

Colchester School Board

Meeting Agenda and Packet

January 16, 2024

**Colchester School District
Board of Education Meeting Agenda
January 16, 2024 - 7:00 P.M.
Colchester High School Library**

Agenda

- | | | |
|--------------|---|--------------------|
| I. | Call to Order | |
| II. | Citizen Participation | |
| III. | Second and Final Reading of Restrictive Behavioral Intervention Policy: F35 | Action |
| IV. | Second and Final Reading of Child Find Policy: F32 | Action |
| V. | First Reading of Animals in the Classroom or on School Property Policy: F29 | Action |
| VI. | First Reading of Harassment of Employees: D12 | Action |
| VII. | Approval of FY'25 Budget and Warning | Action |
| VIII. | Approval of Consent Agenda | Action |
| IX. | Approval of Meeting Minutes | Action |
| | <ul style="list-style-type: none">• January 2, 2024 (general)• January 2, 2024 (special)• January 9, 2024 (special) | |
| X. | Board/Administration Communication, Correspondence, Committee Reports | Information |
| XI. | Future Agenda Items | Information |
| XII. | Adjournment | |

***Meeting Participation and Viewing Options**

Meetings are open to the public unless warned otherwise. Colchester citizens have an opportunity to speak or comment on any items listed on the agenda. For topics not listed on the agenda, public comment can be made during the Citizen's Participation agenda item. Please review the Public Comment Rules listed at www.csdvt.org/schoolboard prior to the meeting. If not attending in person, citizens may also participate in the meeting by emailing a prerecorded message to schoolboard@colchesters.org with "Citizens Participation" listed in the subject line. It must be received by noon on the day of the meeting, include your full name and phone number, and follow the Public Comment Rules. LCATV will provide live stream coverage via: www.lcatv.org/live-stream-3.

COLCHESTER SCHOOL DISTRICT

POLICY: RESTRICTIVE BEHAVIORAL INTERVENTION

DATE ADOPTED: DRAFT

1. STATEMENT OF PURPOSE

The Colchester School District is committed to creating and maintaining a positive, orderly, civil and safe learning environment in all of its schools. The Board has adopted a comprehensive plan [16 VSA 1161a (a)] for responding to student misbehavior, including the promotion of positive behavioral interventions and supports in schools. The district's approach to the use of physical restraint and seclusion is intended as one component of that plan. (See Policy F1: Student Conduct and Discipline.)

2. POLICY

It is the policy of the district that its students not be subjected to physical restraint or seclusion, as defined by Vermont State Board of Education Rule 4500, except as permitted by that Rule. The district emphasizes the use of positive behavioral interventions and supports to address targeted student behaviors, and use of appropriate physical restraint and seclusion methods should occur only when less restrictive interventions have failed or would be ineffective in stopping imminent danger of physical injury or property damage. Restraint and/or seclusion shall not be used for the convenience of staff, as a substitute for an educational program, as a form of discipline or punishment, in response to a student's use of profanity or other verbal or gestural display of disrespect, or in response to a verbal threat unaccompanied by demonstrated means of or intent to carry out the threat.

3. DEFINITIONS

Rule 4500 definitions of the terms "physical restraint" and "seclusion" apply to those terms as used in this policy. "School personnel" means individuals working in the district who are employed by the district or who perform services for the district on a contractual basis, and school officers, while acting in that capacity.

4. TRAINING

All school personnel who engage in the physical restraint or seclusion of students shall have received training and certification in a State-recommended restraint training program. Certification shall be renewed annually. Training shall include training in all requirements of Rule 4500.

Legal References: V.S.A. Title 16 § 1161A & VSBE Rule 4500

Last Reviewed: November 15, 2011
 Date Warned: December 22, 2023
 First Reading: January 2, 2024
 Second Reading: January 16, 2024

Restraint and seclusion shall not be imposed by staff not so trained unless trained personnel are not immediately available due to the unforeseeable nature of the danger.

The Superintendent shall ensure that all principals receive training in Rule 4500 requirements no later than September 1 and that each newly hired principal receives such training upon commencement of employment.

5. REPORTING AND DEBRIEFING

It shall be the responsibility of each building principal to ensure that all reporting and debriefing requirements of Rules 4503-4505 are implemented as prescribed by those Rules.

6. NOTIFICATION

The Superintendent/designees shall ensure that annual notification is given to parents and personnel, at or before the beginning of the academic year, of the policies and procedures pertaining to the use of physical restraint and seclusion and of the school's intent to emphasize the use of positive behavioral intentions and supports and its intention to avoid the use of physical restraint or seclusion to address targeted student behavior.

7. INVESTIGATION

The Superintendent/designee and building principal shall ensure that all complaints regarding a use of restraint or seclusion are investigated, and written findings issued, within thirty (30) days of receipt of the complaint. If the findings do not resolve the complaint, the principal shall refer the findings to the Superintendent for review and final action. Students on IEPs or 504 plans may also use dispute resolution options available under the State Board of Education Rules 2365.1.4-2365.1.6. (See Policy D10: Public Complaints about Personnel.)

8. PROCEDURES

The Superintendent/designee shall prepare and promulgate procedures to implement this policy. The procedures shall also, at a minimum, comply with and implement Rule 4500. Copies of this policy and the procedures shall be posted on the district's website and shall be provided to school personnel and/or parents of students in attendance upon request.

Use of Restraint and Seclusion Procedures

Training

The Colchester School District will identify personnel within the district to receive and maintain Trainer Level Certification from an identified Vermont AOE sanctioned physical restraint program. Trainers will provide training to all behavior specialists, interventionists and any additional staff who may need to support students with restraint or seclusion. The training schedule will follow the identified physical restraint program requirements. The District designee will maintain a log of employees training dates and refreshers. In addition, the certified trainers will ensure that all principals are trained in Rule 4500 and where needed, trained in the physical restraint techniques.

Documentation/Reporting

Colchester School District will maintain written records of each use of restraint and seclusion. Each School should use the required AOE Documentation (insert link).

Building Administrator Responsibilities:

1. Documentation of the restraint or seclusion should be completed by the end of the school day or within 24 hours.
2. The School Building Administrator will review the documentation.
3. The School Building Administrator will
 - a. **Contact Parents/Guardians;** via phone, email, in person
 - b. **Provide a copy documentation** of the restraint/seclusion will be provided to parents.
 - c. **Incident Debrief Meeting;** Invite the guardians to participate in a meeting that takes place within 4 days of the incident.
 - d. **Student Debrief** of the incident will take place within 2 days of the incident.
 - e. **Staff Debrief** of the incident will take place within 2 days of the incident.
 - f. Notify Superintendent or Designee by sharing a copy of the restraint and seclusion report.

Superintendent or Designee Responsibilities:

1. Review documentation.
2. Superintendent or Designee should review all restraints or seclusions that meet the following criteria:
 - a. Death, injury or hospitalization as a result of the restraint or seclusion.
 - b. Physical restraint has been used for more than a duration of 15 minutes.
 - c. Restraint or seclusion has been used in violation of the rules.
 - d. An individual employee or contracted service provider has engaged in a physical restraint or seclusion 3 times on 1 or more students.
 - e. If the student was restrained more than 1 time in a school day.
 - f. A student has been restrained or secluded more than 3 times in a school year.
 - g. A student is restrained or secluded who is not on a behavior intervention plan.

3. Send Report to AOE within 3 school days by filling out the online form provided by AOE when it falls under one of the following:
 - a. Death, injury or hospitalization as a result of the restraint or seclusion.
 - b. Physical restraint has been used for more than a duration of 30 minutes.
 - c. Restraint or seclusion has been used in violation of the rules.

Annual notification to parents/guardians/students

At or before each academic year, each school (defined in 4500.3(10)) will inform all school personnel, parents/guardians of the policy pertaining to the use of physical restraint and seclusion and emphasizing the use of positive behavioral intervention and supports to prevent and avoid the use of restraint and seclusion.

Complains and investigations

1. A parent or school personnel may file a complaint regarding the use of restraint or seclusion at any time in accordance with school district policy.
2. The complaint shall be in writing and directed to the building principal.
3. If the person filing the complaint is unable to submit the complaint in writing, the recipient of the complaint shall complete the form based on a verbal complaint. In this case, the complainant shall be provided with a copy of the complaint.
4. All complaints shall be investigated by the school or district and written findings issued within thirty (30) days;
5. Unresolved complaints shall be directed to the superintendent of the Supervisory Union where the student resides in accordance with the school board's established complaint process.
6. A student on an individualized education plan (IEP) or Section 504 Plan may also use the dispute resolution options available under Rules 2365.1.4 - 2365.1.6, if appropriate.

COLCHESTER SCHOOL DISTRICT

POLICY: CHILD FIND

DATE ADOPTED: June 20, 2017

POLICY STATEMENT – (SECTION 504)

It is the policy of the Colchester School District to undertake annually to identify and locate every qualified handicapped person residing in the District who is not receiving public preschool, elementary or secondary education, and to take appropriate steps to notify qualified handicapped persons and their parents and guardians of their rights under Section 504 of the Rehabilitation Act of 1973.

The Superintendent or his/her designee shall develop and implement procedures necessary to implement this policy.

POLICY STATEMENT – (IDEA)

It is the policy of the Colchester School District to identify, locate and evaluate all children with disabilities, aged birth to 22, residing in the District, regardless of the severity of disability, including those who are homeless, vulnerable adults or wards of the State, and those who are attending independent schools or programs of home study in the District, and who are in need of special education and related services. This effort includes identifying, locating, and evaluating highly mobile children, including migrant children, as well as children suspected of having disabilities who are in need of special education, even though they are advancing from grade to grade.

IMPLEMENTATION

The Superintendent or his/her designee shall develop and implement procedures to carry out this policy. The procedures shall include a description of the practical effort to be made annually to locate children with disabilities, and to inform their parents of the availability of special education services, including those who are not enrolled in school; those who turn 3 years of age at any time after the school year begins and prior to the beginning of the next school year; those who may be suspected to have a disability and be in need of special education, although advancing from grade to grade; those who are attending private schools or approved programs of home study; and those who are highly mobile (such as migrant and homeless children).

The child find procedures shall provide for a number of different methods of locating children with disabilities, such as employing print media, oral communications (by presentations, radio, telephone, or similar efforts), and methods involving notices sent to others who provide services to children and families, (for example: hospitals, pediatricians' and psychologists' offices, and/or similar providers, social services agencies, parent advocacy groups, etc). Child find efforts for children with disabilities birth to 22 shall be co-coordinated with other public agencies serving those children.

Last Adopted: September 7, 2004
 Date Warned: June 2, 2017
 First Reading: June 6, 2017
 Second Reading: June 20, 2017

CHILD FIND PROCEDURES

1. **Annual Notices under the IDEA and Section 504 of the Rehabilitation Act of 1973.**
The District shall annually provide notice to Colchester residents, in the forms attached as Child Find Notices Forms A and B, of the District’s duty to identify, locate and evaluate children between the ages of birth to 22, who have disabilities or are suspected of having disabilities, to determine whether the children have rights to services and other supports as individuals with disabilities under the Individuals with Disabilities Education Act (IDEA) and/or Section 504 of the Rehabilitation Act of 1973 (Section 504).

2. **Distribution of Annual Notices.**

- a. **Implementation of these child find procedures for the District** shall be overseen by [the District’s Director of Student Support Services] (“Director”), with the principals of Colchester schools carrying out building-specific child find efforts.
- b. **Notice Before Any Significant Child Find Activity.** The Director shall ensure that there is public notice before any significant activity is conducted to identify, locate or evaluate children ages birth to 22.
- c. **Publication of Notices.** The Child Find Notices shall be disseminated to the public in a variety of settings and modalities including but not limited to the following: District’s website, parent/student handbooks, one newspaper circulated in Colchester, independent school in Colchester, DCF and mental health agencies that serve Colchester residents, day care facilities doctors’ offices in Colchester, local radio and television stations for public service announcements and to the Colchester Library and Colchester Town Offices for posting

Each Colchester School (Principal):

By posting prominently on a bulletin board(s) seen by parents and members of the public, and on a bulletin board in the faculty room;
By including in the school’s website;
By including in the school’s parent/student handbook;
By including in any mailings that are sent to parents of students in attendance

- d. **Notice in Native Languages.** The Director shall ensure that the child find notices are available in the native languages of major population groups in the District.
- e. **Child Count Reporting.** Annually, the Director shall submit to the AOE in

the AOE's specified electronic format, data requested regarding students ages 3 through 21 who have been found eligible for special education under the IDEA.

3. Handling of Referrals:

a. Employee Responsibilities:

All employees shall be responsible for forwarding to the Director, within 2 calendar days of receipt, every referral, inquiry or request regarding identification and evaluation of a child suspected of having a disability. If the referral, inquiry or request was not made in writing, the referring employee shall prepare a written record identifying the requesting party (including contact information) and the date and substance of the referral, inquiry or request, and forward it to the Director.

b. Review and Action on Referral:

- i. The Director shall review the referral, inquiry or request to determine whether it constitutes a request for evaluation under either 504 or the IDEA, and if so, shall forward the request at once to the appropriate EPT or 504 team. (Where a referral is for a special education evaluation, an EPT meeting to determine whether there is a reason to suspect a disability must be held within 15 days of receipt of the initial request,) (See (ii) immediately below.) The parents shall be provided with a copy of Parental Rights in Special Education or 504 Student/Parent Rights, as applicable, and make a record of providing the Rights to the parents.
- ii. If the Director determines that the request is not a request for an evaluation, the Director shall follow up with the person who made the request, and make sure that an appropriate response is provided.
- iii. After gathering sufficient information, the EPT or 504 Team shall follow its usual procedures to determine at a Team meeting, whether there is reason to suspect a disability. At the meeting, the parent shall be provided with a copy of Parental Rights in Special Education and/or 504 Student/Parent Rights, and a record shall be made of providing the Rights to the parents. If the Team concludes that there is a reason to suspect a disability, the Team shall follow its usual evaluation planning and disability determination procedures, to determine whether the student is eligible under the IDEA or protected by Section 504, as the case may be.
- iv. If the Team concludes that there is no reason to suspect a disability, the Team shall notify the parents of the decision and the reasons for

the decision. In the case of an EPT decision, a Prior Written Notice of Refusal shall be completed for this purpose and provided to the parents. All information provided to the Team by the parent and other sources shall be noted and preserved. A copy of Parental Rights (IDEA or 504 as applicable) shall be provided to the parents, and a record shall be made of providing the Rights to the parents.

**COLCHESTER SCHOOL DISTRICT CHILD FIND NOTICE:
SECTION 504 OF THE REHABILITATION ACT OF 1973**

The Colchester School District (CSD) has a duty to identify and locate any children, aged 3 to 22 (including children who are homeless or wards of the State), who reside in the CSD, have disabilities and are not receiving a public education, in order to evaluate such children to determine whether they have disabilities under Section 504 of the Rehabilitation Act of 1973 and/or under Title II of the Americans with Disabilities Act of 1990, and to notify them of their rights under those laws.

If you have or know such a child in your home, school, or neighborhood, please write or phone:

**Director Of Student Support Services
PO Box 27, 59 Rathe Rd
Colchester, VT 05446
802-264-5999**

NOTICE

Colchester School District Seeks to Identify Children with Disabilities for Special Education Services

Federal and State law provide that all qualifying children with disabilities have a right to a free, appropriate public education, including, where appropriate, special education and related services.

The Colchester School District has a duty to identify and locate all children or youths who have disabilities or are suspected to have disabilities, who live the Colchester School District, and who are between the ages of 3 and 22, in order to evaluate them and engage in planning of services, as appropriate, under the federal special education law, the Individuals with Disabilities Education Act (IDEA). The District seeks to identify all such children, including those who are homeless, are wards of the State, are vulnerable adults, or are highly mobile (such as migrant children), and those who are attending private school or programs of home study in the District.

Colchester School District also must to identify and locate all infants, birth to age 3, who may have disabilities, for evaluation and services under Part C of the federal special education law, Individuals with Disabilities Act.

If you have or know of such a child in your school, home, or neighborhood, please write or phone the **Director of Student Support Services, PO Box 27, 59 Rathe Road Colchester, VT, Tel. 264-5999**, for further information.

COLCHESTER SCHOOL DISTRICT**POLICY: ANIMALS IN THE CLASSROOM OR ON SCHOOL PROPERTY****DATE ADOPTED:** August 16, 2016**POLICY STATEMENT**

The Colchester Supervisory District recognizes that, under the proper conditions, animals can be an effective teaching aid.

It is also recognized that there can be medical and physical risks associated with animals, both wild and domesticated, in the classroom and/or on school property.

Additionally, federal and state law prescribe circumstances under which individuals with disabilities have a right to bring their service animals onto District premises.

The Superintendent or her/his designee shall prepare procedures and rules to be followed, consistent with State and federal law and guidelines, when an individual wishes to bring an animal onto school property and into any school building. The procedures and rules shall address the bringing of animals to school for instructional purposes, and shall also provide a process to be followed when a request is made by an employee or student with a disability to be accompanied at school by a service animal.

Date Warned: July 29, 2016
First Reading: August 2, 2016
Second Reading: August 16, 2016

COLCHESTER SCHOOL DISTRICT

POLICY: HARASSMENT OF EMPLOYEES

DATE ADOPTED: April 4, 2017

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.

I. 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:

1. Submission to the conduct is made either explicitly or implicitly a term or condition of that person's employment;
2. 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

Last Adopted: November 1, 2000

Date Warned: March 17, 2017

First Reading: March 21, 2017

Second Reading: April 4, 2017

3. 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.

II. 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.

A. 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.

B. 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.

C. 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.

D. 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.

E. 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.

F. 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.

G. 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.

H. 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.

I. 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.

III. REPORTING**A. 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.

B. 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.

C. 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.

D. Filing a Complaint.

Employees are encouraged to report the alleged unlawful harassment as soon as possible to the non-discrimination coordinators or the principal.

E. 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.

F. 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.

IV. 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

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

EMPLOYEE UNLAWFUL HARASSMENT

ADOPTION NOTES – This text box and the disclaimer should be removed prior to adoption.

(a) General – As with all model policies, VSBA recommends that each board carefully review this model prior to adoption to assure suitability with the district’s own specific circumstances, internal coding system, current policies, and organizational structures. Highlighted language or blank, underscored spaces indicate areas which Boards must change/complete to reflect local personnel titles, policy references, duty assignments etc.

(b) Legal references are listed for convenience, but do not need to be included in the policy as adopted.

(c) Any model policies listed under “cross-reference” indicate a reference to another related VSBA model policy. A district should check its own current policies to assure internal consistency.

(d) Withdrawn and earlier versions of revised policies should be maintained separately as part of the permanent records of the District.

Policy

In the _____ School District, employee harassment, as defined herein and by state and federal law, is unlawful and will not be tolerated. Retaliation against any person raising good faith allegations of unlawful harassment or against any witness cooperating in an investigation pursuant to this policy is prohibited.

Definitions

1. **Employee:** For purposes of this policy, any person employed by and subject to the direct supervision of the district or supervisory union.
2. **Unlawful Harassment:** Unwelcome conduct based on an employee's race, color, religion, national origin, sex, sexual orientation, gender identity, ancestry, place of birth, age, crime victim status, or physical or mental condition that interferes with the employee’s work or creates a work environment that is intimidating, hostile, or offensive. In determining whether conduct constitutes harassment:
 - a. The determination shall be made on the basis of the record as a whole, according to the totality of the circumstances, and a single incident may constitute unlawful harassment.
 - b. Incidents that may be harassment shall be considered in the aggregate with varying types of conduct and conduct based on multiple characteristics viewed in totality rather than in isolation.
 - c. Conduct may constitute unlawful harassment, regardless of whether: 1) the complaining employee is the individual being harassed; 2) the complaining employee acquiesced or otherwise submitted to or participated in the conduct; 3) the conduct is also experienced by others outside the protected class involved in the conduct; 4) the complaining employee was able to continue carrying out the employee’s job duties and

¹ 21 V.S.A. §495h(b) requires all employers to adopt a policy against sexual harassment. The policy shall include 1) a statement that sexual harassment in the workplace is unlawful, 2) a statement that it is unlawful to retaliate against an employee for filing a complaint of sexual harassment or for cooperating in an investigation of sexual harassment, 3) a description and examples of sexual harassment, 4) a statement of the range of consequences for employees who commit sexual harassment, 5) a description of the process for filing internal complaints about sexual harassment and the names, addresses, and telephone numbers of the person(s) to whom complaints should be made, and 5) the complaint process of the appropriate State and federal employment discrimination enforcement agencies, and directions as to how to contact such agencies.

responsibilities despite the conduct; 5) the conduct resulted in a physical or psychological injury; or 6) the conduct occurred outside the workplace.²

3. **Sexual Harassment:** Sexual harassment is a form of unlawful harassment. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal, physical, written, auditory, or visual conduct of a sexual nature by a District employee or a person engaged to perform work or a service for the District when:
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
 - b. Submission to or rejection of such conduct by an individual is used as a component of the basis for employment decisions affecting such individual; or
 - c. Such conduct has the purpose or effect of interfering with an individual's work or creating an intimidating, hostile or offensive working environment.
 - d. Sexual harassment need not be severe or pervasive in order to be unlawful.³
4. **Retaliation.** Retaliation is adverse action taken against a person for making a complaint of unlawful harassment or for participating in or cooperating with an investigation.

Examples

Unlawful harassment can include any unwelcome conduct which offends, denigrates, or belittles an employee because of the race, color, religion, national origin, sex, sexual orientation, gender identity, ancestry, place of birth, age, crime victim status, physical or mental condition, marital status, or genetic information. Such conduct includes, but is not limited to: unsolicited derogatory remarks, jokes, demeaning comments or behavior, slurs, mimicking, name calling, graffiti, innuendo, gestures, physical contact, stalking, threatening, bullying, extorting or the display or circulation of written materials or pictures.

1. **Sex** - 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.

Please be aware that any sexual harassment allegations must be considered and processed pursuant to the District's Title IX policy.

2. **Race and Color** - Racial or color harassment may include unwelcome 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.
3. **Religion** - Harassment on the basis of religion includes unwelcome conduct directed at the characteristics of a person's religion or creed such as derogatory comments regarding surnames, religious tradition, or religious clothing, or religious slurs.
4. **National Origin and Place of Birth** - Harassment on the basis of national origin includes unwelcome 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.
5. **Age** - Age harassment includes unwelcome conduct directed at someone (an applicant or employee) age 18 or older, such as offensive remarks about a person's ability to perform certain tasks because of age.⁴

² 21 V.S.A. §495d definition of "harass"

³ As defined in 21 V.S.A. §495d

⁴ 16 V.S.A. §495

6. **Marital Status** - Harassment on the basis of marital status includes unwelcome conduct directed at the characteristics of a person's marital status, such as comments regarding pregnancy or being an unwed parent.
7. **Sexual Orientation** - Harassment on the basis of sexual orientation includes conduct directed at the characteristics of a person's sexual orientation.
8. **Gender Identity** - Harassment on the basis of gender identity includes unwelcome 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.
9. **Disability** - Disability harassment includes any unwelcome 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.
10. **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.

Training

The District shall implement a reasonable training program to make employees aware of the District's harassment policies and procedures.

Administrative Procedures

1. **Duty to Investigate.** In the event the district or supervisory union 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 _____ 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:
 - Non-Discrimination Coordinators:
 - Address:
 - Telephone number:
 - Principal:
 - Address:
 - Telephone number:
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. **Alternative Complaint Processes.** Employees may file complaints with both the district or supervisory union 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. The agencies are:
 - a. Vermont Attorney General's Office, Civil Rights Unit, 109 State Street, Montpelier, VT 05602, tel: (802) 828-3171. Complaints should be filed within 300 days of any unlawful harassment.
 - b. Equal Employment Opportunity Commission, 1 Congress Street, Boston, MA 02114, tel: (617)565-3200 (voice), (617)565-3204 (TDD). Complaints should be filed within 300 days of any unlawful harassment.
6. **Confidentiality.** Witnesses, complainant, and the accused shall keep confidential matters related to the charge of unlawful harassment.

VSBA Update	10/10/2023
Date Warned:	
Date Adopted:	
Legal Reference(s):	9 V.S.A. §§ 4501 et seq. (Public accommodations) 21 V.S.A. §§495 et seq. (Unlawful employment practice, sexual harassment) 42 U.S.C. §§2000e et seq. (Title VII of the Civil Rights Act of 1964) 29 C.F.R. 1604.11 (Equal Opportunity Employment Commission)
Cross Reference:	Board Commitment to Non-Discrimination Prevention of Sexual Harassment as Prohibited by Title IX

DISCLAIMER: This model policy has been prepared by the Vermont School Boards Association for the sole and exclusive use of VSBA members, as a resource to assist member school boards with their policy development. School Districts should consult with legal counsel and revise model policies to address local facts and circumstances prior to adoption, unless the model policy states otherwise. VSBA continually makes revisions based on school districts' needs and local, state and federal laws, regulations and court decisions, and other relevant education activity.

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.

I. DEFINITIONS

For purposes of this policy, administrative rules, and procedures developed pursuant to this policy:

- 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:** Unwelcome conduct based on an employee's race, color, religion, national origin, sex, sexual orientation, gender identity, ancestry, place of birth, age, crime victim status, or physical or mental condition that interferes with the employee's work or creates a work environment that is intimidating, hostile, or offensive. In determining whether conduct constitutes harassment:
 - a. The determination shall be made on the basis of the record as a whole, according to the totality of the circumstances, and a single incident may constitute unlawful harassment.
 - b. Incidents that may be harassment shall be considered in the aggregate with varying types of conduct and conduct based on multiple characteristics viewed in totality rather than in isolation.
 - c. Conduct may constitute unlawful harassment, regardless of whether: 1) the complaining employee is the individual being harassed; 2) the complaining employee acquiesced or otherwise submitted to or participated in the conduct; 3) the conduct is also experienced by others outside the protected class involved in the conduct; 4) the complaining employee was able to continue carrying out the employee's job duties and responsibilities despite the conduct; 5) the conduct resulted in a physical or psychological injury; or 6) the conduct occurred outside the workplace.

Last Reviewed: November 1, 2000
 Date Warned: January 12, 2024
 First Reading: January 16, 2024
 Second Reading:

- C. Sexual Harassment:** Sexual harassment is a form of unlawful harassment. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal, physical, written, auditory, or visual conduct of a sexual nature by a District employee or a person engaged to perform work or a service for the District when:
- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
 - b. Submission to or rejection of such conduct by an individual is used as a component of the basis for employment decisions affecting such individual; or
 - c. Such conduct has the purpose or effect of interfering with an individual's work or creating an intimidating, hostile or offensive working environment
 - d. Sexual harassment need not be severe or pervasive in order to be unlawful.
- D. Retaliation:** Retaliation is adverse action taken against a person for making a complaint of unlawful harassment or for participating in or cooperating with an investigation.

II. EXAMPLES

Unlawful harassment can include any unwelcome conduct which offends, denigrates, or belittles an employee because of the race, color, religion, national origin, sex, sexual orientation, gender identity, ancestry, place of birth, age, crime victim status, physical or mental condition, marital status, or genetic information. Such conduct includes, but is not limited to: unsolicited derogatory remarks, jokes, demeaning comments or behavior, slurs, mimicking, name calling, graffiti, innuendo, gestures, physical contact, stalking, threatening, bullying, extorting or the display or circulation of written materials or pictures.

- A. Sex** - 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.

Please be aware that any sexual harassment allegations must be considered and processed pursuant to the District's Title IX policy.

- B. Race and Color** - Racial or color harassment may include unwelcome 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.
- C. Religion** - Harassment on the basis or religion includes unwelcome conduct directed at the characteristics of a person's religion or creed such as derogatory comments regarding surnames, religious tradition, or religious clothing, or religious slurs.

- D. National Origin and Place of Birth** - Harassment on the basis of national origin includes unwelcome 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.
- E. Age** - Age harassment includes unwelcome conduct directed at someone (an applicant or employee) age 18 or older, such as offensive remarks about a person's ability to perform certain tasks because of age.¹
- F. Marital Status** - Harassment on the basis of marital status includes unwelcome conduct directed at the characteristics of a person's marital status, such as comments regarding pregnancy or being an unwed parent.
- G. Sexual Orientation** - Harassment on the basis of sexual orientation includes conduct directed at the characteristics of a person's sexual orientation.
- H. Gender Identity** - Harassment on the basis of gender identity includes unwelcome 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.
- I. Disability** - Disability harassment includes any unwelcome 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.
- J. 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.

III. TRAINING

The District shall implement a reasonable training program to make employees aware of the District's harassment policies and procedures.

IV. ADMINISTRATIVE PROCEDURES

- A. Duty to Investigate.** In the event the district or supervisory union 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

¹ 16 V.S.A. §495

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.

- B. 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:

Non-Discrimination Coordinators: Jean Shea
Address: 59 Rathe Road, Colchester, Vermont 05446
Telephone number: 802-265-5999

Non-Discrimination Coordinators: Carrie Lutz
Address: 59 Rathe Road, Colchester, Vermont 05446
Telephone number: 802-265-5999

- C. 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.

- D. Filing a Complaint.** Employees are encouraged to report the alleged unlawful harassment as soon as possible to the non-discrimination coordinators or the principal.

- E. 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 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

- F. 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.
- G. Confidentiality.** Witnesses, complainant, and the accused shall keep confidential matters related to the charge of unlawful harassment.

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

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

Board of Education Meeting
Colchester High School Media Center

Tuesday, January 2, 2024
7:00 p.m.

MINUTES (General Session)

The Colchester Board of Education held a regular board meeting on Tuesday, January 2, 2024, in the Colchester High School Media Center. Board members in attendance were Board Chair Lindsey Cox, Board Directors Nic Longo, Ben Yousey-Hindes, Felix Anderson, Laurie Kigonya and Student Representative Phoebe Richardson. District administrators and employees in attendance included Superintendent Amy Minor, Business and Operations Manager George Trieb, Director of Curriculum Gwen Carmolli, Director of Student Support Services Carrie Lutz, and Social Emotional Learning Coordinator Jayme Gaudet.

I. Call to Order

Board Chair Lindsey Cox called the meeting to order at 7:00 p.m. and led in the Pledge of Allegiance.

II. Citizen Participation

None.

III. FY'25 Budget Discussion

Information

Because of information received just before the meeting that would impact the discussion, Director Longo made a motion to move this agenda item to later in the meeting, after item VI. The motion passed unanimously.

IV. Approval of Colchester School District Announced Tuition Rates

Action

Each year, districts are required by law to announce their anticipated tuition for students attending Colchester Schools from other districts that do not have a high school or middle school. The majority of tuition students attending CSD are from the Grand Isle Supervisory Union and the town of Georgia.

Director Anderson moved to approve the announced tuition rates for FY'2025 at \$16,100 for elementary grades (K-6) and \$21,200 for secondary grades (7-12). The motion passed unanimously.

V. First Reading of Restrictive Behavioral Intervention Policy: F35

Action

This policy was last reviewed in 2011. The updated draft version includes requirements from the Vermont State Board of Education Rule 4500, which outlines the use of restraint and seclusion in schools and suggests changing the title of the policy to "Use of Restraint and Seclusion". The Vermont School Board Association recommends that districts have this policy in place with the suggested title. The board also reviewed the accompanying set of procedures and heard from Jayme Gaudet the district's social emotional learning coordinator who works directly with behavior

interventionists in the district. She explained that staff are trained in de-escalation tactics and skills and restraint or seclusion are used only as last resort options. She also provided an overview of how they track and report the use of restraint and seclusion.

Director Yousey-Hindes moved to approve the first reading of the Restrictive Behavioral Intervention Policy: F35. The motion passed unanimously.

VI. First Reading of Child Find Policy: F32

Action

This policy was last updated in 2017. The purpose of the Child Find process is to locate and identify students who have a disability and to determine eligibility for support and protection through the Special Education or Section 504 rules. The Child Find process is required by law for all school districts and because of that, the Vermont School Board Association does not have a Child Find policy in their model policy manual. A majority of Vermont districts have the Child Find process outlined in a procedural document, not as a policy.

In March of 2022, the Colchester School Board approved the Special Education Policy: G2. This policy states that the district will use the guidelines developed by the Vermont Agency of Education in the Vermont Special Education Procedures and Practices Manual. This manual clearly outlines the requirement and procedures for Child Find compliance. District administrators acknowledged the redundancy and recommended eliminating this policy from the CSD policy manual.

Director Kigonya moved to approve the first reading of the Child Find Policy: F32. The motion passed unanimously.

VII. FY '25 Budget Discussion (moved from item III)

Information

Superintendent Amy Minor and Business and Operations Manager George Trieb shared some of the state's education funding formula variables that have been announced since the last meeting. Notice of the town's Common Level of Appraisal (CLA) was received as the meeting was beginning. With that information, they provided three examples of FY'25 budgets to explain how the new funding formula, known as Act 127, and explained at previous meetings, would impact the estimated tax rate and per pupil spending. The various scenarios revealed how the components and the new funding formula kept the estimated education tax increase at the same percentage, regardless of how much money was added or removed from the baseline budget. Mr. Trieb noted that all of the examples provided are for taxpayers who make above the household income threshold for the property tax credit, which in Colchester is about 30% of taxpayers. The other 70% of taxpayers receive a tax credit and pay taxes based on their income, not their property value. He stated they will still see a significant increase in taxes, but still will pay at a discounted rate.

The board discussed how the new funding formula and the CLA worked together to create a significant tax impact regardless of changes to the actual school budget and in light of Act 127 offering a 5% tax cap.

Superintendent Minor stressed that balancing the impact of the new funding formula on taxpayers and the responsibility of the school district to meet the needs of its students is very difficult this year. Administrators are still focused on academic and social emotional initiatives to support closing achievement gaps for disadvantaged or historically marginalized students. They are also preparing

for an increase of new Americans from the refugee resettlement program and keeping an eye on how that will impact the availability of services.

The board agreed that they would like an additional meeting to discuss the new components of the FY'25 budget and scheduled a special meeting for Tuesday, January 9th.

VIII. Approval of Consent Agenda Action

There were no items on the Consent Agenda and no motion made.

IX. Approval of Meeting Minutes Action

- December 19, 2023 (special)
- December 19, 2023 (general)

Director Anderson moved to approve the minutes from the meetings held on December 19, 2023. The motion passed unanimously.

X. Board/Administration Communication, Correspondence, Committee Reports Information

- Adding budget meeting on January 9
- Preparation for the LCATV Informational Budget Video

XI. Future Agenda Items Information

- Continuation of the Policy Review Cycle
- FY'25 budget discussion and LCATV filming

XII. Adjournment

Director Kigonya moved to adjourn at 8:12 p.m. The motion passed unanimously.

Recorder:

Board Clerk:

Meghan Baule
Recording Secretary

Ben Yousey-Hindes
Board Clerk

COLCHESTER SCHOOL DISTRICT

Board of Education Meeting, Special Meeting
Colchester High School – Room 114B

Tuesday, January 2, 2024
8:30 p.m.

MINUTES

The Colchester Board of Education held a Special Board Meeting on Tuesday, January 2, 2024. Board members in attendance included Board Chair Lindsey Cox, Directors Nic Longo, Felix Anderson, Laurie Kigonya and Ben Yousey-Hindes. District administrators included Superintendent Amy Minor and and Director of Communication Meghan Baule.

I. Call to Order

Board Chair Lindsey Cox called the meeting to order at 8:20 p.m.

II. Work Session: Facilities

The board met to continue assessing and planning for work pertaining to the district’s facilities.

III. Adjournment

Director Yousey-Hindes moved to adjourn at 8:45 p.m. The motion passed unanimously.

Recorder:

Board Clerk:

Meghan Baule
Recording Secretary

Ben Yousey-Hindes
Board Clerk

COLCHESTER SCHOOL DISTRICT

Board of Education Meeting, Special Meeting
Colchester High School Library

Tuesday, January 9, 2024
7:00 p.m.

MINUTES

The Colchester Board of Education held a Special Board Meeting on Tuesday, January 9, 2024. Board members in attendance included Board Chair Lindsey Cox, Directors Nic Longo, Felix Anderson, Laurie Kigonya, Ben Yousey-Hindes, and Student Representative Pheobe Richardson. District administrators included Superintendent Amy Minor, Business and Operations Manager George Trieb, Director of Curriculum Gwen Carmolli, and Director of Student Support Services Carrie Lutz.

I. Call to Order

Board Chair Lindsey Cox called the meeting to order at 7:00 p.m. and led in the Pledge of Allegiance.

II. Citizens Participation

None.

III. FY'25 Budget Discussion

Information

Superintendent Amy Minor provided a recap of student enrollment including tuition students from surrounding towns, and both current and projected class sizes. She highlighted some strengths of the district which included stable enrollment and committed, qualified employees; noting that 82% of teachers in Colchester hold a master's degree. She summarized the comparison of spending per equalized pupil with regional districts, highlighting that Colchester has historically show fiscal restraint and spends considerably less than neighboring districts. Both administrators and board members noted that there are two ways to perceive that data. They recognized that while they aim to lessen the financial burden on taxpayers, they also want to meet the growing needs of students and provide excellent opportunities and learning environments. Director of Curriculum Gwen Carmolli emphasized that low spending does not directly correlate to the district's academic testing data. While they are focused on closing achievement gaps, Colchester students regularly achieve at or above the statewide average and have been showing gains in the past few years in a number of content areas. Turning to needs, Superintendent Minor stated that administrators are focused on closing achievement gaps and increasing behavioral, mental health, and medical support. She cited that the district is monitoring an increasing trend in the number of students eligible for support based on an anxiety, depression, or an ADHD diagnosis. She also showed the increase in the number of families experiencing poverty. In the 2008-09 school year the poverty level was at 23% and last year it was up to 38%. Director of Student Support Services Carrie Lutz noted the current challenge of meeting the needs of new American students and their families. The number of new American students enrolling in the district with little or no English proficiency increased from six students two years ago to 31 students so far this year. When asked for another area of immediate need, Superintendent Minor highlighted 504 data at Colchester Middle School. Students identified with a disability are eligible for a 504 Plan and ideally, plans are managed by employees with specialized training in disability law and with educational knowledge of each disability area.

Currently, 20 of the 39 plans at the middle school are being managed by the school's counselors. No other school counselors in the district oversee 504 case management.

During the fiscal part of the presentation, Superintendent Minor and Business and Operations Manager George Trieb listed the primary expenditures for next year's estimated budget. The 2.5%-3.0% inflation rate is causing upward pressure on non-compensation expenses such as supplies, professional services, transportation, and equipment. They also noted the combined impact of the negotiated compensation agreements and the increase in the statewide healthcare package for employees. The district's working draft budget would generate a residential homestead tax rate increase of 5.00% using the state's new funding formula before the Common Level of Appraisal (CLA) is applied. The announcement by Colchester's CLA, which is set by the state, has become a huge amplifier to the increase in estimated taxes because the town has not been reappraised since 2011. The board discussed the CLA's impact on educational taxes and the process the Town of Colchester needs to complete to reappraise and subsequently get the CLA to a reasonable rate.

Superintendent Amy Minor showed four examples of Act 127's impact to the school budget. The examples were as follows: \$150K in reductions, no reductions and no additions, \$105K in additions to support identified needs, or add \$205K in additions to support identified needs. In all four examples, the estimated tax increase would be 15.50%.

The board had a lengthy discussion about the information presented. Acknowledging that the 15.5% increase would only impact the 30% of Colchester taxpayers that do not qualify for the property tax credit, they ask administrators to calculate the impact for the 70% majority of taxpayers who will pay based on income instead of property value. They questioned if Colchester will still be considered a low spending district using the new funding formula and were told that was likely and that many districts are also seeing double-digit tax increases with Act 127.

Director Yousey-Hindes pointed out the ramifications of being a low spending district while also trying to grow the budget to address achievement gaps and support the most vulnerable children in our community. He stated he was willing to invest more to have better outcomes for students with the biggest needs. The board and district administrators continued the discussion, pointing to additions that have been made in the past few budget cycles like academic interventionists in math and literacy. Superintendent Minor and Director of Curriculum Gwen Caromolli stated since those initiatives are new, it will take time to see outcomes but they are confident they will show gains. Director of Student Support Services Carrie Lutz praised administrators, teachers, and support staff for coming up with ways to support our students with the resources provided. She emphasized that it is a hard task to balance student need with fiscal responsibility but that administrators will always advocate for what is best for students.

Director Longo pointed out that it might be a good year to infuse the budget with the financial resources to take care of the immediate needs outlined in the presentation since the district qualifies for the 5% tax cap and the new funding formula will keep the estimated education tax increase at the same percentage, regardless of how much money was added or removed from the baseline budget. The other board members agreed. Director Anderson prompted further discussion about how decisions made by the board this year could have tax implications for future years. Superintendent stated while that is largely unknown, she does believe this will be a multi-year process and it is likely there will be a sizeable tax increase next year due to the CLA since it will take time for the town to complete the reappraisal. She noted that the CLA impact is not specific to Colchester and many districts are being negatively impacted. Many superintendents, including Ms. Minor have

provided testimony to the legislature and/or written letters to their representatives about how the change in law is impacting tax rates in their communities.

IV. Adjournment

Director Yousey-Hindes moved to adjourn at 7:56 p.m. The motion passed unanimously.

Recorder:

Board Clerk:

Meghan Baule
Recording Secretary

Ben Yousey-Hindes
Board Clerk

DRAFT