

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

I. Statement of Policy

The Central Vermont Supervisory Union (CVSU) and its member school districts Echo Valley Community School and Paine Mountain 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 according to the procedures accompanying this policy, 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 or the school's code of conduct.

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.
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

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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 of 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

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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.

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(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,

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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.

APPENDIX A

Designated Employees:

The following employees of the Schools have been designated by the District to receive complaints of bullying and/or harassment pursuant to this policy and 16 V.S.A. § 570a(a)(7) and 16 V.S.A. §570c(7) and under federal anti discrimination laws;

School	Name & Title	Contact Information
<u>Northfield Elementary</u>	Denise Russell - Principal Carly Humke - School Counselor	Phone: 802-485-6161 Email: drussell@cvsu.org Email: chumke@cvsu.org
<u>Northfield Middle High</u>	Lee Ann Monroe - Principal Christine High - Assistant Principal	Phone 802-485-4500 Email: lmunroe@cvsu.org Email: chigh@cvsu.org
<u>Orange Center</u>	Heather Fitzgibbons - Principal Shawna Badger - Coordinator of Student Support	Phone: 802-476-3278 Email: hfitzgibbons@cvsu.org Email: sbadger2@cvsu.org
<u>Washington Village</u>	Beth Kellogg - Principal Shawna Badger - Coordinator of Student Support	Phone: 802-883-2312 Email: bkellogg@cvsu.org Email: sbadger2@cvsu.org

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<u>Williamstown Elementary</u>	Venus Dean - Principal Danielle Kidder - Coordinator of Student Affairs	Phone: 802-433-6653 Email: vdean@cvsu.org Email: dkidder@cvsu.org
<u>Williamstown Middle High</u>	Carol Fenimore - Principal Doug Pilcher -Assistant Principal	Phone: 802-433-5350 Email: cfenimore@cvsu.org Email: dpilcher@cvsu.org

CVSU Warned: 1/12/2022 1st Reading: 1/26/2022 2nd Reading:3/23/2022 Adopted: 3/23/2022
EVCSD Adopted: 4/13/2022
PMSD Adopted: 4/6/2022

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

Purpose-

It is the responsibility of the Central Vermont Supervisory Union and its member school districts Echo Valley Community School and Paine Mountain School District to provide a safe, orderly, respectful, and positive learning environment for all students. Harassment, hazing, and bullying have no place and will not be tolerated in any Vermont school. No student should feel threatened or be discriminated against while attending school. One mechanism to prevent harassment, hazing and bullying is an effective and rigorous response to allegations or notice of harassment, hazing, or bullying, as well as restoration following an incident. Therefore, schools will have a consistent, predictable process to evaluate claims of harassment, hazing and bullying that impact the school environment.

As required by Title 16, Chapter 9, Subchapter 5, each Supervisory Union and School Board shall develop, adopt a policy and procedures that will ensure the enforcement of harassment, hazing and bullying response and prevention. The Supervisory Union must adopt a policy that is at least as stringent as this model policy developed by the Secretary of Education. Any Supervisory Union or School Board that fails to adopt such a policy shall be presumed to have adopted the most current model policy published by the Secretary.

Implementation Statement of Policy

The Central Vermont Supervisory Union (CVSU) and its member school districts Echo Valley Community School and Paine Mountain 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 Central Vermont Supervisory Union and its member school district policy of the District to prohibit the unlawful harassment of students based on race, color, religion, creed, national origin, citizenship, immigration status, 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 ("Title IX").

It is also the Central Vermont Supervisory Union and its member school district policy of the District to prevent and 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 of students according to the procedures accompanying this policy, and shall take appropriate action in response to any violation of this policy. ~~against any person subject to the jurisdiction of the board who violates this policy.~~ The District shall have separate policies regarding compliance with Title IX law and regulations and school behavioral threat assessment in compliance with 16 VSA §1485. ~~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 or the~~

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~~school's code of conduct.~~

In instances in which inappropriate conduct has occurred that does not meet the definition of harassment, hazing or bullying, the District will take appropriate action targeted to address the conduct and discourage students from continuing any conduct that may lead to harassment, hazing, or bullying. Appropriate action in response to such conduct may include providing students with explicit instruction regarding conduct and/or harassment, hazing and bullying; or implementing classroom-wide or school-wide positive behavioral interventions and supports; or taking disciplinary action in line with the code of conduct, among other things.

II. Implementation

The superintendent or his/her designee shall:

6. ~~Establish~~ Adopt a procedure directing staff, parents and guardians, ~~and students~~ how to report violations of this policy ~~under this policy and file complaints under this policy.~~ At minimum, the procedures will be consistent with those provided in the Model Procedures on Harassment, Hazing and Bullying Investigations and Response ("Model HHB Investigation Procedures").
7. Annually, select two or more designated employees to receive complaints of harassment, hazing, ~~and/or 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/or standards of conduct for the school.
8. Ensure that an individual respondent's alleged behavior, rather than their demographic or personal characteristics, will serve as the basis for the initiating an HHB investigation and determination.
9. ~~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.~~
10. Respond to ~~Notices of Possible Violations of this policy (as that term is defined in this policy)~~ notifications of possible violations of this policy in order to promptly and effectively address all ~~reports~~ complaints of hazing, harassment, and/or bullying.
11. Take action on substantiated harassment, hazing and/or bullying that is reasonably calculated to, at minimum:
 - a. Stop the harassment, hazing, and/or bullying
 - b. Prevent recurrences of harassment, hazing or bullying
 - c. Remedy the effects of the complainant(s) and
 - d. Restore the complainant's access to the education program or activity.

There may be a wide range of responses to substantiated harassment, hazing or bullying that are appropriate to serve these goals. For employees, discipline for substantiated harassment may include termination. For students, serious discipline in response to substantiated harassment, hazing or bullying may include expulsion or removal from school property. For organizations and individuals who are found to have engaged in substantiated hazing, penalties, loss of privileges, or sanctions may be assessed. Revocation or suspension of an organization's permission to operate or exist within the District purview may also be considered if that organization knowingly permits, authorizes or condones hazing.

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12. Disseminate information about the HHB Investigation Policy and Procedure to students, parent/guardians, and staff members as outlined in the Model HHB Investigation Procedures.
13. Determine HHB data reporting processes including the collection and submission of HHB incident data as directed by the Secretary of Education.
14. Ensure staff receive annual training in preventing, recognizing and responding to harassment, hazing, and bullying.
15. Ensure designated employees and any employees who may conduct or support in HHB investigations, receive annual training in requirements and best practices for HHB investigations and bias training.

~~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 **District's** intent ~~of the District~~ to apply and enforce this policy **and the model HHB Investigation Procedures** in a manner that is consistent with **individuals' rights** ~~student rights~~ to free expression under the First Amendment of the U.S. Constitution. **These legal issues can be complex and the guidance of legal counsel is suggested.** ~~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.~~

Definitions

For this policy **and the HHB Investigation Procedures**, ~~the purposes of this policy and the accompanying procedures~~, the following definitions apply:

"Allegation" means an assertion that someone has engaged in harassment, hazing, or bullying

"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 **that which**:

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- a. Is repeated over time;
- b. Is intended to ridicule, humiliate, or intimidate the student; and
- c. Either:
 - 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.
 - iii. Any type of off-campus or online activity can constitute bullying if it poses a clear and substantial interference with another student's right to access educational programs. This can include what is often referred to as "Cyber-bullying" conduct on social media, texting, or other online activity.

B. **"Complaint"** means an oral or written report of 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.

"Complainant" means a student who is the alleged victim or target of harassment, hazing or bullying. An individual does not need to have made the report or referral under this policy to be considered a Complainant. 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.

"Designated employee" means an employee who has been designated by the school to receive reports and/or referrals of harassment, hazing and bullying 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. Each school building must have two or more people designated to receive reports and/or referral of harassment, hazing and bullying.

"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 district and supervisory union staff.

"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.

"Final Decision" refers to the decision issued after the District has conducted an internal review-at complainant's request-of the school's initial determination as to whether harassment occurred.

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“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, citizenship, immigration status, 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:

“Sexual harassment”, refers to a particular form of sex based harassment, which manifests through sexualized conduct (for example, unwelcome sexual advances, requests for sexual favors, other verbal, written, visual, physical conduct of a sexual nature, sexual violence, sexual assault, or non-consensual sexual touching) where either:

- a. The general definition of harassment above is met; or
- b. Submission to that conduct is made either explicitly or implicitly a term or condition of a student’s education, academic status, or progress; or
- c. Submission to or rejection of such conduct by a student is used as a component of the basis for decisions affecting that student. ~~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.~~

“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.

“Harassment of members of other protected categories”, which means conduct directed at the characteristics of a student’s or a student’s family member’s actual or perceived creed, national origin, **citizenship, immigration status**, 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

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related to any of these protected categories.

The definition above can include any type of off-campus or online activity. This can include what is often referred to as “cyber-harassment” conduct on social media, texting or other online activity.

“Hazing” means any act committed by a person, ~~intentional, knowing or reckless act committed by a student,~~ whether individually or in concert with others, against ~~another~~ a student in connection with pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization ~~that which~~ is affiliated with the educational institution; ~~and that is intended to have the effect of, or should reasonably be expected to have the effect of, humiliating, intimidating, or demeaning the student or endangering the mental or physical health of a student.~~

Hazing also includes soliciting, directing, aiding, or otherwise participating in these acts. Hazing may occur on or off the campus of an educational institution. Hazing can include any type of off-campus or online activity. This can include conduct on social media, texting, or other online activities.

Hazing shall not include any activity or conduct that furthers legitimate curricular, extracurricular, or military training programs 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.
3. is registered in or in attendance at an educational institution
4. has been accepted for admission at the educational institution where the hazing incident occurs; or intends to attend an educational institution during any of its regular sessions after an official academic break.

“Independent Review” refers to a review of a harassment investigation conducted by a neutral person selected from a list maintained on the Agency of Education website.

“Interim Measures” are measures designated to ensure that a school’s programs and activities during an investigation. These measures can continue following a completed investigation, regardless of the outcome. Interim measures are available to complainants, respondents, and (if approved) witnesses or other impacted individuals. Interim measures should be reevaluated on a periodic basis. Interim measures cannot be disciplinary or punitive to any student. Examples include access to school counseling, extensions of deadlines or other course-related adjustments, academic support services, modifications of work or class schedules, safety plans, mutual restrictions on contact between the parties, and any other reasonably supportive measure that does not unreasonably burden any other person’s access to education. The school must keep confidential any interim measures provided to the complainant or respondent, to the extent that confidentiality does not impair the school’s ability to implement the measures.

“Investigator” means the person assigned by the school administrator to investigate pursuant to the HHB Investigation Procedures. This person may not be the subject of the HHB report or referral. The investigator should be unbiased and free from conflicts of interest. The assigned investigator may, but is not required to be, the school administrator or a Designated Employee. The school administrator should consult with district-level leadership if they require assistance identifying a trained and unbiased investigator.

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“Notice of Possible Violation” or “Notice of Possible HHB Violation” means that any staff member has received notice of alleged conduct that may constitute harassment, hazing or bullying. Notice of Possible Violation can include a written complaint or oral information that HHB has occurred. Notice of Possible Violation can come from another employee, the student who was allegedly subjected to the HHB conduct, another student, a parent or guardian, or any other individual who has reasonable cause to believe the alleged conduct may have occurred.

“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.

“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.

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

“Referral” means the steps that a school employee must take upon receipt of Notice of Possible Violation. This includes memorializing the information on the Student/Staff Conduct Form and providing it to the Designated Employee, as set out in the HHB Investigation Procedures.

“Report” means information, concern, or a complaint of alleged harassment, hazing or bullying reported by students, parents, guardians, or other to a school employee. The report does not need to be in writing to initiate HHB investigation Procedures.

“Respondent” means the person or persons accused of harassment, hazing or bullying. For harassment or hazing, the respondent could be a student or students or school employee(s). For bullying, the respondent could be a student or students.

“Retaliation” is any adverse action such as intimidation, threats, coercion, or discrimination against an individual for providing information regarding suspected harassment, hazing or bullying or participating in any

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way in an investigation, proceeding, or hearing related to allegations of harassment, hazing or bullying, ~~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. Examples of retaliation include but are not limited to:~~

1. 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.
2. Disciplinary action for conduct that is not harassment, hazing, or bullying, but which conduct arises out of the same facts or circumstances as an incident that was or is being investigated under the model HHB investigation Procedures. (Note that if a school has a zero-tolerance policy that always imposes the same discipline for such conduct regardless of the circumstances, imposing that discipline would not be considered retaliation.)
3. Conduct by a student or another person directed at another student in the form of harassment, intimidation of harassment are unlawful under 9 VSA §4506.

Retaliation may itself meet the definition of harassment, hazing or bullying. If an act of retaliation also meets one of those definitions, the HHB Investigation Procedures must be followed. If an act of retaliation does not meet an HHB definition, retaliation may subject a person to appropriate action, including action under the school's code of conduct.

"School administrator" means a superintendent, principal ~~assistant principal (if designated by superintendent or principal) technical center director or their designee; the head of school (or equivalent title) of an independent school or their designee. or his/her designee assistant principal//technical center director or his/her designee and/or the District's Equity Coordinator.~~

"Student" means a student enrolled in the school at the time the alleged conduct occurred.

"Student/Staff Conduct Form" is a form ~~used to record information on by students or staff, or parents, conduct that may constitute harassment or retaliation, or to record information on student conduct that may constitute hazing, or bullying. to provide, in written form, information about inappropriate student behaviors that may constitute hazing, harassment and/or bullying.~~

"Title IX Coordinator" refers to its definition under Title IX regulations.

"Title IX Grievance Procedures" refers to the District's procedures that apply to formal complaints of sexual harassment under Title IX (if Title IX applies to the program)

"Title IX Policy" refers to the District's Title IX policy (if Title IX applies to the program)

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APPENDIX ADesignated Employees:

The following employees of the Schools have been designated by the District to receive complaints of bullying and/or harassment pursuant to this policy and 16 V.S.A. § 570a(a)(7) and 16 V.S.A. §570c(7) and under federal anti discrimination laws;

School	Name & Title	Contact Information
<u>Northfield Elementary</u>	Denise Russell - Principal Carly Humke - School Counselor	Phone: 802-485-6161 Email: drussell@cvsu.org Email: chumke@cvsu.org
<u>Northfield Middle High</u>	Lee Ann Monroe - Principal Christine High - Assistant Principal	Phone 802-485-4500 Email: lmunroe@cvsu.org Email: chigh@cvsu.org
<u>Orange Center</u>	Heather Fitzgibbons - Principal Shawna Badger - Coordinator of Student Support	Phone: 802-476-3278 Email: hfitzgibbons@cvsu.org Email: sbadger2@cvsu.org
<u>Washington Village</u>	Beth Kellogg - Principal Shawna Badger - Coordinator of Student Support	Phone: 802-883-2312 Email: bkelllogg@cvsu.org Email: sbadger2@cvsu.org
<u>Williamstown Elementary</u>	Venus Dean - Principal Danielle Kidder - Coordinator of Student Affairs	Phone: 802-433-6653 Email: vdean@cvsu.org Email: dkidder@cvsu.org
<u>Williamstown Middle High</u>	Carol Fenimore - Principal Doug Pilcher -Assistant Principal	Phone: 802-433-5350 Email: cfenimore@cvsu.org Email: dpilcher@cvsu.org

CVSU Warned: 1st Reading: 2nd Reading: Adopted:

EVCSD Adopted:

PMSD Adopted: