



## MEMORANDUM

---

**To:** Burlington Board of School Commissioners  
**From:** Tom Flanagan, Superintendent  
**CC:** Nate Lavery, Executive Director of Finance  
Stephanie Phillips, Executive Director of Teaching and Learning  
Sparks, Director of Equity  
Victor Prussack, Engagement Coordinator  
**Date:** May 10, 2022  
**Subject:** Monitoring Report - Policy Title: 2.1 Treatment of Students and Parents/Guardians  
**Status:** In Compliance

---

**Statement:** The following document presents the District's progress toward and compliance with **Policy Title: 2.1 Treatment of Students and Parents/Guardians**

**Recommended Motion:** *I move to approve the recommendation that the Superintendent is in compliance with Policy Title 2.1*



## **Monitoring Report - Policy Title: 2.1 Treatment of Students and Parents/Guardians**

**Submitted by:** Tom Flanagan, Superintendent

**Date Submitted:** 5/10/2022

**Status:** In Compliance

### **Overview**

This is the annual report on compliance with the School Board's Executive Limitation policy 2.1 Treatment of Students and Parents/Guardians. I certify that the information contained in this report is true and validated by Executive Director of Finance and Operations, Nathan Lavery; Executive Director of Teaching and Learning, Stephanie Phillips; Director of Equity, Sparks; and Engagement Coordinator, Victor Prussack.

### **Policy Statement**

With respect to interactions with students and parents/guardians of the Burlington School District or those applying to be students or parents/guardians, the Superintendent shall not cause or allow conditions, procedures, or decisions that are untimely, unclear, or unnecessarily intrusive.

Further, without limiting the scope of the foregoing by this enumeration, the Superintendent of the Burlington School District shall not:

1. Elicit information for which there is no clear necessity.
2. Use methods of collecting, reviewing, transmitting, or storing student/family information that fails to protect against improper access to the material elicited.
3. Fail to operate facilities with appropriate accessibility and privacy.
4. Fail to establish with students and parents/guardians a clear understanding of what may be expected and what may not be expected from the services offered.
5. Fail to inform students and parents/guardians of this policy or to provide a way to be heard for persons who believe they have not been accorded a reasonable interpretation of their protections under this policy.
6. Fail to implement restorative practices for addressing social/behavioral issues. The Superintendent shall not cause or allow disparities in suspension rates between different groups.

### **Limitation 1**

Elicit information for which there is no clear necessity.

### **Interpretation**

The Superintendent interprets this to mean that District documents used to collect information will ask for the minimal amount of information needed to fulfill health, safety, educational, and business purposes. This information will be used for enrollment purposes, the educational assessment of students, or state/federal reporting/grant legal requirements. This is reasonable as the District needs access to basic information for legal, educational, safety, and communication purposes.

### **Status**

In compliance

### **Evidence**

- The District reviews requests for information from internal and external stakeholders and other sources to ensure that the information is needed and ensures that only the necessary information is released. The communication office tracks and responds to requests for information. Internal guardians of the information vet

the release of information and work with legal counsel if there is any question regarding the confidentiality of the information.

- The Data Systems Team reviews the student enrollment form annually to ensure the District collects only information needed to meet the requirements set by law, to communicate effectively with parents, and to fulfill health, safety, educational, and business purposes. The student enrollment form is also reviewed to identify any additional fields for collection of necessary student information.
- The Enrollment Coordinator coordinates all new student registration and enrollment for Kindergarten through Grade 8. This entails developing and enforcing procedures that ensure that forms only elicit information that is necessary.

### **Limitation 2**

Use methods of collecting, reviewing, transmitting, or storing student/family information that fails to protect against improper access to the material elicited.

### **Interpretation**

The Superintendent interprets this to mean that the District must protect all student/family information from unauthorized access. In addition, the electronic or physical holding of information will have security procedures that are documented and implemented to prevent unauthorized or ill-intended disclosure.

### **Status**

In compliance

### **Evidence:**

BSD utilizes the following procedures to ensure student information is kept secure:

- Each student has an electronic student record and is assigned a unique identification number within BSD.
- Staff members are trained in the key components of the Family and Educational Rights and Privacy Act (FERPA) and confidentiality including what is meant by a school official with legitimate educational interest.
- Families enter student and family information via a secure online system upon registration and via an annual update. School office personnel support families in entering and updating their information, including the building administrator, administrative assistant, attendance clerk, registrar, counselor, school psychologist, central office staff, and other staff members as needed.
- Access control procedures are in place for staff account creation and authorization for access to the student information system.
- Electronic storage allows the District to maintain an access log to ensure that electronic files have not been inappropriately accessed.
- All electronic student information is stored on secure servers that are restricted to certain Information Technology staff. The electronic student information is stored on these servers which have built-in redundancy for hardware failure. Additionally, all student information is backed up and stored both on-site and off-site for disaster recovery purposes.
- All paper forms of student information (student records) for active students are stored in access-controlled locations at the student's current school.
- Procedures for using surveillance video from school buses are FERPA protected and posted on the BSD website; videos are viewed only when there is a reported student behavior violation.
- Internal school procedures include directions for the transfer of information to schools outside of BSD.
- There have been no reports of FERPA violations.

### **Limitation 3**

Fail to operate facilities with appropriate accessibility and privacy.

### **Interpretation**

The Superintendent interprets this policy to mean that all schools and BSD offices will be made accessible for all students and parents/guardians regardless of any disability and that when accessibility and privacy concerns surface, the District

takes steps to address the problem. In addition, facilities, grounds, and equipment are maintained at a functional, comfortable level, providing a safe, healthy environment for staff and students.

### **Status**

In Compliance

### **Evidence**

- In 2017, BSD established a \$39 million capital plan intended to address building needs, including maintenance, space constraints, and meeting Americans with Disabilities Act (ADA) requirements for accessibility. Details are available from the capital plan [website](#). Work on the plan is proceeding, but we continue to face the difficult challenge of completing major renovations in some schools (such as IAA) due to the lack of alternative locations to serve students during the renovation period.
- Downtown Burlington High School is an ADA-compliant building. At the April 27 school board meeting, the board selected a conceptual design for BSD's next permanent high school, which will also be ADA compliant. We will now transition into a schematic design phase, and a summary of [next steps](#) has been published.
- District schools, facilities, and worksites operate through permits, inspections, and the approvals of appropriate governing bodies.
- Special transportation is provided for students whose Individualized Education Programs require transportation services to meet the needs of students with disabilities. Students with disabilities under Rule 504, Americans with Disabilities Act, may also qualify for transportation.
- Gender-neutral restrooms are available at all schools.
- All BSD school websites are ADA compliant.

### **Limitation 4**

Fail to establish with students and parents/guardians a clear understanding of what may be expected and what may not be expected from the services offered.

### **Interpretation**

The Superintendent interprets this as parents being able to access information about the services the District offers as well as its expectations. This means that all students and parents will have access to handbooks, statements of parental rights, school board policies, school procedures, and other documents that explain their rights as well as documents that define the mission and goals of the District.

### **Status**

In compliance

### **Evidence**

- The Superintendent communicates to families in a timely way when schools are being closed due to inclement weather. For example, SchoolMessenger is a mass communication system used to robocall and text families, staff, and emergency contacts with information regarding cancellations and delays. All Snow Day messages are translated into a large number of languages so that non-English-first language families receive these updates at the same time as English-first language families.
- Access to information concerning transportation, food service, and other district/school operations is provided in a variety of digital and paper formats, including take-home materials, calls and texts, local and social media dissemination of information, and website updates.
- Multilingual Liaisons support EL families by translating, interpreting, and/or explaining information to the same level that it is disseminated to all families.
- Whenever possible, phone calls promoting district-wide events are translated so that the message is received in a family's preferred language.

Publications:

- Each school currently has its own code of conduct referenced in the school handbook

and listed on its website. The District is moving towards a grade-appropriate, universal code of conduct that would cover every school. The purpose of the code of conduct would be to restoratively address student behavior, with the goal of ultimately eliminating suspensions, which separate students from their classmates and their education.

- The District maintains a relationship with the North Avenue News to provide a monthly update which is delivered free to the majority of Burlington residents. In addition, the District maintains an agreement which allows the Superintendent to post twice a month on every Front Porch Forum in Burlington.
- The following publications and online information sources provide in-depth information about BSD schools and educational options:
  - BSD Calendar and Handbook (published each August, translated into at least 7 languages)
  - BSD Annual Report and BSD Equity and Inclusion Data Report on the BSD Website
  - BSD Staff Directories
  - New Student Registration Information
  - School emails and newsletters (distribution varies by school)
  - In cases of emergency, BSD uses a variety of communication strategies including email, phone calls, text messages, social media, and website postings to keep parents informed
  - Critical documents and forms are translated into multiple languages

#### **Limitation 5**

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

#### **Interpretation**

The Superintendent interprets this to mean the District will provide students and parents with an electronic description of the policy and provide additional information regarding their rights and the right of the community to be heard by posting all administrative policies pertaining to these rights on the District's website.

#### **Status**

In compliance

#### **Evidence**

- BSD meets expectations for providing notification to students and parents/guardians by posting all policies on the BSD website and including references to it in staff and parent emails.
- Through principal/supervisors: the Superintendent expects principals/supervisors to be reasonably accessible to parents/guardians to discuss matters of concern.
- In partnership with the South Burlington and Burlington Community Justice Centers, the District has been working to keep students in school by making use of Reparative Justice Panels. BHS has trained high school students to serve on a Reparative Justice Panel to assist BHS students when school-based rules have not been followed.
- Parents are encouraged to contact the Director of Student Support Services when they disagree with Individualized Education Program (IEP) team decisions or when they feel their voice has not been heard. Parents are also encouraged to contact Vermont Family Network (VFN) for additional support.
- Parents of children who have an IEP receive a copy of their Parental Rights on an annual basis.
- The Parent Connection group has been revitalized. This special education parent group focuses on peer support and exploration of issues valued by our parents. This parent group meets monthly online and will continue to meet virtually as it works well for members. The Parent Connection will partner with VFN in July to offer learning opportunities to a parent cohort. We look forward to many such opportunities and increasing group membership.
- In collaboration with the Department of English Learners, the Superintendent meets with members of the diverse linguistic and cultural communities for information sharing, questions, and recommendations twice a year. Multilingual families are fully supported by Multilingual Liaisons and on-call interpreters and are encouraged to raise issues of concern regarding their children's education for action by any BSD department.

- Multilingual participants in Parent University meet monthly by language group to offer support to one another through Restorative Circles. While the EL Department and the Office of Equity provide facilitation and language support, parents and family members help determine the topics for discussion as well as suggestions and parenting advice to one another.

These initiatives combine to provide the EL Department with invaluable sources of feedback, opportunities for clear communication, and suggestions for improvement.

#### **Limitation 6**

Fail to implement restorative practices for addressing social/behavioral issues.

#### **Interpretation**

The Superintendent interprets this to mean the District will develop and use restorative practices in addressing the social and behavioral needs of students and staff.

#### **Status**

In compliance

#### **Evidence:**

- Restorative Practices (RP) is being implemented in every school in the District. Of 657 BSD staff members who completed the annual RP survey in 2021-2022, 87% indicated that they have received at least one, three-hour training in restorative practices.
- To ensure RP is embedded in every school as well as Central Office, the District's Restorative Practices Collaborative is being reconfigured to evolve as we progress with our implementation of RP to continue building our internal RP capacity.
- Each school and central office have an RP Leadership Team tasked with driving RP work in their building. Having an RP Leadership Team at Central Office is designed to improve our own team, lead by example, and let others in BSD know that there is District-level buy-in for this work.
- The Office of Equity has been expanded to include six RP specialists (one at the high school, one at each middle school, and three specialists across the six elementary schools), a Restoring School Engagement Coordinator to focus on supporting chronically truant students, and a part-time LGBTQ+ advocacy coordinator.
- RP is one of the primary tenets of the District's continuous school improvement plan.
- BSD's Curriculum Office is currently working to align RP throughout the District's curriculum.
- Behavioral procedures are being rewritten to be more restorative in nature.

#### **Limitation 7**

The Superintendent shall not cause or allow disparities in suspension rates between different groups.

#### **Interpretation**

The Superintendent interprets this to mean the District will implement policies and strategies to ensure that suspensions are not a disciplinary strategy used inequitably.

#### **Status**

In compliance

#### **Evidence:**

- As there is a direct correlation between being in school and successful student outcomes, the District is using Restorative Practices to address student behavior and ensure positive student outcomes by reducing suspensions. BSD is currently working to move away from suspensions, and do more to address social or behavioral infractions within schools. There has been funding included in the budget for Alternative discipline locations so that students are not separated from their opportunity to learn.
- We prioritize reducing suspensions among groups who have been historically marginalized through punitive disciplinary practices. *It is our goal that schools suspend African American students, students with disabilities,*

*and students who qualify for FRL less frequently.* We are currently meeting this goal, although the 2020-21 school year was an anomaly so it will be important to analyze the trend next school year and to review the disparities in percentages by groups.

- During the 2020-2021 school year, there were 41 total out-of-school (OSS) suspensions. This represents an 80% decrease from the previous year's total of 211 OSS suspensions. However, the data must be interpreted through the lens of Covid given the continued impact the pandemic had on student attendance and behavioral incidents, which could account for some of the reduction in overall suspensions. Student attendance was in some cases adversely impacted by the pandemic as well as the hybrid learning structure, both of which could account for the lowered use of suspensions. Disparities still persist in the use of punitive disciplinary practices specifically for students with IEPs and students who qualify for Free & Reduced Lunch (FRL).
- In the 2021-2022 school year the district Office of Equity and Data Manager began reviewing schools suspension data with building administrators. The intent of this process is to allow the principal to see their data and us to ask specific questions, such as "Could the school have addressed the behavior without a suspension?"
- The District has created a position designed to help reduce Racial and Ethnic Disparities in Suspensions.

**Recommended Motion:** *I move to approve the recommendation that the Superintendent is in compliance with Policy Title 2.1.*