addition, students may report items lost due to theft to the Montpelier Police Department.

TOBACCO PROHIBITION

The use of tobacco on school grounds is a violation of state law and is prohibited. This ban extends to any student, employee, or visitor to the school, and applies at all times, whether or not school is in session. In addition, no student shall be permitted to possess or to use tobacco products at any time while under the supervision of school staff or at public school-sponsored functions.

For purposes of this policy, "school grounds" means school buildings, areas adjacent to school buildings, athletic fields, parking lots, and school buses.

Students who violate this policy will be disciplined under the district's disciplinary program and tobacco products may be confiscated.

Employees who violate this policy will be subject to disciplinary action in accord with applicable employee policies, employment contracts, and requirements of law.

Others who use tobacco on school grounds will be informed of this policy and asked to comply. A person failing to comply will be asked to leave school grounds. A person who refuses to comply or to leave school grounds when requested to do so under this policy may be referred for prosecution as a trespasser.

VALUABLES

The school system assumes no responsibility for goods or valuables belonging to pupils, personnel, or visitors, whether or not they are in the place designated in each school safekeeping or elsewhere in the building or on school grounds. It is not wise to leave your locker unlocked or leave clothing or other belongings unattended. We will be glad to help you find a place to store things that you are uncomfortable about leaving in your locker or will not fit there.

VANDALISM

Students who cause loss or damage to the property of others, including loss of property belonging to the school, or who deface or damage the school building or grounds will be disciplined, including possible suspension. They will also make restitution for the loss or damage.

Acts of vandalism may be reported to the proper authorities, including the Montpelier Police Department. Subsequent instances of vandalism will result in more severe consequences, including the possibility of referral to the superintendent for expulsion.

VISITORS

All visitors must register in the school office upon first entering the building. Parents are encouraged to visit the school at any time. Student visitors will be allowed to visit when permission is granted in advance by the administration. Students who wish to visit for purely social reasons will be asked to visit their friends after school.

Students who wish to bring visitors to school should acquire approval from each of their classroom teachers before requesting permission from the administration. Visitors whose behavior is inappropriate will be requested to leave.

Please do not bring younger brothers or sisters to school as it is not possible for you or the school to take care of them for the day.