

Northwest Primary School
&
Pierpoint Personalized Learning Center
Family and Community Handbook
2022-2023



Rutland City Public Schools
Rutland, Vermont

A Message from the Principal, Mrs. Christy Coloutti ...

Dear Parents, Families, and Caregivers:

Welcome to Northwest Primary School! This is my first year as the principal of Northwest Primary School and I am thrilled to be part of this community! I have been the principal at Proctor Elementary School for the past 10 years. I am dedicated to the educational, social and behavioral achievements of the children at Northwest Primary School. I have high expectations for staff, students and the community. I would encourage these expectations from you as well.

Parents are their children's first and most important teachers, we need your cooperation and involvement to provide your child with the best education possible. Take time to review and/or talk with your children about their school experiences. Your interest and concern in their school progress will motivate them to do their best. Please embrace opportunities to be a part of our school community when these arise. We count on you to be part of our team!

Research clearly indicates that a child's primary school years are most critical. All future learning is built upon the foundation set in these early years. Please join us in our quest to ensure that your child will learn to the greatest potential and grow to become a confident, independent student who loves school. All of us at Northwest and Pierpoint Personalized Learning Center look forward to an exciting new year with your child!

This handbook has been developed to help you become more familiar with our school. This document will help you understand some, not all, of our policies, procedures and programs. We are constantly improving our efforts and this handbook may be updated during the school year and can be found on our school website. Please take the time to read the important information contained in this document and discuss with your child the essential components that apply to them.

In closing, we look forward to providing the best education to your child. I have an open door policy and encourage you to contact me with any questions.

Sincerely,

Christy Coloutti

Christy Coloutti

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Northwest & Pierpoint Staff
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Rutland Vermont 05701

School Phones: 773-1946 / 773-1908, extension #1776

Fax: 773-1912

*Attendance Line to report an absence: 786- 1746

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To access staff voicemail, dial the school number and the extension next to the person's name below. If there is no extension # beside an individual's name, please call the mainline and ask to be transferred.

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Specials Teachers

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Custodians: Mark Borkowski and Jennifer Roucoulet

Pierpoint Personalized Learning Program

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This handbook provides you with a quick overview of our school, how it operates, and ideas as to how we can all work together to improve your child’s educational experience. It also includes information regarding school and district policies, procedures, and practices. Policy and procedure manuals are available for review at the school and the district central office. Please note that policies and procedures may be updated during the school year.

Northwest Vision Statement (Adopted Spring 2019)

At Northwest School we value a safe, nurturing environment that fosters independence as students develop a lifelong love of learning. **Every Student! Every Day!**

RCPS District Vision Statement

Rutland City Public Schools cultivates a passionate, diverse, and resilient community of critical thinkers who learn with purpose, create innovative and responsible solutions, and lead lives of integrity.

RCPS District Mission Statement

We empower students to be accomplished individuals and community members.

We will:

- Deliver a comprehensive and engaging curriculum for a diverse student body.
- Provide a safe and healthy environment that fosters mutual respect.
- Address the social and emotional needs of all students.

Students will:

- Take responsibility for their education.
- Develop their intellectual, creative, social, emotional and physical abilities.
- Be productive members of the school and community.

District Vision and Mission Statement: Adopted 11/27/07 by RCPS School Board.

School Day Hours

8:45 am - 3:20 pm (Please note that dismissal time for bus riders depends upon bus arrival at school.)

Student Arrival & Breakfast

Children may enter the building at 8:30 a.m. for breakfast. Breakfast is offered between 8:30 – 8:55 a.m. If buses arrive late, breakfast will still be offered to those students. Students who do not need breakfast go directly to the playground. Adult supervision begins on the playground at 8:30 a.m. On rainy mornings, or when the temperature falls below 10 degrees ambient, children may enter the building at 8:30.

Students enter classrooms at 8:45 a.m. Supervision begins at 8:30 a.m. on the playground or in the cafeteria for those who wish to have breakfast. Students may NOT be dropped off before 8:30 am. To leave your child unsupervised before 8:30 places your child in an unsafe situation.

Tardiness

Students arriving after 9:00 a.m. are late and will be marked as “tardy.” A student who arrives late, even if only 5 – 10 minutes, begins the day at a disadvantage. A late start for a child means limited to no time to socialize, put away belongings, and prepare for the day. This can be stressful for a child! Stress impacts learning. Please support your child in being on time for school. **Our start time is 9:00 a.m.**

Early Dismissal

It is important for each child to benefit from a full day's learning in school. **The school day ends at 3:20 p.m. Unless there is an emergency, children are not dismissed earlier.** If you must pick up your child before 3:20, please check-in at the office and sign your child out.

Please note, we do not “pull students” from class to wait in the office for parents. All students will remain in class, learning with their peers, until a parent or authorized adult arrives to sign them out.

We must ask visitors to remain in the front entry area so we know who is in the building, for safety reasons and so that classroom instruction is not interrupted.

If you are expected at a particular classroom in the building, you will be given a visitor's badge to wear so all staff know you have signed in at the office.

Attendance

Compulsory attendance is required in Vermont, by law, for all students between the ages of six and sixteen. Student attendance is extremely important. Not only does your child need to be present to take advantage of all learning opportunities, but your child also

needs to learn at this early age that attending is critical. If your child is out more than this, your child should be under a doctor's care. Please communicate to the school nurse and classroom teacher of any health issues that affect your child so that we may be supportive.

The building principal determines whether an absence is excused or unexcused. An unexcused absence is considered truancy and will be reported to our attendance officer. The Rutland City Board of School Commissioners and the superintendent require and expect that students attend all days that school is in session.

If your child is absent, please call 786-1746. If a child has not arrived at school, and we have not received a phone call, we will call you. If there is no answer, your child will be marked unexcused.

Parents must send a signed and dated note, along with the child's name and reason for the absence when the child returns to school. This is a Vermont State regulation. If a student is home due to illness for more than 3 days, a doctor's note is needed.

Vacations

We urge parents to plan family vacations around the school calendar. However, in the event that a parent needs to take a child out of school for more than 3 days, please follow the guidelines below to request an excused absence:

1. If your child will be out of school for more than three days, please complete a form that can be obtained from the school secretary.
2. The completed form will be given to the principal for review and approval.
3. Parents need to develop a plan that demonstrates that the trip will have educational merit. Consult your child's teacher for suggestions.
4. The primary responsibility will be with the parents and student to make up the regular classroom work missed during the child's absence.
5. Under no circumstances will excused absences be granted for more than 10 days.
6. The student's attendance will be used as criterion to determine whether an extended absence shall be approved.
7. Approval for long-term absence needs to be made in advance, and removing a child for a trip without following the above procedure will result in unexcused absences and truancy.

Visitors' Parking

Our parking lot offers minimal off-street parking for visitors who wish to stop in during school hours. Please note that during drop off and pick up times (8:30-9:00 am and 3:15-3:35 pm) the traffic lanes in the parking lot must remain free and clear of parked automobiles. Refer to the drop-off and pick-up procedures outlined later in this handbook.

Visitors' Protocol

Visitors must use the “main entrance.” ALL VISITORS WILL BE BUZZED INTO THE BUILDING AND CHECK-IN at the FRONT OFFICE DURING SCHOOL HOURS. We appreciate your patience as we focus on maintaining a safe and secure school.

Breakfast, Snack, Lunch, and Recess

Breakfast and lunch are free for all Rutland City Public School students in kindergarten through 8th grade. Breakfast hours are from 8:30 – 8:55 a.m.. In regard to lunch, students may choose to eat a free school lunch or bring lunch from home. Each classroom teacher provides students with time for a snack. It is recommended that children bring a snack from home, although our students are provided with an option of a free fruit or vegetable snack a few days each week. Please contact the school nurse and your child’s classroom teacher if a food allergy is of concern.

Lunch & Recess Periods

<u>Grade</u>	<u>Lunch / Recess</u>
K	12:05 - 12:35 / 12:35 – 1:05
1 st	1:05 – 1:35/ 1:35 – 2:05
2 nd	12:35 – 1:05 / 1:05 – 1:35

Recess

Please dress your child according to weather conditions. Children will be outdoors each day for short periods of time. Teachers often have assigned duties during recess, and there are no provisions for supervising children who wish to remain indoors.

For safety reasons, certain types of equipment are not allowed on the playground. These include: skateboards, skates, bats, hard balls, and ANY electronic devices. Children should not bring in these items from home.

Cold Weather Guidelines

Children must prepare for school dressed for the weather. In the event of very cold weather, children need to wear a warm jacket or snowsuit, snow pants, warm socks, mittens/gloves, hat and scarf, and any other apparel as appropriate and necessary. All items should be labeled with the child’s name.



The Rutland Public Schools has set a 10 degree temperature limit (ambient) for children to go outside to recess.

When the temperature is close to 10 degrees, the local weather is monitored on the internet. Thermometers are also used to determine the temperature on the playground prior to recess. Recess supervisors send children in to the nurse if they appear to be too cold or if redness or white patches are noticed.

School Nurse / Health Services

One of the most utilized support services is that of our school nurse. Health services provided at Northwest School include the following:

Screenings – Vision/hearing screenings and height/weight checks are completed annually for all students. Parents are notified if problems are identified or suspected.

Medications – When necessary, prescription medications may be given by the nurse at school if there is written permission from the prescribing physician. All medications must be in their original labeled containers, and must be brought to school and picked up by an adult -- NOT the student.

Communicable Disease Control –If your child contracts a contagious disease, such as head lice, scabies, or a bacterial infection, this needs to be reported to the nurse. If your child becomes ill at school, your child will be sent home with an authorized person as listed on your emergency card.

Immunizations - All children, per VT law, must have a record of immunizations at school. The school nurse works with parents to ensure that all students are immunized and that accurate records are kept.

Health and Safety monitoring – Participation in recess and physical education is recognized as an important function of the school day. Children will not be excused from participation unless a written note from the child’s physician exempts the student from such activity.

Illness - Children who are sick or sent home by the school nurse need to be free of fever, diarrhea, and vomit for 24 hours (temperature below 100F) prior to returning to school. Children who are ill and on an antibiotic need to have a full 24-hour dose of the medicine in their system before returning to school.

Head Lice

Northwest Primary School recognizes that Pediculosis (head lice) is a common challenge for families and agencies dealing with children. While lice cannot be completely eliminated, we encourage cooperative measures within the school community to control for lice and nits. Nits and Head Lice procedures emphasize keeping children in school when head lice is detected, rather than sending them home, risking unnecessary loss of school time. This procedure sets guidelines stating that children should be allowed to return to school after proper treatment, and should not be prevented from returning to school because of the presence of nits. Additionally, it is the procedure of the school district to prevent, monitor, and manage outbreaks of head lice at the school level.

Doctor's Appointments

Please schedule doctor and dentist appointments outside of school hours. It is disruptive to your child's educational program to arrive late, leave early, or miss the middle of a day.

Curriculum

Our curriculum is based on the Common Core State and Next Generation Science Standards. Copies of the K-12 Standards can be found on the Internet and in our office.

Literacy is taught through a structured framework (ie. Daily Five) that integrates listening, speaking, reading and writing in a manner that instills behaviors of independence and creates a classroom of highly engaged learners. The teaching of phonics and decoding skills is stressed during literacy time and often occurs within the meaningful context of good literature and poetry. Our teachers support children in becoming productive, highly engaged students who develop a true love of literacy. If a child has difficulty learning to read, support services are provided to help children with specific skills. Parents are notified when a child may be in need of support services.

Our mathematics program follows the standards developed by the National Council of Teachers of Mathematics and the Common Core State Standards. Our teachers use the Zearn math program to address these standards so students learn math "basics" along with how to use math in real life through problem solving.

Science and social studies, along with literacy and mathematics are often integrated and taught through developed thematic units.

Specials

Along with the core curriculum, students receive weekly instruction in art, library skills, music and physical education.

The Art Program is designed to expand upon the students' creative and imaginative growth. Using the elements and principles of design, such as line, color, shape, value, texture, students create a variety of art projects. Students also have the opportunity to explore a variety of art media, including tempera paints, watercolors and oil pastels and are exposed to works of art by famous artists.

The Library Program focuses on developing an interest in and fostering excitement about reading and books. Students also receive instruction in using the library learning center and selecting books for reading in the classroom and at home.

Music is a lifelong process that affects every corner of our world. Students are offered the opportunity to experience music in a variety of ways. Class activities include rhythmic development, awareness of the singing voice, introduction to instruments, the use of rhythm instrument

accompaniment, development of listening skills, creative movement and appreciation for the works of various composers.

The Physical Education Program is designed to encourage exploration of movement and motor skills with increased awareness of self-esteem and personal fitness. Basic rules and skills of sports are introduced, as well as new games that incorporate sharing, group play, cooperation, and safe fun.

Homework

At Northwest we believe that homework is an integral part of each student's educational program. Homework extends classroom work and reinforces the concept that education is a life-long process. Homework also affords parents with a way to acquaint themselves with the school program and their own child's educational growth. Many teachers will ask parents to sign a weekly or monthly homework sheet. We kindly ask parents to sign this homework sheet each night to indicate that they reviewed the contents of their child's homework folder.

Guidelines:

Kindergarten: A weekly/monthly list of suggestions will be provided to parents, offering suggestions, strategies, and activities to assist with your child's development. In addition, we kindly ask parents to read aloud to your child daily for at least 15 minutes.

Grade 1: Homework becomes an expected part of the student's educational program. Emphasis may be on math and literacy reinforcement of skills for approximately 10 minutes per night. In addition, please continue to read with your child on a daily basis for at least 15 minutes. Bedtime is often a good time for reading.

Grade 2: Homework continues to be an expected part of the student's educational program. Emphasis will remain on math and literacy for approximately 15 minutes per night. Please continue to read with your child on a daily basis for at least 15 minutes.

Responsibilities of Parents

- To support the homework portion of the educational program through encouragement and involvement with your child.
- To provide a consistent and appropriate place and time for your child to do homework.
- To sign the homework sheet indicating that your child has worked on the given assignment.
- To communicate to the teacher about any problems your child is experiencing with homework assignments.
- To read daily with your child for a minimum of 15 minutes.

Educational Support Team (EST)

The Vermont Department of Education requires that every Vermont public school offers educational support team services to children at risk. Northwest School has developed a procedure

that provides teachers, specialists, parents and the school community access to a multi-disciplinary team. The team uses positive solution techniques to assess needs, identify resources, and develop specific remedial or supplemental strategies to accommodate all students.

The purpose of this team is to ensure each child's success in a regular classroom setting. The team will continue its involvement and support by developing a follow-up plan that may recommend further adjustments, supports and/or additional resources and services. Parents will be kept informed throughout the process and may attend the EST meeting upon request.

Special Education & Related Services

Special education services are provided to students who have met criteria for these tier 4 services. For the most part, students receive their special education services in a "pull out" model of instruction. If deemed necessary, these students may also receive support from related service providers for speech, occupational therapy, and/or physical therapy.

Intervention Services

Intervention services are part of our multi-tiered system of supports and provide targeted instruction designed to meet specific needs to children identified as needing this service. This is not part of the special education program.

Counseling Services

School counselors provide in-school counseling and support for students in need. Counselors also develop classroom interventions to help students develop skills to become self-reliant and resilient. Counselors play a critical role as the liaison between home and school for many families and provide guidance in securing support from outside agencies in Rutland County.

Student Conduct

The primary goal at Northwest Primary School is to create a safe and nurturing environment for our students. We seek to build within each child a life-long love of learning, sense of responsibility, self-discipline, a positive self-image, and respect for others. To achieve this goal, cooperation between home and school is essential. Both the home and school must share in assuming the responsibilities necessary to assure the rights of all students and provide an instructional environment of the highest quality

Our teachers and staff follow a Positive Behavior Interventions and Supports program that integrates Responsive Classroom and reinforces our STAR Student models of behavior and expectations. Student conduct procedures focus on helping a child restore relationships, learn from mistakes, and understand the logical consequences of his/her actions.

The Rights and Responsibilities of students at Northwest Primary School include:

- The right to a safe environment and the responsibility to act in a safe manner.

- The right to be treated with respect and courtesy, and the responsibility to behave with respect and courtesy toward all others in the school.
- The right to an education without interference from others and the responsibility to conduct oneself in a manner that does not interfere with the education of others.
- The right to a quality education and the responsibility to conduct and prepare oneself in a manner that allows one to learn at the highest level capable for that student.

Positively reinforced “STAR Student” Standards of Behavior:

1. **S** – Show respect to oneself and others at all times.
2. **T** – Treat others with kindness.
3. **A** – Always be safe.
4. **R** – Reach for the stars (do your best).

Unsafe and Inappropriate Behavior:

Certain behaviors are inappropriate in a school setting and can not be tolerated.

Consequences for serious behavior of this nature will be directly related to the severity of the student’s conduct and may include community service, loss of privileges, a parent meeting, and in extreme cases suspension or expulsion from school.

Starship Room

The Starship Room is designed to help children regulate in a more proactive manner, when needed. In addition, in Starship we focus upon both intervention and prevention by:

- Assisting students in developing appropriate coping and social skills.
- Providing space/personnel to serve students who need to practice sensory regulation skills and/or calm down.
- Assisting students in developing a plan for success in the classroom
- Following-up with students to evaluate the effectiveness of their “STAR Success Plans.”
- Following up with classroom teachers regarding student progress.
- Students may self-refer to Starship or a teacher may refer.

School Volunteers

If you are interested in volunteering, please contact our secretary, Margaret Ettori, at 773-1946, or speak with your child’s teacher. Volunteer activities include working in your child’s classroom, participating in our Parent/Teacher Collaborative, and more.

Examples of Daily Classroom Help:

- Homework folders
- Reading with children
- “Choice time” help

Examples of Weekly Help:

- Guest readers
- Lunchtime book club or reading

Examples of Periodic Event Help:

- Organizing class festivities
- Enrichment/sharing a talent
- Helping with field trips
- School/community charity events
- Parent/Teacher Collaborative
- Four Winds Science Volunteer, if offered in this school year

Transportation

Bus Expectations:

The Rutland City School Commissioners state that transportation to and from school is a privilege granted to pupils. This privilege is conditional: students must comply with the established rules. When the rules are ignored and a student endangers himself and/or fellow passengers, bus riding privileges shall be suspended according to the following procedure:

The following bus rules are posted in the school buses:

1. Display the same conduct expected in the classroom.
2. Be courteous, do not use any profane language.
3. Do not eat, drink or chew gum on the bus.
4. Keep the bus clean.
5. Cooperate with driver's instructions.
6. Do not be destructive.
7. Stay in your seat.
8. Keep head, hands and feet inside the bus.
9. The bus driver is authorized to assign seats.
10. No physical aggression/abuse of others will not be allowed.
11. No spitting or throwing of objects is tolerated.

Consequences of Misbehavior on the Bus

First Offense - Bus driver reminds child of correct behavior and notifies principal.

Second Offense – Driver writes a bus referral slip and brings it to the principal.

Parents receive a written notice and phone call. Child meets with the principal.

Third Offense – Driver writes a bus referral slip and the child meets with the principal. Principal notifies the parent that the child is suspended from the bus for a period of five (5) days. Principal, parents and child meet to discuss restoration of bus privilege.

Fourth Offense - Bus Incident Report is sent to the principal who will notify the parent that the child has been suspended from the bus for the remainder of school year.

Immediate Suspension

Any student misbehaving in a manner that creates a severe safety hazard to him/herself, the driver, or other students, will immediately be suspended. The principal will inform the parent and set up a meeting of parent, child and principal to discuss behavior and the possibility of resumption of bus riding privilege

Bus Information

Whenever there is a change in the way your child will go home from school, we must receive a written note informing us of this change. If we do not receive this written note, the child will be placed on his/her regular bus.

We cannot permit children who are walkers or car riders to occasionally ride school buses. We cannot permit children to ride on any other bus, other than the assigned bus.

Walkers and Car Riders

Student Drop Off: Families will enter the driveway at the south end of the Northwest campus between 8:30 and 8:55 am. Students must be dropped off directly to the sidewalk. After dropping off children, families need to move out of the complex to allow for safe delivery of other children. If a parent wishes to stay at the school for any reason, it will be necessary to find a place to park. Unfortunately, our parking lot is sufficient for our staff, but lacks space for visitors. Please note, in keeping with Vermont State law and Rutland City Public Schools' policy, all school grounds are idle free zones. Vehicles may idle for up to 5 minutes according to law and policy, but we request that all cars be turned off upon stopping on school property.

Student Dismissal

All **car riders** will be dismissed to vehicles in the traffic loop on the south side of the building. Students will be brought out via the sidewalk at approximately 3:15 pm and dismissed to their parents or guardians in their cars. South walkers will be dismissed from the same location.

Whenever there is a change in the way your child will go home, a change in the person who will pick your child up, or a change in the place the child will be going after school, it is necessary that you send a note to the child's teacher providing this information. We will not accept a call at the end of the day unless there is an emergency.

Parent Teacher Collaborative (PTC)

Northwest PTC Mission Statement: The Northwest PTC strives to enrich the learning and programs of teachers and students, as well as the Northwest community as a whole.

This is a very important group. Involvement helps parents and teachers become partners in the educational process of our children. Meetings will be held throughout the school year. Please reach out to the office if you would like to join.

Parent-Teacher Conferences

Parent/Teacher conferences are scheduled for **October and March**. Please attend conferences to receive information on student progress and provide us with input that will support your child. We encourage parents to request additional meetings with the child's teacher if there is a concern or a desire to receive updated information on the child's progress. Please note: Progress reports go home in January and June.

Video Surveillance

To maintain order, safety, and discipline on school grounds, our district uses video surveillance cameras on school grounds and on school buses. Please refer to Rutland City Public School District's Video Surveillance Policy for complete details:

<https://www.rutlandcitypublicschools.org/wp-content/uploads/2017/10/7411-Use-of-Video-Surveillance-Cameras.pdf>

School Visitors

Parents and other authorized guests are always welcome in our school. However, to help ensure the safety of the children and to provide for an uninterrupted learning environment, the following procedures are required:

1. Whenever you wish to enter the school, please use the main entrance.
2. Check-in at the office to sign in and receive a visitor's badge.
3. To drop something off for your child, you may leave the item at the office. Office personnel will deliver the item to your child's classroom.
4. If you are removing a child from school before dismissal, you will need to sign the child out at the school office.
5. No teacher shall allow any person to enter the classroom, or leave the school grounds with a child without a duly authorized dismissal slip.
6. If you wish to observe your child's classroom, or a particular part of his/her program, please communicate your interest to the principal or classroom teacher so a date and time can be set.
7. Teachers are often available to speak with you before school, during specials, and after school. During the remaining times, teachers are involved in direct instruction and should not be interrupted. Please consider this if you need to speak directly to a teacher.

Weather and Emergency Situations

Incident Weather

Announcements about the closing of schools will be made via our phone Alert System, as well as over the following radio stations: WJJR, WSYB and WZRT. The decision to close schools will be made by 6:00 a.m. It is possible that certain weather conditions will suggest that we close ONLY the elementary schools.

Emergency Situations

In the event of an emergency situation, the schools will follow the "Emergency Response Plan." In the event of an emergency with students remaining at school, parents will report to the gym at NW to sign out children. Children will be brought to the gym by a school staff member.

In the event of an evacuation, parents will be notified to pick up their children at Giorgetti Park or the Rutland Intermediate School auditorium.

Parental Rights

You have a right to:

1. Inspect and review records
2. Challenge content of records
3. Obtain copy of records

Parents have the right to request information regarding the credentials of their child's teachers. They can request the teachers' level of certification, areas of licensure, and "highly qualified" status. Requests for information should be made to the school building principal. "We invite all parents to present the school administration with any ideas or thoughts on services that would support all of our students within our schoolwide plan."

Parental/Family Involvement

The Rutland City Board of School commissioners and schools shall seek to involve parents in the education of their children by employing the strategies outlined in school handbooks and administrative procedure.

Coordination and integration of Rutland Public Schools' parent involvement strategies with other programs within Rutland City such as Head Start and other Federally funded or State run programs will be accomplished through the collaborative agreement in place at the primary schools.

Student Placement

Placement within the system, with respect to building, teacher, and grade or special class, shall be at the discretion of the school administration and shall be subject to review and change at any time. In making such decisions, the administrator will be guided by performance in class, past records,

parent/legal guardian and teacher recommendations, standardized test scores, and any other appropriate sources of information. The final decision shall rest with the school administration. Siblings and prior placement shall be considerations.

School Policies

The following is a partial collection of policies regarding you and your child that you should review carefully. Please refer to the complete policy manual of the Rutland City Public Schools for all relevant policies. Policy manuals are available on Rutland City Public School's website.

Policy on the Prevention of Harassment, Hazing and Bullying of Students

In summary, bullying occurs when one person or group acts in a manner that is directed against a student, and this behavior is:

- a) Repeated over time;
- b) Intended to ridicule, humiliate, or intimidate the students; and
- c) Occurs during the day on school property, on the bus, or at a school sponsored activity and/or interferes with the child's right to access educational programs.

(Please refer to the entire policy below for complete details.)

I. Statement of Policy – Prevention of Harassment, Hazing, & Bullying

The Rutland City Public School District (hereinafter "District") is committed to providing all of its students with a safe and supportive school environment in which all members of the school community are treated with respect.

It is the policy of the District to prohibit the unlawful harassment of students based on race, color, religion, creed, national origin, marital status, sex, sexual orientation, gender identity or disability. Harassment may also constitute a violation of Vermont's Public Accommodations Act, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, and/or Title IX of the federal Education Amendments Act of 1972.

It is also the policy of the District to prohibit the unlawful hazing and bullying of students. Conduct which constitutes hazing may be subject to civil penalties.

The District shall address all complaints of harassment, hazing and bullying, and shall take appropriate action against any person - subject to the jurisdiction of the board who violates this policy. Nothing herein shall be construed to prohibit punishment of a student for conduct which, although it does not rise to the level of harassment, bullying, or hazing as defined herein, otherwise

violates one or more of the board's disciplinary policies, the school's code of conduct, school rules regarding behavior, or expectations for employees.

II. Implementation

The superintendent or his/her designee shall:

1. Adopt a procedure directing staff, parents and guardians how to report violations of this policy and file complaints under this policy.
2. Annually, select two or more designated employees to receive complaints of hazing, bullying and/or harassment at each school campus and publicize their availability in any publication of the District that sets forth the comprehensive rules, procedures, and standards of conduct for the school.

***At Northwest School and PPLC, the designated employees to receive complaints are Christy Coloutti, Amanda Gurney, or Jessica Henderson.**

3. Designate an Equity Coordinator to oversee all aspects of the implementation of this policy as it relates to obligations imposed by federal law regarding discrimination. This role may also be assigned to one or both of the Designated Employees.
4. Respond to notifications of possible violations of this policy in order to promptly and effectively address all complaints of hazing, harassment, and/or bullying.
5. Take action on substantiated complaints. In cases where hazing, harassment and/or bullying is substantiated, the District shall take prompt and appropriate remedial action reasonably calculated to stop the hazing, harassment and/or bullying; prevent its recurrence; and to remedy the impact of the offending conduct on the victim(s), where appropriate. Such action may include a wide range of responses from education to serious discipline.

Serious discipline may include termination for employees and, for students, expulsion or removal from school property. It may also involve penalties or sanctions for both organizations and individuals who engage in hazing. Revocation or suspension of an organization's permission to operate or exist within the District's purview may also be considered if that organization knowingly permits, authorizes or condones hazing.

III. Constitutionally Protected Speech

It is the intent of the District to apply and enforce this policy in a manner that is consistent with student rights to free expression under the First Amendment of the U.S. Constitution. The purpose of this policy is to (1) prohibit conduct or communication that is directed at a person's protected characteristics as defined below and that has the purpose or effect of substantially disrupting the educational learning process and/or access to educational resources or creates a hostile learning

environment; (2) prohibit conduct intended to ridicule, humiliate or intimidate students in a manner as defined under this policy.

IV. Definitions. For the purposes of this policy and the accompanying procedures, the following definitions apply:

- A. **“Bullying”** means any overt act or combination of acts, including an act conducted by electronic means, directed against a student by another student or group of students and which:
 - a. Is repeated over time;
 - b. Is intended to ridicule, humiliate, or intimidate the student; and
 - c. (i) occurs during the school day on school property, on a school bus, or at a school-sponsored activity, or before or after the school day on a school bus or at a school sponsored activity; or
(ii) does not occur during the school day on school property, on a school bus or at a school sponsored activity and can be shown to pose a clear and substantial interference with another student’s right to access educational programs.

- B. **“Complaint”** means an oral or written report information provided by a student or any person to an employee alleging that a student has been subjected to conduct that may rise to the level of hazing, harassment or bullying.

- C. **“Complainant”** means a student who has provided oral or written information about conduct that may rise to the level of hazing, harassment or bullying, or a student who is the target of alleged hazing, harassment or bullying.

- D. **“Designated employee”** means an employee who has been designated by the school to receive complaints of hazing, harassment and bullying pursuant to subdivision 16 V.S.A. 570a(a)(7). The designated employees for each school building are identified in Appendix A of this policy.

- E. **“Employee”** includes any person employed directly by or retained through a contract with the District, an agent of the school, a school board member, a student teacher, an intern or a school volunteer. For purposes of this policy, “agent of the school” includes supervisory union staff.

- F. **“Equity Coordinator”** is the person responsible for implementation of Title IX (regarding sex-based discrimination) and Title VI (regarding race- based discrimination) for the District and for coordinating the District’s compliance with Title IX and Title VI in all areas covered by the implementing regulations. The Equity Coordinator is also responsible for overseeing implementation of the District’s *Preventing and Responding to Harassment of Students and Harassment of Employees* policies. This role may also be assigned to Designated Employees.

G. **“Harassment”** means an incident or incidents of verbal, written, visual, or physical conduct, including any incident conducted by electronic means, based on or motivated by a student’s or a student’s family member’s actual or perceived race, creed, color, national origin, marital status, disability, sex, sexual orientation, or gender identity, that has the purpose or effect of objectively and substantially undermining and detracting from or interfering with a student’s educational performance or access to school resources or creating an objectively intimidating hostile, or offensive environment.

Harassment includes conduct as defined above and may also constitute one or more of the following:

- (1) Sexual harassment, which means unwelcome conduct of a sexual nature, that includes sexual violence/sexual assault, sexual advances, requests for sexual favors, and other verbal, written, visual or physical conduct of a sexual nature, and includes situations when one or both of the following occur:
 - (i) Submission to that conduct is made either explicitly or implicitly a term or condition of a student’s education, academic status, or progress; or
 - (ii) Submission to or rejection of such conduct by a student is used as a component of the basis for decisions affecting that student.

Sexual harassment may also include student-on-student conduct or conduct of a non-employee third party that creates a hostile environment. A hostile environment exists where the harassing conduct is severe, persistent or pervasive so as to deny or limit the student’s ability to participate in or benefit from the educational program on the basis of sex.

- (2) Racial harassment, which means conduct directed at the characteristics of a student’s or a student’s family member’s actual or perceived race or color, and includes the use of epithets, stereotypes, racial slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, display, or circulation of written or visual material, and taunts on manner of speech and negative references to cultural customs.

- (3) Harassment of members of other protected categories, means conduct directed at the characteristics of a student’s or a student’s family member’s actual or perceived creed, national origin, marital status, disability, sex, sexual orientation, or gender identity and includes the use of epithets, stereotypes, slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, display, or circulation of written or visual material, taunts on manner of speech, and negative references to customs related to any of these protected categories.

H. **“Hazing”** means any intentional, knowing or reckless act committed by a student, whether individually or in concert with others, against another student: In connection with pledging, being

initiated into, affiliating with, holding office in, or maintaining membership in any organization which is affiliated with the educational institution; and

(1) Which is intended to have the effect of, or should reasonably be expected to have the effect of, endangering the mental or physical health of the student.

Hazing shall not include any activity or conduct that furthers legitimate curricular, extra-curricular, or military training program goals, provided that:

(1) The goals are approved by the educational institution; and

(2) The activity or conduct furthers the goals in a manner that is appropriate, contemplated by the educational institution, and normal and customary for similar programs at other educational institutions.

With respect to Hazing, **“Student”** means any person who:

(A) is registered in or in attendance at an educational institution;

(B) has been accepted for admission at the educational institution where the hazing incident occurs; or

(C) intends to attend an educational institution during any of its regular sessions after an official academic break.

I. **“Notice”** means a written complaint or oral information that hazing, harassment or bullying may have occurred which has been provided to a designated employee from another employee, the student allegedly subjected to the hazing, harassment or bullying, another student, a parent or guardian, or any other individual who has reasonable cause to believe the alleged conduct may have occurred. If the school learns of possible hazing, harassment or bullying through other means, for example, if information about hazing, harassment or bullying is received from a third party (such as from a witness to an incident or an anonymous letter or telephone call), different factors will affect the school’s response. These factors include the source and nature of the information; the seriousness of the alleged incident; the specificity of the information; the objectivity and credibility of the source of the report; whether any individuals can be identified who were subjected to the alleged harassment; and whether those individuals want to pursue the matter. In addition, for purposes of violations of federal anti-discrimination laws, notice may occur when an employee of the district, including any individual who a student could reasonably believe has this authority or responsibility, knows or in the exercise of reasonable care should have known about potential unlawful harassment or bullying.

J. **“Organization”** means a fraternity, sorority, athletic team, association, corporation, order, society, corps, cooperative, club, or other similar group, whose members primarily are students at an educational institution, and which is affiliated with the educational institution.

K. **“Pledging”** means any action or activity related to becoming a member of an organization.

L. **“Retaliation”** is any adverse action by any person against a person who has filed a complaint of harassment, hazing or bullying or against a person who assists or participates in an investigation, proceeding or hearing related to the harassment complaint. Such adverse action may include conduct by a school employee directed at a student in the form of intimidation or reprisal such as diminishment of grades, suspension, expulsion, change in educational conditions, loss of privileges or benefits, or other unwarranted disciplinary action. Retaliation may also include conduct by a student directed at another student in the form of further harassment, intimidation, and reprisal.

M. **“School administrator”** means a superintendent, principal or his/her designee assistant principal//technical center director or his/her designee and/or the District’s Equity Coordinator.

N. **“Student Conduct Form”** is a form used by students, staff, or parents, to provide, in written form, information about inappropriate student behaviors that may constitute hazing, harassment and/or bullying.

This policy replaces the following policies upon its adoption by the Board of School Commissioners:

Policy 7400: “Prevention of Harassment of Students”

Policy 7401: “Policy on the Prevention of Bullying of Students”

Policy 7493: “Hazing”

Firearms, Weapons, and Fireworks

Student possession or use of firearms, weapons, knives, ammunition, explosives, fireworks, or any potentially dangerous devices or substances of any kind are forbidden and will result in immediate suspension, possible expulsion and legal action. [RPS Policy 7490]

Student Records

The Principal and EEE-Grade 2 Special Education Director are the legal custodians of all student records. Parents of students (and eligible students over the age of 18) have the right to inspect the student’s education records; request amendments to them; consent to disclosure of certain information; and file complaints with appropriate agencies. A copy of the school’s policy regarding student’s records and their disclosure is summarized below and is available from the Office of the Superintendent of the Rutland Public Schools. (Rutland Public Schools District Policy #7370 in accordance with the Family Educational Rights and Privacy Act)

Family Educational Rights & Privacy Act (FERPA)

The following guidance provides parents with general information about the Family Educational Rights and Privacy Act (FERPA). While this guidance reflects our best and most current interpretation of applicable FERPA requirements, it does not supersede the statute or regulations. FERPA gives custodial and noncustodial parents alike certain rights with respect to their children’s education records, unless a school is provided with evidence that there is a court order or State law that specifically provides to the contrary. Otherwise, both custodial and noncustodial parents have

the right to access their children's education records, the right to seek to have the records amended, the right to consent to disclosure of personally identifiable information from the records (except in certain circumstances specified in the FERPA regulations, some of which are discussed below), and the right to file a complaint with the Department. When a student reaches 18 years of age or attends a postsecondary institution, he or she becomes an "eligible student," and all rights under FERPA transfer from the parent to the student. The term "education records" is defined as those records that contain information directly related to a student and which are maintained by an educational agency or institution or by a party acting for the agency or institution.

FERPA generally prohibits the improper disclosure of personally identifiable information derived from education records. Thus, information that an official obtained through personal knowledge or observation, or has heard orally from others, is not protected under FERPA. This remains applicable even if education records exist which contain that information, unless the official had an official role in making a determination that generated a protected education record. Under FERPA, a school is not generally required to maintain particular education records or education records that contain specific information. Rather, a school is required to provide certain privacy protections for those education records that it does maintain. Also, unless there is an outstanding request by a parent to inspect and review education records, FERPA permits the school to destroy such records without notice to the parent.

Access to Education Records

Under FERPA, a school must provide a parent with an opportunity to inspect and review his or her child's education records within 45 days following its receipt of a request. A school is required to provide a parent with copies of education records, or make other arrangements, if a failure to do so would effectively prevent the parent from obtaining access to the records. A case in point would be a situation in which the parent does not live within commuting distance of the school. A school is not generally required by FERPA to provide a parent with access to school calendars or general notices such as announcements of parent-teacher meetings or extra-curricular activities. That type of information is not generally directly related to an individual student and, therefore, does not meet the definition of an education record. Under FERPA, a school is not required to provide information that is not maintained or to create education records in response to a parent's request. Accordingly, a school is not required to provide a parent with updates on his or her child's progress in school unless such information already exists in the form of an education record.

Amendment of Education Records

Under FERPA, a parent has the right to request that inaccurate or misleading information in his or her child's education records be amended. While a school is not required to amend education records in accordance with a parent's request, the school is required to consider the request. If the school decides not to amend a record in accordance with a parent's request, the school must inform the parent of his or her right to a hearing on the matter. If, as a result of the hearing, the school still decides not to amend the record, the parent has the right to insert a statement in the record setting forth his or her views. That statement must remain with the contested part of the student's record for as long as the record is maintained. However, while the FERPA amendment

procedure may be used to challenge facts that are inaccurately recorded, it may not be used to challenge a grade, an opinion, or a substantive decision made by a school about a student. FERPA was intended to require only that schools conform to fair recordkeeping practices and not to override the accepted standards and procedures for making academic assessments, disciplinary rulings, or placement determinations. Thus, while FERPA affords parents the right to seek to amend education records which contain inaccurate information, this right cannot be used to challenge a grade, an individual's opinion, or a substantive decision made by a school about a student. Additionally, if FERPA's amendment procedures are not applicable to a parent's request for amendment of education records, the school is not required under FERPA to hold a hearing on the matter.

Disclosure of Education Records

Under FERPA, a school may not generally disclose personally identifiable information from a minor student's education records to a third party unless the student's parent has provided written consent. However, there are a number of exceptions to FERPA's prohibition against nonconsensual disclosure of personally identifiable information from education records. Under these exceptions, schools are permitted to disclose personally identifiable information from education records without consent, though they are not required to do so by FERPA. Following is general information regarding some of these exceptions.


One of the exceptions to the prior written consent requirement in FERPA allows "school officials," including teachers, within a school to obtain access to personally identifiable information contained in education records provided the school has determined that they have "legitimate educational interest" in the information. A school may disclose personally identifiable information from education records without consent to a "school official" under this exception only if the school has first determined that the official has a "legitimate educational interest" in obtaining access to the information for the school. Another exception permits a school to disclose personally identifiable information from a student's education records, without consent, to another school in which the student seeks or intends to enroll. The sending school may make the disclosure if it has included in its annual notification of rights a statement that it forwards education records in such circumstances. Otherwise, the school must make a reasonable attempt to notify the parent in advance of making the disclosure, unless the parent or eligible student has initiated the disclosure. The school must also provide a parent with a copy of the records that were released if requested by the parent.

FERPA permits a school non-consensually to disclose personally identifiable information from a student's education records when such information has been appropriately designated as directory information. "Directory information" is defined as information contained in the education records of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information could include information such as the student's name, address, e-mail address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of

attendance, degrees and awards received, the most recent previous educational agency or institution attended, photograph, grade level (such as 11th grade or junior year), and enrollment status (full-time or part-time).

FERPA also permits a school to disclose personally identifiable information from education records of an "eligible student" (a student age 18 or older or enrolled in a postsecondary institution at any age) to his or her parents if the student is a "dependent student" as that term is defined in Section 152 of the Internal Revenue Code. Generally, if either parent has claimed the student as a dependent on the parent's most recent income tax statement, the school may non-consensually disclose the student's education records to both parents. There are several other exceptions to FERPA's prohibition against non-consensual disclosure of personally identifiable information from education records, some of which are briefly mentioned below. Under certain conditions (specified in the FERPA regulations, 34 CFR Part 99), a school may non-consensually disclose personally identifiable information from education records:

to authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the U.S. Secretary of Education, and State and local educational authorities for audit or evaluation of Federal or State supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs;

- in connection with financial aid for which the student has applied or received;
- to state and local authorities pursuant to a State statute concerning the juvenile justice system and the system's ability to effectively serve the student whose records are being disclosed;
- to organizations conducting studies for or on behalf of the school making the disclosure for the purposes of administering predictive tests, administering student aid programs, or improving instruction;
- to comply with a judicial order or a lawfully issued subpoena; and  in connection with a health or safety emergency.

As stated above, the conditions specified in the FERPA regulations have to be met before a school may non-consensually disclose personally identifiable information from education records in connection with any of the exceptions mentioned above.

Complaints of Alleged Failures to Comply with FERPA

The Office may investigate those timely complaints that contain specific allegations of fact giving reasonable cause to believe that a school has violated FERPA. A timely complaint is defined as one that is submitted to the Office within 180 days of the date that the complainant knew or reasonably should have known of the alleged violation. Complaints that do not meet FERPA's threshold requirement for timeliness are not investigated. If we receive a timely complaint that contains a specific allegation of fact giving reasonable cause to believe that a school has violated FERPA, we may initiate an administrative investigation into the allegation in accordance with procedures outlined in the FERPA regulations. If a determination is made that a school violated FERPA, the school and the complainant are advised, and the school is informed of the steps it must take to come into compliance with the law. The investigation is closed when voluntary compliance is achieved.

Please note that a parent should state his or her allegations as clearly and succinctly as possible. To aid us in efficiently processing allegations, we ask that a parent only include supporting documentation that is relevant to the allegations provided. Otherwise, we may return the documentation and request clarification. This Office does not have the resources to review voluminous documents and materials to determine whether an allegation of a violation of FERPA by a school is included. A parent may obtain a complaint form by calling (202) 260-3887. For administrative and privacy reasons, we do not discuss individual allegations and cases via email. Please mail completed complaint forms to the Office (address below) for review and any appropriate action.

Complaint Regarding Access

If a parent believes that a school has violated FERPA by failing to comply with the parent's request for access to his or her child's education records, the parent may complete a FERPA complaint form and should include the following specific information: the date of the request for access to the student's education records; the name of the school official to whom the request was made (a dated copy of any written request to the school should be provided, if possible); the response of the school official, if any; and the specific nature of the information requested.

Complaint Regarding Amendment

If a parent believes that a school has violated FERPA by failing to provide the parent with an opportunity to seek amendment of inaccurate information in his or her child's education records or failed to offer the parent an opportunity for a hearing on the matter, the parent may complete a FERPA complaint form and should include the following specific information: the date of the request for amendment of the student's education records; the name of the school official to whom the request was made (a dated copy of any written request to the school should be provided, if possible); the response of the school official, if any; the specific nature of the information for which amendment was requested; and the evidence provided to the school to support the assertion that such information is inaccurate.

Complaint Regarding Disclosure

If a parent believes that a school has violated FERPA by improperly disclosing personally identifiable information from his or her child's education records, the parent may complete a FERPA complaint form and should include the following specific information: the date the alleged improper disclosure occurred or the date the parent learned of the disclosure; the name of the school official who made the disclosure, if that is known; the third party to whom the education records were disclosed; and the specific nature of the information disclosed.

This guidance document is designed to provide parents of minor students with some basic information regarding FERPA and their rights, and to address some of the basic questions most frequently asked by parents. You can review the FERPA regulations, frequently asked questions, significant opinions of the Office, and other information regarding FERPA at our Website as

follows:<http://fpco.ed.gov>. If, after reading this guidance document, you have questions regarding FERPA that are not addressed here, you may write to the Office for additional guidance at the following address:

Family Policy Compliance Office
U.S. Department of Education 400 Maryland Avenue, SW
Washington, DC 20202-8520

RULE 4500 STATE RULES FOR THE USE OF RESTRAINT & SECLUSION IN SCHOOLS

This is a summary of the Vermont State regulation pertaining to school use of physical restraint or seclusions in emergency situations. Northwest School will use a passive restraint only as a last resort and if imminent danger or risk to the child or others is imminent. All staff have state approved training in crisis response and interventions and in the rare occasion that this is warranted we follow Rule 4500 and you will be notified as such. If you have any questions or concerns about this please call the school principal as soon as possible.

4500.1 STATEMENT OF PURPOSE

The purposes of these rules are to:

- a. Create and maintain a positive and safe learning environment in schools;
- b. Promote positive behavioral interventions and supports in schools; and
- c. Ensure that students are not subjected to inappropriate use of restraint or seclusion.

4500.2 APPLICABILITY These rules are applicable to all learning environments that receive public funding, or over which the Vermont Department of Education has regulatory authority

3. DEFINITIONS For purposes of these rules, the following definitions apply:

1. Behavioral Intervention Plan means a plan that details strategies to address behaviors that impede learning, or are ongoing, and do not readily respond to general intervention or classroom management techniques, by teaching prosocial skills and other positive replacement behaviors. The plan may include positive strategies, program or curricular modifications, and supplementary aids and supports required to address problem behaviors.
2. Chemical Restraint means a drug, medication or chemical used on a student to control behavior or restrict movement that is not: a. Prescribed by a student's licensed physician for the standard treatment of a student's medical or psychiatric condition; and b. Administered as prescribed by the licensed physician.
3. Functional Behavioral Assessment means the analysis of a student's behavior patterns before, during, and after rule-breaking or other inappropriate behavior for the purpose of guiding the development of a behavioral intervention plan.

4. Mechanical Restraint means the use of any device or object that restricts a student's movement or limits a student's sensory or motor functions unless under the direction of a healthcare professional for medical or therapeutic purposes. The term does not include devices implemented by trained school personnel, or utilized by a student for the specific and approved therapeutic and safety purposes Rule 4500: The Use of Restraint and Seclusion in Schools Page 2 of 9 for which such devices were designed including: a. Restraints for medical immobilization, b. Adaptive devices or mechanical supports used to achieve proper body position, balance or alignment; c. Vehicle safety restraints including a seat belt or harness used for balance or safety on a car or bus; or d. Seat belts in wheelchairs or on toilets.
5. Parent means: a. A biological or adoptive parent of the child; b. A legal guardian of the child; c. A person acting in place of a biological or adoptive parent, including a grandparent, stepparent or other relative with whom the child lives, or a person legally responsible for the child's welfare; d. A foster parent or developmental home provider who has been appointed the educational surrogate parent by the Educational surrogate Parent Program; or e. An educational surrogate parent.
6. Physical Escort means the temporary touching or holding, without the use of force, of the hand, wrist, arm, or back of a student who is exhibiting minimal resistance for the purpose of directing movement from one place to another.
7. Physical Restraint means the use of physical force to prevent an imminent and substantial risk of bodily harm to the student or others. Physical restraint does not include: a. Momentary periods of physical restriction by direct person-to-person contact, accomplished with limited force and designed either i. to prevent a student from completing an act that would result in potential physical harm to himself/herself or another person; or ii. to remove a disruptive student who is unwilling to leave the area voluntarily; b. The minimum contact necessary to physically escort a student from one place to another; c. Hand-over-hand assistance with feeding or task completion; or d. Techniques prescribed by a qualified medical professional for reason of safety or for therapeutic or medical treatment.
8. Positive Behavioral Interventions and Supports means an approach to preventing and responding to targeted behavior that: a. Is based on evidence-based practices; b. Is proactive and instructional, rather than reactive; c. Can operate on individual, group, classroom, or school wide levels; d. Includes a system of continual data collection; and e. Relies on data-driven decisions.
9. Prone Physical Restraint means holding a student face down on his or her stomach using physical force for the purpose of controlling the student's movement.
10. School means a learning environment receiving public funds or over which the Vermont Department of Education has regulatory authority.

11. School Personnel means individuals working in schools as defined in 4500.3(10) who are employed by the school or who perform services for the school on a contractual basis, and school resource officers, while acting in that capacity.
12. Seclusion means the confinement of a student alone in a room or area from which the student is prevented or reasonably believes he or she will be prevented from leaving. Seclusion does not include time-out where a student is not left alone and is under adult supervision.
13. Substantial Risk means an imminent threat of bodily harm where there is an ability to enact such harm. Substantial risk shall exist only if all other less restrictive alternatives to defuse the situation have been exhausted or failed or the level of risk prohibits exhausting other means.
14. Supine Physical Restraint means holding a student on his or her back using physical force for the purpose of controlling the student's movement.
15. Student means a student enrolled in a school as defined in paragraph 10. 4501

Prohibitions:

4501.1 School personnel and contract service providers are prohibited from imposing on a student any of the following as defined in rule 4500.3: a. Mechanical restraint, b. Chemical restraint, c. Any physical restraint, escort or seclusion that restricts or limits breathing or communication, causes pain or is imposed without maintaining direct visual contact.

4501.2 Physical restraint or seclusion shall not be used: a. For convenience of staff; b. As a substitute for an educational program; c. As a form of discipline or punishment; d. As a substitute for inadequate staffing or training; e. In response to a student's use of profanity or other verbal or gestural display of disrespect; or f. In response to a verbal threat unaccompanied by demonstrated means of or intent to carry out the threat

4501.3 The restraints and seclusion prohibited by these Rules shall not be considered "reasonable and necessary force" as that term is used in 16 VSA §1161a(c). Rule 4500: The Use of Restraint and Seclusion in Schools Page 4 of 9

4501.4 Schools may have policies and procedures for the use of physical restraint and seclusion in school-wide safety plans, provided such plans are consistent with these Rules.

4502 Permissible Use of Restraint and Seclusion

4502.1 Permissible Use of Physical Restraint Physical restraint, not otherwise prohibited by these Rules, may be used only: a. When a student's behavior poses an imminent and substantial risk of physical injury to the student or others; b. Within the limits set forth in 16 VSA §1161a; c. Less restrictive interventions have failed or would be ineffective in stopping such imminent danger of physical injury or property damage; d. In accordance with a school-wide safety plan that is consistent with these rules; and e. In a manner that is safe, proportionate to and sensitive to the

student's: i. Severity of behavior; ii. Chronological and developmental age; iii. Physical size; iv. Gender; v. Ability to communicate; vi. Cognitive ability; and vii. Known physical, medical, psychiatric condition, and personal history, including any history of physical, emotional or sexual abuse or trauma.

4502.1.1 Prone and supine physical restraints are more restrictive than other forms of physical restraint and may be used only when the student's size and severity of behavior require such a restraint because a less restrictive restraint has failed or would be ineffective to prevent harm to the student or others.

4502.2 Permissible Use of Seclusion: Seclusion, not otherwise prohibited by these rules, may be used only:

a. When a student's behavior poses an imminent and substantial risk of physical injury to the student or others; b. When less restrictive interventions have failed or would be ineffective in stopping such imminent risk of physical injury; c. As a temporary intervention; d. When physical restraint is contraindicated; e. When there is no known developmental, medical, psychological or other contraindication to its use; f. When the student is visually monitored at all times by an adult; and g. In a space large enough to permit safe movement that is adequately lit, heated, ventilated, free of sharp or otherwise dangerous objects; and in compliance with all fire and safety codes.

4502.3 In rare circumstances where the use of physical restraint or seclusion may be necessary due to a student's pattern of dangerous behavior that is not responsive to less restrictive Rule 4500: The Use of Restraint and Seclusion in Schools may be included in an individual safety plan only if all of the following conditions apply: a. School personnel have reviewed and agreed to the safety plan; b. The use of physical restraint and seclusion complies with these Rules; c. The student has a documented history showing a series of behaviors in the preceding six (6) months that have created an imminent and substantial risk of physical injury to the student or others in the school; d. A comprehensive, data-driven, functional behavioral assessment has been conducted; e. A behavioral intervention plan, emphasizing positive behavioral interventions and supports, has been implemented; f. The educational planning team, IEP team or Section 504 team has reviewed the student's program and placement to determine whether it is sufficient to meet the student's unique needs; g. The criteria for use are clearly identified; h. Any contraindications for use are identified; i. Staff implementing the individual safety plan have received training from a state recommended training program; j. The parents are fully informed of the inherent risks of using restraint and seclusion; k. The parents provide informed consent to the use of restraint and/or seclusion, which shall be revocable at any time; and l. The ongoing need for an individual safety plan is reviewed and revised, as appropriate, and in any event at least annually.

4502.3 Any restraint or seclusion imposed as a result of an individual safety plan is subject to all the reporting, documentation and debriefing requirements set forth in 4503, 4504 and 4505 below.

4502.4 Physical restraint or seclusion shall only be imposed: a. By school personnel or contract service providers who have been trained to provide the selected intervention unless, due to the unforeseeable nature of the danger of the circumstance, trained personnel are not immediately available; a. When a restrained student is monitored face-to-face by school personnel or contract service providers; or b. If personnel safety is significantly compromised by face-to-face monitoring, or the student is in seclusion, school personnel or a contract service provider are in direct visual contact with the student.

4502.5 Physical restraint or seclusion shall be terminated as soon as: a. The student demonstrates that he/she is in unnecessary pain or significant physical distress indicating a possible need for emergency medical assistance or that his/her breathing or communication is compromised; or b. The student's behavior no longer poses an imminent danger of physical injury to the student or others or danger to property; or c. Less restrictive interventions would be effective in stopping such imminent danger of physical injury or property damage.

4502.6 Following termination of any physical restraint or seclusion, the student shall be evaluated and monitored for the remainder of the school day on which physical restraint or seclusion Rule 4500: The Use of Restraint and Seclusion in Schools is imposed. The evaluation shall include a routine physical/medical assessment conducted by someone not involved in the restraint or seclusion, and documentation of any injury received by the student as a result of the restraint or seclusion.

4503 Reporting the Use of Restraint and Seclusion.

4502.7 To the School Administrator. Any person who imposes a restraint or seclusion shall report its use to the school administrator as soon as possible, but in no event later than the end of the school day of its use.

4502.8 To Parents. a. The school administrator shall make a documented attempt to provide verbal or electronic notice of any incident of restraint or seclusion to the student's parents (as defined in 4500.3(13)) as soon as practical but in no event later than the end of the school day of its use; and b. Shall provide written notice to the parents within 24 hours of each use of restraint or seclusion that includes: i. The date and time of its use; ii. A description of the restraint and other intervention used; iii. The date and time when the debriefing session will occur; including notice that the parents have the opportunity to participate in the debriefing; and iv. The name and telephone number of the contact person who can provide further information.

4502.9 To the Superintendent. The school administrator shall report the use of restraint or seclusion to the superintendent of the Supervisory Union whenever: a. There is death, injury or hospitalization to staff or student as a result of a restraint or seclusion; or b. An individual employee or contracted service provider has engaged in the use of physical restraint or seclusion three (3) separate times on one (1) or more students; or c. Physical restraint has been used for more than

fifteen (15) minutes; or d. Any student has been restrained or secluded three (3) or more times per school year; or e. A student has been restrained or secluded more than once in a school day; or f. A student is restrained or secluded who is not on a behavioral intervention plan; or g. Restraint or seclusion has been used in violation of these rules, including the use of any prohibited form of restraint. Reports to the Superintendent shall be made within three school days of the incident that requires reporting and shall include all the information set forth in Rule 4504 required of a written record of each use of restraint or seclusion.

4502.9.1 Learning environments other than public schools shall fulfill this reporting requirement by reporting to the Superintendent of the Supervisory Union that is the LEA or sending district for the student. If there is no sending district or LEA, this requirement shall be fulfilled by reporting to the Commissioner of the Department of Education in accordance with Rule 4503.4. Rule 4500: The Use of Restraint and Seclusion in Schools

4502.10 To the Commissioner of the Department of Education. The Superintendent of the supervisory union shall report the use of restraint or seclusion to the Commissioner of the Department of Education within three (3) school days of receipt of a report indicating any the following: a. There is death, injury requiring outside medical treatment or hospitalization to staff or student as a result of a restraint or seclusion; or b. Physical restraint or seclusion has been used for more than thirty (30) minutes or c. Physical restraint or seclusion has been used in violation of these rules, including the use of any prohibited restraint or seclusion. The report shall include all the information set forth in Rule 4504 required of a written record of each use of restraint or seclusion.

4503 Documentation: Each school shall maintain written records of each use of restraint and seclusion. The records shall be maintained by the school administrator and shall include the following: a. The name, age, gender and grade of the student; b. The date, time and duration of the restraint or seclusion; c. Any injuries, death or hospitalization to student or staff resulting from the use of restraint or seclusion; d. The location where the restraint or seclusion occurred; e. The precipitating event[s] leading up to the restraint or seclusion; f. A list of school personnel who participated in the application, monitoring and supervision of the student while restrained or secluded; g. The type of restraint or seclusion used; h. The reason for the restraint or seclusion; i. A description of all the interventions used prior to the application of the restraint or seclusion; j. Whether the student has a behavioral intervention plan and/or individualized education plan, Section 504 plan or educational support plan; and k. The date notification was provided to the student's parents.

Debriefing Following Use of Restraint or Seclusion: Following each incident of restraint or seclusion, the school administrator shall implement follow-up procedures that include: a. Within two (2) school days, a proper staff person reviewing the incident with the student in a manner appropriate to the student's age and developmental ability, to discuss the behavior[s] that precipitated the use of restraint or seclusion; b. Within two (2) school days, reviewing the incident with the staff

person(s) who administered the restraint or seclusion to discuss whether proper restraint or seclusion procedures were followed, including the use of proper procedures to prevent the need for restraint or seclusion; c. An opportunity for parents to participate in the review of an incident of restraint or seclusion within four (4) school days: Rule 4500: The Use of Restraint and Seclusion in Schools Page 8 of 9 i. Parents shall receive prior written (including e-mail) notice of the review meeting; and ii. The meeting shall be convened at a mutually acceptable time and place; and d. Determining, in consultation with the parents, any specific follow up actions to be taken.

Annual Notification: Annually, at or before the beginning of the academic year, each school (defined in 4500.3(10)) shall inform all school personnel, and parents of students enrolled in the school of the policies pertaining to the use of physical restraint and seclusion and the intent to emphasize the use of positive behavioral interventions and supports and its intention to avoid the use of physical restraint or seclusion to address targeted student behavior.

Complaints and Investigations

4502.10 Filing a Complaint a. A parent (as defined in 4500.3(13)) or school personnel may file a complaint regarding the use of restraint or seclusion at any time in accordance with school district policy. b. The complaint shall be in writing and shall be directed to the principal, director or administrator of the school in which the student participates. c. 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.

Investigation All complaints shall be investigated by the school or district and written findings issued within thirty (30) days;

Unresolved Complaints 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. 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.

4503 Monitoring and Corrective Action

The commissioner of the Department of Education shall review reports received pursuant to Rule 4503.4 and identify those schools in need of additional training and, when those reports reflect an over-use of these interventions, shall direct the school to work with the department to develop a corrective action plan. Rule 4500: The Use of Restraint and Seclusion in Schools

4504 State Recommended Training: The Department of Education shall maintain a directory of recommended physical restraint training programs, which must include at least the following elements: a. Appropriate procedures for preventing the need for physical restraint, including the de-escalation of dangerous behavior, relationship-building, and the use of alternatives to physical

restraint; b. Identification of dangerous behaviors that may indicate the need for physical restraint and methods for evaluating the risk of harm to determine if physical restraint is warranted; c. Simulated experience in administering and in receiving a variety of physical restraint techniques, across a range of increasingly restrictive interventions; d. Instruction regarding the effects of physical restraint on the person restrained, including monitoring physical signs of distress and how to obtain medical assistance; e. Instruction regarding investigation of injuries and complaints. A school may use a training program that is not on the state recommended list if it submits a plan to the Commissioner of Education demonstrating how that training program meets the purposes of these Rules and contains the elements listed above.