



## MEMORANDUM

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**To:** Burlington Board of School Commissioners  
**From:** Tom Flanagan, Superintendent  
**CC:** Nate Lavery, Executive Director of Finance and Operations  
Stephanie Phillips, Executive Director of Teaching and Learning  
Sparks, Director of Equity  
Victor Prussack, Director of Engagement  
**Date:** June 4, 2024  
**Subject:** Monitoring Report - Policy Title: 2.1 Treatment of Students and Parents/Guardians  
**Status:** In Compliance

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**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:** 6/7/24

**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. (Sparks)
7. The Superintendent shall not cause or allow disparities in suspension rates between different groups. (Sparks)

### **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 for databases.
- 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](#), however the application of capital plan funds has shifted significantly in light of numerous factors, most notably PCB-induced need to rebuild Burlington High School and Technical Center, as well as the opportunity to completely long-planned renovations of Integrated Arts Academy. At this point, funds from this plan have been fully allocated, although actual borrowing and spending of the funds will occur over several years.
- All Burlington schools, including Downtown Burlington High School, are ADA-compliant buildings. However, the District continues to explore opportunities to exceed minimum ADA compliance requirements whenever possible.
- 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 send phone calls, emails, and text messages to families and staff, with information regarding cancellations and delays. All Snow Day messages are translated into a large number of languages so that families who speak a language other than English 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:

- BSD has published a Restorative Code of Conduct and updates the document every six months. The document is available on the BSD website and is emailed to all families. We are working on a shortened version that can be translated.
- Elementary Schools have one consistent family handbook that is used for all six schools, as do middle schools. Our high school and technical center also have their own family handbooks.
- 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, posting the policy on BoardDocs, and reviewing it in public annually.
- Through principals/supervisors: the Superintendent expects principals/supervisors to be reasonably accessible to parents/guardians to discuss matters of concern.
- Parents of children who have an IEP receive a copy of their Parental Rights on an annual basis; parents are encouraged to contact the Executive 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.
- The Superintendent holds monthly meetings with a Family Advisory Committee and holds monthly public meetings called "Coffee with Tom" which are open to all families and community members.
- In FY24, BSD held conversations with families from Jewish and Muslim backgrounds to help support dialogue and understanding. We also held conversations with families who are Black to learn from their experiences so we can create a District centered on equity, inclusion, and antiracist policies, procedures, and actions.

#### **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:**

- The Code of Conduct was fully implemented this school year across all sites. Feedback from staff, community members, and families has been used to update the document.
- RP focused professional learning strands were offered during SY21-22 and SY22-23 on district PL days. PreK-5 educators engaged in anti-racism PLCs during SY22-23 and these PLCs incorporated restorative elements.
- Restorative Practices is being implemented in every school in the District. Of 500 BSD staff members who completed the annual Restorative Culture survey in 2022-2023, 68% indicated that RP is a priority in their building.
- To ensure RP is embedded in every school as well as Central Office, the District's Restorative Practices Collaborative is being reconfigured to become the Equity Collaborative as we progress with our implementation of RP to continue building our internal RP capacity as well as aligning with our district's antiracism work.
- Grant funds are available to support building based RP teams to meet once a month for an hour to focus on implementing RP contextually within each site.
- For SY24-25, Cabinet will engage in restorative leadership professional learning with the goal being that this learning is brought back and shared with their sites.

**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.*