

U.S. DISTRICT COURT
DISTRICT OF VERMONT
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UNITED STATES DISTRICT COURT
DISTRICT OF VERMONT

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DAVID J. BLOCH,

Plaintiff,

v.

HEATHER BOUCHEY, in her official capacity as Interim Secretary of the Vermont Agency of Education,

JAY NICHOLS, in his official capacity as Executive Director of the Vermont Principals' Association,

WINDSOR CENTRAL SUPERVISORY UNION BOARD, and

SHERRY SOUSA, in her official and individual capacities as Superintendent of Windsor Central Supervisory Union,

Defendants.

Civil Action No.: 2:23-cv-209

JURY TRIAL DEMANDED

VERIFIED COMPLAINT

Plaintiff David J. Bloch states:

INTRODUCTION

1. Over a decade ago, Coach Bloch founded the snowboarding team at Woodstock Union High School. He has served as head coach for the entire life of the program.

2. Under his leadership, the program has had enormous success both on and off the slopes, including a number of individual state champions.

3. Coach Bloch is also a practicing Roman Catholic who believes that God creates males and females with immutable sex. His understanding of science complements his religious beliefs. Coach Bloch believes, based on scientific evidence, that there are only two sexes, which are male and female, and that sex is determined by a person's chromosomes.

4. But Coach Bloch's respectful expression of his beliefs contradicted the prevailing orthodoxy of the Defendant Vermont state officials, school district, and superintendent. So, Defendant Superintendent Sherry Sousa terminated him and barred him from future employment in the school district.

5. On February 8, 2023, Coach Bloch and his team were waiting in the lodge for a competition to start. That day, his team was to compete against a team that had a male snowboarder who identifies as a female and competes against females. During downtime in the lodge, Coach Bloch overheard a conversation between two of his athletes about that male competing against females.

6. Coach Bloch joined the conversation to offer that people express themselves differently and that there can be masculine women and feminine men.

7. But he affirmed that as a matter of biology, males and females have different DNA, which causes males to develop differently from females and have different physical characteristics. Coach Bloch discussed that biological differences generally give males competitive advantages in athletic events.

8. The conversation was respectful among all parties and lasted no more than three minutes. It took place entirely outside the presence of the transgender-identifying snowboarder.

9. Coach Bloch's team and the team with the male who identifies as a female competed without incident. After the competition, the two teams and their coaches, including Coach Bloch, shared a bus home.

10. The very next day, Defendant Sousa summoned Coach Bloch to her office. She handed him a notice of termination, while admitting that the investigation into Coach Bloch's conversation was not complete.

11. The notice accused Coach Bloch of violating Defendant Windsor Central Supervisory Union Board's Harassment, Hazing, and Bullying (HHB) policy and the Vermont Principals' Association (VPA) related policy for "ma[king] reference to [a] student in a manner that questioned the legitimacy and appropriateness of the student competing on the girls' team to members of the WUHS snowboard team"—all outside the student's presence.

12. Defendant Windsor Central Supervisory Union Board adopted its HHB policy and procedures substantively verbatim from the model HHB policy and procedures issued by Defendant Vermont Secretary of Education Heather Bouchey pursuant to a Vermont statute requiring school districts to adopt such a policy. *See* Vt. Stat. Ann. tit. 16, § 570(b). Likewise, the VPA adopted the same statutory prohibition of "harassment." The statute and policies all contain content and viewpoint discriminatory, overbroad, and unconstitutionally vague definitions of harassment that Defendants can use—and have used, in this case—to censor protected speech.

13. Coach Bloch now brings this suit to redress Defendants' unlawful retaliation and enjoin their unconstitutional law and policies.

JURISDICTION & VENUE

14. This civil rights action raises federal questions under the United States Constitution, particularly the First and Fourteenth Amendments, and the Civil Rights Act of 1871, 42 U.S.C. § 1983.

15. This Court has subject-matter jurisdiction over these federal claims pursuant to 28 U.S.C. §§ 1331 and 1343.

16. This Court has authority to award the requested damages pursuant to 28 U.S.C. § 1343, the requested declaratory relief pursuant to 28 U.S.C. §§ 2201–02, the requested injunctive relief pursuant to 28 U.S.C. § 1343 and Federal Rule of Civil Procedure 65, and costs and attorney’s fees under 42 U.S.C. § 1988.

17. Venue is proper in this district pursuant to 28 U.S.C. § 1391(b) because a substantial part of the events or omissions giving rise to the claims alleged in the Complaint occurred in this district.

THE PARTIES

18. Plaintiff David J. Bloch resides in Windsor County, Vermont.

19. Defendant Heather Bouchey is the interim Secretary of the Vermont Agency of Education.

20. As Secretary of Education, Defendant Bouchey “shall . . . [s]upervise and direct the execution of the laws relating to the public schools and ensure compliance.” Vt. Stat. Ann. tit. 16, § 212(5).

21. As Secretary of Education, Defendant Bouchey “shall . . . [s]upervise the expenditure and distribution of all money appropriated by the State . . . for public schools.” Vt. Stat. Ann. tit. 16, § 212(6).

22. As Secretary of Education, Defendant Bouchey can withhold funding from school districts that violate Vermont law.

23. As Secretary of Education, Defendant Bouchey has the responsibility as set by statute for the creation and revision of model HHB policies. Vt. Stat. Ann. tit. 16, § 570(d)(1).

24. As Secretary of Education, Defendant Bouchey is responsible for ensuring that all school districts in Vermont, including the Windsor Central Supervisory Union, comply with her model HHB policies.

25. Defendant Bouchey has not taken any steps to repeal or revise her model HHB policies or otherwise bring them into compliance with constitutional requirements.

26. Defendant Bouchey is sued in her official capacity only.

27. Defendant Jay Nichols is the Executive Director of the Vermont Principals' Association.

28. As Executive Director, Defendant Nichols is "the chief executive officer" of the Vermont Principals' Association and has "the powers, duties and responsibilities usually associated with the office." Ex. 1 at 3, VPA Bylaws art. 6, § 1. A true, accurate, and complete copy of the Vermont Principals' Association bylaws is Exhibit 1.

29. One of Defendant Nichols's powers, duties, and responsibilities is enforcing VPA policies, including its harassment policy.

30. Defendant Nichols is sued in his official capacity only.

31. The VPA is an association of Vermont schools and school leaders that oversees sports and other activities in Vermont for its 270 member schools.

32. The VPA is a state actor.

33. The VPA includes all public high schools in Vermont, acts through the public schools' representatives, draws its officers from them, is predominantly funded by their dues and income received in their stead, and has historically been seen to regulate in lieu of the Agency of Education's exercise of its own authority.

34. The VPA currently oversees 28 sports and activities in Vermont.

35. The VPA controls scheduling, participation in, and the policies governing VPA sport competitions.

36. School-members of the VPA must abide by its policies to continue to be members and to compete in VPA sports competitions.

37. If VPA member schools do not abide by VPA policies, the VPA will prevent them from competing in VPA events.

38. All public high schools in Vermont are members of the VPA.

39. Over 95% of the VPA's member schools are public schools.

40. The VPA member schools, including its public-school members, are represented in the VPA by the principal or a designee of the principal of each school. Ex. 1 at 1, VPA Bylaws art. III, § 1. The principal or designee that represents each school is "entitled to vote for that school on activity matters and also to serve on committees related to activities." *Id.*

41. The VPA has a 15-member Executive Council that serves as its "governing body." Ex. 1 at 4, VPA Bylaws art. VI, § 3.

42. The members of the VPA, including its public-school members, select the members of the Executive Council, including the VPA's President and President-elect. *Id.*

43. Twelve out the thirteen current members of the Executive Council (92%), including the VPA's President and President-elect, are principals, former principals, or other senior administrators of public schools. Ex. 2 at 2. A true, accurate, and complete copy of the current members of the VPA's Executive Council is Exhibit 2.

44. VPA policies are established by the VPA's members, including its public-school members.

45. The VPA Executive Council has "the authority to appoint any necessary committees and delegate responsibilities to those committees," including the VPA's Activity Standards Committee. Ex. 1 at 4, VPA Bylaws art. VI, § 3.

46. The VPA's Activity Standards Committee votes on "[a]ll policies governing student activities . . . subject to the approval by the Executive Council." Ex. 1 at 6, VPA Bylaws art. VII, § 2.

47. The VPA's Executive Council appoints nine of the 11 members to the Activity Standards Committee. Ex. 3 at 1. Those nine members must be VPA members. *Id.* A true, accurate, and complete copy of the rules governing the Activity Standards Committee is Exhibit 3.

48. Over 80% of the VPA's annual revenue (\$1,590,109) comes from membership dues from its predominately public-school members (\$413,821), admissions to and sales at VPA-regulated sports and activities, and conferences and other programs for the VPA's members (\$865,704, collectively). Ex. 4 at 9. A true, accurate, and complete copy of VPA's 2021 Form 990 is Exhibit 4.

49. In charging for admissions, the VPA exercises the authority of its predominantly public-school members to charge for admission to their games; the VPA does not receive this money from the schools, but rather collects the money as its own.

50. The VPA works hand-in-hand with the Vermont Agency of Education in various ways, including the following:

- a. The state-mandated "Advisory Council to review and coordinate school and statewide activities relating to the prevention of and response to harassment, hazing, and bullying" established by Defendant Secretary must include "the Executive Director of the Vermont Principals' Association or designee." Vt. Stat. Ann. tit. 16, § 570(d)(2).
- b. A goal of the VPA's Executive Council is to "[c]ollaborate with [the Vermont Agency of Education] to support Principals." Ex. 5 at 1. A true, accurate, and complete copy of the VPA Executive Council's goals is Exhibit 5.
- c. The Vermont Agency of Education's *Continuing Best Practices for Schools Regarding Transgender and Gender Nonconforming*

Students states that “[p]articipation in competitive athletic activities and sports will be resolved on a case-by-case basis” and that “[s]chools should refer to the Vermont Principal’s Association Activities/Athletics Policies: Article 1 Section 2.” Ex. 6 at 6. A true, accurate, and complete copy of the *Continuing Best Practices* is Exhibit 6.

51. The Vermont Legislature has delegated important educational functions and duties to the VPA:

- a. Vermont law requires Defendant Secretary to include Defendant VPA Executive Director on the state-created Advisory Council for the prevention of and response to harassment, hazing, and bullying. *See* Vt. Stat. Ann. tit. 16, § 570(d)(2).
- b. “When a school district hires a principal or a career technical center director who has not been employed previously in that capacity, the superintendent serving the district, *in consultation with the Vermont Principals’ Association*, shall work to ensure that the new principal or career technical center director receives mentoring supports during at least the first two years of employment. Mentoring supports shall be consistent with best practices, research-based approaches, or other successful models, and *shall be identified jointly by the Vermont Principals’ Association . . .*” Vt. Stat. Ann. tit. 16, § 245(a) (emphasis added).
- c. “The Secretary of Education or designee, *assisted by members of the Vermont Principals’ Association selected by that association, . . .* shall develop statewide guidelines, forms, and other materials, and update them when necessary, that are designed to educate coaches, youth athletes, and the parents and

guardians of youth athletes regarding [concussions].” Vt. Stat. Ann. tit. 16, § 1431(b) (emphasis added).

- d. “Prior to appointing a member [of the Vermont Standards Board for Professional Educators], the Governor shall consult with the State Board of Education and, as appropriate, . . . *the Vermont Principals Association . . .*” Vt. Stat. Ann. tit. 16, § 1693(b) (emphasis added).

52. Defendant Windsor Central Supervisory Union Board is and was at all relevant times the body governing schools within Windsor Central Supervisory Union, and its headquarters are located in Windsor County, Vermont.

53. Defendant Board is a supervisory union board of directors. *See* Vt. Stat. Ann. tit. 16, § 261a.

54. Defendant Board has authority to enact policies governing administration of schools within the school district, which include the policies challenged here, to supervise and direct the actions of the Defendant Superintendent and school administrators, including the actions taken against Plaintiff, and to exercise ultimate supervisory authority over all school district personnel, including the power to hire, suspend, and terminate coaches.

55. Woodstock Union High School is part of the Windsor Central Supervisory Union.

56. Woodstock Union High School is a member of the VPA.

57. Defendant Sherry Sousa is and was at all relevant times the Superintendent of Windsor Central Supervisory Union.

58. As superintendent, Defendant Sousa is the “chief executive officer” of Windsor Central Supervisory Union. Vt. Stat. Ann. tit. 16, § 11(a)(13).

59. Defendant Board has delegated to Defendant Sousa the power and responsibility to “manage[] all operations of the school system in accordance with

board policies.” Ex. 7 at 1. A true, accurate, and complete copy of Windsor Central Supervisory Union Policy A24 Board/Superintendent Relationship is Exhibit 7.

60. Defendant Superintendent “is accountable to [Defendant] [B]oard for the performance of staff.” *Id.*

61. Defendant Board has delegated its supervisory authority over coaches, including the power to hire, suspend, and terminate coaches, to Defendant Sousa.

62. Defendant Sousa is responsible for enforcing Defendant Board’s policies, including its HHB policy and procedure.

63. Defendant Sousa is sued in her official and individual capacities.

64. At all times relevant to this Complaint, and for each act or omission alleged herein, Defendants were acting under color of a statute, regulation, or custom of the State of Vermont (*i.e.*, under color of state law and authority).

FACTUAL ALLEGATIONS

A. Coach Bloch and his beliefs

65. Coach Bloch is a practicing Roman Catholic.

66. Coach Bloch’s faith teaches him that God immutably creates each person as male or female; these two distinct, complementary sexes reflect the image of God; and rejection of one’s biological sex is a rejection of the image of God within that person.

67. Coach Bloch’s faith also instructs that all people are children of God with inherent dignity and should be treated with love and respect.

68. Coach Bloch therefore strives to treat all people with love and respect.

69. Coach Bloch believes, based on scientific evidence, that there are only two sexes, which are male and female, and that sex is determined by a person’s chromosomes.

70. Coach Bloch believes, based on scientific evidence, that no one can change his or her sex.

71. Coach Bloch understands, based on scientific evidence and his own experience as a coach, that children do not have a fully developed capacity to understand the long-term consequences of their decisions.

72. Coach Bloch wants the best for all of his athletes and wishes to refrain from doing anything that would be harmful to them or would create an unreasonable risk of harm to them.

B. Coach Bloch founded the school's snowboarding program and has led it to enormous success.

73. In 2011, Coach Bloch founded the snowboarding program at Woodstock Union High School.

74. The team consists of high school students.

75. He has served as head coach for the entire life of the program.

76. During the first three years of the program, he coached as a volunteer to help start the team and provide an activity that developed athletic, social, and teamwork skills and self-esteem for high school students.

77. Over the years, Coach Bloch has led the program to enormous success in terms of both athletic accomplishment and personal growth of the snowboarders.

78. The program has consistently won top three placements statewide with at least three individual state champions.

79. Over the years, he has noticed extraordinary personal growth in the student-snowboarders he coaches.

80. Coach Bloch keeps in contact with approximately a dozen alumni of the snowboarding team.

81. Many snowboarders join the team reluctantly at the behest of their parents to become more involved but over the course of the season become more motivated to work on their physical fitness and academic progress.

82. Each year since 2011, Defendant Board and its superintendent have renewed Coach Bloch's contract to coach. *See* Ex. 8 at 9–20. Exhibit 8 is a true, accurate, and complete redacted copy of Coach Bloch's personnel file issued by Windsor Central Supervisory Union.

83. Under the contract for the 2022–23 season, Defendants agreed to pay Coach Bloch \$4,439. Ex. 8 at 9.

84. That contract identifies six “[p]erformance [r]esponsibilities”:

- a. Coaching “the skills necessary for excellent achievement in the sport”;
- b. Planning and scheduling practice;
- c. Working with the athletic director in scheduling interscholastic events;
- d. Recommending purchase of appropriate equipment, supplies, and uniforms;
- e. Maintaining necessary attendance forms, insurance records, and similar paperwork; and
- f. Overseeing safety conditions when the team is snowboarding. *Id.*

85. Coach Bloch has never received a complaint about his coaching.

86. Coach Bloch has never discriminated against or harassed any student, athlete, coach, or school district employee.

87. Coach Bloch has never received discipline from the school district (until the events as alleged in this Complaint).

88. Coach Bloch's personnel file has no record of discipline, reprimand, or complaints. *See* Ex. 8.

89. While working within the school district, Coach Bloch has had respectful interactions and relationships with all of his colleagues.

90. While working within the school district, Coach Bloch has had only respectful interactions with the students he coaches and supervises and their parents.

91. The high school's snowboarding team competes in the snowboarding league governed and controlled by the VPA.

C. Coach Bloch and his athletes discuss a male snowboarder competing against females.

92. On February 8, 2023, Coach Bloch and his team were waiting in the lodge for a competition to start. No other teams or other snowboarders were present in the area of the lodge where the team was waiting.

93. That day, Coach Bloch's team was to compete against a team from another school district that had a male snowboarder who identifies as a female and competes in the female division.

94. During the downtime before the competition, the coaches and players were free to do homework or other work, communicate with family or friends, play on their phones, or chat among themselves.

95. Coach Bloch was sitting at a table with two of his snowboarders, Student 1 (a male) and Student 2 (a female) who had engaged in a conversation about transgender-identifying athletes competing in sports.

96. The conversation itself was not disruptive nor did it appear to have a risk of becoming disruptive.

97. Student 1 expressed his opinion that males competing against females was unfair based on differences in biology.

98. Student 2 responded by accusing Student 1 of being transphobic.

99. At that point, Coach Bloch joined the conversation.

100. Coach Bloch recognized that people express themselves in different ways and that there can be masculine women and feminine men.

101. Coach Bloch also asserted that as a matter of biology, males and females have different DNA.

102. Coach Bloch said that those differences in DNA cause males to develop differently from females and to have different physical characteristics. To illustrate this concept, Coach Bloch gave the example that an archaeologist digging up bones would categorize them as belonging either to a male or female because of the inherent differences between males and females.

103. Coach Bloch discussed that different physical characteristics generally give males competitive advantages in athletic competitions.

104. At no point in the conversation did Coach Bloch refer to the transgender-identifying snowboarder.

105. The conversation was respectful among all three parties.

106. The conversation lasted less than three minutes.

107. No other people were present during the conversation.

108. Despite disagreeing with Coach Bloch's views on the appropriateness of males who identify as females competing against females, Student 2 thanked him for a "good conversation."

109. Coach Bloch's conversation with Students 1 and 2 did not interfere with his duties as a snowboarding coach or any other duties as a Windsor Central Supervisory Union employee.

110. After the conversation, Coach Bloch's team competed without incident.

111. After the competition, Coach Bloch and his team shared a bus home with the team with the male who identifies as a female, who was also on the bus.

112. There was no tension on the bus, and Coach Bloch had no further discussion regarding the appropriateness of males competing against females.

113. Coach Bloch does not have any snowboarders who identify as transgender on his team.

114. Coach Bloch does not have any policymaking or discretionary role within the school district and serves the district only as a snowboarding coach.

D. Defendant Sousa terminates Coach Bloch under Defendants' HHB policies and procedures for speaking in accord with sex.

115. On February 9, the school's athletic director Jack Boymer told Coach Bloch he had received a complaint about the February 8 conversation.

116. Coach Bloch informed Mr. Boymer that he had discussed biological differences between males and females with Students 1 and 2.

117. That same day around 3 pm, Coach Bloch met with Defendant Sousa.

118. Defendant Sousa began the meeting by handing Coach Bloch a notice of his "immediate termination" for purportedly violating Defendant Board's Prevention of Hazing, Harassment, and Bullying Policy and "the Vermont Principals' Association Athletics Policy." Ex. 8 at 2–3. A true, accurate, and complete copy of that notice is contained in Coach Bloch's personnel file.

119. The notice stated that Coach Bloch "made reference to [a] student in a manner that questioned the legitimacy and appropriateness of the student competing on the girls' team to members of the WUHS snowboard team." Ex. 8 at 2.

120. Defendant Sousa's notice claimed that "administrators investigated" and their "findings confirmed that [Coach Bloch's] actions violated the policy." *Id.*

121. Defendant Sousa found that Coach Bloch's purported "use of disparaging names created an objectively offensive environment and constituted harassment based on gender identity, justifying terminati[on]." *Id.*

122. Defendant Sousa also barred Coach Bloch from "consider[ation] for any future coaching positions within" the school district. *Id.*

123. Upon information and belief, Defendant Board knew of Defendant Sousa's termination of Coach Bloch and ratified that termination.

124. After handing Coach Bloch the notice of his termination, Defendant Sousa told him that the investigation into his February 8 conversation was not complete.

125. Defendant Sousa told Coach Bloch she did not have all the details of Coach Bloch's speech on February 8.

126. Defendant Sousa informed Coach Bloch that he would receive the investigative report the day after their meeting.

127. Defendant Sousa remained visibly angry throughout the meeting with Coach Bloch.

128. Upon information and belief, Defendant Sousa has a child who identifies as transgender.

129. Coach Bloch has never received the investigative report, despite asking school district officials for it repeatedly.

130. Prior to terminating Coach Bloch, Defendants Board and Sousa never informed him of the allegations against him, of any investigation into those allegations, of their HHB policy and procedures, or of his confidentiality rights.

131. Prior to terminating Coach Bloch, Defendants Board and Sousa did not provide any notice to Coach Bloch.

132. After terminating Coach Bloch, Defendants never informed him of his right to appeal their termination decision.

133. Defendants Board and Sousa never gave Coach Bloch the opportunity to present witnesses and evidence during the investigation.

134. Defendants terminated Coach Bloch with 3 weeks remaining in the season.

135. If Defendants had not terminated Coach Bloch, his contract to coach snowboarding would have been automatically renewed for the 2023–24 season.

136. Defendants had automatically renewed Coach Bloch's contract for the past ten seasons.

137. When renewing his contract, Coach Bloch did not have to apply to be the coach, attend interviews, or otherwise undergo a hiring process.

138. A contract to coach for the 2023–24 season would be signed no later than early December 2023.

139. Coach Bloch wishes to coach the snowboarding team for the 2023–24 season.

E. Defendants' unconstitutional HHB laws, policies, and procedures.

140. In 2012, Vermont enacted a law requiring Defendant Secretary of Education to develop and school districts to adopt a policy on harassment, hazing, and bullying. *See* Vt. Stat. Ann. tit. 16, § 570.

141. The law requires every “school board” to “develop, adopt, ensure the enforcement of, and make available . . . harassment, hazing, and bullying prevention policies that shall be at least as stringent as model policies developed by the Secretary.” Vt. Stat. Ann. tit. 16, § 570(b).

142. A “school board” includes a “supervisory union board of directors,” of which Defendant Board is one. Vt. Stat. Ann. tit. 16, § 11(a)(9).

143. The statute charges Defendant Secretary with “develop[ing] and, from time to time, updat[ing] model harassment, hazing, and bullying prevention policies.” Vt. Stat. Ann. tit. 16, § 570(d)(1).

144. The statute sets forth various requirements for policies, *see* Vt. Stat. Ann. tit. 16, § 570a, and “prohibit[s]” harassment, which it defines as including

“an incident or incidents of verbal, written, visual, or physical conduct . . . 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, sex, sexual orientation, gender identity, or disability 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." *Id.* § 11(a)(26)(A).

145. The statutory definition of "harassment" also

"includes conduct that violates subdivision (A) of this subdivision (26) and constitutes . . . conduct directed at the characteristics of a student's or a student's family member's actual or perceived creed, national origin, marital status, sex, sexual orientation, gender identity, or disability 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." *Id.* § 11(a)(26)(B).

146. The statute allows a private right of action for a claim "brought under the Fair Housing and Public Accommodations Act" for "unlawful harassment." Vt. Stat. Ann. tit. 16, § 570f(b); Vt. Stat. Ann. tit. 16, § 570f(c) (citing Vt. Stat. Ann. tit. 9, § 4502).

147. Defendant Secretary has adopted a model policy and model procedures implementing that policy. A true, accurate, and complete copy of the current version of the model policy taken from Defendant Secretary's website (<https://education.vermont.gov/documents/healthy-safe-schools-hhb-model-policy>) is Exhibit 9. A true, accurate, and complete copy of the current version of the model procedures taken from Defendant Secretary's website (<https://education.vermont.gov/documents/healthy-safe-schools-hhb-model-procedures>) is Exhibit 10.

148. Defendant Secretary's model policy adopts the statutory definition of "harassment" in full. *Compare* Vt. Stat. Ann. tit. 16, § 11(a)(26), *with* Ex. 9 at 3–4.

149. Defendant Board adopted the model policy and procedure's substantive provisions almost verbatim. A true, accurate, and complete copy of Defendant Board's C10, Prevention of Harassment, Hazing, and Bullying Policy and C10P, Prevention of Harassment, Hazing, and Bullying Procedures is Exhibit 11.

150. Vermont law requires HHB policies to include “[c]onsequences and appropriate remedial action for staff or students who commit harassment.” Vt. Stat. Ann. tit. 16, § 570a(a)(2).

151. Both Defendant Secretary’s model HHB policy and Defendant Board’s HHB policy require the school district, in response to “substantiated complaints” of harassment, to “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.” Ex. 9 at 2; Ex. 11 at 1.

152. Under both policies “appropriate remedial action” includes “a wide range of responses from education to serious discipline,” and “[s]erious discipline may include termination for employees.” Ex. 9 at 2; Ex. 11 at 1–2.

153. Under Defendant Secretary’s model procedures and Defendant Board’s procedures, “[w]hether a particular action constitutes a violation of this policy requires determination based on all the facts and surrounding circumstances.” Ex. 10 at 4; Ex. 11 at 7.

154. Defendant Board’s HHB procedures require it to “initiate or cause to be initiated, an investigation of the allegations” of harassment no later than one school day after receiving notice of those allegations. Ex. 11 at 6.

155. When it begins an investigation into alleged harassment, Defendant Board’s HHB procedures require it to “notify in writing” the “accused individual” that an investigation has been initiated; retaliation is prohibited; all parties have certain confidentiality rights; and the parties will be informed in writing of the outcome of the investigation. *Id.*

156. During an investigation, Defendant Board’s HHB procedures require it to “provide[] the opportunity to present witnesses and other evidence” to the parties. Ex. 11 at 7.

157. Defendant Board's HHB procedures require its investigator "[n]o later than five school days" from receiving a complaint alleging harassment to "submit a written initial determination to the school administrator." *Id.*

158. At the conclusion of the investigation, Defendant Board's HHB procedures require it to notify the accused person "in writing of [his] right to appeal" the finding. Ex. 11 at 8.

159. As part of an appeal, Defendant Board's HHB procedures require it to "make available upon request of the Accused Student/Appellant, any relevant information, documents, materials, etc. related to the investigation and related finding on appeal." Ex. 11 at 11.

160. The VPA has adopted the statutory definition of harassment in Vt. Stat. Ann. tit. 16, § 11(a)(26).

161. The VPA's policies cite the Vermont Public Accommodations Act. Ex. 12 at 4 (citing Vt. Stat. Ann. tit. 9, § 4502). A true, accurate, and complete copy of Vermont Principals' Association Athletic Policies is Exhibit 12.

162. The VPA's "policies prohibit discrimination and/or harassment of students on school property or at school functions by students or employees." *Id.*

163. The VPA's policies note that the "prohibition against discrimination includes discrimination based on a student's actual or perceived sex and gender. Gender includes a person's actual or perceived sex as well as gender identity and expression." *Id.*

164. The Vermont law defining prohibited harassment, Defendant Secretary's model HHB policies and procedures, Defendant Board's HHB policy and procedures, and the VPA's policy prohibiting harassment enforced by Defendant Nichols are collectively referred to as "Defendants' HHB law, policies, and procedures."

165. Defendants' actions and HHB law, policies, and procedures caused injury to Coach Bloch, including deprivation of constitutional rights, loss of income, loss of reputation, and pain, suffering, and emotional distress.

166. If reinstated, Coach Bloch intends to continue to express his beliefs regarding the immutability of sex.

167. Defendants' HHB laws, policies, and procedures prohibit Coach Bloch's speech, as shown by Defendant Sousa's termination of him.

168. Defendants' termination of Coach Bloch has caused school district employees to refrain from expressing their opinions regarding the immutability of sex and the appropriateness of a teenage male competing against teenage females in an athletic competition.

169. A number of school district employees agree with Coach Bloch's views, but they are too afraid to express them for fear of suffering termination, as Coach Bloch has suffered.

170. Those school district employees fear that expressing views like Coach Bloch's publicly will cause them to incur discipline from Defendants.

FIRST CAUSE OF ACTION

Violation of the First Amendment: retaliation (42 U.S.C. § 1983)

171. Plaintiff repeats and realleges each of the allegations contained in paragraphs 1 through 170 of this Complaint.

172. Coach Bloch has rights under the First and Fourteenth Amendments to the United States Constitution to express his views on differences in sex and the appropriateness of a teenage male competing against teenage females in an athletic competition, and in so doing to refer to a male as a male.

173. By expressing such views, Coach Bloch was engaged in constitutionally protected activity.

174. Defendants took adverse action against Coach Bloch by terminating him from his position as coach of the snowboarding team and barring him from future employment in the school district.

175. Defendants' adverse actions against Coach Bloch were motivated and substantially caused by the exercise of his right to engage in constitutionally protected activity, including the right to express views on differences in sex and the appropriateness of a teenage male competing against teenage females in an athletic competition, and in so doing to refer to a male as a male.

176. Defendants would not have taken adverse action against Coach Bloch absent his expression of these constitutionally protected views.

177. By taking adverse action against Coach Bloch for expressing his views, Defendants unlawfully retaliated against him for exercising his constitutional right to free speech.

178. Defendants' adverse actions against Coach Bloch were sufficient to deter a person of ordinary firmness from exercising his constitutional rights and thus effectively chilled the exercise of Coach Bloch's constitutional rights.

179. Coach Bloch spoke as a private citizen on a matter of public concern.

180. Coach Bloch did not speak pursuant to government policy and did not convey a government-created message.

181. Coach Bloch was not instructing players, discussing strategy, encouraging better on-field performance, or engaging in any other speech as an employee.

182. Coach Bloch spoke with Students 1 and 2 before a competition and during a period in which coaches and players were free to attend to personal matters, such as doing homework or other work, communicating with family or friends, playing on their phones, or chatting among themselves.

183. Coach Bloch’s expression of his views on differences in sex and the appropriateness of a teenage male competing against teenage females in an athletic competition, and in so doing to refer to a male as a male, has not prevented Defendants from efficiently providing services to the public (or even threatened to).

184. Coach Bloch’s interest in expressing his views on differences in sex and the appropriateness of a teenage male competing against teenage females in an athletic competition, and in so doing to refer to a male as a male, outweighs any interest of Defendants in suppressing those views.

SECOND CAUSE OF ACTION
Violation of the First Amendment: content and viewpoint discrimination
(42 U.S.C. § 1983)

185. Plaintiff repeats and realleges each of the allegations contained in paragraphs 1 through 170 of this Complaint.

186. The First Amendment’s Free Speech Clause prohibits discrimination against speech based on its content and viewpoint.

187. Defendants’ HHB law, policies, and procedures discriminate based on the content and viewpoint of speech.

188. Defendants’ definition of “harassment” draws facial distinctions by defining regulated speech by subject matter and viewpoint—that is, speech about “a student’s or a student’s family member’s actual or perceived” protected categories: race, creed, national origin, marital status, disability, sex, sexual orientation, gender identity, or gender expression. Vt. Stat. Ann. tit. 16, § 11(a)(26); Ex. 9 at 3–4; Ex. 11 at 2.

189. Defendants’ definition of “harassment” includes “epithets, stereotypes, slurs, . . . insults, derogatory remarks, . . . and negative references to customs,” which also draw facial distinctions regulating speech by subject matter and viewpoint. Vt. Stat. Ann. tit. 16, § 11(a)(26)(B); Ex. 9 at 4; Ex. 11 at 3.

190. The Free Speech Clause’s prohibition against content- and viewpoint-based discrimination not only demands that state actors refrain from that discrimination, but also requires the government to limit the discretion of its officials through narrow, objective, and definite standards to protect against content- and viewpoint-based discrimination.

191. Defendants’ definition of “harassment” contains no guidelines sufficient to prevent government officials, including Defendants, from exercising unbridled discretion to target speech whose content and viewpoints they disagree with.

192. Defendants’ definition of “harassment” uses the open-ended prefatory phrase “includes.” Vt. Stat. Ann. tit. 16, § 11(a)(26)(B); Ex. 9 at 4; Ex. 11 at 3.

193. Defendants’ definition of “harassment” “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 the[] protected categories.” Vt. Stat. Ann. tit. 16, § 11(a)(26)(B); Ex. 9 at 4; Ex. 11 at 3.

194. Defendants’ definition thus grants government officials unbridled discretion to target disfavored speech that they label as “epithets, stereotypes, slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, . . . and negative references.” Vt. Stat. Ann. tit. 16, § 11(a)(26)(B); Ex. 9 at 4; Ex. 11 at 3.

195. Defendants’ HHB law, policies, and procedures violate the First Amendment because they fail to limit the definition of “harassment” to conduct that is so severe, pervasive, and objectively offensive that it effectively bars the victim’s access to an educational opportunity or benefit.

196. Defendants’ HHB law, policies, and procedures neither support a compelling government interest nor are narrowly tailored to any such interest.

197. Defendants’ HHB law, policies, and procedures discriminate based on the content and viewpoint of speech made by employees as private citizens about

matters of public concern.

198. Defendants have no interest that would outweigh the interests of both potential audiences and a vast group of present and future employees in a broad range of present and future expression.

199. Defendants' HHB law, policies, and procedures violate both facially and as applied the Free Speech Clause of the First Amendment.

THIRD CAUSE OF ACTION

Violation of the First Amendment: prior restraint (42 U.S.C. § 1983)

200. Plaintiff repeats and realleges each of the allegations contained in paragraphs 1 through 170 of this Complaint.

201. The First Amendment's Free Speech Clause prohibits prior restraints.

202. Threatening to censor future speech is a prior restraint.

203. Defendants' HHB law, policies, and procedures threaten future speech.

204. Defendants' HHB law, policies and procedures "prohibit" "harassment." Vt. Stat. Ann. tit. 16, § 570a(a)(1); Ex. 9 at 1; Ex. 11 at 1; Ex. 12 at 4.

205. Defendants' definition of "harassment" uses the open-ended prefatory phrase "includes." Vt. Stat. Ann. tit. 16, § 11(a)(26)(B); Ex. 9 at 4; Ex. 11 at 3.

206. Defendants' definition of "harassment" "includes" a single "incident" of "verbal" conduct. Vt. Stat. Ann. tit. 16, § 11(a)(26)(A); Ex. 9 at 3-4; Ex. 11 at 2-3.

207. Defendants' definition of "harassment" "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 the[] protected categories." Vt. Stat. Ann. tit. 16, § 11(a)(26)(B); Ex. 9 at 4; Ex. 11 at 3.

208. Defendants' HHB law, policies, and procedures violate the First Amendment because they fail to limit the definition of "harassment" to conduct that is so severe, pervasive, and objectively offensive that it effectively bars the victim's

access to an educational opportunity or benefit.

209. Defendants' HHB law, policies, and procedures neither support a compelling government interest nor are narrowly tailored to any such interest.

210. Defendants' HHB law, policies, and procedures impose a prior restraint on speech made by employees as private citizens about matters of public concern.

211. Defendants have no interest that would outweigh the interests of both potential audiences and a vast group of present and future employees in a broad range of present and future expression.

212. Defendants' HHB law, policies, and procedures violate both facially and as applied the Free Speech Clause of the First Amendment.

FOURTH CAUSE OF ACTION
Violation of the First Amendment: unconstitutional overbreadth (42 U.S.C. § 1983)

213. Plaintiff repeats and realleges each of the allegations contained in paragraphs 1 through 170 of this Complaint.

214. Defendants' HHB law, policies, and procedures violate the First Amendment's Free Speech Clause because they are facially overbroad.

215. Defendants' definition of "harassment" reaches a substantial amount of constitutionally protected speech in relation to any plainly legitimate sweep.

216. Defendants' definition of "harassment" uses the open-ended prefatory phrase "includes." Vt. Stat. Ann. tit. 16, § 11(a)(26)(B); Ex. 9 at 4; Ex. 11 at 3.

217. By defining "harassment" to include a single "incident" of "verbal" conduct motivated by any of numerous characteristics, including "gender identity," that has the effect of creating an "offensive environment," among other things, Defendants can punish a substantial amount of constitutionally protected speech. Vt. Stat. Ann. tit. 16, § 11(a)(26)(A); Ex. 9 at 3–4; Ex. 11 at 2–3.

218. By defining "harassment" to mean "conduct directed at the

characteristics of a student's . . . gender identity," including "comments," "epithets," and "derogatory remarks," Defendants can punish a substantial amount of constitutionally protected speech. Vt. Stat. Ann. tit. 16, § 11(a)(26)(B); Ex. 9 at 3–4; Ex. 11 at 2–3.

219. By defining "harassment" to include "conduct . . . 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," Defendants can punish a substantial amount of constitutionally protected speech. Vt. Stat. Ann. tit. 16, § 11(a)(26)(A); Ex. 9 at 3–4; Ex. 11 at 2–3.

220. Defendants' HHB law, policies, and procedures violate the First Amendment because they fail to limit the definition of "harassment" to conduct that is so severe, pervasive, and objectively offensive that it effectively bars the victim's access to an educational opportunity or benefit.

221. Defendants' HHB law, policies, and procedures impose an overbroad restraint on speech made by employees as private citizens about matters of public concern.

222. Defendants have no interest that would outweigh the interests of both potential audiences and a vast group of present and future employees in a broad range of present and future expression

223. The overbreadth of Defendants' HHB law, policies, and procedures chills Coach Bloch and other employee's speech.

FIFTH CAUSE OF ACTION
Violation of Fourteenth Amendment: procedural due process and void for
vagueness (42 U.S.C. § 1983)

224. Plaintiff repeats and realleges each of the allegations contained in paragraphs 1 through 170 of this Complaint.

225. The Due Process Clause of the Fourteenth Amendment at a minimum prohibits government from terminating public employees without giving them notice of the allegations against them and an opportunity to be heard before an impartial tribunal.

226. Defendants Sousa and Board did not give Coach Bloch notice of the allegations against him or the opportunity to be heard before an impartial tribunal before terminating him.

227. Defendants Sosua and Board did not give Coach Bloch the opportunity to be heard before an impartial tribunal after terminating him.

228. By disciplining him under vague law, policies, and procedures, Defendants also violated Coach Bloch's right to due process of law under the Fourteenth Amendment to the United States Constitution.

229. Coach Bloch's views on differences in sex and the appropriateness of a teenage male competing against teenage females in an athletic competition, and in so doing to refer to a male as a male, are protected by the First and Fourteenth Amendments to the United States Constitution.

230. Defendants' HHB law, policies, and procedures are unconstitutionally vague because they grant government officials unbridled discretion in deciding what constitutes "gender identity," "harassment," and "harassment on the basis of gender identity," because they utilize terms that are inherently subjective and elude any precise or objective definition that would be consistent from one administrator, teacher, or student to another, because they are incapable of providing meaningful guidance to Defendants and other government officials, and because they force coaches and other employees to guess whether expression that the United States Constitution protects is in fact allowed.

231. Defendants' HHB law, policies, and procedures fail to provide a person of ordinary intelligence fair notice of what is prohibited and are so standardless that

they authorize discriminatory enforcement.

232. The lack of objective criteria, factors, or standards in Defendants' HHB law, policies, and procedures renders these law, policies, and procedures unconstitutionally vague and in violation of Coach Bloch's right to due process of law under the United States Constitution.

233. Defendants' HHB law, policies, and procedures both facially and as applied violate the Due Process Clause of the Fourteenth Amendment.

PRAYER FOR RELIEF

Wherefore, Plaintiff David J. Bloch asks this Court to enter judgment against Defendants and provide the following relief:

A. A declaratory judgment that Defendants' termination of his employment as snowboarding coach violated his clearly established rights protected by the First and Fourteenth Amendments to the United States Constitution;

B. A declaratory judgment that Defendants' HHB law, policies, and procedures on their face and as applied to Coach Bloch violate the First and Fourteenth Amendments to the United States Constitution;

C. A preliminary and permanent injunction ordering Defendants, their agents, officials, servants, employees, and any other persons acting on their behalf to:

- i. Reinstatement Coach Bloch as snowboarding coach;
- ii. Refrain from enforcing their ban on considering Coach Bloch "for any future coaching positions";
- iii. Refrain from taking further action against Coach Bloch for having expressed his views on differences in sex and the appropriateness of a teenage male competing against teenage females in an athletic competition, and in so doing to refer to a male as a male;

iii. Refrain from taking any action against Coach Bloch for having initiated this action; and

iv. Purge from any records in their possession, custody, or control any reference to Coach Bloch's termination as snowboarding coach;

D. A preliminary and permanent injunction preventing Defendants from enforcing their HHB law, policies, and procedures to prohibit:

i. "harassment" that is not so severe, pervasive, and objectively offensive that it effectively bars a student's access to an educational benefit; and

ii. expressing views on differences in and the immutability of sex and the appropriateness of a teenage male competing against teenage females in an athletic competition, and in so doing to refer to a male as a male.

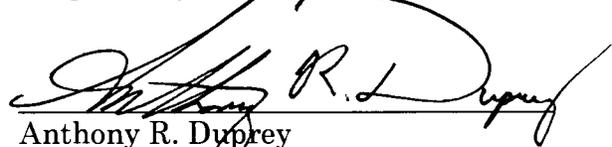
E. Nominal and compensatory damages against Defendants Board and Sousa;

F. Coach Bloch's reasonable attorney's fees, costs, and other disbursements pursuant to 42 U.S.C. § 1988; and

G. Any other relief to which Coach Bloch may be entitled.

Dated: July th17, 2023

Respectfully submitted,



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Counsel for Plaintiff

**Pro Hac Vice application filed
concurrently*

DEMAND FOR TRIAL BY JURY

Plaintiff David J. Bloch hereby demands a trial by jury for all issues so triable.

A handwritten signature in black ink, appearing to read "Anthony R. Duprey", written over a horizontal line.

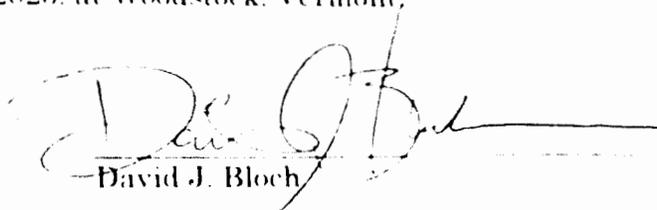
Anthony R. Duprey
Counsel for Plaintiff

OFFICE

DECLARATION UNDER PENALTY OF PERJURY

I, David J. Bloch, a citizen of the United States and a resident of the State of Vermont, declare under penalty of perjury under 28 U.S.C. § 1746 that the foregoing Verified Complaint is true and correct to the best of my knowledge.

Executed this 12th day of July, 2023, at Woodstock, Vermont.



David J. Bloch

INDEX OF EXHIBITS

| | |
|-------------------|---|
| Exhibit 1 | Vermont Principals' Association (VPA) bylaws, August 2014 |
| Exhibit 2 | VPA Executive Council current members |
| Exhibit 3 | VPA Activity Standards Committee current members |
| Exhibit 4 | VPA Form 990 (2021) |
| Exhibit 5 | VPA Executive Council Goals |
| Exhibit 6 | Vermont Agency of Education, <i>Continuing Best Practices for Schools Regarding Transgender and Gender Nonconforming Students</i> , February 23, 2017 |
| Exhibit 7 | Windsor Central Supervisory Union Policy A24 Board/Superintendent Relationship |
| Exhibit 8 | David J. Bloch's Windsor Central Supervisory Union personnel file (redacted) |
| Exhibit 9 | Vermont Agency of Education, <i>Model Policy on the Prevention of Harassment, Hazing and Bullying of Students</i> , August 16, 2016 |
| Exhibit 10 | Vermont Agency of Education, <i>Model Procedures on the Prevention of Harassment, Hazing and Bullying of Students</i> , August 16, 2016 |
| Exhibit 11 | Windsor Central Supervisory Union Policy C10 Prevention of Harassment, Hazing, and Bullying Policy & C10P Prevention of Harassment, Hazing, and Bullying Procedures |
| Exhibit 12 | Vermont Principals' Association Athletic Policies |

EXHIBIT 1



The Vermont Principals' Association

Supporting Leaders and Learners



IMPORTANT NOW

- [2023 Leadership Academy](#)

- [Professional Learning & Support](#)

- [Education Directory Errata Sheet](#)

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Bylaws

VERMONT PRINCIPALS' ASSOCIATION BYLAWS

Amended by the membership at the 2014 Annual meeting on August 5, 2014 at The VPA Leadership Academy

ARTICLE 1. NAME

The name of the Corporation shall be "The Vermont Principals' Association, Inc." ("VPA" or "Corporation"). The Corporation is a voluntary organization of Vermont schools and administrators. The Corporation shall affiliate with the national principals and activities associations.

ARTICLE 2. PURPOSES

The purposes of the Corporation shall be: 1) to promote educational opportunities for Vermont students; 2) to promote professional growth for educational leaders; 3) to organize and supervise state wide interscholastic activities; 4) to do other work that promotes the educational mission of the VPA.

ARTICLE 3. MEMBERSHIP

Section 1.

School Membership. Any school in Vermont approved by the State Board of Education is eligible to become a school member of the corporation. The chief administrator of that school or designee shall be the official delegate of that school and shall be entitled to vote for that school on activity matters and also to serve on committees related to activities.

Affiliate/Partner Membership-Any not-for-profit association that ascribes to the purpose outlined in article two above is eligible to apply for membership. Affiliate/Partner members may serve on committees but may not vote at meetings of the Corporation. All applications from Affiliate/Partners must be approved by vote of the Executive Council.

Section 2. Individual Membership

VPA SPONSORS

Active—Any licensed administrator working in a Vermont school approved by the State Board of Education and eligible for membership in the National Association of Secondary School Principals or the National Association of Elementary School Principals is eligible to become an individual active member of the Corporation. Active members may hold office, serve on committees and vote on professional agenda matters at meetings of the Corporation.



Associate/Aspiring—Any professional educator employed by a Vermont school approved by the State Board of Education is eligible to become an associate member of the Corporation. Associate individual members may serve on committees, but may not vote at meetings of the Corporation nor hold office. Former school administrators not currently in administrative roles are eligible to retain their membership as an aspiring principal for one year after leaving their positions.

Retired—Any retired administrator/VPA member, who met the qualifications of this article while active, may become a retired individual member of the Corporation. Retired individual members may serve as members of committees at the discretion of the Executive Director but may not vote at meetings of the Corporation. Exception: a retired member/administrator of the VPA may fill one seat on the Executive Council with full voting rights on the Executive Council.

Guest —In recognition of people in key roles in education in Vermont, there is created a Guest Membership. At the discretion of the Executive Council to a limited number of Guest Memberships will be offered to people not in a principal role but who serve in a key role in education. Annually, the Executive Director will get approval from the Executive Council to offer Guest memberships. Guest members may serve on committees at the discretion of the Executive Director and do not have voting privileges.

ARTICLE 4. DUES

Section 1. School Dues

All 7-12 schools will be assessed school dues as well as a per student activity fee.

The school dues for schools with any students in grades seven through twelve shall be determined annually by vote of the delegates of member schools. The dues shall be based on the October 1st student count average daily membership ("ADM") count under the same standards applied by the Vermont Agency of Education from the previous year. School dues shall be payable by September 1. The principal shall sign the annual school membership form and submit it with the dues payment.

The form shall confirm agreement that the school will abide by VPA policies and rules.

Section 2. Individual Dues

The membership dues for individual active, associate and retired members shall be determined annually by vote of the individual active members. These dues, plus national principals' organization dues, if so designated, shall be billed each member at the beginning of each school year and shall be payable by October 1. Membership runs from July 1 to June 30.

ARTICLE 5. ACCOUNTING

The fiscal year of the Corporation shall begin on July 1 and ends on June 30. All income, from whatever source, including school dues, income from student activities, personal dues and income derived from student-related activities, shall be kept in one account; all disbursements from that account shall be for: (1) supervision and/or support of student-related activities; (2) activities related to the growth and welfare of administrators; (3) salaries of Corporation employees and general overhead expenses of the Corporation (4) any other expenses related to the purpose and policies of the Vermont Principals' Association as determined by the Executive Council or its designee[s]. Annually, and from time to time, the Executive Council, on recommendation of the Executive Director, shall decide what amounts shall be allocated for the salaries of the employees and the other expenses of the Corporation.

ARTICLE 6. ADMINISTRATION

Section 1. Officers

Officers of the Corporation shall be a President and a President-elect who shall be elected for a term of two (2) years at the annual business meeting of the Corporation by vote of all individual members of the Corporation who are present. Each officer of the Executive Council will serve a single term of two years. For service as an officer, an Executive Council member's regular term may be extended for a maximum of two additional years for one time only. They shall serve beginning September 1 of the same year until their respective successors are elected, and an Executive Director who shall be approved by the Executive Council to serve until a successor is appointed. Candidates for President and President-elect must have been members of the Executive Council. The Executive Director shall be the chief executive officer of the Corporation and shall have the powers, duties and responsibilities usually associated with the office. The Executive Director shall keep all corporate records and receive and account for all corporate funds, and

shall perform other duties as shall be assigned by the Executive Council.

Section 2. Nomination of Officers

A nominating committee shall be appointed by the President to submit a slate of officers consisting of President, President-elect, and members of the Executive Council, at the annual meeting.

Section 3. Executive Council

There shall be an Executive Council of fifteen (15) members consisting of the President and President-elect of the Corporation, the NASSP Coordinator and the NAESP State Representative, Past President, Associate/Assistant Principal, Technical Director elected at an annual meeting of the Corporation; and eight (8) member-representatives. The terms of office for the member-representatives shall begin on September 1 following election by the school members and continue for two consecutive three (3) year terms or when an officer's term of office is over. In cases of vacancies, the Council will appoint the representative to complete the year (i.e., ending the following August 31). The appointee will be able to serve two of his/her own full terms starting with the next year.

Whenever there are openings, the Executive Council shall strive to achieve a balance of its membership by considering factors as level of assignment, size of school, gender, and geographical distribution.

The Executive Council shall act as the governing body of the Corporation. The Council shall do the following:

1. Establish a budget for the member school funds;
2. Budget for professional dues and funds;
3. Approve an annual budget and audit
4. Exercise authority and supervision to control expenditures made by officers and employees designated by the Executive Council to have initial authority to make such expenditures.
5. Oversee the work of its standing committees;
6. Appoint any other necessary committees and delegate responsibilities to those committees.

Further, the Council shall have the authority to appoint any necessary committees and delegate responsibilities to those committees. The Executive Council may act in regular or special meetings, and may conduct meetings by electronic means. Regular meetings will occur at least four times in the calendar year at such times as will be established by the Executive Council. Special meetings may be called if at least three (3) council members request it. The Executive Director shall send notice of regular or special meetings to all council members. A

majority of the members of the Executive Council constitutes a quorum for the transaction of business.

Section 4. Committees

There will be two standing committees of the VPA: an **Activities Standards Committee (ASC)** and a **Professional Learning and Support Committee (PL&S)**.

Activities Standards Committee

The Activities Standards Committee shall appoint, coordinate and approve the work of all activities committees; interpret and enforce eligibility regulations for interscholastic activities; recommend policy changes to the Executive Council for review and final approval and conduct hearings involving probable violations of the activity policies and rules; conduct pilot and experimental programs with respect to any activity; and, perform such other duties as assigned by the Executive Council.

The Activities Standards Committee will appoint subcommittees annually to supervise individual activities sponsored by the VPA. Membership on activity subcommittees will commence August 1. Each subcommittee will elect a chairperson for the year at its first meeting. Non-members of the VPA may serve as consultants, but cannot vote on subcommittee matters.

Professional Learning and Support Committee

The Professional Learning and Support Committee will coordinate and collaborate with the VPA Executive Director and VPA staff to develop activities for the membership. It will serve as the organizing body for the annual Leadership Academy, for the VPA mentoring program and other efforts to support leaders throughout Vermont.

Section 5. Business and Professional Meetings

Ten (10) calendar days' notice by mail or e-mail shall be addressed to each school and individual member of the Corporation by the Executive Director setting forth the time and place of the annual meeting of the corporation's members with a statement of the business scheduled for the meeting. Reasonable advance notice shall be provided for all other meetings.

A quorum for all regular and special business meetings of the Corporation shall be fifteen (15) members of record of that date.

Special business meetings of the Corporation may be called at any time by the Executive Council, upon the notice aforesaid, and shall likewise be called upon written request of ten percent (10%) of the active membership.

Robert's Revised Rules of Order shall govern all business meetings of the Corporation and all meetings of regular and/or ad hoc committees of the Corporation.

ARTICLE 7. AMENDMENTS; BYLAWS AND POLICIES

Section 1. Bylaws

Bylaws may be adopted, amended or repealed at any business meeting of the Corporation provided prior notice thereof has been given to the members as herein provided for annual and special business meetings of the Corporation. Approval will require two-thirds (2/3) majority of the individual members of record present. Proposals for amendments to or changing the bylaws must be duly warned to the membership no less than ten (10) calendar days prior to the date of the proposed meeting.

Proposals for amendments to or changing the bylaws may be generated by the Executive Council or by Corporation members. When the proposal is forthcoming from corporation members, a petition for proposed amendments or changes to the Bylaws must be presented to the Executive Director with the signatures of five percent (5%) of the individual Corporation members by February 1, for consideration at the annual business meeting of the Corporation, and no less than sixty (60) calendar days prior to any special business meeting of the Corporation. All such proposed changes will be considered by the Executive Council and its position will be made known to the membership when the warning for the meeting is published. Such proposals may be edited for consistency with the language of the Bylaws, and may be reviewed for legal implications but no changes may be made in the substance of the proposal.

Section 2. Policies

All policies governing student activities shall be voted by the Activities Standards Committee subject to the approval by the Executive Council. The Executive Council may require that the members of the Corporation vote on any policy. If the Executive Council submits a policy affecting activities for decision by the members, one (1) delegate per member school shall vote on activities items.

Proposals for revisions or additions to activities policies may be generated by the Executive Council, the Activities Standards Committee, or by delegates from member school. A petition from the delegates for proposed revisions or additions to activities policies must be presented to the Executive Director with the signatures of five percent (5%) of the delegates from member schools.

Upon receipt of the proposals, the Executive Director will refer the proposal to the Activities Standards Committee, which will consult the appropriate activity committee and make a recommendation to the Executive Council. The Council will review the matter and take such action, as it deems appropriate.

(Please note: Enforcement and appeals are governed through VPA policy)

ARTICLE 8: Legal Action

The VPA is a voluntary association, which is democratically governed. VPA member schools agree to abide by final decisions of the VPA. VPA members agree that litigation by members against the VPA undermines the VPA governance structure and wastes valuable resources that could otherwise be devoted to students.

1. Action against the Association by a member school.

Any VPA member school which is a party to legal action in any court to overturn, stay, or enjoin any final decision of the VPA and is subsequently unsuccessful in seeking a verdict shall be liable for reasonable costs and attorney's fees incurred by the Association in defending against such action.

2. Should the Association be forced to initiate legal action to collect the aforementioned costs and attorney's fees, the member school shall be additionally liable for the Association's reasonable costs and attorney's fees resulting from the collection action.

Last modified on August 5, 2014

EXHIBIT 2

The Vermont Principals' Association

Supporting Leaders and Learners



IMPORTANT NOW

- [2023 Leadership Academy](#)
- [Professional Learning & Support](#)
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- [Reporting a Concern](#)

Executive Council VPA Executive Council (from The VPA Bylaws)

“There shall be an Executive Council of fifteen (15) members consisting of the President and President-elect of the Corporation, the NASSP Coordinator and the NAESP State Representative, Past President, Associate/Assistant Principal, Technical Director elected at an annual meeting of the Corporation; and eight (8) member-representatives. The terms of office for the member-representatives shall begin on July 1 following election by the school members and continue for two consecutive three (3) year terms or when an officer’s term of office is over. In cases of vacancies, the Council will appoint the representative to complete the year (i.e., ending the following June 30). The appointee will be able to serve two of his/her own full terms starting with the next year.

Whenever there are openings, the Executive Council shall strive to achieve a balance of its membership by considering factors as level of assignment, size of school, gender, and geographical distribution.

The Executive Council shall act as the governing body of the Corporation. The Council shall do the following:

1. Establish a budget for the member school funds;
2. Budget for professional dues and funds;
3. Approve an annual budget and audit;
4. Exercise authority and supervision to control expenditures made by officers and employees designated by the Executive Council to have initial authority to make such expenditures;
5. Oversee the work of its standing committees (Activity Standards Committee and The Professional Learning and Support Committee);
6. Appoint any other necessary committees and delegate responsibilities to those committees.

Further, the Council shall have the authority to appoint any necessary committees and delegate responsibilities to those

VPA SPONSORS

Executive Council – Vermont Principals' Association

committees. The Executive Council may act in regular or special meetings, and may conduct meetings by electronic means. Regular meetings will occur at least four times in the calendar year at such times as will be established by the Executive Council. Special meetings may be called if at least three (3) council members request it. The Executive Director shall send notice of regular or special meetings to all council members. A majority of the members of the Executive Council constitutes a quorum for the transaction of business.”

**2022 – 2023 Executive Council**

Beth O'Brien, President, Principal, Richford Schools

Rebecca Fillion, President Elect, Principal, Twin Valley Elementary School

Bob Thibault, Past President, Principal, Leland and Gray School

Chris Young, NASSP State Rep, Principal, North Country High School

Holly Rouelle, NAESP State Rep, Principal, Gertrude Chamberlain School

Pam Arnold, Retired Member

Sarah Pickering, Principal, Arlington Memorial High School

Adam Bunting, Principal, Champlain Valley Union High School

Erica LeClair, Assistant Principal, Colchester High School

Nathan McNaughton, Principal, Riverside Middle School

Christie Martin, Co-Principal, Missisquoi Valley Union Middle School

Patrick Guckin, Tech Center Director, St. Johnsbury Academy

Mary Guggenberger, Principal, Killington Elementary School

VPA Staff

Jay Nichols, VPA Executive Director

EXHIBIT 3



The Vermont Principals' Association

Supporting Leaders and Learners



IMPORTANT NOW

- [2023 Leadership Academy](#)

- [Professional Learning & Support](#)

- [Education Directory Errata Sheet](#)

- [VPA National Member Associations](#)

IMPORTANT ATHLETICS INFO

- [Sports Calendar](#)

- [High School Policies](#)

- [Middle School Policies](#)

- [FAQs for Athletics](#)

- [VT Sports Officials Associations](#)

- [NFHS: Stream Online](#)

- [NFHS](#)

- [Reporting a Concern](#)

Activity Standards Committee VPA ACTIVITY STANDARDS COMMITTEE

The Activity Standards Committee is made up of eleven members. Nine members are VPA members appointed by the Executive Council. Two members are representatives of the Vermont State Athletic Directors Association and are appointed by that association.

The Activity Standards Committee meets formally five times per year. The VPA Activity Standards Committee coordinates and approves the work of all activities committees, interprets and enforces eligibility regulations for interscholastic activities, conducts hearing involving probable violations of by-laws and policies and performs such other duties as assigned by the Executive Council.

2021 – 2022 Activity Standards Committee

- Mark Mooney – Principal – Twinfield – Chair
- Christy Collutti – Principal – Proctor Elem.
- Matt DeBlois – Principal – Vergennes Elem.
- Jeff Goodrich – Asst. Principal – Essex HS
- Andre Messier – Principal – Lake Region UHS
- Mike Weston – Principal – Mt. Mansfield UHS
- Frank Pecora – retired Administrator
- Jay Hartman – Principal – Missisquoi Valley UHS
- Heidi Wright – Athletic Director – White River Valley HS*
- Lauren Thomas, Assistant Executive Director, Vermont Principals' Association

* representatives of VT State Athletic Directors Association

VPA SPONSORS

EXHIBIT 4

| | | |
|--|---|---|
| 990 Form Department of the Treasury | Return of Organization Exempt From Income Tax Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations) Do not enter social security numbers on this form as it may be made public. ▶ Go to www.irs.gov/Form990 for instructions and the latest information. | OMB No. 1545-0047 2021 Open to Public Inspection |
|--|---|---|

For the 2021 calendar year, or tax year beginning 07-01-2021, and ending 06-30-2022

| | | |
|---|--|---|
| B Check if applicable: <input type="checkbox"/> Address change <input type="checkbox"/> Name change <input type="checkbox"/> Initial return <input type="checkbox"/> Final return/terminated <input type="checkbox"/> Amended return <input checked="" type="checkbox"/> Application pending | C Name of organization VERMONT PRINCIPALS ASSOCIATION INC Doing business as Number and street (or P.O. box if mail is not delivered to street address) Room/suite 2 PROSPECT STREET City or town, state or province, country, and ZIP or foreign postal code MONTPELIER, VT 05602 | D Employer identification number 03-6006002 E Telephone number (802) 229-0547 G Gross receipts \$ 1,617,693 |
| F Name and address of principal officer: JAY NICHOLS 2 PROSPECT STREET MONTPELIER, VT 05602 | | H(a) Is this a group return for subordinates? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No H(b) Are all subordinates included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "No," attach a list. See instructions. H(c) Group exemption number ▶ |
| I Tax-exempt status: <input checked="" type="checkbox"/> 501(c)(3) <input type="checkbox"/> 501(c) () ◀(insert no.) <input type="checkbox"/> 4947(a)(1) or <input type="checkbox"/> 527 | | |
| J Website: ▶ WWW.VPAONLINE.ORG | | |
| K Form of organization: <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Trust <input type="checkbox"/> Association <input type="checkbox"/> Other ▶ | | L Year of formation: 1915 M State of legal domicile: VT |

| Part I Summary | | | |
|-----------------------------|----------|--|--|
| Activities & Governance | 1 | Briefly describe the organization's mission or most significant activities: PROVIDING EXEMPLARY PROGRAMS AND SERVICES THAT SUPPORT VERMONT'S STUDENTS AND ITS SCHOOL LEADERS. | |
| | 2 | Check this box <input type="checkbox"/> if the organization discontinued its operations or disposed of more than 25% of its net assets. | |
| | 3 | Number of voting members of the governing body (Part VI, line 1a) | 3 15 |
| | 4 | Number of independent voting members of the governing body (Part VI, line 1b) | 4 15 |
| | 5 | Total number of individuals employed in calendar year 2021 (Part V, line 2a) | 5 5 |
| | 6 | Total number of volunteers (estimate if necessary) | 6 250 |
| | 7a | Total unrelated business revenue from Part VIII, column (C), line 12 | 7a 0 |
| | 7b | Net unrelated business taxable income from Form 990-T, Part I, line 11 | 7b |
| Revenue | 8 | Contributions and grants (Part VIII, line 1h) | Prior Year 982,467 Current Year 682,516 |
| | 9 | Program service revenue (Part VIII, line 2g) | 393,955 862,501 |
| | 10 | Investment income (Part VIII, column (A), lines 3, 4, and 7d) | 71,710 7,054 |
| | 11 | Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e) | 15,076 38,038 |
| | 12 | Total revenue—add lines 8 through 11 (must equal Part VIII, column (A), line 12) | 1,463,208 1,590,109 |
| | Expenses | 13 | Grants and similar amounts paid (Part IX, column (A), lines 1-3) |
| 14 | | Benefits paid to or for members (Part IX, column (A), line 4) | 0 |
| 15 | | Salaries, other compensation, employee benefits (Part IX, column (A), lines 5-10) | 616,449 659,639 |
| 16a | | Professional fundraising fees (Part IX, column (A), line 11e) | 0 |
| | | b Total fundraising expenses (Part IX, column (D), line 25) ▶ 47,028 | |
| 17 | | Other expenses (Part IX, column (A), lines 11a-11d, 11f-24e) | 487,191 690,003 |
| | 18 | Total expenses. Add lines 13-17 (must equal Part IX, column (A), line 25) | 1,330,140 1,571,369 |
| | 19 | Revenue less expenses. Subtract line 18 from line 12 | 133,068 18,740 |
| Net Assets or Fund Balances | 20 | Total assets (Part X, line 16) | Beginning of Current Year 1,229,601 End of Year 1,153,261 |
| | 21 | Total liabilities (Part X, line 26) | 265,247 220,638 |
| | 22 | Net assets or fund balances. Subtract line 21 from line 20 | 964,354 932,623 |

Part II Signature Block

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

| | | | |
|------------------|---|------------|--|
| | | 2022-10-12 | |
| Sign Here | Signature of officer | Date | |
| | JAY NICHOLS Executive Direc Type or print name and title | | |

| | | | | | |
|-------------------------------|---|----------------------|------|---|----------------|
| Paid Preparer Use Only | Print/Type preparer's name | Preparer's signature | Date | Check <input type="checkbox"/> if self-employed | PTIN P00200111 |
| | Firm's name ▶ Fothergill Segale & Valley CPAs | | | Firm's EIN ▶ 03-0300841 | |
| | Firm's address ▶ 143 Barre Street Montpelier, VT 05602 | | | Phone no. (802) 223-6261 | |

Part III Statement of Program Service Accomplishments

Check if Schedule O contains a response or note to any line in this Part III

1 Briefly describe the organization's mission:
 PROVIDING EXEMPLARY PROGRAMS AND SERVICES THAT SUPPORT VERMONT'S STUDENTS AND ITS SCHOOL LEADERS.

2 Did the organization undertake any significant program services during the year which were not listed on the prior Form 990 or 990-EZ? Yes No
 If "Yes," describe these new services on Schedule O.

3 Did the organization cease conducting, or make significant changes in how it conducts, any program services? Yes No
 If "Yes," describe these changes on Schedule O.

4 Describe the organization's program service accomplishments for each of its three largest program services, as measured by expenses. Section 501(c)(3) and 501(c)(4) organizations are required to report the amount of grants and allocations to others, the total expenses, and revenue, if any, for each program service reported.

4a (Code:) (Expenses \$ 726,462 including grants of \$) (Revenue \$ 476,179)
 Provide sponsorship of co-curricular activities that support academics and cultivate the high ideals of good citizenship, leadership and sportsmanship.

4b (Code:) (Expenses \$ 686,189 including grants of \$) (Revenue \$ 422,272)
 Deliver professional development opportunities by providing professional academic and leadership components for members. The program supports best practices and models. The program also works to develop a strong networking system for members including: active regional groups, collaboration with other organizations and joint planning and peer associations.

4c (Code:) (Expenses \$ including grants of \$) (Revenue \$)

4d Other program services (Describe in Schedule O.)
 (Expenses \$ including grants of \$) (Revenue \$)

4e Total program service expenses **1,412,651**

Part IV Checklist of Required Schedules

- 1 Is the organization described in section 501(c)(3) or 4947(a)(1) (other than a private foundation)? If "Yes," complete Schedule A
- 2 Is the organization required to complete Schedule B, Schedule of Contributors? See instructions.
- 3 Did the organization engage in direct or indirect political campaign activities on behalf of or in opposition to candidates for public office? If "Yes," complete Schedule C, Part I
- 4 **Section 501(c)(3) organizations.** Did the organization engage in lobbying activities, or have a section 501(h) election in effect during the tax year? If "Yes," complete Schedule C, Part II
- 5 Is the organization a section 501(c)(4), 501(c)(5), or 501(c)(6) organization that receives membership dues, assessments, or similar amounts as defined in Rev. Proc. 98-19? If "Yes," complete Schedule C, Part III
- 6 Did the organization maintain any donor advised funds or any similar funds or accounts for which donors have the right to provide advice on the distribution or investment of amounts in such funds or accounts? If "Yes," complete Schedule D, Part I
- 7 Did the organization receive or hold a conservation easement, including easements to preserve open space, the environment, historic land areas, or historic structures? If "Yes," complete Schedule D, Part II
- 8 Did the organization maintain collections of works of art, historical treasures, or other similar assets? If "Yes," complete Schedule D, Part III
- 9 Did the organization report an amount in Part X, line 21 for escrow or custodial account liability; serve as a custodian for amounts not listed in Part X; or provide credit counseling, debt management, credit repair, or debt negotiation services? If "Yes," complete Schedule D, Part IV
- 10 Did the organization, directly or through a related organization, hold assets in temporarily restricted endowments, permanent endowments, or quasi endowments? If "Yes," complete Schedule D, Part V
- 11 If the organization's answer to any of the following questions is "Yes," then complete Schedule D, Parts VI, VII, VIII, IX, or X, as applicable.
 - a Did the organization report an amount for land, buildings, and equipment in Part X, line 10? If "Yes," complete Schedule D, Part VI
 - b Did the organization report an amount for investments—other securities in Part X, line 12 that is 5% or more of its total assets reported in Part X, line 16? If "Yes," complete Schedule D, Part VII
 - c Did the organization report an amount for investments—program related in Part X, line 13 that is 5% or more of its total assets reported in Part X, line 16? If "Yes," complete Schedule D, Part VIII
 - d Did the organization report an amount for other assets in Part X, line 15 that is 5% or more of its total assets reported in Part X, line 16? If "Yes," complete Schedule D, Part IX
 - e Did the organization report an amount for other liabilities in Part X, line 25? If "Yes," complete Schedule D, Part X
 - f Did the organization's separate or consolidated financial statements for the tax year include a footnote that addresses the organization's liability for uncertain tax positions under FIN 48 (ASC 740)?
- 12a Did the organization prepare separate, independent audited financial statements for the tax year? If "Yes," complete Schedule D, Parts XI and XII
- b Was the organization included in consolidated, independent audited financial statements for the tax year? If "Yes," and if the organization answered "No" to line 12a, then completing Schedule D, Parts XI and XII is optional
- 13 Is the organization a school described in section 170(b)(1)(A)(ii)? If "Yes," complete Schedule E
- 14a Did the organization maintain an office, employees, or agents outside of the United States?
- b Did the organization have aggregate revenues or expenses of more than \$10,000 from grantmaking, fundraising, business, investment, and program service activities outside the United States, or aggregate foreign investments valued at \$100,000 or more? If "Yes," complete Schedule F, Parts I and IV
- 15 Did the organization report on Part IX, column (A), line 3, more than \$5,000 of grants or other assistance to or for any foreign organization? If "Yes," complete Schedule F, Parts II and IV
- 16 Did the organization report on Part IX, column (A), line 3, more than \$5,000 of aggregate grants or other assistance to or for foreign individuals? If "Yes," complete Schedule F, Parts III and IV
- 17 Did the organization report a total of more than \$15,000 of expenses for professional fundraising services on Part IX, column (A), lines 6 and 11e? If "Yes," complete Schedule G, Part I. See instructions.
- 18 Did the organization report more than \$15,000 total of fundraising event gross income and contributions on Part VIII, lines 1c and 8a? If "Yes," complete Schedule G, Part II
- 19 Did the organization report more than \$15,000 of gross income from gaming activities on Part VIII, line 9a? If "Yes," complete Schedule G, Part III
- 20a Did the organization operate one or more hospital facilities? If "Yes," complete Schedule H
- b If "Yes" to line 20a, did the organization attach a copy of its audited financial statements to this return?
- 21 Did the organization report more than \$5,000 of grants or other assistance to any domestic organization or domestic government on Part IX, column (A), line 1? If "Yes," complete Schedule I, Parts I and II

| | Yes | No |
|-----|-----|----|
| 1 | Yes | |
| 2 | Yes | |
| 3 | | No |
| 4 | Yes | |
| 5 | | No |
| 6 | | No |
| 7 | | No |
| 8 | | No |
| 9 | | No |
| 10 | | No |
| 11a | Yes | |
| 11b | | No |
| 11c | | No |
| 11d | | No |
| 11e | Yes | |
| 11f | | No |
| 12a | Yes | |
| 12b | | No |
| 13 | | No |
| 14a | | No |
| 14b | | No |
| 15 | | No |
| 16 | | No |
| 17 | | No |
| 18 | | No |
| 19 | | No |
| 20a | | No |
| 20b | | |
| 21 | Yes | |

Exhibit 4 Page 3

Part IV Checklist of Required Schedules (continued)

Table with 3 columns: Question ID, Question Text, and Yes/No columns. Rows include questions 22 through 38 regarding grants, compensation, tax-exempt bonds, and related party transactions.

Part V Statements Regarding Other IRS Filings and Tax Compliance

Check if Schedule O contains a response or note to any line in this Part V

Table with 3 columns: Question ID, Question Text, and Yes/No columns. Rows include questions 1a, 1b, and 1c regarding Form 1096, W-2G forms, and backup withholding rules.

Exhibit 4, Page 4

Part V Statements Regarding Other IRS Filings and Tax Compliance (continued)

| | | | | | | |
|------------|---|------------|---|-----|----|-------------------|
| 2a | Enter the number of employees reported on Form W-3, Transmittal of Wage and Tax Statements, filed for the calendar year ending with or within the year covered by this return | 2a | 5 | | | |
| b | If at least one is reported on line 2a, did the organization file all required federal employment tax returns? Note. If the sum of lines 1a and 2a is greater than 250, you may be required to e-file. See instructions. | 2b | | Yes | | |
| 3a | Did the organization have unrelated business gross income of \$1,000 or more during the year? | 3a | | | No | |
| b | If "Yes," has it filed a Form 990-T for this year? If "No" to line 3b, provide an explanation in Schedule O | 3b | | | | |
| 4a | At any time during the calendar year, did the organization have an interest in, or a signature or other authority over, a financial account in a foreign country (such as a bank account, securities account, or other financial account)? | 4a | | | No | |
| b | If "Yes," enter the name of the foreign country: _____ See instructions for filing requirements for FinCEN Form 114, Report of Foreign Bank and Financial Accounts (FBAR). | | | | | |
| 5a | Was the organization a party to a prohibited tax shelter transaction at any time during the tax year? | 5a | | | No | |
| b | Did any taxable party notify the organization that it was or is a party to a prohibited tax shelter transaction? | 5b | | | No | |
| c | If "Yes," to line 5a or 5b, did the organization file Form 8886-T? | 5c | | | | |
| 6a | Does the organization have annual gross receipts that are normally greater than \$100,000, and did the organization solicit any contributions that were not tax deductible as charitable contributions? | 6a | | | No | |
| b | If "Yes," did the organization include with every solicitation an express statement that such contributions or gifts were not tax deductible? | 6b | | | | |
| 7 | Organizations that may receive deductible contributions under section 170(c). | | | | | |
| a | Did the organization receive a payment in excess of \$75 made partly as a contribution and partly for goods and services provided to the payor? | 7a | | | No | |
| b | If "Yes," did the organization notify the donor of the value of the goods or services provided? | 7b | | | | |
| c | Did the organization sell, exchange, or otherwise dispose of tangible personal property for which it was required to file Form 8282? | 7c | | | No | |
| d | If "Yes," indicate the number of Forms 8282 filed during the year | 7d | 0 | | | |
| e | Did the organization receive any funds, directly or indirectly, to pay premiums on a personal benefit contract? | 7e | | | No | |
| f | Did the organization, during the year, pay premiums, directly or indirectly, on a personal benefit contract? | 7f | | | No | |
| g | If the organization received a contribution of qualified intellectual property, did the organization file Form 8899 as required? | 7g | | | No | |
| h | If the organization received a contribution of cars, boats, airplanes, or other vehicles, did the organization file a Form 1098-C? | 7h | | | No | |
| 8 | Sponsoring organizations maintaining donor advised funds. Did a donor advised fund maintained by the sponsoring organization have excess business holdings at any time during the year? | 8 | | | | |
| 9 | Sponsoring organizations maintaining donor advised funds. | | | | | |
| a | Did the sponsoring organization make any taxable distributions under section 4966? | 9a | | | | |
| b | Did the sponsoring organization make a distribution to a donor, donor advisor, or related person? | 9b | | | | |
| 10 | Section 501(c)(7) organizations. Enter: | | | | | |
| a | Initiation fees and capital contributions included on Part VIII, line 12 | 10a | | | | |
| b | Gross receipts, included on Form 990, Part VIII, line 12, for public use of club facilities | 10b | | | | |
| 11 | Section 501(c)(12) organizations. Enter: | | | | | |
| a | Gross income from members or shareholders | 11a | | | | |
| b | Gross income from other sources. (Do not net amounts due or paid to other sources against amounts due or received from them.) | 11b | | | | |
| 12a | Section 4947(a)(1) non-exempt charitable trusts. Is the organization filing Form 990 in lieu of Form 1041? | 12a | | | | |
| b | If "Yes," enter the amount of tax-exempt interest received or accrued during the year. | 12b | | | | |
| 13 | Section 501(c)(29) qualified nonprofit health insurance issuers. | | | | | |
| a | Is the organization licensed to issue qualified health plans in more than one state? Note. See the instructions for additional information the organization must report on Schedule O. | 13a | | | | |
| b | Enter the amount of reserves the organization is required to maintain by the states in which the organization is licensed to issue qualified health plans | 13b | | | | |
| c | Enter the amount of reserves on hand | 13c | | | | |
| 14a | Did the organization receive any payments for indoor tanning services during the tax year? | 14a | | | No | |
| b | If "Yes," has it filed a Form 720 to report these payments? If "No," provide an explanation in Schedule O | 14b | | | | |
| 15 | Is the organization subject to the section 4960 tax on payment(s) of more than \$1,000,000 in remuneration or excess parachute payment(s) during the year? | 15 | | | No | |
| 16 | Is the organization subject to the section 4968 excise tax on net investment income? Note. See the instructions for additional information the organization must report on Schedule O. | 16 | | | No | |
| 17 | Section 501(c)(21) organizations. Did the trust, any disqualified person, or mine operator engage in any activities that would result in the imposition of an excise tax under section 4951, 4952, or 4953? If "Yes," complete Form 6069. | 17 | | | | Exhibit 4, Page 5 |

Part VI

Governance, Management, and Disclosure. For each "Yes" response to lines 2 through 7b below, and for a "No" response to lines 8a, 8b, or 10b below, describe the circumstances, processes, or changes in Schedule O. See instructions. Check if Schedule O contains a response or note to any line in this Part VI



Section A. Governing Body and Management

Table with 3 columns: Question, Yes, No. Rows include: 1a (Voting members), 1b (Independent members), 2 (Family relationships), 3 (Management delegation), 4 (Governing documents), 5 (Asset diversion), 6 (Members/stockholders), 7a (Election power), 7b (Reserved decisions), 8 (Meeting documentation), 8a/b (Documentation types), 9 (Officer reachability).

Section B. Policies (This Section B requests information about policies not required by the Internal Revenue Code.)

Table with 3 columns: Question, Yes, No. Rows include: 10a (Local chapters), 10b (Policies consistency), 11a (Form 990 distribution), 11b (Review process), 12a (Conflict of interest policy), 12b/c (Policy enforcement), 13 (Whistleblower policy), 14 (Document retention), 15a/b (Compensation review), 16a (Joint ventures), 16b (Joint venture policy).

Section C. Disclosure

- 17 List the states with which a copy of this Form 990 is required to be filed
18 Section 6104 requires an organization to make its Form 1023 (1024 or 1024-A, if applicable), 990, and 990-T (section 501(c)(3)s only) available for public inspection. Indicate how you made these available. Check all that apply.
19 Describe in Schedule O whether (and if so, how) the organization made its governing documents, conflict of interest policy, and financial statements available to the public during the tax year.
20 State the name, address, and telephone number of the person who possesses the organization's books and records.

Exhibit 4, Page 6

Part VII Compensation of Officers, Directors, Trustees, Key Employees, Highest Compensated Employees, and Independent Contractors
 Check if Schedule O contains a response or note to any line in this Part VII

Section A. Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees

1a Complete this table for all persons required to be listed. Report compensation for the calendar year ending with or within the organization's tax year.

- List all of the organization's **current** officers, directors, trustees (whether individuals or organizations), regardless of amount of compensation. Enter -0- in columns (D), (E), and (F) if no compensation was paid.
- List all of the organization's **current** key employees, if any. See the instructions for definition of "key employee."
- List the organization's five **current** highest compensated employees (other than an officer, director, trustee or key employee) who received reportable compensation (box 5 of Form W-2, Form 1099-MISC, and/or box 1 of Form 1099-NEC) of more than \$100,000 from the organization and any related organizations.
- List all of the organization's **former** officers, key employees, or highest compensated employees who received more than \$100,000 of reportable compensation from the organization and any related organizations.
- List all of the organization's **former directors or trustees** that received, in the capacity as a former director or trustee of the organization, more than \$10,000 of reportable compensation from the organization and any related organizations.

See the instructions for the order in which to list the persons above.

Check this box if neither the organization nor any related organization compensated any current officer, director, or trustee.

| (A) Name and title | (B) Average hours per week (list any hours for related organizations below dotted line) | (C) Position (do not check more than one box, unless person is both an officer and a director/trustee) | | | | | | (D) Reportable compensation from the organization (W-2/1099-MISC/1099-NEC) | (E) Reportable compensation from related organizations (W-2/1099-MISC/1099-NEC) | (F) Estimated amount of other compensation from the organization and related organizations |
|--|--|---|-----------------------|---------|--------------|------------------------------|--------|---|--|---|
| | | Individual trustee or director | Institutional Trustee | Officer | Key employee | Highest compensated employee | Former | | | |
| (1) JAY NICHOLS Executive Dir. | 55.00 0.00 | | | X | | | | 131,326 | 0 | 42,355 |
| (2) BOB JOHNSON ASSOC EX DIR | 40.00 0.00 | | | | | | | 115,224 | 0 | 41,178 |
| (3) MICHAEL J MCRAITH ASSOC EX DIR | 40.00 0.00 | | | | | | | 107,319 | 0 | 8,061 |
| (4) LARRY FLIEGELMAN BOARD MEMBER | 1.00 0.00 | X | | | | | | 0 | 0 | 0 |
| (5) BOB THIBAUT Past-President | 1.00 0.00 | X | | X | | | | 0 | 0 | 0 |
| (6) CHRIS YOUNG BOARD MEMBER | 1.00 0.00 | X | | | | | | 0 | 0 | 0 |
| (7) SARAH PICKERING BOARD MEMBER | 1.00 0.00 | X | | | | | | 0 | 0 | 0 |
| (8) ADAM BUNTING BOARD MEMBER | 1.00 0.00 | X | | | | | | 0 | 0 | 0 |
| (9) ERICA LECLAIR BOARD MEMBER | 1.00 0.00 | X | | | | | | 0 | 0 | 0 |
| (10) CHRISTIE MARTIN BOARD MEMBER | 1.00 0.00 | X | | | | | | 0 | 0 | 0 |
| (11) PATRICK GUCKIN BOARD MEMBER | 1.00 0.00 | X | | | | | | 0 | 0 | 0 |
| (12) MARY GUGGENBERGER BOARD MEMBER | 1.00 0.00 | X | | | | | | 0 | 0 | 0 |
| (13) NATHAN MCNAUGHTON BOARD MEMBER | 1.00 0.00 | X | | | | | | 0 | 0 | 0 |
| (14) BETH O'BRIEN PRESIDENT | 1.00 0.00 | X | | X | | | | 0 | 0 | 0 |
| (15) PAM ARNOLD BOARD MEMBER | 1.00 0.00 | X | | | | | | 0 | 0 | 0 |
| (16) STEVE PERRIN Board Member | 1.00 0.00 | X | | | | | | 0 | 0 | 0 |
| (17) REBECCA FILLION PRESIDENT ELECT | 1.00 0.00 | X | | X | | | | 0 | 0 | 0 |

Exhibit 4, Page 7

Part VIII Statement of Revenue
 Check if Schedule O contains a response or note to any line in this Part VIII

| | (A) Total revenue | (B) Related or exempt function revenue | (C) Unrelated business revenue | (D) Revenue excluded from tax under sections 512 - 514 |
|---|----------------------|--|---|--|
| Contributions, Gifts, Grants, and Other Amt Similar Amounts | | | | |
| 1a Federated campaigns . . . | | 1a | | |
| b Membership dues . . . | | 1b | 413,821 | |
| c Fundraising events . . . | | 1c | | |
| d Related organizations | | 1d | | |
| e Government grants (contributions) | | 1e | | |
| f All other contributions, gifts, grants, and similar amounts not included above | | 1f | 268,695 | |
| g Noncash contributions included in lines 1a - 1f: \$ | | 1g | | |
| h Total. Add lines 1a-1f . . . | | | | 682,516 |

| Program Service Revenue | | Business Code | | | | |
|---|--------|---------------|---------|---------|--|--|
| | | | (A) | (B) | | |
| 2a CONFERENCES | | | | | | |
| | 541900 | | 330,593 | 330,593 | | |
| b MENTORING INCOME | | | | | | |
| | 541900 | | 53,269 | 53,269 | | |
| c SPONSORSHIP INCOME | | | | | | |
| | 541900 | | 103,994 | 103,994 | | |
| d TOURNAMENTS & COMMITTEES | | | | | | |
| | 541900 | | 374,645 | 374,645 | | |
| e | | | | | | |
| f All other program service revenue. | | | | | | |
| g Total. Add lines 2a-2f. | | | 862,501 | | | |

| | | | | | | | | |
|---|--|-----------------------------------|---|-----------|-------|-------|-------|--|
| Other Revenue | 3 Investment income (including dividends, interest, and other similar amounts) | | | 5,939 | | | 5,939 | |
| | 4 Income from investment of tax-exempt bond proceeds | | | 0 | | | 0 | |
| | 5 Royalties | | | 0 | | | 0 | |
| | 6a Gross rents | | (i) Real (ii) Personal | | | | | |
| | | | 6a | | | | | |
| | | | b Less: rental expenses | 6b | | | | |
| | | | c Rental income or (loss) | 6c | | | | |
| | d Net rental income or (loss) | | | | 0 | | | |
| | 7a Gross amount from sales of assets other than inventory | | (i) Securities (ii) Other | | | | | |
| | | | 7a | 10,000 | | | | |
| | | | b Less: cost or other basis and sales expenses | 7b | 8,885 | | | |
| | | | c Gain or (loss) | 7c | 1,115 | | | |
| | d Net gain or (loss) | | | | 1,115 | 1,115 | | |
| | 8a Gross income from fundraising events (not including \$ of contributions reported on line 1c). See Part IV, line 18 | | | | | | | |
| | | | 8a | | | | | |
| b Less: direct expenses | | | 8b | | | | | |
| c Net income or (loss) from fundraising events | | | | 0 | | | | |
| 9a Gross income from gaming activities. See Part IV, line 19 | | | | | | | | |
| | | 9a | | | | | | |
| | | b Less: direct expenses | 9b | | | | | |
| c Net income or (loss) from gaming activities | | | | 0 | | | | |
| 10a Gross sales of inventory, less returns and allowances | | | | | | | | |
| | | 10a | 21,902 | | | | | |
| | | b Less: cost of goods sold | 10b | 18,699 | | | | |
| c Net income or (loss) from sales of inventory | | | | 3,203 | 3,203 | | | |
| Miscellaneous Revenue | Business Code | | | | | | | |
| 11a MISCELLANEOUS INCOME | 900099 | | 34,835 | 34,835 | | | | |
| b | | | | | | | | |
| c | | | | | | | | |
| d All other revenue | | | | | | | | |
| e Total. Add lines 11a-11d | | | 34,835 | | | | | |
| 12 Total revenue. See instructions | | | 1,590,109 | 898,451 | | 9,142 | | |

Part IX Statement of Functional Expenses

Section 501(c)(3) and 501(c)(4) organizations must complete all columns. All other organizations must complete column (A).

Check if Schedule O contains a response or note to any line in this Part IX

| Do not include amounts reported on lines 6b, 7b, 8b, 9b, and 10b of Part VIII. | (A) Total expenses | (B) Program service expenses | (C) Management and general expenses | (D) Fundraising expenses |
|--|-----------------------|---------------------------------|--|-----------------------------|
| 1 Grants and other assistance to domestic organizations and domestic governments. See Part IV, line 21 | 215,227 | 215,227 | | |
| 2 Grants and other assistance to domestic individuals. See Part IV, line 22 | 6,500 | 6,500 | | |
| 3 Grants and other assistance to foreign organizations, foreign governments, and foreign individuals. See Part IV, lines 15 and 16. | 0 | | | |
| 4 Benefits paid to or for members | 0 | | | |
| 5 Compensation of current officers, directors, trustees, and key employees | 140,892 | 114,137 | 18,828 | 7,927 |
| 6 Compensation not included above, to disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B) | 0 | | | |
| 7 Other salaries and wages | 369,258 | 299,137 | 49,346 | 20,775 |
| 8 Pension plan accruals and contributions (include section 401(k) and 403(b) employer contributions) | 32,155 | 26,049 | 4,297 | 1,809 |
| 9 Other employee benefits | 77,671 | 62,922 | 10,380 | 4,369 |
| 10 Payroll taxes | 39,663 | 32,132 | 5,300 | 2,231 |
| 11 Fees for services (non-employees): | | | | |
| a Management | 0 | | | |
| b Legal | 2,224 | 2,224 | | |
| c Accounting | 2,145 | 1,737 | 287 | 121 |
| d Lobbying | 0 | | | |
| e Professional fundraising services. See Part IV, line 17 | 0 | | | |
| f Investment management fees | 0 | | | |
| g Other (If line 11g amount exceeds 10% of line 25, column (A) amount, list line 11g expenses on Schedule O) | 55,124 | 52,189 | 2,066 | 869 |
| 12 Advertising and promotion | 3,283 | 2,659 | 439 | 185 |
| 13 Office expenses | 9,015 | 7,302 | 1,205 | 508 |
| 14 Information technology | 0 | | | |
| 15 Royalties | 0 | | | |
| 16 Occupancy | 27,612 | 22,369 | 3,690 | 1,553 |
| 17 Travel | 3,800 | 3,273 | 367 | 160 |
| 18 Payments of travel or entertainment expenses for any federal, state, or local public officials | 0 | | | |
| 19 Conferences, conventions, and meetings | 186,998 | 173,608 | 9,423 | 3,967 |
| 20 Interest | 0 | | | |
| 21 Payments to affiliates | 0 | | | |
| 22 Depreciation, depletion, and amortization | 5,399 | 4,373 | 721 | 305 |
| 23 Insurance | 25,678 | 20,803 | 3,430 | 1,445 |
| 24 Other expenses. Itemize expenses not covered above (List miscellaneous expenses in line 24e. If line 24e amount exceeds 10% of line 25, column (A) amount, list line 24e expenses on Schedule O.) | | | | |
| a TOURNAMENTS | 285,872 | 285,872 | | |
| b MENTORING | 53,598 | 53,598 | | |
| c EXECUTIVE COUNCIL | 5,973 | 5,973 | | |
| d ACTIVITY STANDARDS COMMITTEE | 4,995 | 4,995 | | |
| e All other expenses | 18,287 | 15,572 | 1,911 | 804 |
| 25 Total functional expenses. Add lines 1 through 24e | 1,571,369 | 1,412,651 | 111,690 | 47,028 |
| 26 Joint costs. Complete this line only if the organization reported in column (B) joint costs from a combined educational campaign and fundraising solicitation. Check here <input type="checkbox"/> if following SOP 98-2 (ASC 958-720). | | | | |

Part X Balance Sheet

Check if Schedule O contains a response or note to any line in this Part IX

| | | (A) Beginning of year | | (B) End of year |
|---|--|--------------------------|-----------|--------------------|
| Assets | 1 Cash-non-interest-bearing | 332,016 | 1 | 243,194 |
| | 2 Savings and temporary cash investments | 411,389 | 2 | 441,821 |
| | 3 Pledges and grants receivable, net | 36,216 | 3 | 70,250 |
| | 4 Accounts receivable, net | 14,375 | 4 | 16,861 |
| | 5 Loans and other receivables from any current or former officer, director, trustee, key employee, creator or founder, substantial contributor, or 35% controlled entity or family member of any of these persons | | 5 | 0 |
| | 6 Loans and other receivables from other disqualified persons (as defined under section 4958(f)(1)), and persons described in section 4958(c)(3)(B) | | 6 | 0 |
| | 7 Notes and loans receivable, net | | 7 | 0 |
| | 8 Inventories for sale or use | 1,086 | 8 | 1,218 |
| | 9 Prepaid expenses and deferred charges | 30,780 | 9 | 13,795 |
| | 10a Land, buildings, and equipment: cost or other basis. Complete Part VI of Schedule D | 10a 27,069 | | |
| | b Less: accumulated depreciation | 10b 13,189 | 12,982 | 10c 13,880 |
| | 11 Investments—publicly traded securities | 340,957 | 11 | 296,824 |
| | 12 Investments—other securities. See Part IV, line 11 | | 12 | 0 |
| | 13 Investments—program-related. See Part IV, line 11 | | 13 | 0 |
| | 14 Intangible assets | | 14 | 0 |
| | 15 Other assets. See Part IV, line 11 | 49,800 | 15 | 55,418 |
| 16 Total assets. Add lines 1 through 15 (must equal line 33) | 1,229,601 | 16 | 1,153,261 | |
| Liabilities | 17 Accounts payable and accrued expenses | 74,342 | 17 | 53,744 |
| | 18 Grants payable | | 18 | |
| | 19 Deferred revenue | 180,000 | 19 | 133,389 |
| | 20 Tax-exempt bond liabilities | | 20 | |
| | 21 Escrow or custodial account liability. Complete Part IV of Schedule D | | 21 | |
| | 22 Loans and other payables to any current or former officer, director, trustee, key employee, creator or founder, substantial contributor, or 35% controlled entity or family member of any of these persons | | 22 | |
| | 23 Secured mortgages and notes payable to unrelated third parties | | 23 | |
| | 24 Unsecured notes and loans payable to unrelated third parties | | 24 | |
| | 25 Other liabilities (including federal income tax, payables to related third parties, and other liabilities not included on lines 17 - 24). Complete Part X of Schedule D | 10,905 | 25 | 33,505 |
| | 26 Total liabilities. Add lines 17 through 25 | 265,247 | 26 | 220,638 |
| Net Assets or Fund Balances | Organizations that follow FASB ASC 958, check here <input checked="" type="checkbox"/> and complete lines 27, 28, 32, and 33. | | | |
| | 27 Net assets without donor restrictions | 934,410 | 27 | 906,706 |
| | 28 Net assets with donor restrictions | 29,944 | 28 | 25,917 |
| | Organizations that do not follow FASB ASC 958, check here <input type="checkbox"/> and complete lines 29 through 33. | | | |
| | 29 Capital stock or trust principal, or current funds | | 29 | |
| | 30 Paid-in or capital surplus, or land, building or equipment fund | | 30 | |
| | 31 Retained earnings, endowment, accumulated income, or other funds | | 31 | |
| | 32 Total net assets or fund balances | 964,354 | 32 | 932,623 |
| 33 Total liabilities and net assets/fund balances | 1,229,601 | 33 | 1,153,261 | |

Part XI Reconciliation of Net Assets

Check if Schedule O contains a response or note to any line in this Part XI

| | | | |
|-----------|--|-----------|-----------|
| 1 | Total revenue (must equal Part VIII, column (A), line 12) | 1 | 1,590,109 |
| 2 | Total expenses (must equal Part IX, column (A), line 25) | 2 | 1,571,369 |
| 3 | Revenue less expenses. Subtract line 2 from line 1 | 3 | 18,740 |
| 4 | Net assets or fund balances at beginning of year (must equal Part X, line 32, column (A)) | 4 | 964,354 |
| 5 | Net unrealized gains (losses) on investments | 5 | -50,471 |
| 6 | Donated services and use of facilities | 6 | |
| 7 | Investment expenses | 7 | |
| 8 | Prior period adjustments | 8 | |
| 9 | Other changes in net assets or fund balances (explain in Schedule O) | 9 | |
| 10 | Net assets or fund balances at end of year. Combine lines 3 through 9 (must equal Part X, line 32, column (A)) | 10 | 932,623 |

Part XII Financial Statements and Reporting

Check if Schedule O contains a response or note to any line in this Part XII

| | Yes | No |
|---|-----|----|
| 1 Accounting method used to prepare the Form 990: <input type="checkbox"/> Cash <input checked="" type="checkbox"/> Accrual <input type="checkbox"/> Other _____ If the organization changed its method of accounting from a prior year or checked "Other," explain on Schedule O. | | |
| 2a Were the organization's financial statements compiled or reviewed by an independent accountant? If "Yes," check a box below to indicate whether the financial statements for the year were compiled or reviewed on a separate basis, consolidated basis, or both: <input type="checkbox"/> Separate basis <input type="checkbox"/> Consolidated basis <input type="checkbox"/> Both consolidated and separate basis | | No |
| b Were the organization's financial statements audited by an independent accountant? If "Yes," check a box below to indicate whether the financial statements for the year were audited on a separate basis, consolidated basis, or both: <input checked="" type="checkbox"/> Separate basis <input type="checkbox"/> Consolidated basis <input type="checkbox"/> Both consolidated and separate basis | Yes | |
| c If "Yes," to line 2a or 2b, does the organization have a committee that assumes responsibility for oversight of the audit, review, or compilation of its financial statements and selection of an independent accountant? If the organization changed either its oversight process or selection process during the tax year, explain in Schedule O. | Yes | |
| 3a As a result of a federal award, was the organization required to undergo an audit or audits as set forth in the Single Audit Act and OMB Circular A-133? | | No |
| b If "Yes," did the organization undergo the required audit or audits? If the organization did not undergo the required audit or audits, explain why in Schedule O and describe any steps taken to undergo such audits. | | |

Form 990 (2021)

Additional Data

Return to Form

Software ID: 21013475

Software Version: 2021v4.0

Form 990, Special Condition Description:

Special Condition Description

SCHEDULE A
(Form 990)

Department of the Treasury
Internal Revenue Service

Public Charity Status and Public Support

Complete if the organization is a section 501(c)(3) organization or a section 4947(a)(1) nonexempt charitable trust.
 Attach to Form 990 or Form 990-EZ.
 Go to www.irs.gov/Form990 for instructions and the latest information.

OMB No. 1545-0047

2021

Open to Public Inspection

Name of the organization
VERMONT PRINCIPALS ASSOCIATION INC

Employer identification number
03-6006002

Part I Reason for Public Charity Status (All organizations must complete this part.) See instructions.

The organization is not a private foundation because it is: (For lines 1 through 12, check only one box.)

- 1 A church, convention of churches, or association of churches described in **section 170(b)(1)(A)(i)**.
- 2 A school described in **section 170(b)(1)(A)(ii)**. (Attach Schedule E (Form 990).)
- 3 A hospital or a cooperative hospital service organization described in **section 170(b)(1)(A)(iii)**.
- 4 A medical research organization operated in conjunction with a hospital described in **section 170(b)(1)(A)(iii)**. Enter the hospital's name, city, and state:
- 5 An organization operated for the benefit of a college or university owned or operated by a governmental unit described in **section 170(b)(1)(A)(iv)**. (Complete Part II.)
- 6 A federal, state, or local government or governmental unit described in **section 170(b)(1)(A)(v)**.
- 7 An organization that normally receives a substantial part of its support from a governmental unit or from the general public described in **section 170(b)(1)(A)(vi)**. (Complete Part II.)
- 8 A community trust described in **section 170(b)(1)(A)(vi)**. (Complete Part II.)
- 9 An agricultural research organization described in **170(b)(1)(A)(ix)** operated in conjunction with a land-grant college or university or a non-land grant college of agriculture. See instructions. Enter the name, city, and state of the college or university:
- 10 An organization that normally receives: (1) more than 33 1/3% of its support from contributions, membership fees, and gross receipts from activities related to its exempt functions—subject to certain exceptions, and (2) no more than 33 1/3% of its support from gross investment income and unrelated business taxable income (less section 511 tax) from businesses acquired by the organization after June 30, 1975. See **section 509(a)(2)**. (Complete Part III.)
- 11 An organization organized and operated exclusively to test for public safety. See **section 509(a)(4)**.
- 12 An organization organized and operated exclusively for the benefit of, to perform the functions of, or to carry out the purposes of one or more publicly supported organizations described in **section 509(a)(1)** or **section 509(a)(2)**. See **section 509(a)(3)**. Check the box on lines 12a through 12d that describes the type of supporting organization and complete lines 12e, 12f, and 12g.
 - a **Type I.** A supporting organization operated, supervised, or controlled by its supported organization(s), typically by giving the supported organization(s) the power to regularly appoint or elect a majority of the directors or trustees of the supporting organization. **You must complete Part IV, Sections A and B.**
 - b **Type II.** A supporting organization supervised or controlled in connection with its supported organization(s), by having control or management of the supporting organization vested in the same persons that control or manage the supported organization(s). **You must complete Part IV, Sections A and C.**
 - c **Type III functionally integrated.** A supporting organization operated in connection with, and functionally integrated with, its supported organization(s) (see instructions). **You must complete Part IV, Sections A, D, and E.**
 - d **Type III non-functionally integrated.** A supporting organization operated in connection with its supported organization(s) that is not functionally integrated. The organization generally must satisfy a distribution requirement and an attentiveness requirement (see instructions). **You must complete Part IV, Sections A and D, and Part V.**
 - e Check this box if the organization received a written determination from the IRS that it is a Type I, Type II, Type III functionally integrated, or Type III non-functionally integrated supporting organization.
 - f Enter the number of supported organizations _____
 - g Provide the following information about the supported organization(s).

| (i) Name of supported organization | (ii) EIN | (iii) Type of organization (described on lines 1- 10 above (see instructions)) | (iv) Is the organization listed in your governing document? | | (v) Amount of monetary support (see instructions) | (vi) Amount of other support (see instructions) |
|------------------------------------|----------|--|---|----|---|---|
| | | | Yes | No | | |
| | | | | | | |
| | | | | | | |
| Total | | | | | | |

Part II Support Schedule for Organizations Described in Sections 170(b)(1)(A)(iv) and 170(b)(1)(A)(vi)
 (Complete only if you checked the box on line 5, 7, or 8 of Part I or if the organization failed to qualify under Part III. If the organization failed to qualify under the tests listed below, please complete Part III.)

Section A. Public Support

| Calendar year (or fiscal year beginning in) ▶ | (a) 2017 | (b) 2018 | (c) 2019 | (d) 2020 | (e) 2021 | (f) Total |
|--|----------|----------|----------|----------|----------|-----------|
| 1 Gifts, grants, contributions, and membership fees received. (Do not include any "unusual grant.") . . . | | | | | | |
| 2 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf | | | | | | |
| 3 The value of services or facilities furnished by a governmental unit to the organization without charge.. | | | | | | |
| 4 Total. Add lines 1 through 3 | | | | | | |
| 5 The portion of total contributions by each person (other than a governmental unit or publicly supported organization) included on line 1 that exceeds 2% of the amount shown on line 11, column (f) | | | | | | |
| 6 Public support. Subtract line 5 from line 4. | | | | | | |

Section B. Total Support

| Calendar year (or fiscal year beginning in) ▶ | (a) 2017 | (b) 2018 | (c) 2019 | (d) 2020 | (e) 2021 | (f) Total |
|---|----------|----------|----------|----------|-----------|-----------|
| 7 Amounts from line 4. | | | | | | |
| 8 Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources | | | | | | |
| 9 Net income from unrelated business activities, whether or not the business is regularly carried on | | | | | | |
| 10 Other income. Do not include gain or loss from the sale of capital assets (Explain in Part VI.) | | | | | | |
| 11 Total support. Add lines 7 through 10 | | | | | | |
| 12 Gross receipts from related activities, etc. (see instructions) | | | | | 12 | |

13 First 5 years. If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and **stop here**

Section C. Computation of Public Support Percentage

| | | |
|--|-----------|--|
| 14 Public support percentage for 2021 (line 6, column (f) divided by line 11, column (f)) | 14 | |
| 15 Public support percentage for 2020 Schedule A, Part II, line 14 | 15 | |

- 16a 33 1/3% support test—2021.** If the organization did not check the box on line 13, and line 14 is 33 1/3% or more, check this box and **stop here.** The organization qualifies as a publicly supported organization
- b 33 1/3% support test—2020.** If the organization did not check a box on line 13 or 16a, and line 15 is 33 1/3% or more, check this box and **stop here.** The organization qualifies as a publicly supported organization
- 17a 10%-facts-and-circumstances test—2021.** If the organization did not check a box on line 13, 16a, or 16b, and line 14 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and **stop here.** Explain in Part VI how the organization meets the "facts-and-circumstances" test. The organization qualifies as a publicly supported organization
- b 10%-facts-and-circumstances test—2020.** If the organization did not check a box on line 13, 16a, 16b, or 17a, and line 15 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and **stop here.** Explain in Part VI how the organization meets the "facts-and-circumstances" test. The organization qualifies as a publicly supported organization
- 18 Private foundation.** If the organization did not check a box on line 13, 16a, 16b, 17a, or 17b, check this box and see instructions

Part III Support Schedule for Organizations Described in Section 509(a)(2)

(Complete only if you checked the box on line 10 of Part I or if the organization failed to qualify under Part II. If the organization fails to qualify under the tests listed below, please complete Part II.)

Section A. Public Support

| Calendar year (or fiscal year beginning in) ▶ | (a) 2017 | (b) 2018 | (c) 2019 | (d) 2020 | (e) 2021 | (f) Total |
|---|-----------|-----------|-----------|-----------|-----------|-----------|
| 1 Gifts, grants, contributions, and membership fees received. (Do not include any "unusual grants.") | 436,122 | 468,329 | 679,792 | 982,467 | 682,516 | 3,249,226 |
| 2 Gross receipts from admissions, merchandise sold or services performed, or facilities furnished in any activity that is related to the organization's tax-exempt purpose | 701,553 | 728,263 | 764,399 | 404,899 | 884,403 | 3,483,517 |
| 3 Gross receipts from activities that are not an unrelated trade or business under section 513 | | | | | | 0 |
| 4 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf | | | | | | 0 |
| 5 The value of services or facilities furnished by a governmental unit to the organization without charge | | | | | | 0 |
| 6 Total. Add lines 1 through 5 | 1,137,675 | 1,196,592 | 1,444,191 | 1,387,366 | 1,566,919 | 6,732,743 |
| 7a Amounts included on lines 1, 2, and 3 received from disqualified persons | | | | | | 0 |
| b Amounts included on lines 2 and 3 received from other than disqualified persons that exceed the greater of \$5,000 or 1% of the amount on line 13 for the year. | | | | | | 0 |
| c Add lines 7a and 7b. | | | | | | |
| 8 Public support. (Subtract line 7c from line 6.) | | | | | | 6,732,743 |

Section B. Total Support

| Calendar year (or fiscal year beginning in) ▶ | (a) 2017 | (b) 2018 | (c) 2019 | (d) 2020 | (e) 2021 | (f) Total |
|---|-----------|-----------|-----------|-----------|-----------|-----------|
| 9 Amounts from line 6. | 1,137,675 | 1,196,592 | 1,444,191 | 1,387,366 | 1,566,919 | 6,732,743 |
| 10a Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources | 7,523 | 13,426 | 6,607 | 71,710 | 7,054 | 106,320 |
| b Unrelated business taxable income (less section 511 taxes) from businesses acquired after June 30, 1975. | | | | | | 0 |
| c Add lines 10a and 10b. | 7,523 | 13,426 | 6,607 | 71,710 | 7,054 | 106,320 |
| 11 Net income from unrelated business activities not included on line 10b, whether or not the business is regularly carried on. | | | | | | 0 |
| 12 Other income. Do not include gain or loss from the sale of capital assets (Explain in Part VI.) | 19,765 | 18,853 | 16,249 | 8,434 | 34,835 | 98,136 |
| 13 Total support. (Add lines 9, 10c, 11, and 12.) | 1,164,963 | 1,228,871 | 1,467,047 | 1,467,510 | 1,608,808 | 6,937,199 |

14 First 5 years. If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and **stop here.**

Section C. Computation of Public Support Percentage

| | | |
|--|-----------|----------|
| 15 Public support percentage for 2021 (line 8, column (f) divided by line 13, column (f)) | 15 | 97.050 % |
| 16 Public support percentage from 2020 Schedule A, Part III, line 15 | 16 | 97.210 % |

Section D. Computation of Investment Income Percentage

| | | |
|---|-----------|---------|
| 17 Investment income percentage for 2021 (line 10c, column (f) divided by line 13, column (f)) | 17 | 1.530 % |
| 18 Investment income percentage from 2020 Schedule A, Part III, line 17 | 18 | 1.540 % |

19a 33 1/3% support tests—2021. If the organization did not check the box on line 14, and line 15 is more than 33 1/3%, and line 17 is not more than 33 1/3%, check this box and **stop here.** The organization qualifies as a publicly supported organization.

b 33 1/3% support tests—2020. If the organization did not check a box on line 14 or line 19a, and line 16 is more than 33 1/3% and line 18 is not more than 33 1/3%, check this box and **stop here.** The organization qualifies as a publicly supported organization.

20 Private foundation. If the organization did not check a box on line 14, 19a, or 19b, check this box and see instructions.

Part IV Supporting Organizations

(Complete only if you checked a box on line 12 of Part I. If you checked box 12a, of Part I, complete Sections A and B. If you checked box 12b, of Part I, complete Sections A and C. If you checked box 12c, of Part I, complete Sections A, D, and E. If you checked box 12d, of Part I, complete Sections A and D, and complete Part V.)

Section A. All Supporting Organizations

| | Yes | No |
|---|-----|----|
| 1 Are all of the organization's supported organizations listed by name in the organization's governing documents? If "No," describe in Part VI how the supported organizations are designated. If designated by class or purpose, describe the designation. If historic and continuing relationship, explain. | | |
| 2 Did the organization have any supported organization that does not have an IRS determination of status under section 509(a)(1) or (2)? If "Yes," explain in Part VI how the organization determined that the supported organization was described in section 509(a)(1) or (2). | | |
| 3a Did the organization have a supported organization described in section 501(c)(4), (5), or (6)? If "Yes," answer lines 3b and 3c below. | | |
| b Did the organization confirm that each supported organization qualified under section 501(c)(4), (5), or (6) and satisfied the public support tests under section 509(a)(2)? If "Yes," describe in Part VI when and how the organization made the determination. | | |
| c Did the organization ensure that all support to such organizations was used exclusively for section 170(c)(2)(B) purposes? If "Yes," explain in Part VI what controls the organization put in place to ensure such use. | | |
| 4a Was any supported organization not organized in the United States ("foreign supported organization")? If "Yes" and if you checked box 12a or 12b in Part I, answer lines 4b and 4c below. | | |
| b Did the organization have ultimate control and discretion in deciding whether to make grants to the foreign supported organization? If "Yes," describe in Part VI how the organization had such control and discretion despite being controlled or supervised by or in connection with its supported organizations. | | |
| c Did the organization support any foreign supported organization that does not have an IRS determination under sections 501(c)(3) and 509(a)(1) or (2)? If "Yes," explain in Part VI what controls the organization used to ensure that all support to the foreign supported organization was used exclusively for section 170(c)(2)(B) purposes. | | |
| 5a Did the organization add, substitute, or remove any supported organizations during the tax year? If "Yes," answer lines 5b and 5c below (if applicable). Also, provide detail in Part VI , including (i) the names and EIN numbers of the supported organizations added, substituted, or removed; (ii) the reasons for each such action; (iii) the authority under the organization's organizing document authorizing such action; and (iv) how the action was accomplished (such as by amendment to the organizing document). | | |
| b Type I or Type II only. Was any added or substituted supported organization part of a class already designated in the organization's organizing document? | | |
| c Substitutions only. Was the substitution the result of an event beyond the organization's control? | | |
| 6 Did the organization provide support (whether in the form of grants or the provision of services or facilities) to anyone other than (i) its supported organizations, (ii) individuals that are part of the charitable class benefited by one or more of its supported organizations, or (iii) other supporting organizations that also support or benefit one or more of the filing organization's supported organizations? If "Yes," provide detail in Part VI . | | |
| 7 Did the organization provide a grant, loan, compensation, or other similar payment to a substantial contributor (defined in section 4958(c)(3)(C)), a family member of a substantial contributor, or a 35% controlled entity with regard to a substantial contributor? If "Yes," complete Part I of Schedule L (Form 990) . | | |
| 8 Did the organization make a loan to a disqualified person (as defined in section 4958) not described on line 7? If "Yes," complete Part I of Schedule L (Form 990). | | |
| 9a Was the organization controlled directly or indirectly at any time during the tax year by one or more disqualified persons, as defined in section 4946 (other than foundation managers and organizations described in section 509(a)(1) or (2))? If "Yes," provide detail in Part VI . | | |
| b Did one or more disqualified persons (as defined on line 9a) hold a controlling interest in any entity in which the supporting organization had an interest? If "Yes," provide detail in Part VI . | | |
| c Did a disqualified person (as defined on line 9a) have an ownership interest in, or derive any personal benefit from, assets in which the supporting organization also had an interest? If "Yes," provide detail in Part VI . | | |
| 10a Was the organization subject to the excess business holdings rules of section 4943 because of section 4943(f) (regarding certain Type II supporting organizations, and all Type III non-functionally integrated supporting organizations)? If "Yes," answer line 10b below. | | |
| b Did the organization have any excess business holdings in the tax year? (Use Schedule C, Form 4720, to determine whether the organization had excess business holdings). | | |

Part IV Supporting Organizations (continued)

- 11** Has the organization accepted a gift or contribution from any of the following persons?
- a** A person who directly or indirectly controls, either alone or together with persons described on lines 11b and 11c below, the governing body of a supported organization?
 - b** A family member of a person described on 11a above?
 - c** A 35% controlled entity of a person described on line 11a or 11b above? *If "Yes" to 11a, 11b, or 11c, provide detail in Part VI*

| | Yes | No |
|------------|-----|----|
| | | |
| 11a | | |
| 11b | | |
| 11c | | |

Section B. Type I Supporting Organizations

- 1** Did the officers, directors, trustees, or membership of one or more supported organizations have the power to regularly appoint or elect at least a majority of the organization's directors or trustees at all times during the tax year? *If "No," describe in Part VI how the supported organization(s) effectively operated, supervised, or controlled the organization's activities. If the organization had more than one supported organization, describe how the powers to appoint and/or remove directors or trustees were allocated among the supported organizations and what conditions or restrictions, if any, applied to such powers during the tax year.*
- 2** Did the organization operate for the benefit of any supported organization other than the supported organization(s) that operated, supervised, or controlled the supporting organization? *If "Yes," explain in Part VI how providing such benefit carried out the purposes of the supported organization(s) that operated, supervised or controlled the supporting organization.*

| | Yes | No |
|----------|-----|----|
| | | |
| 1 | | |
| 2 | | |

Section C. Type II Supporting Organizations

- 1** Were a majority of the organization's directors or trustees during the tax year also a majority of the directors or trustees of each of the organization's supported organization(s)? *If "No," describe in Part VI how control or management of the supporting organization was vested in the same persons that controlled or managed the supported organization(s).*

| | Yes | No |
|----------|-----|----|
| | | |
| 1 | | |

Section D. All Type III Supporting Organizations

- 1** Did the organization provide to each of its supported organizations, by the last day of the fifth month of the organization's tax year, (i) a written notice describing the type and amount of support provided during the prior tax year, (ii) a copy of the Form 990 that was most recently filed as of the date of notification, and (iii) copies of the organization's governing documents in effect on the date of notification, to the extent not previously provided?
- 2** Were any of the organization's officers, directors, or trustees either (i) appointed or elected by the supported organization(s) or (ii) serving on the governing body of a supported organization? *If "No," explain in Part VI how the organization maintained a close and continuous working relationship with the supported organization(s).*
- 3** By reason of the relationship described in line 2 above, did the organization's supported organizations have a significant voice in the organization's investment policies and in directing the use of the organization's income or assets at all times during the tax year? *If "Yes," describe in Part VI the role the organization's supported organizations played in this regard.*

| | Yes | No |
|----------|-----|----|
| | | |
| 1 | | |
| 2 | | |
| 3 | | |

Section E. Type III Functionally-Integrated Supporting Organizations

- 1** Check the box next to the method that the organization used to satisfy the Integral Part Test during the year (see instructions):
- a** The organization satisfied the Activities Test. Complete **line 2** below.
 - b** The organization is the parent of each of its supported organizations. Complete **line 3** below.
 - c** The organization supported a governmental entity. Describe in **Part VI** how you supported a government entity (see instructions)
- 2** Activities Test. **Answer lines 2a and 2b below.**

- a** Did substantially all of the organization's activities during the tax year directly further the exempt purposes of the supported organization(s) to which the organization was responsive? *If "Yes," then in Part VI identify those supported organizations and explain how these activities directly furthered their exempt purposes, how the organization was responsive to those supported organizations, and how the organization determined that these activities constituted substantially all of its activities.*
 - b** Did the activities described on line 2a, above constitute activities that, but for the organization's involvement, one or more of the organization's supported organization(s) would have been engaged in? *If "Yes," explain in Part VI the reasons for the organization's position that its supported organization(s) would have engaged in these activities but for the organization's involvement.*
- 3** Parent of Supported Organizations. **Answer lines 3a and 3b below.**
- a** Did the organization have the power to regularly appoint or elect a majority of the officers, directors, or trustees of each of the supported organizations? *If "Yes" or "No," provide details in Part VI.*
 - b** Did the organization exercise a substantial degree of direction over the policies, programs and activities of each of its supported organizations? *If "Yes," describe in Part VI. the role played by the organization in this regard.*

| | Yes | No |
|-----------|-----|----|
| | | |
| 2a | | |
| 2b | | |
| 3a | | |
| 3b | | |

Part V Type III Non-Functionally Integrated 509(a)(3) Supporting Organizations

1 Check here if the organization satisfied the Integral Part Test as a qualifying trust on Nov. 20, 1970 (explain in **Part VI**). See instructions. All other Type III non-functionally integrated supporting organizations must complete Sections A through E.

| Section A - Adjusted Net Income | | (A) Prior Year | (B) Current Year (optional) |
|---|-----------|----------------|-----------------------------|
| 1 Net short-term capital gain | 1 | | |
| 2 Recoveries of prior-year distributions | 2 | | |
| 3 Other gross income (see instructions) | 3 | | |
| 4 Add lines 1 through 3 | 4 | | |
| 5 Depreciation and depletion | 5 | | |
| 6 Portion of operating expenses paid or incurred for production or collection of gross income or for management, conservation, or maintenance of property held for production of income (see instructions) | 6 | | |
| 7 Other expenses (see instructions) | 7 | | |
| 8 Adjusted Net Income (subtract lines 5, 6 and 7 from line 4) | 8 | | |
| Section B - Minimum Asset Amount | | (A) Prior Year | (B) Current Year (optional) |
| 1 Aggregate fair market value of all non-exempt-use assets (see instructions for short tax year or assets held for part of year): | 1 | | |
| a Average monthly value of securities | 1a | | |
| b Average monthly cash balances | 1b | | |
| c Fair market value of other non-exempt-use assets | 1c | | |
| d Total (add lines 1a, 1b, and 1c) | 1d | | |
| e Discount claimed for blockage or other factors (explain in detail in Part VI): | | | |
| 2 Acquisition indebtedness applicable to non-exempt use assets | 2 | | |
| 3 Subtract line 2 from line 1d | 3 | | |
| 4 Cash deemed held for exempt use. Enter 0.015 of line 3 (for greater amount, see instructions). | 4 | | |
| 5 Net value of non-exempt-use assets (subtract line 4 from line 3) | 5 | | |
| 6 Multiply line 5 by 0.035 | 6 | | |
| 7 Recoveries of prior-year distributions | 7 | | |
| 8 Minimum Asset Amount (add line 7 to line 6) | 8 | | |
| Section C - Distributable Amount | | | Current Year |
| 1 Adjusted net income for prior year (from Section A, line 8, Column A) | 1 | | |
| 2 Enter 85% of line 1 | 2 | | |
| 3 Minimum asset amount for prior year (from Section B, line 8, Column A) | 3 | | |
| 4 Enter greater of line 2 or line 3 | 4 | | |
| 5 Income tax imposed in prior year | 5 | | |
| 6 Distributable Amount. Subtract line 5 from line 4, unless subject to emergency temporary reduction (see instructions) | 6 | | |
| 7 <input type="checkbox"/> Check here if the current year is the organization's first as a non-functionally-integrated Type III supporting organization (see instructions) | | | |

| Part V Type III Non-Functionally Integrated 509(a)(3) Supporting Organizations | | (continued) |
|--|-----------|---------------------|
| Section D Distributions | | Current Year |
| 1 Amounts paid to supported organizations to accomplish exempt purposes | 1 | |
| 2 Amounts paid to perform activity that directly furthers exempt purposes of supported organizations, in excess of income from activity | 2 | |
| 3 Administrative expenses paid to accomplish exempt purposes of supported organizations | 3 | |
| 4 Amounts paid to acquire exempt-use assets | 4 | |
| 5 Qualified set-aside amounts (prior IRS approval required - provide details in Part VI) | 5 | |
| 6 Other distributions (describe in Part VI). See instructions | 6 | |
| 7 Total annual distributions. Add lines 1 through 6. | 7 | |
| 8 Distributions to attentive supported organizations to which the organization is responsive (provide details in Part VI). See instructions | 8 | |
| 9 Distributable amount for 2021 from Section C, line 6 | 9 | |
| 10 Line 8 amount divided by Line 9 amount | 10 | |

| Section E - Distribution Allocations (see instructions) | (i) Excess Distributions | (ii) Underdistributions Pre-2021 | (iii) Distributable Amount for 2021 |
|--|---|---|--|
| 1 Distributable amount for 2021 from Section C, line 6 | | | |
| 2 Underdistributions, if any, for years prior to 2021 (reasonable cause required-- explain in Part VI). See instructions. | | | |
| 3 Excess distributions carryover, if any, to 2021: | | | |
| a From 2016. | | | |
| b From 2017. | | | |
| c From 2018. | | | |
| d From 2019. | | | |
| e From 2020. | | | |
| f Total of lines 3a through e | | | |
| g Applied to underdistributions of prior years | | | |
| h Applied to 2021 distributable amount | | | |
| i Carryover from 2016 not applied (see instructions) | | | |
| j Remainder. Subtract lines 3g, 3h, and 3i from line 3f. | | | |
| 4 Distributions for 2021 from Section D, line 7: | | | |
| \$ | | | |
| a Applied to underdistributions of prior years | | | |
| b Applied to 2021 distributable amount | | | |
| c Remainder. Subtract lines 4a and 4b from line 4. | | | |
| 5 Remaining underdistributions for years prior to 2021, if any. Subtract lines 3g and 4a from line 2. If the amount is greater than zero, explain in Part VI . See instructions. | | | |
| 6 Remaining underdistributions for 2021. Subtract lines 3h and 4b from line 1. If the amount is greater than zero, explain in Part VI . See instructions. | | | |
| 7 Excess distributions carryover to 2022. Add lines 3j and 4c. | | | |
| 8 Breakdown of line 7: | | | |
| a Excess from 2017. | | | |
| b Excess from 2018. | | | |
| c Excess from 2019. | | | |
| d Excess from 2020. | | | |
| e Excess from 2021. | | | |

Exhibit 4, Page 20

Part VI **Supplemental Information.** Provide the explanations required by Part II, line 10; Part II, line 17a or 17b; Part III, line 12; Part IV, Section A, lines 1, 2, 3b, 3c, 4b, 4c, 5a, 6, 9a, 9b, 9c, 11a, 11b, and 11c; Part IV, Section B, lines 1 and 2; Part IV, Section C, line 1; Part IV, Section D, lines 2 and 3; Part IV, Section E, lines 1c, 2a, 2b, 3a and 3b; Part V, line 1; Part V, Section B, line 1e; Part V Section D, lines 5, 6, and 8; and Part V, Section E, lines 2, 5, and 6. Also complete this part for any additional information. (See instructions).

Facts And Circumstances Test

Return Reference

Explanation

Additional Data

[Return to Form](#)

Software ID: 21013475
Software Version: 2021v4.0

SCHEDULE C
(Form 990)

Department of the Treasury
Internal Revenue Service

Political Campaign and Lobbying Activities

For Organizations Exempt From Income Tax Under section 501(c) and section 527

▶ **Complete if the organization is described below. ▶ Attach to Form 990 or Form 990-EZ.**
▶ Go to www.irs.gov/Form990 for instructions and the latest information.

OMB No. 1545-0047

2021

Open to Public Inspection

If the organization answered "Yes" on Form 990, Part IV, Line 3, or Form 990-EZ, Part V, line 46 (Political Campaign Activities), then

- Section 501(c)(3) organizations: Complete Parts I-A and B. Do not complete Part I-C.
- Section 501(c) (other than section 501(c)(3)) organizations: Complete Parts I-A and C below. Do not complete Part I-B.
- Section 527 organizations: Complete Part I-A only.

If the organization answered "Yes" on Form 990, Part IV, Line 4, or Form 990-EZ, Part VI, line 47 (Lobbying Activities), then

- Section 501(c)(3) organizations that have filed Form 5768 (election under section 501(h)): Complete Part II-A. Do not complete Part II-B.
- Section 501(c)(3) organizations that have NOT filed Form 5768 (election under section 501(h)): Complete Part II-B. Do not complete Part II-A.

If the organization answered "Yes" on Form 990, Part IV, Line 5 (Proxy Tax) (see separate instructions) or Form 990-EZ, Part V, line 35c (Proxy Tax) (see separate instructions), then

- Section 501(c)(4), (5), or (6) organizations: Complete Part III.

Name of the organization
VERMONT PRINCIPALS ASSOCIATION INC

Employer identification number

03-6006002

Part I-A Complete if the organization is exempt under section 501(c) or is a section 527 organization.

- 1 Provide a description of the organization's direct and indirect political campaign activities in Part IV. See instructions for definition of "political campaign activities."
- 2 Political campaign activity expenditures. See instructions ▶ \$ _____
- 3 Volunteer hours for political campaign activities. See instructions

Part I-B Complete if the organization is exempt under section 501(c)(3).

- 1 Enter the amount of any excise tax incurred by the organization under section 4955 \$ _____
- 2 Enter the amount of any excise tax incurred by organization managers under section 4955 \$ _____
- 3 If the organization incurred a section 4955 tax, did it file Form 4720 for this year? Yes No
- 4a Was a correction made? Yes No
- b If "Yes," describe in Part IV.

Part I-C Complete if the organization is exempt under section 501(c), except section 501(c)(3).

- 1 Enter the amount directly expended by the filing organization for section 527 exempt function activities \$ _____
- 2 Enter the amount of the filing organization's funds contributed to other organizations for section 527 exempt function activities ▶ \$ _____
- 3 Total exempt function expenditures. Add lines 1 and 2. Enter here and on Form 1120-POL, line 17b..... \$ _____
- 4 Did the filing organization file **Form 1120-POL** for this year? Yes No
- 5 Enter the names, addresses and employer identification number (EIN) of all section 527 political organizations to which the filing organization made payments. For each organization listed, enter the amount paid from the filing organization's funds. Also enter the amount of political contributions received that were promptly and directly delivered to a separate political organization, such as a separate segregated fund or a political action committee (PAC). If additional space is needed, provide information in Part IV.

| (a) Name | (b) Address | (c) EIN | (d) Amount paid from filing organization's funds. If none, enter -0-. | (e) Amount of political contributions received and promptly and directly delivered to a separate political organization. If none, enter -0-. |
|----------|-------------|---------|---|--|
| 1 | | | | |
| 2 | | | | |
| 3 | | | | |
| 4 | | | | |
| 5 | | | | |
| 6 | | | | |

Exhibit 4, Page 23

Part II-A Complete if the organization is exempt under section 501(c)(3) and filed Form 5768 (election under section 501(h)).

- A** Check if the filing organization belongs to an affiliated group (and list in Part IV each affiliated group member's name, address, EIN, expenses, and share of excess lobbying expenditures).
- B** Check if the filing organization checked box A and "limited control" provisions apply.

| Limits on Lobbying Expenditures (The term "expenditures" means amounts paid or incurred.) | (a) Filing organization's totals | (b) Affiliated group totals |
|--|--|-----------------------------|
| 1a Total lobbying expenditures to influence public opinion (grass roots lobbying) | | |
| b Total lobbying expenditures to influence a legislative body (direct lobbying) | | |
| c Total lobbying expenditures (add lines 1a and 1b) | | |
| d Other exempt purpose expenditures | | |
| e Total exempt purpose expenditures (add lines 1c and 1d) | | |
| f Lobbying nontaxable amount. Enter the amount from the following table in both columns. | | |
| If the amount on line 1e, column (a) or (b) is: | The lobbying nontaxable amount is: | |
| Not over \$500,000 | 20% of the amount on line 1e. | |
| Over \$500,000 but not over \$1,000,000 | \$100,000 plus 15% of the excess over \$500,000. | |
| Over \$1,000,000 but not over \$1,500,000 | \$175,000 plus 10% of the excess over \$1,000,000. | |
| Over \$1,500,000 but not over \$17,000,000 | \$225,000 plus 5% of the excess over \$1,500,000. | |
| Over \$17,000,000 | \$1,000,000. | |
| g Grassroots nontaxable amount (enter 25% of line 1f) | | |
| h Subtract line 1g from line 1a. If zero or less, enter -0- | | |
| i Subtract line 1f from line 1c. If zero or less, enter -0- | | |
| j If there is an amount other than zero on either line 1h or line 1i, did the organization file Form 4720 reporting section 4911 tax for this year? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

4-Year Averaging Period Under Section 501(h)
(Some organizations that made a section 501(h) election do not have to complete all of the five columns below. See the separate instructions for lines 2a through 2f.)

| Lobbying Expenditures During 4-Year Averaging Period | | | | | |
|--|----------|----------|----------|----------|-----------|
| Calendar year (or fiscal year beginning in) | (a) 2018 | (b) 2019 | (c) 2020 | (d) 2021 | (e) Total |
| 2a Lobbying nontaxable amount | | | | | |
| b Lobbying ceiling amount (150% of line 2a, column(e)) | | | | | |
| c Total lobbying expenditures | | | | | |
| d Grassroots nontaxable amount | | | | | |
| e Grassroots ceiling amount (150% of line 2d, column (e)) | | | | | |
| f Grassroots lobbying expenditures | | | | | |

Part II-B Complete if the organization is exempt under section 501(c)(3) and has NOT filed Form 5768 (election under section 501(h)).

For each "Yes" response on lines 1a through 1i below, provide in Part IV a detailed description of the lobbying activity.

| | (a) | | (b) |
|--|-----|----|--------|
| | Yes | No | Amount |
| 1 During the year, did the filing organization attempt to influence foreign, national, state or local legislation, including any attempt to influence public opinion on a legislative matter or referendum, through the use of: | | | |
| a Volunteers? | | No | |
| b Paid staff or management (include compensation in expenses reported on lines 1c through 1i)? | Yes | | |
| c Media advertisements? | | No | |
| d Mailings to members, legislators, or the public? | | No | |
| e Publications, or published or broadcast statements? | | No | |
| f Grants to other organizations for lobbying purposes? | | No | |
| g Direct contact with legislators, their staffs, government officials, or a legislative body? | Yes | | 9,634 |
| h Rallies, demonstrations, seminars, conventions, speeches, lectures, or any similar means? | | No | |
| i Other activities? | | No | |
| j Total. Add lines 1c through 1i | | | 9,634 |
| 2a Did the activities in line 1 cause the organization to be not described in section 501(c)(3)? | | No | |
| b If "Yes," enter the amount of any tax incurred under section 4912 | | | |
| c If "Yes," enter the amount of any tax incurred by organization managers under section 4912 | | | |
| d If the filing organization incurred a section 4912 tax, did it file Form 4720 for this year? | | No | |

Part III-A Complete if the organization is exempt under section 501(c)(4), section 501(c)(5), or section 501(c)(6).

| | Yes | No |
|--|----------|----|
| 1 Were substantially all (90% or more) dues received nondeductible by members? | 1 | |
| 2 Did the organization make only in-house lobbying expenditures of \$2,000 or less? | 2 | |
| 3 Did the organization agree to carry over lobbying and political expenditures from the prior year? | 3 | |

Part III-B Complete if the organization is exempt under section 501(c)(4), section 501(c)(5), or section 501(c)(6) and if either (a) BOTH Part III-A, lines 1 and 2, are answered "No" OR (b) Part III-A, line 3, is answered "Yes."

| | |
|---|-----------|
| 1 Dues, assessments and similar amounts from members | 1 |
| 2 Section 162(e) nondeductible lobbying and political expenditures (do not include amounts of political expenses for which the section 527(f) tax was paid). | |
| a Current year | 2a |
| b Carryover from last year | 2b |
| c Total | 2c |
| 3 Aggregate amount reported in section 6033(e)(1)(A) notices of nondeductible section 162(e) dues . | 3 |
| 4 If notices were sent and the amount on line 2c exceeds the amount on line 3, what portion of the excess does the organization agree to carryover to the reasonable estimate of nondeductible lobbying and political expenditure next year? | 4 |
| 5 Taxable amount of lobbying and political expenditures. See Instructions | 5 |

Part IV Supplemental Information

Provide the descriptions required for Part I-A, line 1; Part I-B, line 4; Part I-C, line 5; Part II-A (affiliated group list); Part II-A, lines 1 and 2 (see instructions), and Part II-B, line 1. Also, complete this part for any additional information.

| Return Reference | Explanation |
|------------------|-------------|
|------------------|-------------|

Additional Data

[Return to Form](#)

Software ID: 21013475
Software Version: 2021v4.0

SCHEDULE D
(Form 990)

Supplemental Financial Statements

OMB No. 1545-0047

2021

Open to Public Inspection

Department of the Treasury
Internal Revenue Service

▶ **Complete if the organization answered "Yes," on Form 990, Part IV, line 6, 7, 8, 9, 10, 11a, 11b, 11c, 11d, 11e, 11f, 12a, or 12b.**
▶ **Attach to Form 990.**

▶ **Go to www.irs.gov/Form990 for instructions and the latest information.**

Name of the organization
VERMONT PRINCIPALS ASSOCIATION INC

Employer identification number
03-6006002

Part I Organizations Maintaining Donor Advised Funds or Other Similar Funds or Accounts.

Complete if the organization answered "Yes" on Form 990, Part IV, line 6.

| | (a) Donor advised funds | (b) Funds and other accounts |
|---|-------------------------|--|
| 1 Total number at end of year | | |
| 2 Aggregate value of contributions to (during year) | | |
| 3 Aggregate value of grants from (during year) | | |
| 4 Aggregate value at end of year | | |
| 5 Did the organization inform all donors and donor advisors in writing that the assets held in donor advised funds are the organization's property, subject to the organization's exclusive legal control? | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 6 Did the organization inform all grantees, donors, and donor advisors in writing that grant funds can be used only for charitable purposes and not for the benefit of the donor or donor advisor, or for any other purpose conferring impermissible private benefit? | | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Part II Conservation Easements.

Complete if the organization answered "Yes" on Form 990, Part IV, line 7.

| | |
|---|--|
| 1 Purpose(s) of conservation easements held by the organization (check all that apply). <input type="checkbox"/> Preservation of land for public use (e.g., recreation or education) <input type="checkbox"/> Preservation of an historically important land area <input type="checkbox"/> Protection of natural habitat <input type="checkbox"/> Preservation of a certified historic structure <input type="checkbox"/> Preservation of open space | |
| 2 Complete lines 2a through 2d if the organization held a qualified conservation contribution in the form of a conservation easement on the last day of the tax year. | Held at the End of the Year |
| a Total number of conservation easements | 2a |
| b Total acreage restricted by conservation easements | 2b |
| c Number of conservation easements on a certified historic structure included in (a) | 2c |
| d Number of conservation easements included in (c) acquired after 7/25/06, and not on a historic structure listed in the National Register | 2d |
| 3 Number of conservation easements modified, transferred, released, extinguished, or terminated by the organization during the tax year ▶ _____ | |
| 4 Number of states where property subject to conservation easement is located ▶ _____ | |
| 5 Does the organization have a written policy regarding the periodic monitoring, inspection, handling of violations, and enforcement of the conservation easements it holds? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 6 Staff and volunteer hours devoted to monitoring, inspecting, handling of violations, and enforcing conservation easements during the year ▶ _____ | |
| 7 Amount of expenses incurred in monitoring, inspecting, handling of violations, and enforcing conservation easements during the year ▶ \$ _____ | |
| 8 Does each conservation easement reported on line 2(d) above satisfy the requirements of section 170(h)(4)(B)(i) and section 170(h)(4)(B)(ii)? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 9 In Part XIII, describe how the organization reports conservation easements in its revenue and expense statement, and balance sheet, and include, if applicable, the text of the footnote to the organization's financial statements that describes the organization's accounting for conservation easements. | |

Part III Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets.

Complete if the organization answered "Yes" on Form 990, Part IV, line 8.

| | |
|---|--|
| 1a If the organization elected, as permitted under FASB ASC 958, not to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public service, provide, in Part XIII, the text of the footnote to its financial statements that describes these items. | |
| b If the organization elected, as permitted under FASB ASC 958, to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public service, provide the following amounts relating to these items: (i) Revenue included on Form 990, Part VIII, line 1 ▶ \$ _____ (ii) Assets included in Form 990, Part X ▶ \$ _____ | |
| 2 If the organization received or held works of art, historical treasures, or other similar assets for financial gain, provide the following amounts required to be reported under FASB ASC 958 relating to these items: a Revenue included on Form 990, Part VIII, line 1 ▶ \$ _____ b Assets included in Form 990, Part X ▶ \$ _____ | |

Exhibit 4, Page 27

Part III Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets (continued)

- 3 Using the organization's acquisition, accession, and other records, check any of the following that are a significant use of its collection items (check all that apply):
a Public exhibition
b Scholarly research
c Preservation for future generations
d Loan or exchange programs
e Other
4 Provide a description of the organization's collections and explain how they further the organization's exempt purpose in Part XIII.
5 During the year, did the organization solicit or receive donations of art, historical treasures or other similar assets to be sold to raise funds rather than to be maintained as part of the organization's collection? Yes No

Part IV Escrow and Custodial Arrangements.

Complete if the organization answered "Yes" on Form 990, Part IV, line 9, or reported an amount on Form 990, Part X, line 21.

- 1a Is the organization an agent, trustee, custodian or other intermediary for contributions or other assets not included on Form 990, Part X? Yes No
b If "Yes," explain the arrangement in Part XIII and complete the following table:
Table with columns: Amount, 1c Beginning balance, 1d Additions during the year, 1e Distributions during the year, 1f Ending balance
2a Did the organization include an amount on Form 990, Part X, line 21, for escrow or custodial account liability? Yes No
b If "Yes," explain the arrangement in Part XIII. Check here if the explanation has been provided in Part XIII

Part V Endowment Funds.

Complete if the organization answered "Yes" on Form 990, Part IV, line 10.

- Table with columns: (a) Current year, (b) Prior year, (c) Two years back, (d) Three years back, (e) Four years back
1a Beginning of year balance
b Contributions
c Net investment earnings, gains, and losses
d Grants or scholarships
e Other expenditures for facilities and programs
f Administrative expenses
g End of year balance
2 Provide the estimated percentage of the current year end balance (line 1g, column (a)) held as:
a Board designated or quasi-endowment
b Permanent endowment
c Term endowment
The percentages on lines 2a, 2b, and 2c should equal 100%.
3a Are there endowment funds not in the possession of the organization that are held and administered for the organization by:
(i) Unrelated organizations
(ii) Related organizations
b If "Yes" on 3a(ii), are the related organizations listed as required on Schedule R?
4 Describe in Part XIII the intended uses of the organization's endowment funds.

Part VI Land, Buildings, and Equipment.

Complete if the organization answered "Yes" on Form 990, Part IV, line 11a. See Form 990, Part X, line 10.

Table with columns: Description of property, (a) Cost or other basis (investment), (b) Cost or other basis (other), (c) Accumulated depreciation, (d) Book value
1a Land
b Buildings
c Leasehold improvements
d Equipment
e Other
Total. Add lines 1a through 1e. (Column (d) must equal Form 990, Part X, column (B), line 10(c).)

Part VII Investments - Other Securities.
 Complete if the organization answered "Yes" on Form 990, Part IV, line 11b. See Form 990, Part X, line 12.

| (a) Description of security or category (including name of security) | (b) Book value | (c) Method of valuation: Cost or end-of-year market value |
|---|----------------|--|
| (1) Financial derivatives | | |
| (2) Closely-held equity interests | | |
| (3) Other | | |
| (A) | | |
| (B) | | |
| (C) | | |
| (D) | | |
| (E) | | |
| (F) | | |
| (G) | | |
| (H) | | |
| Total. (Column (b) must equal Form 990, Part X, col. (B) line 12.) | | |

Part VIII Investments - Program Related.
 Complete if the organization answered 'Yes' on Form 990, Part IV, line 11c. See Form 990, Part X, line 13.

| (a) Description of investment | (b) Book value | (c) Method of valuation: Cost or end-of-year market value |
|---|----------------|--|
| (1) | | |
| (2) | | |
| (3) | | |
| (4) | | |
| (5) | | |
| (6) | | |
| (7) | | |
| (8) | | |
| (9) | | |
| Total. (Column (b) must equal Form 990, Part X, col. (B) line 13.) | | |

Part IX Other Assets.
 Complete if the organization answered 'Yes' on Form 990, Part IV, line 11d. See Form 990, Part X, line 15.

| (a) Description | (b) Book value |
|---|----------------|
| (1) | |
| (2) | |
| (3) | |
| (4) | |
| (5) | |
| (6) | |
| (7) | |
| (8) | |
| (9) | |
| Total. (Column (b) must equal Form 990, Part X, col. (B) line 15.) | |

Part X Other Liabilities.
 Complete if the organization answered 'Yes' on Form 990, Part IV, line 11e or 11f. See Form 990, Part X, line 25.

| 1. (a) Description of liability | (b) Book value |
|---|----------------|
| (1) Federal income taxes | |
| (2) | |
| (3) | |
| (4) | |
| (5) | |
| (6) | |
| (7) | |
| (8) | |
| (9) | |
| Total. (Column (b) must equal Form 990, Part X, col. (B) line 25.) | 33,505 |

2. Liability for uncertain tax positions. In Part XIII, provide the text of the footnote to the organization's financial statements that reports the organization's liability for uncertain tax positions under FIN 48 (ASC 740). Check here if the text of the footnote has been provided in Part XIII

Schedule D (Form 990) 2021

Page 4

Part XI Reconciliation of Revenue per Audited Financial Statements With Revenue per Return.

Complete if the organization answered 'Yes' on Form 990, Part IV, line 12a.

| | | | | |
|----------|--|-----------|----------|-----------|
| 1 | Total revenue, gains, and other support per audited financial statements | | 1 | 1,608,808 |
| 2 | Amounts included on line 1 but not on Form 990, Part VIII, line 12: | | | |
| a | Net unrealized gains (losses) on investments | 2a | | |
| b | Donated services and use of facilities | 2b | | |
| c | Recoveries of prior year grants | 2c | | |
| d | Other (Describe in Part XIII.) | 2d | 18,699 | |
| e | Add lines 2a through 2d | 2e | 18,699 | |
| 3 | Subtract line 2e from line 1 | 3 | | 1,590,109 |
| 4 | Amounts included on Form 990, Part VIII, line 12, but not on line 1 : | | | |
| a | Investment expenses not included on Form 990, Part VIII, line 7b | 4a | | |
| b | Other (Describe in Part XIII.) | 4b | | |
| c | Add lines 4a and 4b | 4c | | |
| 5 | Total revenue. Add lines 3 and 4c . (This must equal Form 990, Part I, line 12.) | 5 | | 1,590,109 |

Part XII Reconciliation of Expenses per Audited Financial Statements With Expenses per Return.

Complete if the organization answered 'Yes' on Form 990, Part IV, line 12a.

| | | | | |
|----------|---|-----------|----------|-----------|
| 1 | Total expenses and losses per audited financial statements | | 1 | 1,590,068 |
| 2 | Amounts included on line 1 but not on Form 990, Part IX, line 25: | | | |
| a | Donated services and use of facilities | 2a | | |
| b | Prior year adjustments | 2b | | |
| c | Other losses | 2c | | |
| d | Other (Describe in Part XIII.) | 2d | 18,699 | |
| e | Add lines 2a through 2d | 2e | 18,699 | |
| 3 | Subtract line 2e from line 1 | 3 | | 1,571,369 |
| 4 | Amounts included on Form 990, Part IX, line 25, but not on line 1 : | | | |
| a | Investment expenses not included on Form 990, Part VIII, line 7b | 4a | | |
| b | Other (Describe in Part XIII.) | 4b | | |
| c | Add lines 4a and 4b | 4c | | |
| 5 | Total expenses. Add lines 3 and 4c . (This must equal Form 990, Part I, line 18.) | 5 | | 1,571,369 |

Part XIII Supplemental Information

Provide the descriptions required for Part II, lines 3, 5, and 9; Part III, lines 1a and 4; Part IV, lines 1b and 2b; Part V, line 4; Part X, line 2; Part XI, lines 2d and 4b; and Part XII, lines 2d and 4b. Also complete this part to provide any additional information.

| Return Reference | Explanation |
|--|-----------------------|
| Part XI, Line 2d: Other revenue amounts included in F/S but not included on form 990 | COST OF GOODS \$18699 |
| Part XII, Line 2d: Other expenses and losses per audited F/S | COST OF GOODS \$18699 |

Schedule D (Form 990) 2021

Additional Data

Return to Form

Software ID: 21013475
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Note: To capture the full content of this document, please select landscape mode (11" x 8.5") when printing.

**Schedule I
(Form 990)**

Department of the
Treasury
Internal Revenue Service

Name of the organization
VERMONT PRINCIPALS ASSOCIATION INC

**Grants and Other Assistance to Organizations,
Governments and Individuals in the United States**

Complete if the organization answered "Yes," on Form 990, Part IV, line 21 or 22.

▶ Attach to Form 990.

▶ Go to www.irs.gov/Form990 for the latest information.

OMB No. 1545-0047

2021

Open to Public
Inspection

Employer identification number

03-6006002

Part I General Information on Grants and Assistance

- 1** Does the organization maintain records to substantiate the amount of the grants or assistance, the grantees' eligibility for the grants or assistance, and the selection criteria used to award the grants or assistance? Yes No
- 2** Describe in Part IV the organization's procedures for monitoring the use of grant funds in the United States.

Part II Grants and Other Assistance to Domestic Organizations and Domestic Governments. Complete if the organization answered "Yes" on Form 990, Part IV, line 21, for any recipient that received more than \$5,000. Part II can be duplicated if additional space is needed.

| (a) Name and address of organization or government | (b) EIN | (c) IRC section (if applicable) | (d) Amount of cash grant | (e) Amount of non-cash assistance | (f) Method of valuation (book, FMV, appraisal, other) | (g) Description of noncash assistance | (h) Purpose of grant or assistance |
|---|------------|---------------------------------|--------------------------|-----------------------------------|---|---------------------------------------|------------------------------------|
| (1) HAZEN UNION HIGH SCHOOL DISTR 126 HAZEN UNION DRIVE HARDWICK, VT 05843 | 03-0223291 | | 15,000 | 0 | | | |
| (2) INSIGHT EDUCATION GROUP INC 15760 VENTURA BLVD STE 700 ENCINO, CA 91436 | 27-0038418 | | 40,500 | 0 | | | |
| (3) SPAULDING HIGH SCHOOL BUUSD 155 AYERS ST BARRE, VT 05641 | 35-2650739 | | 7,500 | 0 | | | |
| (4) VT PARTNERSHIP FOR FAIRNESS 18 TOWN CRIER DR BRATTLEBORO, VT 05301 | 82-4038916 | | 29,333 | 0 | | | |
| (5) WINOOSKI MIDDLEHIGH SCHOOL 60 NORMAND ST WINOOSKI, VT 05404 | 03-6000783 | | 7,500 | 0 | | | |

- 2** Enter total number of section 501(c)(3) and government organizations listed in the line 1 table 0
- 3** Enter total number of other organizations listed in the line 1 table 5

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Cat. No. 50055P

Schedule I (Form 990) 2021

Schedule I (Form 990) 2021

Page **2**

Part III Grants and Other Assistance to Domestic Individuals. Complete if the organization answered "Yes" on Form 990, Part IV, line 22.
Part III can be duplicated if additional space is needed.

| (a) Type of grant or assistance | (b) Number of recipients | (c) Amount of cash grant | (d) Amount of noncash assistance | (e) Method of valuation (book, FMV, appraisal, other) | (f) Description of noncash assistance |
|---------------------------------|--------------------------|--------------------------|----------------------------------|---|---------------------------------------|
| (1) SCHOLARSHIPS | 7 | 6,500 | | | |
| (2) WENDI WILLIAMS | 1 | 10,922 | | | |
| (3) | | | | | |
| (4) | | | | | |
| (5) | | | | | |
| (6) | | | | | |
| (7) | | | | | |

Part IV Supplemental Information. Provide the information required in Part I, line 2; Part III, column (b); and any other additional information.

| Return Reference | Explanation |
|------------------|-------------|
|------------------|-------------|

Schedule I (Form 990) 2021

Additional Data

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Schedule J
(Form 990)

Compensation Information

OMB No. 1545-0047

For certain Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees

▶ Complete if the organization answered "Yes" on Form 990, Part IV, line 23.

▶ Attach to Form 990.

▶ Go to www.irs.gov/Form990 for instructions and the latest information.

2021

Open to Public Inspection

Department of the Treasury
Internal Revenue Service

Name of the organization
VERMONT PRINCIPALS ASSOCIATION INC

Employer identification number

03-6006002

Part I Questions Regarding Compensation

1a Check the appropriate box(es) if the organization provided any of the following to or for a person listed on Form 990, Part VII, Section A, line 1a. Complete Part III to provide any relevant information regarding these items.

- | | |
|---|--|
| <input type="checkbox"/> First-class or charter travel | <input type="checkbox"/> Housing allowance or residence for personal use |
| <input type="checkbox"/> Travel for companions | <input type="checkbox"/> Payments for business use of personal residence |
| <input type="checkbox"/> Tax idemnification and gross-up payments | <input type="checkbox"/> Health or social club dues or initiation fees |
| <input type="checkbox"/> Discretionary spending account | <input type="checkbox"/> Personal services (e.g., maid, chauffeur, chef) |

b If any of the boxes on Line 1a are checked, did the organization follow a written policy regarding payment or reimbursement or provision of all of the expenses described above? If "No," complete Part III to explain

2 Did the organization require substantiation prior to reimbursing or allowing expenses incurred by all directors, trustees, officers, including the CEO/Executive Director, regarding the items checked on Line 1a?

3 Indicate which, if any, of the following the filing organization used to establish the compensation of the organization's CEO/Executive Director. Check all that apply. Do not check any boxes for methods used by a related organization to establish compensation of the CEO/Executive Director, but explain in Part III.

- | | |
|--|--|
| <input type="checkbox"/> Compensation committee | <input type="checkbox"/> Written employment contract |
| <input type="checkbox"/> Independent compensation consultant | <input type="checkbox"/> Compensation survey or study |
| <input type="checkbox"/> Form 990 of other organizations | <input type="checkbox"/> Approval by the board or compensation committee |

4 During the year, did any person listed on Form 990, Part VII, Section A, line 1a, with respect to the filing organization or a related organization:

- a** Receive a severance payment or change-of-control payment?
 - b** Participate in, or receive payment from, a supplemental nonqualified retirement plan?
 - c** Participate in, or receive payment from, an equity-based compensation arrangement?
- If "Yes" to any of lines 4a-c, list the persons and provide the applicable amounts for each item in Part III.

Only 501(c)(3), 501(c)(4), and 501(c)(29) organizations must complete lines 5-9.

5 For persons listed on Form 990, Part VII, Section A, line 1a, did the organization pay or accrue any compensation contingent on the revenues of:

- a** The organization?
 - b** Any related organization?
- If "Yes," on line 5a or 5b, describe in Part III.

6 For persons listed on Form 990, Part VII, Section A, line 1a, did the organization pay or accrue any compensation contingent on the net earnings of:

- a** The organization?
 - b** Any related organization?
- If "Yes," on line 6a or 6b, describe in Part III.

7 For persons listed on Form 990, Part VII, Section A, line 1a, did the organization provide any nonfixed payments not described in lines 5 and 6? If "Yes," describe in Part III.

8 Were any amounts reported on Form 990, Part VII, paid or accrued pursuant to a contract that was subject to the initial contract exception described in Regulations section 53.4958-4(a)(3)? If "Yes," describe in Part III.

9 If "Yes" on line 8, did the organization also follow the rebuttable presumption procedure described in Regulations section 53.4958-6(c)?

| | Yes | No |
|-----------|-----|----|
| 1b | | |
| 2 | | |
| 4a | | No |
| 4b | | No |
| 4c | | No |
| 5a | | No |
| 5b | | No |
| 6a | | No |
| 6b | | No |
| 7 | | No |
| 8 | | No |
| 9 | | |

Part III Supplemental Information

Provide the information, explanation, or descriptions required for Part I, lines 1a, 1b, 3, 4a, 4b, 4c, 5a, 5b, 6a, 6b, 7, and 8, and for Part II. Also complete this part for any additional information.

| Return Reference | Explanation |
|------------------|-------------|
|------------------|-------------|

Additional Data

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SCHEDULE O
(Form 990)

Department of the Treasury
Internal Revenue Service

Supplemental Information to Form 990 or 990-EZ

Complete to provide information for responses to specific questions on
Form 990 or 990-EZ or to provide any additional information.
▶ Attach to Form 990 or 990-EZ.
▶ Go to www.irs.gov/Form990 for the latest information.

OMB No. 1545-0047

2021

**Open to Public
Inspection**

Name of the organization
VERMONT PRINCIPALS ASSOCIATION INC

Employer identification number

03-6006002

| Return Reference | Explanation |
|--|--|
| Form 990, Part VI, Line 11b: Form 990 Review Process | INITIAL REVIEW BY EXECUTIVE DIRECTOR. SUBSEQUENT REVIEW BY FINANCE COMMITTEE. |
| Form 990, Part VI, Line 12c: Explanation of Monitoring and Enforcement of Conflicts | ANNUAL REVIEW OF THE CONFLICT OF INTEREST POLICY BY THE EXECUTIVE DIRECTOR WITH BOARD MEMBERS WILL BE DONE DURING THE FIRST MEETING IN THE FALL. |
| Form 990, Part VI, Line 15a: Compensation Review & Approval Process - CEO, Top Management | THE EXECUTIVE DIRECTOR'S SALARY IS APPROVED BY THE BOARD ANNUALLY. |
| Form 990, Part VI, Line 15b: Compensation Review and Approval Process for Officers and Key Employees | EMPLOYEES ARE REVIEWED ANNUALLY BY THE EXECUTIVE DIRECTOR AND RECOMMENDED FOR SALARY INCREASE. RAISES IN SALARY ARE THEN APPROVED BY THE EXECUTIVE COUNCIL AND INSTITUTED AT THE BEGINNING OF THE FISCAL YEAR. |
| Form 990, Part VI, Line 19: Other Organization Documents Publicly Available | GOVERNING DOCUMENTS, CONFLICT OF INTEREST POLICY, FINANCIAL STATEMENTS, AND FORM 990 IS AVAILABLE UPON REQUEST. FORM 990 IS ALSO AVAILABLE AT WWW.GUIDESTAR.ORG. |

Additional Data

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Software Version: 2021v4.0

**SCHEDULE R
(Form 990)**

Related Organizations and Unrelated Partnerships

OMB No. 1545-0047

2021

**Open to Public
Inspection**

▶ Complete if the organization answered "Yes" on Form 990, Part IV, line 33, 34, 35b, 36, or 37.
▶ Attach to Form 990.
▶ Go to www.irs.gov/Form990 for instructions and the latest information.

Department of the Treasury
Internal Revenue Service

Name of the organization
VERMONT PRINCIPALS ASSOCIATION INC

Employer identification number

03-6006002

Part I Identification of Disregarded Entities. Complete if the organization answered "Yes" on Form 990, Part IV, line 33.

| (a) Name, address, and EIN (if applicable) of disregarded entity | (b) Primary activity | (c) Legal domicile (state or foreign country) | (d) Total income | (e) End-of-year assets | (f) Direct controlling entity |
|---|-------------------------|--|---------------------|---------------------------|----------------------------------|
| | | | | | |
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Part II Identification of Related Tax-Exempt Organizations. Complete if the organization answered "Yes" on Form 990, Part IV, line 34 because it had one or more related tax-exempt organizations during the tax year.

| (a) Name, address, and EIN of related organization | (b) Primary activity | (c) Legal domicile (state or foreign country) | (d) Exempt Code section | (e) Public charity status (if section 501(c)(3)) | (f) Direct controlling entity | (g) Section 512(b)(13) controlled entity? | |
|---|-------------------------|--|----------------------------|---|----------------------------------|--|----|
| | | | | | | Yes | No |
| | | | | | | | |
| | | | | | | | |
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Cat. No. 50135Y

Schedule R (Form 990) 2021

Part III Identification of Related Organizations Taxable as a Partnership. Complete if the organization answered "Yes" on Form 990, Part IV, line 34, because it had one or more related organizations treated as a partnership during the tax year.

| (a) Name, address, and EIN of related organization | (b) Primary activity | (c) Legal domicile (state or foreign country) | (d) Direct controlling entity | (e) Predominant income (related, unrelated, excluded from tax under sections 512-514) | (f) Share of total income | (g) Share of end-of-year assets | (h) Disproportionate allocations? | | (i) Code V-UBI amount in box 20 of Schedule K-1 (Form 1065) | (j) General or managing partner? | | (k) Percentage ownership |
|---|-------------------------|--|----------------------------------|--|------------------------------|------------------------------------|--------------------------------------|----|--|-------------------------------------|----|-----------------------------|
| | | | | | | | Yes | No | | Yes | No | |
| (1) TWO PROSPECT STREET PARTNERS LLC 2 PROSPECT STREET MONTPELIER, VT 05602 03-0324327 | RENTAL | VT | NA | | 5,618 | | | No | | Yes | | 37.000 % |
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |
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| | | | | | | | | | | | | |

Part IV Identification of Related Organizations Taxable as a Corporation or Trust. Complete if the organization answered "Yes" on Form 990, Part IV, line 34 because it had one or more related organizations treated as a corporation or trust during the tax year.

| (a) Name, address, and EIN of related organization | (b) Primary activity | (c) Legal domicile (state or foreign country) | (d) Direct controlling entity | (e) Type of entity (C corp, S corp, or trust) | (f) Share of total income | (g) Share of end-of-year assets | (h) Percentage ownership | (i) Section 512(b)(13) controlled entity? | |
|---|-------------------------|--|----------------------------------|--|------------------------------|------------------------------------|-----------------------------|--|----|
| | | | | | | | | Yes | No |
| | | | | | | | | | |
| | | | | | | | | | |
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Part V Transactions With Related Organizations. Complete if the organization answered "Yes" on Form 990, Part IV, line 34, 35b, or 36.

Note. Complete line 1 if any entity is listed in Parts II, III, or IV of this schedule.

| | Yes | No |
|--|-----------|----|
| 1 During the tax year, did the organization engage in any of the following transactions with one or more related organizations listed in Parts II-IV? | | |
| a Receipt of (i) interest, (ii) annuities, (iii) royalties, or (iv) rent from a controlled entity | 1a | No |
| b Gift, grant, or capital contribution to related organization(s) | 1b | No |
| c Gift, grant, or capital contribution from related organization(s) | 1c | No |
| d Loans or loan guarantees to or for related organization(s) | 1d | No |
| e Loans or loan guarantees by related organization(s) | 1e | No |
| f Dividends from related organization(s) | 1f | No |
| g Sale of assets to related organization(s) | 1g | No |
| h Purchase of assets from related organization(s) | 1h | No |
| i Exchange of assets with related organization(s) | 1i | No |
| j Lease of facilities, equipment, or other assets to related organization(s) | 1j | No |
| k Lease of facilities, equipment, or other assets from related organization(s) | 1k | No |
| l Performance of services or membership or fundraising solicitations for related organization(s) | 1l | No |
| m Performance of services or membership or fundraising solicitations by related organization(s) | 1m | No |
| n Sharing of facilities, equipment, mailing lists, or other assets with related organization(s) | 1n | No |
| o Sharing of paid employees with related organization(s) | 1o | No |
| p Reimbursement paid to related organization(s) for expenses | 1p | No |
| q Reimbursement paid by related organization(s) for expenses | 1q | No |
| r Other transfer of cash or property to related organization(s) | 1r | No |
| s Other transfer of cash or property from related organization(s) | 1s | No |

2 If the answer to any of the above is "Yes," see the instructions for information on who must complete this line, including covered relationships and transaction thresholds.

| (a) Name of related organization | (b) Transaction type (a-s) | (c) Amount involved | (d) Method of determining amount involved |
|-------------------------------------|-------------------------------|------------------------|--|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

Part VII Supplemental Information

Provide additional information for responses to questions on Schedule R. See instructions.

Return Reference

Explanation

Schedule R (Form 990) 2021

Additional Data

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Software ID: 21013475
Software Version: 2021v4.0

EXHIBIT 5



The Vermont Principals' Association

Supporting Leaders and Learners



IMPORTANT NOW

- [2023 Leadership Academy](#)
- [Professional Learning & Support](#)
- [Education Directory Errata Sheet](#)
- [VPA National Member Associations](#)

IMPORTANT ATHLETICS INFO

- [Sports Calendar](#)
- [High School Policies](#)
- [Middle School Policies](#)
- [FAQs for Athletics](#)
- [VT Sports Officials Associations](#)
- [NFHS: Stream Online](#)
- [NFHS](#)
- [Reporting a Concern](#)

VPA Mission

Mission:

"The Vermont Principals' Association supports school leaders to improve the equity and quality of educational opportunities for all students."

Core Values

To support learners and leaders, the Vermont Principals' Association believes in...

Executive Council Goals

- Goal 1: Supporting Children & Schools Around Resilience
- Goal 2: Collaborate with AOE to support Principals
- Goal 3: Advocate for Early Learning (3, 4, 5 year olds)
- Goal 4: Principal Retention, diversity recruitment and development of future Vermont leadership
- Goal 5: Continue to provide resources and support Vermont school leaders as we continue to work in growing equitable and thriving school communities.

Activities Standards Committee Goals

- Diversity, Equity and Inclusion-
 - Supporting all students in activities and athletics
 - Creating safe environments for student athletes
 - Proactive talk tracks for transgender athletes
 - Opportunities for pre-teaching of communities
 - Reporting form and follow ups
- Expand opportunities for students not associated with an athletic team.
- Communication Goal: Clear and consistent communication amongst stakeholders (VSADA, DEI, Principals, Officials, Committees) and an official landing page/website with up to date information.
- Mental Health Goal: Provide assistance and resources to schools around the issues related to mental health of students in extracurricular.

Professional Learning & Support Committee Goals

To search type and hit enter

VPA SPONSORS



VPA Mission – Vermont Principals' Association

- Provide Professional Learning to Vermont educators and their school communities to improve “equity and quality educational opportunities” for each student, including but not limited to the [current and ongoing offerings](#).
- In support of building collaboration and connections across members, we will continue to offer [member support](#) in multiple ways including but not limited to: drop-ins, supporting aspiring school leaders, one-to-one support, school visits, affinity spaces, and the VPA mentoring program.
- Conduct the annual survey of VT school leaders and use the results to inform develop professional learning and collaborative offerings.
- Produce the VPA 2023 Leadership Academy in Killington.



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EXHIBIT 6



219 North Main Street, Suite 402
Barre, VT 05641 (p) 802-479-1030 | (f) 802-479-1835

Continuing Best Practices for Schools Regarding Transgender and Gender Nonconforming Students

State Policy

It is the policy of the State of Vermont that all Vermont educational institutions provide safe, orderly, civil, and positive learning environments. Harassment, hazing and bullying have no place and will not be tolerated in Vermont schools. No Vermont student should feel threatened or be discriminated against while enrolled in a Vermont school. 16 V.S.A. § 570.

State Law

An owner or operator of a place of public accommodation or an agent or employee of such owner or operator shall not, because of race, creed, color, national origin, marital status, sex, sexual orientation, or gender identity of any person, refuse, withhold from, or deny to that person any of the accommodations, advantages, facilities, and privileges of the place of public accommodation. 9 V.S. A. § 4502(a).

Background

Many questions arise for students and school staff when considering the best supports for transgender and gender nonconforming students. These sample procedures are designed to provide direction for schools to address issues that may arise concerning the needs of transgender and gender nonconforming students. All students need a safe and supportive school environment to progress academically and developmentally. Administrators, faculty, staff, and students each play an important part in creating and sustaining that environment. Schools should be proactive in creating a school culture that respects and values all students and fosters understanding of gender identity within the school community. These practices are intended to help school and district administrators take steps to create a culture in which transgender and gender nonconforming students feel safe, supported, and fully included, and to meet each school's obligation to provide equal educational opportunities for all students. These practices are intended to help schools ensure a safe learning environment free of discrimination and harassment, and to promote the educational and social integration of transgender students. These procedures do not anticipate every situation that may occur and the needs of each student must be assessed on a case-by-case basis. Every student and school is unique and building administrators should discuss these issues with students and their families and draw on the experiences and expertise of their colleagues as well as external resources where appropriate.

School Climate and Transgender or Gender Nonconforming Students

A national survey conducted 2013 found that 74.1% of lesbian, gay, bisexual and transgender (LGBT) students reported having been verbally harassed in the previous year, 36.2% physically

harassed, and 16.5% physically assaulted.¹ In a different national survey in 2011 found that 51% of respondents who were harassed or bullied in school reported attempting suicide, compared with 1.6% of the general population.²

The procedures are based on the following core principles of educational access and equity for all students:

- i. All students have a gender identity which is self-determined.
- ii. All persons, including students attending school, have privacy rights.
- iii. All students have a right to feel safe at school.
- iv. All students have a right to a school environment free from discrimination.

Best Practices require schools to adopt a student-centered focus regarding transgender and gender nonconforming students. No single policy, approach, or accommodation will apply in all circumstances. Schools must determine supports for transgender and gender nonconforming students on a case-by-case basis, informed by the individual student's needs.

Definitions

- “Cisgender” refers to a person whose gender identity corresponds to their assigned sex at birth.
- “Gender Identity” means an individual’s actual or perceived gender identity, or gender-related characteristics intrinsically related to an individual’s gender or gender-identity, regardless of the individual’s assigned sex at birth.³
- “Gender expression” refers to the way a person expresses gender to others in ways that are socially defined as either masculine or feminine, such as through behavior, clothing, hairstyles, activities, voice, mannerisms or body characteristics.
- “Gender nonconforming” or “gender creative” people are those whose gender-related identity and/or gender expression do not conform to the social expectations or norms for a person of that sex assigned at birth. Other terms that can have similar meanings include gender variant, gender expansive, gender fluid, or gender atypical.
- “Gender stereotypes” refers to stereotypical notions of masculinity and femininity, including expectations of how boys or girls represent or communicate one’s gender to others, such as behavior, clothing, hairstyles, activities, voice, mannerisms, or body characteristics.
- “Transgender” is a term which describes an individual whose gender identity or gender expression is different from the individual’s assigned sex at birth.

¹ GLSEN, 2013 *National School Climate Survey: The Experiences of Lesbian, Gay, Bisexual and Transgender Youth in Our Nation’s Schools*, xvii (2014).

² Jaime M. Grant, et al., National Center for Transgender Equality and National Gay and Lesbian Task Force, *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey*, 3, 45 (2011).

³ 1 V.S.A. §144, Gender identity defined.

- “Gender transition” refers to the experience by which a transgender person goes from living and identifying as one’s assigned sex to living and identifying as the sex consistent with one’s gender identity. A gender transition often includes a “social transition,” during which an individual begins to live and identify as the sex consistent with the individual’s gender identity, with or without medical treatments or procedures. [“Transition” refers to the process by which a person socially and/or physically aligns their gender expression more closely to their gender identity and away from that associated with their assigned sex at birth.]⁴
- “Sexual Orientation” refers to a person’s emotional and sexual attraction to other people based on the gender of the other person. Sexual orientation is not the same as gender identity. Not all transgender students identify as gay, lesbian or bisexual, and not all gay, lesbian and bisexual students display gender nonconforming characteristics.⁵

Discrimination/Harassment

Harassment of a student on the basis of sex can limit or prevent a student from participating in or receiving educational benefits, services or opportunities. Gender-based harassment may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex stereotyping. For example, harassing a student for failing to conform to stereotypical masculine or feminine notions or behaviors constitutes sex discrimination.

Complaints alleging discrimination or harassment based on a person’s actual or perceived transgender status, gender identity or gender nonconformity should be handled in accordance with the Policy on the Prevention of Harassment, Hazing and Bullying of Students. Schools are required to adopt a policy for the prevention of harassment as least as stringent as the Secretary of Education’s model policy. 16 V.S.A. § 570(b). The Secretary’s model policy can be found here:

<http://education.vermont.gov/student-support/healthy-and-safe-schools/school-climate#hhb-model-policy>

Vermont law defines harassment at 16 V.S.A. §11a(26(A):

“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, **sex, sexual orientation, gender identity** or disability 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.

⁴ State of New York Policy Guidance, 2015

⁵ Id. (citing California School Board Association, *Policy Brief: Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students*, 1 (2014)).

Privacy

Except as set forth herein, school personnel should not disclose information that may reveal a student's transgender or gender nonconforming status. Under the Family Educational Rights and Privacy Act (FERPA), only those school employees with a legitimate educational need should have access to a student's records or the information contained within those records. Disclosing confidential student information to other employees, students, parents, or other third parties may violate privacy laws, including but not limited to FERPA. Transgender or gender nonconforming students have the ability, as do all students, to discuss and express their gender identity and gender expression openly and decide when, with whom, and how much of their private information to share with others.

Schools should work closely with the student and family, if appropriate, in devising an appropriate plan regarding the confidentiality of the student's transgender or gender nonconforming status that works for both the student and the school. The support of the student's family may vary. In adopting a student-centered approach, a school can best support a transgender student by involving the student regarding how and what information about the student is shared within the school and between the school and the student's home. Some parents may be very supportive and advocate for the student with the school. Other students may not have a supportive home environment. In those cases, schools should develop a plan for information sharing which supports the student, while balancing a parent's right to information. Any plan for sharing information must comply with all applicable laws, regulations, policies and guidelines. Privacy considerations may also vary with the age of the student.

In some cases, transgender and gender nonconforming students may feel more supported and safe if other students are aware of their gender identity. In these cases, school staff should work closely with the student, families and other staff members on a plan to inform and educate the student's peers. It may also be appropriate to engage external resources to assist with educational efforts.

A list of additional resources and information can be found at the end of this document, including contact information for Outright Vermont (a local support organization) and the Vermont Human Rights Commission, which investigates claims of discrimination under Vermont's anti-discrimination laws.

Official Records

For grades 9-12, the transcripts of all students must be permanently maintained; academic records may be permanently maintained. See State Board of Education Rule 2113.

To the extent that the school is not legally required to use a student's legal name or sex assigned at birth on school records and other documents, the school should use the name and gender preferred by the student. This may require the school to maintain two sets of records (one with the student's legal name and sex assigned at birth kept separate from routine school records) to avoid inadvertent disclosure.

With respect to student medical records, school nurses and other licensed professionals need accurate and reliable information in order to ensure that the student receives appropriate care and to enable them to coordinate care with other health providers or licensed professionals, as well as to file health insurance claims with other organizations such as Medicaid. Nurses are required to accurately document clinical information relating to a patient and are also required to keep patient health records confidential. In the case of a transgender student, a school nurse should use the student's chosen/preferred name, and should use the student's birth name only when necessary to ensure the student receives appropriate care and to enable the school nurse to coordinate care for the student with other health care providers or licensed professionals, as well as to file health insurance claims.

Under FERPA, students who are 18 and older or parents of students under 18 may request a change to the student's name and gender in educational records based on a claim that such records are incorrect, misleading or a violation of privacy. A student's permanent pupil record should be changed to reflect a change in legal name or gender only upon receipt of documentation that such legal name and/or gender have been changed pursuant to applicable law.

For a legal change of gender, the student must provide a birth certificate indicating the student's legal gender. 18 V.S.A. § 5112 (2011).

In all cases, in order to ensure that records accurately reflect circumstances in effect at the time each record was made, that record can be cross-referenced, and in order to maintain the confidentiality of the student's transgender status to the extent possible, the former name and/or gender will be maintained in archived data in the AOE's central database.

Names/Pronouns

Students should be addressed by school staff by the name and pronoun corresponding to their gender identity. Students are not required to obtain a court ordered name and/or gender change or to change their pupil personnel records as a prerequisite to being addressed by the name and pronoun that corresponds to their gender identity. To the extent possible and consistent with these guidelines, school personnel should make efforts to maintain the confidentiality of the student's transgender status. For those students who undergo gender transition while attending the same school, it is important to develop a plan for initiating use of the preferred name and pronouns consistent with the student's gender identity. The plan can also include when and how this is communicated to students and their parents, staff and other individuals within the school community (i.e., substitute teachers, bus drivers, athletic coaches, etc.)

Within the school or school district when a transgender or gender nonconforming student new to a school is using a chosen/preferred name and gender identity, their birth name and assigned sex should be kept confidential by school and district staff. If a student has previously been known at school or in school records by his or her birth name, the school administrator should direct school personnel to use the student's chosen/preferred name and not the student's birth name. To ensure consistency among teachers, school administrators, substitute teachers and other staff, every effort should be made to immediately update student education records (for

example, attendance records, report cards, Individualized Education Programs, etc.) with the student's chosen/preferred name and appropriate gender markers and not circulate records with the student's birth name and assigned sex.

Student IDs should be issued in the name that reflects a student's gender identity.

Sports and Physical Education

Transgender and gender nonconforming students are to be provided the same opportunities to participate in physical education as are all other students. Generally, students should be permitted to participate in physical education and sports in accordance with the student's gender identity. Participation in competitive athletic activities and sports will be resolved on a case-by-case basis. Schools should refer to the [Vermont Principal's Association Activities/Athletics Policies: Article 1 Section 2](#).

Restroom and Locker Room Accessibility

The use of restrooms and locker rooms by transgender students requires schools to consider numerous factors, including, but not limited to: the transgender student's preference; protecting student privacy; maximizing social integration of the transgender student; minimizing stigmatization of the student; ensuring equal opportunity to participate; the student's age; and protecting the safety of the students involved.

A transgender student should not be required to use a locker room or restroom that conflicts with the student's gender identity.

Schools may consider including gender neutral restrooms into the design of new construction and/or building renovation.

Gender Segregation in Other Areas

As a general rule, in any other circumstances where students are separated by gender in school activities (i.e. overnight field trips), students should be permitted to participate in accordance with their gender identity. Activities that may involve the need for accommodations to address student privacy concerns will be addressed on a case-by-case basis considering the factors set forth above.

AOE gratefully acknowledges the assistance of Outright and GLAD in the creation of these best practices.

Legal References

Title V, Section B, 504 of the Rehabilitation Act of 1973, 29 U.S.C. §794 et seq.;

Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d;

Family Educational Rights and Privacy Act; 20 U.S.C. §1232g;

Public Accommodations Act, 9 V.S.A. §§4500 et seq.;

Education, Classifications and Definitions, 16 V.S.A. §11(26);(30)(A);(32);

Sample resources from Vermont and other states:

- Outright Vermont: www.outrightvt.org
- The Vermont Human Rights Commission: <http://hrc.vermont.gov/>
- GLAD: <http://www.glad.org/>

California

California School Board Association, *Policy Brief: Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students*

<http://www.csba.org/~media/E68E16A652D34EADA2BFDCD9668B1C8F.ashx>

District of Columbia

<http://dcps.dc.gov/publication/dcps-transgender-and-gender-non-conforming-policy-guidance>

New York

http://www.p12.nysed.gov/dignityact/documents/Transg_GNCGuidanceFINAL.pdf

The Human Rights Campaign, in collaboration with the ACLU, the NEA, Genderspectrum and NCLR

<http://hrc-assets.s3-website-us-east-1.amazonaws.com//files/assets/resources/Schools-In-Transition.pdf>

Frequently Asked Questions

1. What happens when a student transitions at school and requests that school personnel not share information with the parent(s)?

School personnel should analyze each situation using a student-centered or student-focused approach. If the student feels more supported and safe in transitioning at school and does not want this information shared with the parent (or guardian), school personnel should honor the student's request. Transgender and gender nonconforming students may not have talked to their families about their gender identity for reasons including safety concerns or a lack of acceptance. In order for a school to provide information legally required to be shared with parents, may require the school to maintain two sets of records. The student may request that all correspondence between the school and the home use only the student's legal name and assigned sex. School personnel should discuss with the student first before discussing the student's gender identity with the student's parent or guardian and how written communication with the parent's or guardian will refer to the student (preferred/chosen name and/or preferred pronouns or legal name).

2. How have other schools handled the privacy of transgender and gender nonconforming students?

In a case involving a student in Massachusetts, parents of a transgender male-to-female elementary school student requested that only the school principal and the school nurse be aware that the student was assigned the sex of male at birth. After a discussion with the school principal, the parents agreed that the student's teacher, the school secretary, and the district superintendent would also be informed. In this situation, the school principal kept the student's birth certificate in a separate, locked file that only the principal could access, and put a note in the student's other file saying that the principal had viewed the student's birth certificate. In another situation, where a biological male came to school after April vacation as a girl, the school principal and guidance counselor, in collaboration with the student and her parents, developed a plan for communicating information regarding the student's transition to staff, parents, and students. The plan included who was going to say what to whom, and when the communication would take place.⁶

3. Will all bathrooms and locker rooms require modifications to accommodate transgender and gender nonconforming students?

Not necessarily. Any student may desire additional privacy in using a bathroom or locker room. A transgender or gender nonconforming student may request additional privacy within a locker room or other changing room. Similarly, other students may

⁶ *Guidance for Massachusetts Public Schools, Creating a Safe and Supportive School Environment: Nondiscrimination on the Basis of Gender Identity*, Massachusetts Department of Elementary and Secondary Education, 2012.

request additional privacy in changing clothes in a locker room or changing area used by a transgender or gender nonconforming student. These situations must be handled with concern for the privacy concerns of all involved. In using a student-centered approach, the transgender or gender nonconforming student may request a separate space, or may not. In any event, a transgender or gender nonconforming student must not be forced to use a separate space or use a space inconsistent with their asserted gender identity. Schools may provide a single stall with a door or curtain to provide privacy for any student who desires extra privacy within a common locker room or changing area (or bathroom).

EXHIBIT 7



**WINDSOR CENTRAL SUPERVISORY UNION
WINDSOR CENTRAL UNIFIED UNION SCHOOL DISTRICT**

Serving the towns of Barnard, Bridgewater, Killington, Pittsfield, Plymouth, Pomfret, Reading, and Woodstock

CODE: A24

BOARD/SUPERINTENDENT RELATIONSHIP

Policy

The Windsor Central Supervisory Union and its member districts' boards establish policy and governs through the policy they create. The superintendent manages all operations of the school system in accordance with board policies.

The board recognizes and values the superintendent's experience and expertise in instructional and administrative matters. The superintendent recognizes and values the board's experience in issues related to the Windsor Central Supervisory Union and the board's connections and responsibilities to the communities represented.

The superintendent and the board members respect the confidentiality of communication in both directions and work toward open communication and trust. The superintendent works only for the board as a whole, not for any individual member. Only decisions of the board acting as a body are binding on the superintendent.

Board members work directly with the superintendent and central office staff, so long as such communication is clearly not giving direction or suggesting a course of action that staff perceives as direction. When presented with citizen concerns, board members refer them to appropriate levels of authority, in accordance with the district's policy on complaints.

The board directs the superintendent through written policies that prescribe the results the board wants to achieve. The board is realistic in setting expectations about what can be accomplished, given the school district's available resources. The superintendent is accountable to the board for the performance of staff.

Annually, the Supervisory Union board evaluates the superintendent's performance. The superintendent is accountable to the board for the achievement of the boards' goals. The boards are responsible for clearly setting forth and communicating their expectations before evaluation takes place. The board will evaluate the superintendent's job performance in a way that is systematic, fair, and effective.

Date Warned: June 8, 2020

Date Adopted: August 3, 2020

EXHIBIT 8



WINDSOR CENTRAL SUPERVISORY UNION

Windsor Central Unified District Pittsfield School District
70 Arnsden Way Woodstock, Vermont 05091
Phone: 802-457-1213 Fax: 802-457-2989 www.wcnu.net

Request to Review Employee File

I, DAVID BLOCH wish to view the contents of my personnel file.
(Print Name)

[Handwritten Signature]
Signature

3/1/23
Date

You may request copies of any documents in your file that contain your signature. Personnel files are the property of Windsor Central Supervisory Union and therefore cannot be removed from the Human Resources Office.

I would like copies of the following documents:

ENTIRE PERSONNEL FILE

(This section is to be completed by Human Resources upon receipt of a request from the employee.)

An appointment to view the file has been scheduled for _____
(Date & Time)

The location of the file review will be at the Windsor Central Supervisory Union HR office.

(This section is to be completed during the file review appointment.)

The file was reviewed in the presence of _____
_____, and _____, and the documents requested above were copied and given to the employee.

Personnel File contents emailed to Mr Bloch.

Linda Laporte
Signature - HR Dept. Representative

4/10/2023
Date



WINDSOR CENTRAL SUPERVISORY UNION
Windsor Central Unified District  Pittsfield School District
Serving the towns of Barnard, Bridgewater, Killington, Pittsfield, Plymouth, Pomfret, Reading, and Woodstock

February 9, 2023

Dear Dave Bloch,

This correspondence shall serve as formal notice of the immediate termination of your employment as a WUHSMS Snowboard Coach due to your violation of the [WCSU Prevention of Hazing, Harassment, and Bully Policy](#) and the [Vermont Principals' Association Athletics Policy](#).

On Thursday, February 9, Athletic Director Boymer informed you the school was in receipt of a complaint that you had used disparaging terms to identify and describe a student on an opposing team at a competition on Wednesday, February 8. When asked about the complaint, you confirmed that you made reference to the student in a manner that questioned the legitimacy and appropriateness of the student competing on the girls' team to members of the WUHS Snowboard Team and, thus, the substance of the complaint. Following district procedures, WUHSMS administrators investigated, and the findings confirmed that your actions violated the policy.

The WCSU policy on the Prevention of Harassment, Hazing and Bullying Policy- Policy C10 defines harassment as: "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."

I find that your use of disparaging names created an objectively offensive environment and constituted harassment based on gender identity, justifying terminating your contract as a snowboarding coach. In addition, you will not be considered for any future coaching positions within the Windsor Central Unified Union School District.

Sincerely,

Sherry Sousa
WCSU Superintendent

A copy of this letter will be placed in your official personnel file. You must sign to indicate that you have received and reviewed the document, not that you agree with its contents.



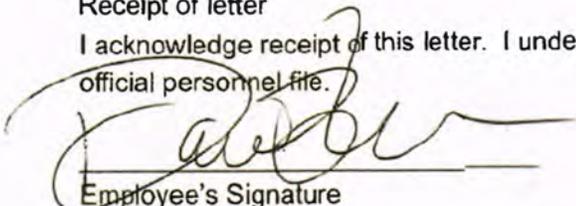
Superintendent's Signature

2-9-23

Date

Receipt of letter

I acknowledge receipt of this letter. I understand that a copy of this letter will be placed in my official personnel file.



Employee's Signature

Date

3/19/2019

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WINDSOR CENTRAL SUPERVISORY UNION



Barnard • Killington • Prosper Valley • Reading • Woodstock • Woodstock Union Middle/High

WINDSOR CENTRAL SUPERVISORY UNION PERSONNEL INFORMATION SHEET

(Please write clearly)

Name: David J. Bloch

Mailing Address: [REDACTED]

Street Address: [REDACTED]

City: [REDACTED]

State: VT. Zip code: [REDACTED]

Home Phone #: [REDACTED]

Cell Phone #: [REDACTED]

Date of Birth: [REDACTED]

Position/Title: Snowboard Coach

Email address: [REDACTED]

Emergency Contact Name & Phone: [REDACTED]

Below For Office Use:

| Work Location: | Employee # | Date of Hire per School | Declaration of Health Care /Date Signed |
|----------------------------|---------------------|-----------------------------|---|
| <u> </u> Barnard | <u> </u> EE# | <u> </u> | <u> </u> |
| <u> </u> Killington | <u> </u> EE# | <u> </u> | <u> </u> |
| <u> </u> Prosper Valley | <u> </u> EE# | <u> </u> | <u> </u> |
| <u> </u> Reading | <u> </u> EE# | <u> </u> | <u> </u> |
| <u> </u> Woodstock | <u> </u> EE# | <u> </u> | <u> </u> |
| <u> </u> WUHSMS | <u> </u> EE# | <u> </u> | <u> </u> |
| <u> </u> WCSU | <u> </u> EE# | <u> </u> | <u> </u> |

3/19/2019

IMG-5622.JPG

WINDSOR CENTRAL SUPERVISORY UNION



AUTHORIZATION FORM FOR DIRECT DEPOSIT

*** Please attach a voided check to this form so that we may verify your routing and account numbers. ***

Employee Name: David Bloch (Please Print)

Select all that you would like to authorize Direct Deposit for:

- Windsor Central Supervisory Union
- Windsor Central Modified Unified Union School District
- Barre School District

I hereby authorize the Windsor Central Supervisory Union (WCSU) and the financial institution listed below to initiate credit entries for funds due to me from the WCSU or its member districts and to initiate, if necessary, debit entries and adjustments for any credit entries made in error by WCSU, to my account indicated below at the financial institution named below. This authority will remain in effect until I have cancelled it in writing.

SIGNATURE: [Signature] DATE: 3/10/19

Is this a change to a current authorization? YES NO

I would like to receive my payroll advice slips via email. Indicate email address below.

Please send advice slips to the following email address: _____

Deposit my NET PAY (total check amount) to my: Checking account Savings account

NAME OF FINANCIAL INSTITUTION: _____
ROUTING NUMBER: _____ ACCOUNT NUMBER: _____

Deposit \$ _____ (amount) to my: Checking account Savings account

NAME OF FINANCIAL INSTITUTION: _____
ROUTING NUMBER: _____ ACCOUNT NUMBER: _____

Deposit \$ _____ (amount) to my: Checking account Savings account

NAME OF FINANCIAL INSTITUTION: _____
FINANCIAL INSTITUTION ROUTING NUMBER: _____ ACCOUNT NUMBER: _____

Office use only:
Date Rec'd: _____ Date Entered into ADS: _____

07/2018

CERTIFICATE

THIS IS TO CERTIFY THAT

DAVE BLOCH

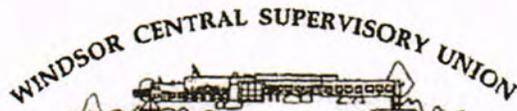
*SUCCESSFULLY COMPLETED VOSHA ONLINE TRAINING IN METHODS OF
PROTECTION FROM COVID-19 VIRUS IN THE WORKPLACE*

DATE JAN 21, 2021

EMPLOYER NAME

WUHS





Barnard • Bridgewater • Killington • Pomfret • Reading • Woodstock • Woodstock Union Middle/High

WINDSOR CENTRAL SUPERVISORY UNION

PERSONNEL INFORMATION SHEET

Name: DAVID J. BLOCH

Mailing address:

City:

State: VT

Zipcode:

Phone #

Cell Phone # 597

Date of Birth:

Position / Title:

snowboard coach

Email address:

Schools Assignment: (check all that apply)

Office Use:

Barnard

EE#

Bridgewater

EE#

Killington

EE#

Pomfret

EE#

Reading

EE#

Woodstock Elementary School

EE#

WUHSMS

55613 EE#

Windsor Central S.U.

EE#

Form W-4 (2015)

Purpose. Complete Form W-4 so that your employer can withhold the correct federal income tax from your pay. Consider completing a new Form W-4 each year and when your personal or financial situation changes.

Exemption from withholding. If you are exempt, complete only lines 1, 2, 3, 4, and 7 and sign the form to validate it. Your exemption for 2015 expires February 16, 2016. See Pub. 505, Tax Withholding and Estimated Tax.

Note. If another person can claim you as a dependent on his or her tax return, you cannot claim exemption from withholding if your income exceeds \$1,050 and includes more than \$350 of unearned income (for example, interest and dividends).

Exceptions. An employee may be able to claim exemption from withholding even if the employee is a dependent, if the employee:

- Is age 65 or older,
- Is blind, or
- Will claim adjustments to income; tax credits; or itemized deductions, on his or her tax return.

The exceptions do not apply to supplemental wages greater than \$1,000,000.

Basic instructions. If you are not exempt, complete the **Personal Allowances Worksheet** below. The worksheets on page 2 further adjust your withholding allowances based on itemized deductions, certain credits, adjustments to income, or two-earners/multiple jobs situations.

Complete all worksheets that apply. However, you may claim fewer (or zero) allowances. For regular wages, withholding must be based on allowances you claimed and may not be a flat amount or percentage of wages.

Head of household. Generally, you can claim head of household filing status on your tax return only if you are unmarried and pay more than 50% of the costs of keeping up a home for yourself and your dependent(s) or other qualifying individuals. See Pub. 501, Exemptions, Standard Deduction, and Filing Information, for information.

Tax credits. You can take projected tax credits into account in figuring your allowable number of withholding allowances. Credits for child or dependent care expenses and the child tax credit may be claimed using the **Personal Allowances Worksheet** below. See Pub. 505 for information on converting your other credits into withholding allowances.

Nonwage income. If you have a large amount of nonwage income, such as interest or dividends, consider making estimated tax payments using Form 1040-ES, Estimated Tax for Individuals. Otherwise, you may owe additional tax. If you have pension or annuity income, see Pub. 505 to find out if you should adjust your withholding on Form W-4 or W-4P.

Two earners or multiple jobs. If you have a working spouse or more than one job, figure the total number of allowances you are entitled to claim on all jobs using worksheets from only one Form W-4. Your withholding usually will be most accurate when all allowances are claimed on the Form W-4 for the highest paying job and zero allowances are claimed on the others. See Pub. 505 for details.

Nonresident alien. If you are a nonresident alien, see Notice 1392, Supplemental Form W-4 instructions for Nonresident Aliens, before completing this form.

Check your withholding. After your Form W-4 takes effect, use Pub. 505 to see how the amount you are having withheld compares to your projected total tax for 2015. See Pub. 505, especially if your earnings exceed \$130,000 (Single) or \$180,000 (Married).

Future developments. Information about any future developments affecting Form W-4 (such as legislation enacted after we release it) will be posted at www.irs.gov/w4.

Personal Allowances Worksheet (Keep for your records.)

- A** Enter "1" for yourself if no one else can claim you as a dependent **A**
- B** Enter "1" if:
 • You are single and have only one job; or
 • You are married, have only one job, and your spouse does not work; or
 • Your wages from a second job or your spouse's wages (or the total of both) are \$1,500 or less. **B**
- C** Enter "1" for your spouse. But, you may choose to enter "-0-" if you are married and have either a working spouse or more than one job. (Entering "-0-" may help you avoid having too little tax withheld.) **C**
- D** Enter number of dependents (other than your spouse or yourself) you will claim on your tax return **D**
- E** Enter "1" if you will file as head of household on your tax return (see conditions under **Head of household** above) **E**
- F** Enter "1" if you have at least \$2,000 of child or dependent care expenses for which you plan to claim a credit (Note. Do not include child support payments. See Pub. 503, Child and Dependent Care Expenses, for details.) **F**
- G** **Child Tax Credit** (including additional child tax credit). See Pub. 972, Child Tax Credit, for more information.
 • If your total income will be less than \$65,000 (\$100,000 if married), enter "2" for each eligible child; then less "1" if you have two to four eligible children or less "2" if you have five or more eligible children.
 • If your total income will be between \$65,000 and \$84,000 (\$100,000 and \$119,000 if married), enter "1" for each eligible child **G**
- H** Add lines A through G and enter total here. (Note. This may be different from the number of exemptions you claim on your tax return.) ▶ **H**

For accuracy, complete all worksheets that apply.

- If you plan to **itemize** or **claim adjustments to income** and want to reduce your withholding, see the **Deductions and Adjustments Worksheet** on page 2.
- If you are **single and have more than one job** or are **married and you and your spouse both work** and the combined earnings from all jobs exceed \$50,000 (\$20,000 if married), see the **Two-Earners/Multiple Jobs Worksheet** on page 2 to avoid having too little tax withheld.
- If **neither** of the above situations applies, **stop here** and enter the number from line H on line 5 of Form W-4 below.

Separate here and give Form W-4 to your employer. Keep the top part for your records.

| | | | | |
|---|--|--|--|---|
| Form W-4 Department of the Treasury Internal Revenue Service | | Employee's Withholding Allowance Certificate ▶ Whether you are entitled to claim a certain number of allowances or exemption from withholding is subject to review by the IRS. Your employer may be required to send a copy of this form to the IRS. | | OMB No. 1545-0074 2015 |
| 1 Your first name and middle initial DAVID | | Last name BLOCH | | 2 Your social security number [REDACTED] |
| City or town, state, and ZIP code [REDACTED] | | 3 <input checked="" type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Married, but withhold at higher Single rate. Note. If married, but legally separated, or spouse is a nonresident alien, check the "Single" box. | | |
| 4 Total number of allowances you are claiming (from line H above or from the applicable worksheet on page 2) | | 5 [REDACTED] | | |
| 6 Additional amount, if any, you want withheld from each paycheck | | 6 [REDACTED] | | |
| 7 I claim exemption from withholding for 2015, and I certify that I meet both of the following conditions for exemption. | | | | |
| • Last year I had a right to a refund of all federal income tax withheld because I had no tax liability, and | | | | |
| • This year I expect a refund of all federal income tax withheld because I expect to have no tax liability. | | | | |
| If you meet both conditions, write "Exempt" here. ▶ 7 [REDACTED] | | | | |
| Under penalties of perjury, I declare that I have examined this certificate and, to the best of my knowledge and belief, it is true and complete. | | | | |
| Employee's signature (This form is not valid unless you sign it.) [Signature] | | 9 Office code (optional) | | 10 Employer identification number [REDACTED] |
| 8 Employer's name and address (Employer: Complete lines 8 and 10 only if sending to the IRS.) | | Date ▶ 2/25/15 | | |

2/3/23, 11:28 AM

image0.jpeg



COACHES EMPLOYMENT LETTER

2022-2023

Employee: Dave Bloch

Date: 12/6/2022

Position: Snowboard Head Coach

Department: Athletics

Salary Amount: \$4,439.00

The sum of money to be paid is and shall be governed by contract between the Windsor Central Education Association and the Board of School Directors for Windsor Central Unified Union School District.

Job Goal: To help each participating students achieve a level of skill, an appreciation for the values of discipline and sportsmanship, and an increased level of self-esteem.

Performance Responsibilities:

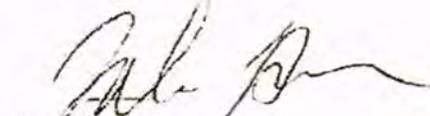
- 1.) Coaches individual participants in the skills necessary for excellent achievement in the sport involved.
- 2.) Plans and schedules a regular program of practice sessions.
- 3.) Works closely with the athletic director in scheduling interscholastic contests.
- 4.) Recommends purchase of equipment, supplies and uniforms, as appropriate.
- 5.) Maintains necessary attendance forms, insurance records and similar paperwork.
- 6.) Oversees the safety conditions of the facility or area in which assigned sport is conducted at all times that the students are present.

Failure on my part to fulfill any part of this contract will make this contract null and void.

Dated this 6th day of December 2022.


Coach


Board Representative


Athletic Director


Superintendent of Schools

White - Personnel File

Yellow - Employee



COACHES EMPLOYMENT LETTER

2020-2021

Employee: Dave Bloch

Date: 2/5/2021

Position: Snowboard Head Coach

Department: Athletics

Salary Amount: \$4,071.00

The sum of money to be paid is and shall be governed by contract between the Windsor Central Education Association and the Board of School Directors for Windsor Central Unified Union School District.

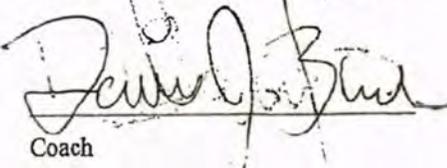
Job Goal: To help each participating students achieve a level of skill, an appreciation for the values of discipline and sportsmanship, and an increased level of self-esteem.

Performance Responsibilities:

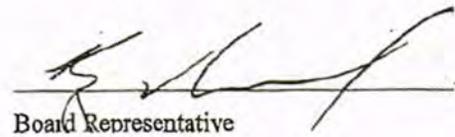
- 1.) Coaches individual participants in the skills necessary for excellent achievement in the sport involved.
- 2.) Plans and schedules a regular program of practice sessions.
- 3.) Works closely with the athletic director in scheduling interscholastic contests.
- 4.) Recommends purchase of equipment, supplies and uniforms, as appropriate.
- 5.) Maintains necessary attendance forms, insurance records and similar paperwork.
- 6.) Oversees the safety conditions of the facility or area in which assigned sport is conducted at all times that the students are present.

Failure on my part to fulfill any part of this contract will make this contract null and void.

Dated this 5th day of February 2021.



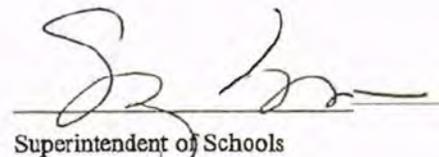
Coach



Board Representative



Athletic Director



Superintendent of Schools

White – Personnel File

Yellow – Employee



WOODSTOCK UNION HIGH SCHOOL
COACHES EMPLOYMENT LETTER
2019-2020

Employee: Dave Bloch

Date: December 13, 2019

Position: Snowboard Coach

Department: Athletics

Salary Amount: \$3,699.00

The sum of money to be paid is and shall be governed by contract between the Windsor Central Education Association and the Board of School Directors for Windsor Central Modified Unified Union School District.

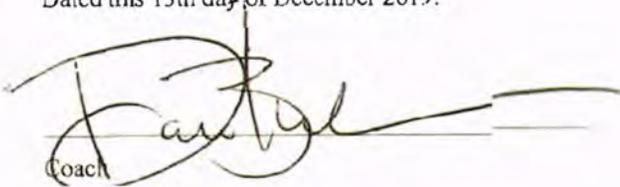
Job Goal: To help each participating students achieve a level of skill, an appreciation for the values of discipline and sportsmanship, and an increased level of self-esteem.

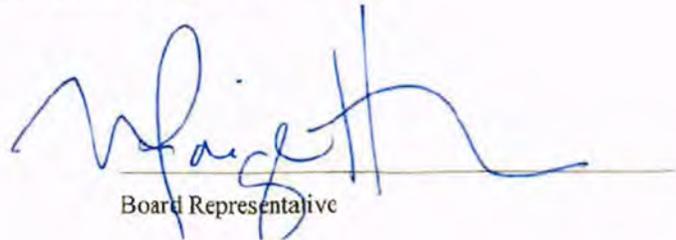
Performance Responsibilities:

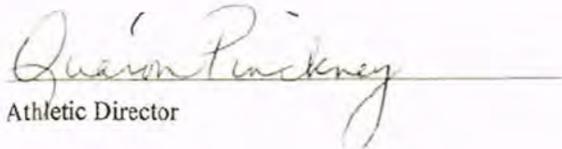
- 1.) Coaches individual participants in the skills necessary for excellent achievement in the sport involved.
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- 3.) Works closely with the athletic director in scheduling interscholastic contests.
- 4.) Recommends purchase of equipment, supplies and uniforms, as appropriate.
- 5.) Maintains necessary attendance forms, insurance records and similar paperwork.
- 6.) Oversees the safety conditions of the facility or area in which assigned sport is conducted at all times that the students are present.

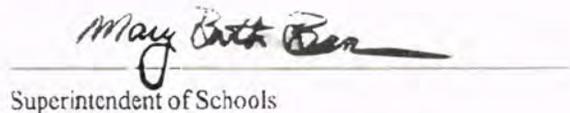
Failure on my part to fulfill any part of this contract will make this contract null and void.

Dated this 13th day of December 2019.


Coach


Board Representative


Athletic Director


Superintendent of Schools

White – Personnel File

Yellow – Employee

3/19/2019

IMG-5621.JPG



**WINDSOR CENTRAL MODIFIED UNIFIED UNION SCHOOL DISTRICT
COACHES CONTRACT
2018-2019**

Employee: Dave Bloch

Date: 12/17/2018

Position: Snowboard Coach

Department: Athletics

Salary Amount: \$3,699.00

The sum of money to be paid is and shall be governed by contract between the Windsor Central Education Association and the Board of School Directors for Windsor Central Modified Unified Union School District.

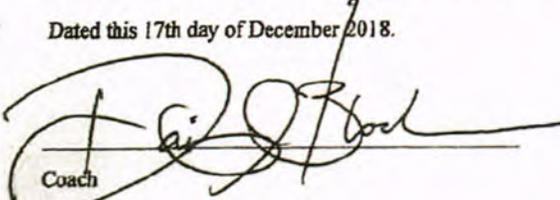
Job Goal: To help each participating students achieve a level of skill, an appreciation for the values of discipline and sportsmanship, and an increased level of self-esteem.

Performance Responsibilities:

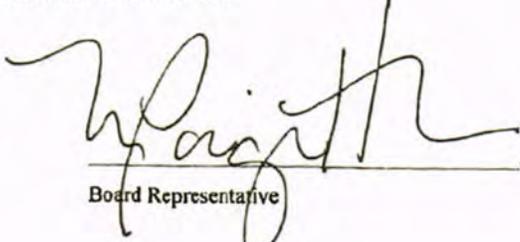
- 1.) Coaches individual participants in the skills necessary for excellent achievement in the sport involved.
- 2.) Plans and schedules a regular program of practice sessions.
- 3.) Works closely with the athletic director in scheduling interscholastic contests.
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- 6.) Oversees the safety conditions of the facility or area in which assigned sport is conducted at all times that the students are present.

Failure on my part to fulfill any part of this contract will make this contract null and void.

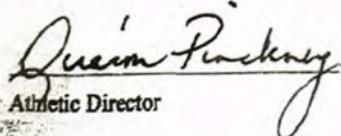
Dated this 17th day of December 2018.



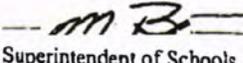
Coach



Board Representative



Athletic Director



Superintendent of Schools



WOODSTOCK UNION HIGH SCHOOL
COACHES CONTRACT
2017-2018

Employee: Dave Bloch

Date: 11/16/2017

Position: Snowboard Coach

Department: Athletics

Salary Amount: \$3,699.00

The sum of money to be paid is and shall be governed by contract between the Woodstock Union High School Teacher's Organization and the Board of School Directors for Woodstock Union High School.

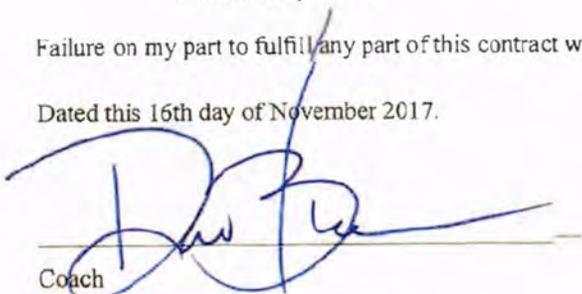
Job Goal: To help each participating students achieve a level of skill, an appreciation for the values of discipline and sportsmanship, and an increased level of self-esteem.

Performance Responsibilities:

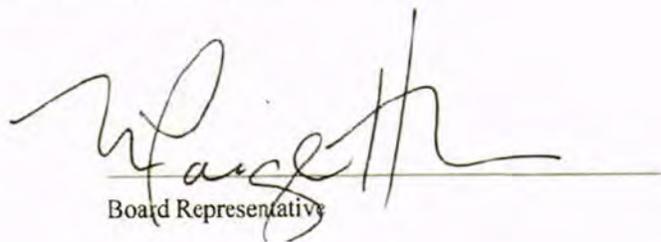
- 1.) Coaches individual participants in the skills necessary for excellent achievement in the sport involved.
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- 6.) Oversees the safety conditions of the facility or area in which assigned sport is conducted at all times that the students are present.

Failure on my part to fulfill any part of this contract will make this contract null and void.

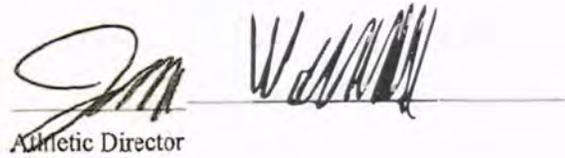
Dated this 16th day of November 2017.



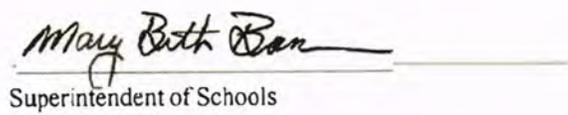
Coach



Board Representative



Athletic Director



Superintendent of Schools

White - Personnel File

Yellow - Employee



WOODSTOCK UNION HIGH SCHOOL
COACHES CONTRACT
2016-2017

Employee: Dave Bloch

Date: October 12, 2016

Position: Snowboard Coach

Department: Athletics

Salary Amount: \$3,687.00

The sum of money to be paid is and shall be governed by contract between the Woodstock Union High School Teacher's Organization and the Board of School Directors for Woodstock Union High School.

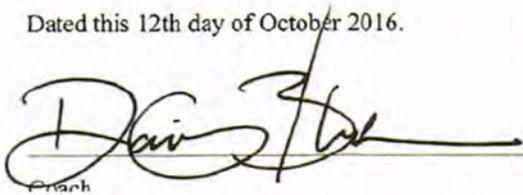
Job Goal: To help each participating students achieve a level of skill, an appreciation for the values of discipline and sportsmanship, and an increased level of self-esteem.

Performance Responsibilities:

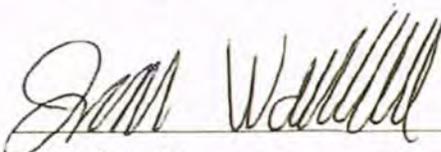
- 1.) Coaches individual participants in the skills necessary for excellent achievement in the sport involved.
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- 5.) Maintains necessary attendance forms, insurance records and similar paperwork.
- 6.) Oversees the safety conditions of the facility or area in which assigned sport is conducted at all times that the students are present.

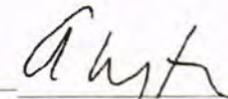
Failure on my part to fulfill any part of this contract will make this contract null and void.

Dated this 12th day of October 2016.


Coach


Board Representative


Athletic Director


Superintendent of Schools

White – Personnel File

Yellow – Employee

WINDSOR CENTRAL SUPERVISORY UNION



Dartford • Killington • Prosper Valley • Reading • Woodstock • Woodstock Union Middle/High

SEASONAL POSITION INFORMATION

To be completed by Athletic Director:

NAME: Dave Bloch

POSITION: Snowboard Coach

New employee (Complete contact information below.)

Returning employee

Address:

Last date worked: Winter 2015/16

Any changes to contact info:

Phone:

Email:

STIPEND AMOUNT: \$ 3,687

FOR CENTRAL OFFICE USE ONLY

ALL SEASONAL EMPLOYEES:

DATE OF BOARD APPROVAL: _____

CURRENT CRIMINAL RECORD CHECK ON FILE: YES NO

CURRENT ANNUAL DECLARATION OF HEALTHCARE ON FILE: YES NO

NEW SEASONAL EMPLOYEES ALSO NEED:

W-4

I-9

PERSONNEL INFORMATION SHEET

DATE STAMP:
SEP 19 2016
Exhibit 8, Page 15



**WOODSTOCK UNION HIGH SCHOOL
COACHES CONTRACT
2015-2016**

Employee: Dave Bloch

Date: October 29, 2015

Position: Snowboard Coach

Department: Athletics

Salary Amount: \$3,687.00

The sum of money to be paid is and shall be governed by contract between the Woodstock Union High School Teacher's Organization and the Board of School Directors for Woodstock Union High School.

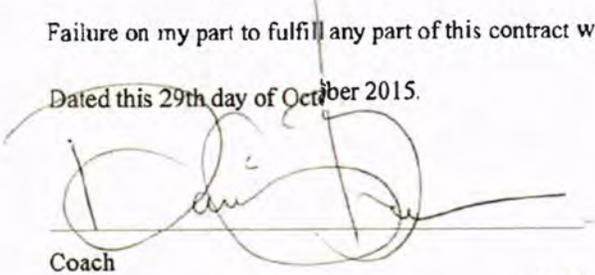
Job Goal: To help each participating students achieve a level of skill, an appreciation for the values of discipline and sportsmanship, and an increased level of self-esteem.

Performance Responsibilities:

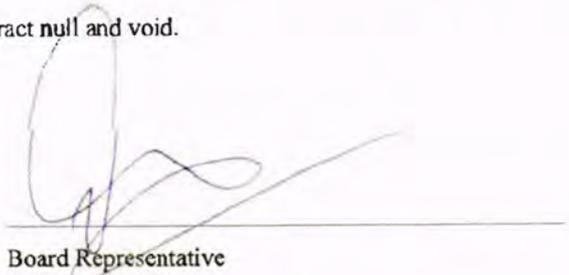
- 1.) Coaches individual participants in the skills necessary for excellent achievement in the sport involved.
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Failure on my part to fulfill any part of this contract will make this contract null and void.

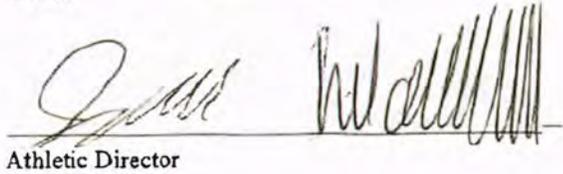
Dated this 29th day of October 2015.



Coach



Board Representative



Athletic Director



Superintendent of Schools

White - Personnel File

Yellow - Employee



WOODSTOCK UNION HIGH SCHOOL
COACHES CONTRACT
2014-2015

Employee: Dave Bloch

Date: 11/6/2014

Position: Snowboard Coach

Department: Athletics

Salary Amount : \$3,687.00

The sum of money to be paid is and shall be governed by contract between the Woodstock Union High School Teachers' Organization and the Board of School Directors for Woodstock Union High School.

Job Goal: To help each participating student achieve a level of skill, an appreciation for the values of discipline and sportsmanship, and an increased level of self-esteem.

Performance Responsibilities:

1. Coaches individual participants in the skills necessary for excellent achievement in the sport involved.
2. Plans and schedules a regular program of practice in session.
3. Works closely with the athletics director in scheduling interscholastic contests.
4. Recommends purchase of equipment, supplies and uniforms, as appropriate.
5. Maintains necessary attendance forms, insurance records and similar paperwork.
6. Oversees the safety conditions of the facil conducted at all times that students are present.

Failure on my part to fulfill any part of this contract will make this contract null and void.

Dated this 6th day of November 2014.

Coach

Athletic Director

Board Representative

Superintendent of Schools

White – School

Canary – Coach

Pink - Superintendent

Mandy
sent Dave
2/3/4



**WOODSTOCK UNION HIGH SCHOOL
COACHES CONTRACT
2013-2014**

Employee: Dave Bloch

Date: November 13, 2013

Position: Snow Boarding Head Coach

Department: Athletics

Salary Amount: Volunteer

The sum of money to be paid is and shall be governed by contract between the Woodstock Union High School Teachers' Organization and the Board of School Directors for Woodstock Union High School.

Job Goal: To help each participating student achieve a level of skill, an appreciation for the values of discipline and sportsmanship, and an increased level of self-esteem.

Performance Responsibilities:

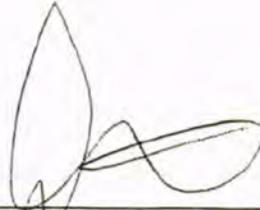
1. Coaches individual participants in the skills necessary for excellent achievement in the sport involved.
2. Plans and schedules a regular program of practice in session.
3. Works closely with the athletics director in scheduling interscholastic contests.
4. Recommends purchase of equipment, supplies and uniforms, as appropriate.
5. Maintains necessary attendance forms, insurance records and similar paperwork.
6. Oversees the safety conditions of the facility or area in which assigned sport is conducted at all times that students are present.

Failure on my part to fulfill any part of this contract will make this contract null and void.

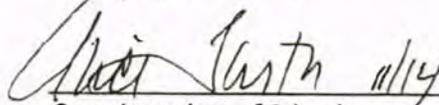
Dated this 13 day of November 2013.

Coach

Athletic Director



Board Representative



Superintendent of Schools



**WOODSTOCK UNION HIGH SCHOOL
COACHES CONTRACT
2012-2013**

Employee: Dave Bloch Date: 11/27/12
Position: Snow Boarding Department: Athletics
Salary Amount: Volunteer

The sum of money to be paid is and shall be governed by contract between the Woodstock Union High School Teachers' Organization and the Board of School Directors for Woodstock Union High School.

Job Goal: To help each participating student achieve a level of skill, an appreciation for the values of discipline and sportsmanship, and an increased level of self-esteem.

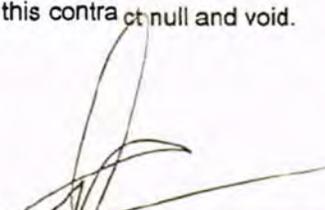
Performance Responsibilities:

- 1 Coaches individual participants in the skills necessary for excellent achievement in the sport involved.
- 2 Plans and schedules a regular program of practice in session.
- 3 Works closely with the athletics director in scheduling interscholastic contests.
- 4 Recommends purchase of equipment, supplies and uniforms, as appropriate.
- 5 Maintains necessary attendance forms, insurance records and similar paperwork.
- 6 Oversees the safety conditions of the facility or area in which assigned sport is conducted at all times that students are present.

Failure on my part to fulfill any part of this contract will make this contract null and void.

Dated this 27 day of November 2012

Coach



Board Representative

Athletic Director

Superintendent of Schools

White - School Board
Canary - Coach
Pink - Superintendent



**WOODSTOCK UNION HIGH SCHOOL
COACHES CONTRACT
2011-2012**

Employee: Dave Bloch Date: 12/29/11

Position: Snow Boarding Department: Athletics

Salary Amount: Volunteer

The sum of money to be paid is and shall be governed by contract between the Woodstock Union High School Teachers' Organization and the Board of School Directors for Woodstock Union High School.

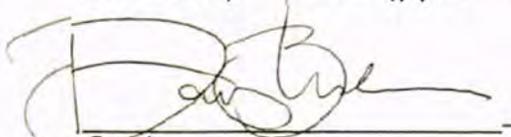
Job Goal: To help each participating student achieve a level of skill, an appreciation for the values of discipline and sportsmanship, and an increased level of self-esteem.

Performance Responsibilities:

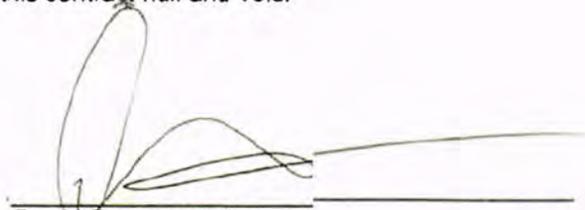
- 1 Coaches individual participants in the skills necessary for excellent achievement in the sport involved.
- 2 Plans and schedules a regular program of practice in session.
- 3 Works closely with the athletics director in scheduling interscholastic contests.
- 4 Recommends purchase of equipment, supplies and uniforms, as appropriate.
- 5 Maintains necessary attendance forms, insurance records and similar paperwork.
- 6 Oversees the safety conditions of the facility or area in which assigned sport is conducted at all times that students are present.

Failure on my part to fulfill any part of this contract will make this contract null and void.

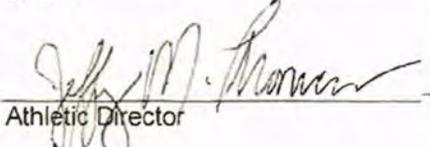
Dated this 24 day of JAN 2012



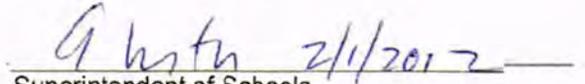
Coach



Board Representative



Athletic Director


2/1/2012

Superintendent of Schools

White - School Board
Canary - Coach
Pink - Superintendent

EXHIBIT 9

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

I. Statement of Policy

The [INSERT] School District¹ (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 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.

The Model Procedures are expressly incorporated by reference as though fully included within this Model Policy. The Model Procedures are separated from the policy for ease of use as may be required.

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. (See Model Procedures on the Prevention of Harassment, Hazing and Bullying of Students)

¹ Throughout this model policy and the related procedures, “District” shall apply to Independent Schools and should be substituted as appropriate. References to the Superintendent shall equate to “Head of School” or “Headmaster” as appropriate, with regard to Independent Schools. Where language suggests a “District” will take action, it shall be the Superintendent, the Head of School, the Headmaster or his/her designee.

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 be 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.

APPENDIX A

Designated Employees:

The following employees of the _____ School 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;

Name: _____

Title: _____

Contact Information:

Name: _____

Title: _____

Contact Information:

EXHIBIT 10

Model Procedures on the Prevention of Harassment, Hazing and Bullying of Students

I. Reporting Complaints of Hazing, Harassment and/or Bullying

- A. Student Reporting: Any student who believes that s/he has been hazed, harassed and/or bullied under this policy, or who witnesses or has knowledge of conduct that s/he reasonably believes might constitute hazing, harassment and or/bullying, should promptly report the conduct to a designated employee or any other school employee.
- B. School employee reporting: Any school employee who **witnesses conduct** that s/he reasonably believes might constitute hazing, harassment and/or bullying shall take reasonable action to stop the conduct and to prevent its recurrence and immediately report it to a designated employee and immediately complete a Student Conduct Form.

Any school employee **who overhears or directly receives information** about conduct that might constitute hazing, harassment and/or bullying shall immediately report the information to a designated employee and immediately complete a Student Conduct Form. If one of the designated employees is a person alleged to be engaged in the conduct complained of, the incident shall be immediately reported to the other designated employee or the school administrator.

- C. Other reporting: Any other person who witnesses conduct that s/he reasonably believes might constitute hazing, harassment and/or bullying under this policy should promptly report the conduct to a designated employee.
- D. Documentation of the report: If the complaint is oral, the designated employee shall promptly reduce the complaint to writing in a Student Conduct Form, including the time, place, and nature of the alleged conduct, the identity of the complainant, alleged perpetrator, and any witnesses. Both the complainant and the alleged perpetrator will have the right to present witnesses and other evidence in support of their position.
- E. False complaint: Any person who knowingly makes a false accusation regarding hazing, harassment and/or bullying may be subject to disciplinary action up to and including suspension and expulsion with regard to students, or up to and including discharge with regard to employees. There shall be no adverse action taken against a person for reporting a complaint of hazing, harassment and/or bullying when the person has a good faith belief that hazing, harassment and/or bullying occurred or is occurring.

- F. Rights to Alternative Complaint Process: In addition to, or as an alternative to filing a harassment complaint pursuant to this policy, a person may file a harassment complaint with the Vermont Human Rights Commission or the Office for Civil Rights of the U.S. Department of Education at the addresses noted below:

Vermont Human Rights Commission
14-16 Baldwin Street
Montpelier, VT 05633-6301
(800) 416-2010 or (802) 828-2480 (voice)
(877) 294-9200 (tty)
(802) 828-2481 (fax)
Email: human.rights@state.vt.us

Office for Civil Rights, Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109-3921
617-289-0111 (voice)
877-521-2172 (tdd)
617-289-0150 (fax)
Email: OCR.Boston@ed.gov

II. Responding to Notice of Possible Policy Violation(s)

- A. Upon **notice of information** that hazing, harassment and/or bullying may have occurred the designated employee shall:
- i. Promptly reduce any oral information to writing, including the time, place, and nature of the conduct, and the identity of the participants and complainant.
 - ii. Promptly inform the school administrator(s) of the information;
 - iii. If in the judgment of the school administrator, the information alleges conduct which may constitute harassment, hazing or bullying, the school administrator shall, as soon as reasonably possible, provide a copy of the policy on hazing, harassment and bullying and these procedures to the complainant and accused individual, or if either is a minor, cause a copy to be provided or delivered to their respective parent or guardian.
- B. Upon **initiation of an investigation**, the designated employee shall:
- i. Notify in writing both the complainant and accused individual (or if either is a minor inform their respective parent or guardian) that:
 1. an investigation has been initiated;
 2. retaliation is prohibited;
 3. all parties have certain confidentiality rights; and

4. they will be informed in writing of the outcome of the investigation.
- C. All notifications shall be subject to state and/or federal laws protecting the confidentiality of personally identifiable student information. Pursuant to 34 CFR Part 99.30, a school administrator may seek the consent of the parent/guardian of the accused student, or the accused eligible student (if 18 or older, the accused student has the ability to consent), in order to inform the complainant of any disciplinary action taken in cases where the school determined that an act(s) of harassment, hazing, and/or bullying, or other misconduct occurred. The parent/guardian or eligible student shall provide a signed and dated written consent before an educational agency or institution discloses personally identifiable information from the student's education records.

III. Investigating Hazing, Harassment and/or Bullying Complaints

- A. Initiation of Investigation - Timing. Unless special circumstances are present and documented, such as reports to the Department for Children and Families (“DCF”) or the police, the school administrator shall, no later than one school day after Notice to a designated employee, initiate or cause to be initiated, an investigation of the allegations, which the school administrator reasonably believes may constitute harassment, hazing or bullying.
- B. Investigator Assignment. The school administrator shall assign a person to conduct the investigation; nothing herein shall be construed to preclude the school administrator from assigning him/herself or a designated employee as the investigator. No person who is the subject of a complaint shall conduct such an investigation.
- C. Interim Measures. It may be appropriate for the school to take interim measures during the investigation of a complaint. For instance, if a student alleges that he or she has been sexually assaulted by another student, the school may decide to place the students immediately in separate classes and/or transportation pending the results of the school’s investigation. Similarly, if the alleged harasser is a teacher, allowing the student to transfer to a different class may be appropriate. In all cases, the school will make every effort to prevent disclosure of the names of all parties involved – the complainant, the witnesses, and the accused -- except to the extent necessary to carry out the investigation. In all cases where physical harm has resulted and/or where the targeted student is known to be expressing suicidal ideation, or experiencing serious emotional harm, a safety plan will be put in place. Safety plans must also be considered in cases where the targeted student is known to have difficulty accessing the educational programs at the school as a result of the inappropriate behavior. No contact orders, or their enforcement, may also be appropriate interim measures.

- D. Due Process. The United States Constitution guarantees due process to students and District employees who are accused of certain types of infractions, including but not limited to sexual harassment under Federal Title IX. The rights established under Title IX must be interpreted consistent with any federally guaranteed due process rights involved in a complaint proceeding, including but not limited to the ability of the complainant and the accused to present witnesses and other evidence during an investigation. The District will ensure that steps to accord due process rights do not restrict or unnecessarily delay the protections provided by Title IX to the complainant.
- E. Standard Used to Assess Conduct. In determining whether the conduct constitutes a violation of this policy, the investigator shall consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. The complainant and accused will be provided the opportunity to present witnesses and other evidence during an investigation. The school will also consider the impact of relevant off-campus conduct on the school environment where direct harm to the welfare of the school can be demonstrated or the conduct can be shown to pose a clear and substantial interference with another student's equal access to educational programs. Whether a particular action constitutes a violation of this policy requires determination based on all the facts and surrounding circumstances.
- F. Completion of Investigation – Timing. No later than five school days from the filing of the complaint with the designated employee, unless special circumstances are present and documented, the investigator shall submit a written initial determination to the school administrator.
- G. Investigation Report. The investigator shall prepare a written report to include a statement of the findings of the investigator as to whether the allegations have been substantiated, and as to whether the alleged conduct constitutes hazing, harassment and/or bullying. The report, when referencing student conduct, is a student record and therefore confidential. It will be made available to investigators in the context of a review conducted by either Vermont AOE, or investigations of harassment conducted by the Vermont Human Rights Commission or U.S. Department of Education Office of Civil Rights.
- H. Notice to Students/Parents/Guardians. Within five school days of the conclusion of the investigation, the designated employee shall:
- i. Notify in writing both the complainant and accused individual (or if either is a minor inform their respective parent or guardian) that:
 1. the investigation has been completed;
 2. whether or not the investigation concluded that a policy violation occurred (and which policy term was violated, i.e. harassment, hazing and/or bullying);
 3. that federal privacy law prevents disclosure of any discipline imposed as a result of the investigation unless the

parent/guardian of the accused student and/or the accused eligible student consents to such disclosure, pursuant to 34 CFR Part 99.30, as set forth in Section II, Part C, above.

- ii. Notify the Complainant Student - or if a minor, their parent(s) or guardian - in writing of their rights to:
 1. an internal review by the school of its initial determination as a result of its investigation as to whether harassment occurred;
 2. request an Independent Review of the school's "final" determination as to whether harassment occurred within thirty (30) days of the final determination or although a "final" determination was made that harassment indeed occurred the school's response to that harassment was inadequate to correct the problem; and that the review will be conducted by an investigator to be selected by the superintendent from a list developed by the Agency of Education;
 3. file complaints of harassment with either the Vermont Human Rights Commission and/or the federal Department of Education's Office of Civil Rights.
- iii. Notify the Accused Student - or if a minor, their parent(s) or guardian - in writing of their right to appeal as set forth in Section V of these procedures.

- I. Violations of Other Policies. In cases where the investigation has identified other conduct that may constitute a violation of other school disciplinary policies or codes of conduct, the designated employee shall report such conduct to the school administrator for action in accordance with relevant school policies or codes of conduct.

IV. Responding to Substantiated Claims

- A. Scope of Response. After a final determination that an act(s) of hazing, harassment and/or bullying has been committed, the school shall take prompt and appropriate disciplinary and/or remedial action reasonably calculated to stop the hazing, harassment and/or bullying and prevent any recurrence of harassment, hazing and/or bullying, and remedy its effects on the victim(s). In so doing, the following should be considered:

(i) Potential Remedial Actions. Remedial action may include but not be limited to an age appropriate warning, reprimand, education, training and counseling, transfer, suspension, and/or expulsion of a student, and warning, reprimand, education, training and counseling, transfer, suspension and/or termination of an employee. A series of escalating consequences may be necessary if the initial steps are ineffective in stopping the hazing, harassment and/or bullying. To prevent recurrences counseling for the offender may be appropriate to ensure that he or she

understands what constitutes hazing/harassment and/or bullying and the effects it can have. Depending on how widespread the hazing/harassment/bullying was and whether there have been any prior incidents, the school may need to provide training for the larger school community to ensure that students, parents and teachers can recognize hazing/harassment/bullying if it recurs and know how to respond.

(ii) School Access/Environment Considerations. The District will also take efforts to support victims' access to the District's programs, services and activities and consider and implement school-wide remedies, where appropriate. Accordingly, steps will be taken to eliminate any hostile and/or threatening environment that has been created. For example, if a female student has been subjected to harassment/bullying by a group of other students in a class, the school may need to deliver special training or other interventions for that class to repair the educational environment. If the school offers the student the option of withdrawing from a class in which a hostile environment/bullying occurred, the District will assist the student in making program or schedule changes and ensure that none of the changes adversely affect the student's academic record. Other measures may include, if appropriate, directing a bully/harasser to apologize to the affected student. If a hostile environment has affected the entire school or campus, an effective response may need to include dissemination of information, the issuance of new policy statements or other steps that are designed to clearly communicate the message that the school does not tolerate harassment and/or bullying and will be responsive to any student who reports that conduct.

(iii) Hazing Case Considerations. Appropriate penalties or sanctions or both for organizations that or individuals who engage in hazing and revocation or suspension of an organization's permission to operate or exist within the institution's purview if that organization knowingly permits, authorizes, or condones hazing.

(iv) Other Remedies: Other remedies may include providing counseling to the victim(s) and/or the perpetrator(s), and additional safety planning measures for the victim(s).

- B. Retaliation Prevention. It is unlawful for any person to retaliate against a person who has filed a complaint of harassment or against a person who assists or participates in an investigation, proceeding or hearing related to the harassment complaint. A person may violate this anti-retaliation provision regardless of whether the underlying complaint of harassment is substantiated.

The District will take reasonable steps to prevent any retaliation against the student who made the complaint (or was the subject of the harassment), against the person who filed a complaint on behalf of a student, or against those who provided information as witnesses. At a minimum, this includes making sure

that the students and their parents, and those witnesses involved in the school's investigation, know how to report any subsequent problems and making follow-up inquiries to see if there are have been any new incidents or any retaliation.

- C. Alternative Dispute Resolution. At all stages of the investigation and determination process, school officials are encouraged to make available to complainants alternative dispute resolution methods, such as mediation, for resolving complaints. Certain considerations should be made before pursuing alternative dispute resolution methods, including, but not limited to: (1) the nature of the accusations (for example, face-to-face mediation is not appropriate for sexual violence cases), (2) the age of the complainant and the accused individual, (3) the agreement of the complainant, and (4) other relevant factors such as any disability of the target or accused individual, safety issues, the relationship and relative power differential between the target and accused individual, or any history of repeated misconduct/harassment by the accused individual.

V. Post Investigative Reviews

Rights of Complainants

- A. Internal Review of Initial Harassment Determinations By Complainant. A complainant or parent of a complainant may request internal review by the District of a designee's initial determination (following investigation) that harassment has not occurred via written request submitted to the District superintendent. All levels of internal review of the investigator's initial determination, and the issuance of a final decision, shall, unless special circumstances are present and documented by the District, be completed within 30 calendar days after review is requested.
- B. Independent Reviews of Final Harassment Determinations By Complainant. A complainant may request an independent review within thirty (30) days of a final determination if s/he: (1) is dissatisfied with the final determination as to whether harassment occurred, or (2) believes that although a final determination was made that harassment occurred, the school's response was inadequate to correct the problem.

The complainant shall make such a request in writing to the superintendent of schools within thirty (30) days of a final determination. Upon such request, the superintendent shall promptly initiate an independent review by a neutral person as described under 16 V.S.A. § 570a.(b)(1) and shall cooperate with the independent reviewer so that s/he may proceed expeditiously. The review shall consist of an interview of the complainant and relevant school officials and a review of the written materials from the school's investigation.

Upon completion of the independent review, the reviewer shall advise the complainant and school officials in writing: (1) as to the sufficiency of the school's

investigation, its determination, and/or the steps taken by the school to correct any harassment found to have occurred, and (2) of recommendations of any steps the school might take to prevent further harassment from occurring. A copy of the independent review report shall be sent to the Secretary of Education.

The reviewer shall advise the student of other remedies that may be available if the student remains dissatisfied and, if appropriate, may recommend mediation or other alternative dispute resolution. The independent reviewer shall be considered an agent of the school for the purpose of being able to review confidential student records. The costs of the independent review shall be borne by the District. The District may request an independent review at any stage of the process.

- C. Rights to Alternative Harassment Complaint Process. In addition to, or as an alternative to filing a harassment complaint pursuant to this policy, a person may file a harassment complaint with the Vermont Human Rights Commission or the Office for Civil Rights of the U.S. Department of Education at the addresses noted below:

Vermont Human Rights Commission
14-16 Baldwin Street
Montpelier, VT 05633-6301
(800) 416-2010 or (802) 828-2480 (voice)
(877) 294-9200 (tty)
(802) 828-2481 (fax)
Email: human.rights@state.vt.us

Office for Civil Rights, Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109-3921
617-289-0111 (voice)
877-521-2172 (tdd)
617-289-0150 (fax)
Email: OCR.Boston@ed.gov

Rights of Accused Students

A. Appeal. Any person determined to have engaged in an act(s) of hazing, harassment and/or bullying may appeal the determination and/or any related disciplinary action(s) taken, directly to the school board of the school district. The school board shall conduct a review on the record. The standard of review by the school board shall be whether the finding that an act(s) of hazing, harassment, and/or bullying has been committed constitutes an abuse of discretion by the school level fact finder. Appeals should be made to the school board within ten (10) calendar days of receiving the determination that an act(s) of hazing, harassment

and/or bullying has occurred and/or any announced discipline. The school board shall set the matter for a review hearing at the next scheduled school board meeting to the extent practicable, but not later than 30 days from receipt of the appeal filing.

B. Accused Student/Appellant Access to Investigative Reports/Findings. The school district shall make available upon request of the Accused Student/Appellant, any relevant information, documents, materials, etc. related to the investigation and related finding on appeal that can be redacted and de-identified in compliance with the requirements set forth at 34 CFR Part 99. For those documents that cannot be provided due to the requirements set forth at 34 CFR Part 99, when an Accused Student/Appellant seeks a review on the record before the school board of the school district, a school administrator may seek the consent of the parent/guardian of the targeted student, or the accused eligible targeted student (if 18 or older, the targeted student has the ability to consent), in order to inform the accused student of the findings which gave rise to the school's determination that an act(s) of harassment, hazing, and/or bullying occurred. The parent/guardian or eligible student shall provide a signed and dated written consent before an educational agency or institution discloses personally identifiable information from the student's education records.

VI. Confidentiality and Record Keeping

- A. Privacy Concerns. The privacy of the complainant, the accused individual, and the witnesses shall be maintained consistent with the District's obligations to investigate, to take appropriate action, and to comply with laws governing the disclosure of student records or other applicable discovery or disclosure obligations.
- i. Concerns Related to Harassment Complaints. The scope of appropriate response to a harassment complaint may depend upon whether a student or parent of a minor student reporting the harassment asks that the student's name not be disclosed to the harasser or that nothing be done about the alleged harassment. In all cases, school officials will discuss confidentiality standards and concerns with the complainant initially. The school will inform the student that a confidentiality request may limit the school's ability to respond. The school will remind the student that both federal Title IX and Vermont Title 9 prevent retaliation and that if he or she is afraid of reprisals from the alleged harasser, the school will take steps to prevent retaliation and will take strong action if retaliation occurs. If the student continues to ask that his or her name not be revealed, the school should take all reasonable steps to investigate and respond to the complaint consistent with the student's request as long as doing so does not prevent the school from responding effectively to the harassment and preventing harassment of other students.

The school will evaluate the confidentiality request in the context of its responsibility to provide a safe and nondiscriminatory environment for all students. The factors the school might consider in this regard include the seriousness of the alleged harassment, the age of the student harassed, whether there have been other complaints or reports of harassment against the alleged harasser, and the rights of the accused individual to receive information about the accuser and the allegations if a formal proceeding with sanctions may result. If information about the incident is contained in an “education record” of the student alleging the harassment, as defined by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g, the school will consider whether FERPA prohibits it from disclosing information without the student’s consent.

- B. Document Maintenance. The Superintendent or school administrator shall assure that a record of any complaint, its investigation and disposition, as well as any disciplinary or remedial action taken following the completion of the investigation, is maintained by the District in a confidential file accessible only to authorized persons. All investigation records created in conformance with this model policy and model procedures, including but not limited to, the complaint form, interview notes, additional evidence, and the investigative report, shall be kept by the Equity Coordinator, Designated Employees and District/Supervisory Union Central Office for at least six years after the investigation is completed.

VII. Reporting to Other Agencies

- A. Reports to Department of Children and Families. When a complaint made pursuant to this policy includes allegations of child abuse, any person responsible for reporting suspected child abuse under 33 V.S.A. § 4911, et seq. must report the allegation to the Commissioner of DCF. If the victim is over the age of 18 and a report of abuse is warranted, the report shall be made to Adult Protective Services in accordance with 33 V.S.A. § 6901 et seq.
- B. Reports to Vermont Agency of Education. If a harassment complaint is made in a public school about conduct by a licensed educator that might be grounds under Vermont law for licensing action, the principal shall report the alleged conduct to the Superintendent and the Superintendent shall report the alleged conduct to the Commissioner. If a harassment complaint is made in an independent school about conduct by a licensed educator that might be grounds under Vermont law for licensing action, the head of school is encouraged to report the alleged conduct to the Secretary of Education.
- C. Reporting Incidents to Police
- a. FERPA Rights. Information obtained and documented by school administration regarding the school’s response to notice of student

conduct that may constitute hazing, harassment and/or bullying may constitute an “educational record” regarding the student or student(s) involved as defined by the Family Education Rights and Privacy Act. Accordingly, such information may not be disclosed without prior parent approval to local law enforcement except in response to a lawfully issued subpoena, or in connection with an emergency if disclosure is necessary to protect the health or safety of the student or other individuals.

- b. First Hand Reports. Nothing in this policy shall preclude persons from reporting incidents and/or conduct witnessed first-hand that may be considered to be a criminal act to law enforcement officials.
 - c. Hazing Incidents. It is unlawful to (1) engage in hazing; (2) solicit direct, aid, or attempt to aid, or abet another person engaged in hazing; or (3) knowingly fail to take reasonable measures within the scope of the person’s authority to prevent hazing. It is not a defense in an action under this section that the person against whom the hazing was directed consented to or acquiesced in the hazing activity. Hazing incidents will be reported to the police in a manner consistent with the confidentiality rights set forth above in this section.
- D. Continuing Obligation to Investigate. Reports made to either DCF or law enforcement shall not be considered to absolve the school administrators of their obligations under this policy to pursue and complete an investigation upon receipt of notice of conduct which may constitute hazing, harassment and/or bullying.

VIII. Disseminating Information, Training, and Data Reporting

- A. Disseminating Information. Annually, prior to the commencement of curricular and co-curricular activities, the District shall provide notice of this policy and procedures to students, custodial parents or guardians of students, and staff members, including references to the consequences of misbehavior contained in the plan required by 16 V.S.A. 1161a. Notice to students shall be in age-appropriate language and include examples of hazing, harassment and bullying. At a minimum, this notice shall appear in any publication of the District that sets forth the comprehensive rules, procedures and standards of conduct for the District.
- B. Student Training. The school administrator shall use his/her discretion in developing age-appropriate methods of discussing the meaning and substance of this policy with students to help prevent hazing, harassment and bullying.
- C. Staff Training. The board or its designee shall ensure that teachers and other staff receive training in preventing, recognizing and responding to hazing, harassment and bullying.

- D. Data Gathering. Public school districts shall provide the Vermont Agency of Education with data requested by the Secretary of Education.

Legal References:

Title V, Section B, 504 of the Rehabilitation Act of 1973, 29 U.S.C. §794 et seq.;
Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d;
Title IX of the Educational Amendments Act of 1972, 20 U.S.C. §§ 1681 et seq.;
Family Education Rights Privacy Act; 20 U.S.C. §1232g;
Public Accommodations Act, 9 V.S.A. §§4500 et seq.;
Education, Classifications and Definitions, 16 V.S.A. §11(26);(30)(A);(32);
Education, 16 V.S.A. §140(a)(1); Education, 16 V.S.A. §166(e);
Education, Bullying, 16 V.S.A. §570c;
Education, Harassment, Hazing and Bullying, 16 V.S.A. § 570;
Education, Harassment, 16 V.S.A. §570a;
Education, Harassment, 16 V.S.A. §570c;
Education, Harassment, 16 V.S.A. §570f;
Education, Hazing, 16 V.S.A. §570b;
Education, Hazing, 16 V.S.A. §570f
Education, Discipline, 16 V.S.A. §1161a;
Education, Suspension or Expulsion of Pupils; 16 V.S.A. §1162;
Child Abuse, 33 V.S.A. §§4911 et seq.;
Adult Protective Services, 33 V.S.A. §6901 et seq., all as they may be amended from time to time.

Washington v. Pierce, 179 VT 318 (2005).

EXHIBIT 11



**WINDSOR CENTRAL SUPERVISORY UNION
WINDSOR CENTRAL UNIFIED UNION SCHOOL DISTRICT**

Serving the towns of Barnard, Bridgewater, Killington, Pittsfield, Plymouth, Pomfret, Reading, and Woodstock

CODE: C10

PREVENTION OF HARASSMENT, HAZING AND BULLYING POLICY

Policy

The Windsor Central Supervisory Union (WCSU) and the Windsor Central Unified Union 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 WCSU and the District to prohibit the unlawful harassment of students based on race, color, religion, creed, national origin, marital status, disability, sex, sexual orientation, gender identity or gender expression. 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 WCSU and the District to prohibit the unlawful hazing and bullying of students. Conduct which constitutes hazing may be subject to civil penalties. WCSU and 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.

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 WCSU and/or 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 be 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, WCSU and/or 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 WCSU's or the District's purview may also be considered if that organization knowingly permits, authorizes or condones hazing.

Constitutionally Protected Speech

It is the intent of WCSU and 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.

Definitions

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

1. "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. 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 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.
2. "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.
3. "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.
4. "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).
5. "Employee" includes any person employed directly by or retained through a contract with WCSU or the District, an agent of the school, a school board member, a student teacher, an intern or a school volunteer.
6. "Equity Coordinator" is the person responsible for implementation of Title IX (regarding sex-based discrimination) and Title VI (regarding race-based discrimination) for WCSU or the District and for coordinating WCSU's or 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 WCSU's and the District's Prevention of Harassment of Students and Prevention of Harassment of Employees policies. This role may also be assigned to Designated Employees.
7. "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, religion, creed, color, national origin, marital status, disability, sex, sexual orientation, gender identity, or gender expression, 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:

- a. 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.
 - b. 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.
 - c. 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, religion, national origin, marital status, disability, sex, sexual orientation, gender identity, or gender expression 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.
8. "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
- a. 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:
 - i. The goals are approved by the educational institution; and
 - ii. 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.
 - b. With respect to Hazing, "Student" means any person who:
 - i. is registered in or in attendance at an educational institution;
 - ii. has been accepted for admission at the educational institution where the hazing incident occurs; or

- iii. intends to attend an educational institution during any of its regular sessions after an official academic break.
9. "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.
10. "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.
11. "Pledging" means any action or activity related to becoming a member of an organization.
12. "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.
13. "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.
14. "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.

Date Revisions Warned: December 5, 2022

Date Revisions Adopted: January 9, 2023

Date Warned: March 20, 2018

Date Adopted: April 9, 2018



WINDSOR CENTRAL SUPERVISORY UNION
WINDSOR CENTRAL UNIFIED UNION SCHOOL DISTRICT

Serving the towns of Barnard, Bridgewater, Killington, Pittsfield, Plymouth, Pomfret, Reading, and Woodstock

CODE: C10P

PREVENTION OF HARASSMENT, HAZING, AND BULLYING PROCEDURES

I. Reporting Complaints of Hazing, Harassment and/or Bullying

- A. Student Reporting: Any student who believes that s/he has been hazed, harassed and/or bullied under this policy, or who witnesses or has knowledge of conduct that s/he reasonably believes might constitute hazing, harassment and or/bullying, should promptly report the conduct to a designated employee or any other school employee.
- B. School employee reporting: Any school employee who **witnesses conduct** that s/he reasonably believes might constitute hazing, harassment and/or bullying shall take reasonable action to stop the conduct and to prevent its recurrence and immediately report it to a designated employee and immediately complete a Student Conduct Form.

Any school employee **who overhears or directly receives information** about conduct that might constitute hazing, harassment and/or bullying shall immediately report the information to a designated employee and immediately complete a Student Conduct Form. If one of the designated employees is a person alleged to be engaged in the conduct complained of, the incident shall be immediately reported to the other designated employee or the school administrator.

- C. Other reporting: Any other person who witnesses conduct that s/he reasonably believes might constitute hazing, harassment and/or bullying under this policy should promptly report the conduct to a designated employee.
- D. Documentation of the report: If the complaint is oral, the designated employee shall promptly reduce the complaint to writing in a Student Conduct Form, including the time, place, and nature of the alleged conduct, the identity of the complainant, alleged perpetrator, and any witnesses. Both the complainant and the alleged perpetrator will have the right to present witnesses and other evidence in support of their position.
- E. False complaint: Any person who knowingly makes a false accusation regarding hazing, harassment and/or bullying may be subject to disciplinary action up to and including suspension and expulsion with regard to students, or up to and including discharge with regard to employees. There shall be no adverse action taken against a person for reporting a complaint of hazing, harassment and/or bullying when the person has a good faith belief that hazing, harassment and/or bullying occurred or is occurring.
- F. Rights to Alternative Complaint Process: In addition to, or as an alternative to filing a harassment complaint pursuant to this policy, a person may file a harassment complaint with the Vermont Human Rights Commission or the Office for Civil Rights of the U.S. Department of Education at the addresses noted below:

Vermont Human Rights Commission
14-16 Baldwin Street
Montpelier, VT 05633-6301
(800) 416-2010 or (802) 828-2480 (voice) (877) 294-9200 (tty) (802) 828-2481 (fax)
Email: human.rights@state.vt.us

Office for Civil Rights, Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109-3921
617-289-0111 (voice) 877-521-2172 (tdd) 617-289-0150 (fax)
Email: OCR.Boston@ed.gov

II. Responding to Notice of Possible Policy Violation(s)

- A. Upon **notice of information** that hazing, harassment and/or bullying may have occurred the designated employee shall:
- i. Promptly reduce any oral information to writing, including the time, place, and nature of the conduct, and the identity of the participants and complainant.
 - ii. Promptly inform the school administrator(s) of the information;
 - iii. If in the judgment of the school administrator, the information alleges conduct which may constitute harassment, hazing or bullying, the school administrator shall, as soon as reasonably possible, provide a copy of the policy on hazing, harassment and bullying and these procedures to the complainant and accused individual, or if either is a minor, cause a copy to be provided or delivered to their respective parent or guardian.
- B. Upon **initiation of an investigation**, the designated employee shall notify in writing both the complainant and accused individual (or if either is a minor inform their respective parent or guardian) that:
- i. an investigation has been initiated;
 - ii. retaliation is prohibited;
 - iii. all parties have certain confidentiality rights; and
 - iv. they will be informed in writing of the outcome of the investigation.
- C. All notifications shall be subject to state and/or federal laws protecting the confidentiality of personally identifiable student information. Pursuant to 34 CFR Part 99.30, a school administrator may seek the consent of the parent/guardian of the accused student, or the accused eligible student (if 18 or older, the accused student has the ability to consent), in order to inform the complainant of any disciplinary action taken in cases where the school determined that an act(s) of harassment, hazing, and/or bullying, or other misconduct occurred. The parent/guardian or eligible student shall provide a signed and dated written consent before an educational agency or institution discloses personally identifiable information from the student's education records.

III. Investigating Hazing, Harassment and/or Bullying Complaints

- A. Initiation of Investigation - Timing. Unless special circumstances are present and documented, such as reports to the Department for Children and Families ("DCF") or the police, the school administrator shall, no later than one school day after Notice to a designated employee, initiate or cause to be initiated, an investigation of the allegations, which the school administrator reasonably believes may constitute harassment, hazing or bullying.

- B. Investigator Assignment. The school administrator shall assign a person to conduct the investigation; nothing herein shall be construed to preclude the school administrator from assigning him/herself or a designated employee as the investigator. No person who is the subject of a complaint shall conduct such an investigation.
- C. Interim Measures. It may be appropriate for the school to take interim measures during the investigation of a complaint. For instance, if a student alleges that he or she has been sexually assaulted by another student, the school may decide to place the students immediately in separate classes and/or transportation pending the results of the school's investigation. Similarly, if the alleged harasser is a teacher, allowing the student to transfer to a different class may be appropriate.

In all cases, the school will make every effort to prevent disclosure of the names of all parties involved – the complainant, the witnesses, and the accused -- except to the extent necessary to carry out the investigation. In all cases where physical harm has resulted and/or where the targeted student is known to be expressing suicidal ideation, or experiencing serious emotional harm, a safety plan will be put in place. Safety plans must also be considered in cases where the targeted student is known to have difficulty accessing the educational programs at the school as a result of the inappropriate behavior. No contact orders, or their enforcement, may also be appropriate interim measures.

- D. Due Process. The United States Constitution guarantees due process to students and District employees who are accused of certain types of infractions, including but not limited to sexual harassment under Federal Title IX. The rights established under Title IX must be interpreted consistent with any federally guaranteed due process rights involved in a complaint proceeding, including but not limited to the ability of the complainant and the accused to present witnesses and other evidence during an investigation. The District will ensure that steps to accord due process rights do not restrict or unnecessarily delay the protections provided by Title IX to the complainant.
- E. Standard Used to Assess Conduct. In determining whether the conduct constitutes a violation of this policy, the investigator shall consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. The complainant and accused will be provided the opportunity to present witnesses and other evidence during an investigation. The school will also consider the impact of relevant off- campus conduct on the school environment where direct harm to the welfare of the school can be demonstrated or the conduct can be shown to pose a clear and substantial interference with another student's equal access to educational programs. Whether a particular action constitutes a violation of this policy requires determination based on all the facts and surrounding circumstances.
- F. Completion of Investigation – Timing. No later than five school days from the filing of the complaint with the designated employee, unless special circumstances are present and documented, the investigator shall submit a written initial determination to the school administrator.
- G. Investigation Report. The investigator shall prepare a written report to include a statement of the findings of the investigator as to whether the allegations have been substantiated, and as to whether the alleged conduct constitutes hazing, harassment and/or bullying. The report, when referencing student conduct, is a student record and therefore confidential. It will be made available to investigators in the context of a review conducted by either Vermont AOE, or investigations of harassment conducted by the Vermont Human Rights Commission or U.S. Department of Education Office of Civil Rights.
- H. Notice to Students/Parents/Guardians. Within five school days of the conclusion of the investigation, the

designated employee shall:

- i. Notify in writing both the complainant and accused individual (or if either is a minor inform their respective parent or guardian) that:
 1. The investigation has been completed;
 2. Whether or not the investigation concluded that a policy violation occurred (and which policy term was violated, i.e. harassment, hazing and/or bullying);
 3. That federal privacy law prevents disclosure of any discipline imposed as a result of the investigation unless the eligible student consents to such disclosure, pursuant to 34 CFR Part 99.30, as set forth in Section II, Part C, above.
 - ii. Notify the Complainant Student - or if a minor, their parent(s) or guardian - in writing of their rights to:
 1. An internal review by the school of its initial determination as a result of its investigation as to whether harassment occurred;
 2. Request an Independent Review of the school's "final" determination as to whether harassment occurred within thirty (30) days of the final determination or although a "final" determination was made that harassment indeed occurred the school's response to that harassment was inadequate to correct the problem; and that the review will be conducted by an investigator to be selected by the superintendent from a list developed by the Agency of Education;
 3. File complaints of harassment with either the Vermont Human Rights Commission and/or the federal Department of Education's Office of Civil Rights.
 - iii. Notify the Accused Student - or if a minor, their parent(s) or guardian - in writing of their right to appeal as set forth in Section V of these procedures.
- I. Violations of Other Policies. In cases where the investigation has identified other conduct that may constitute a violation of other school disciplinary policies or codes of conduct, the designated employee shall report such conduct to the school administrator for action in accordance with relevant school policies or codes of conduct.

IV. Responding to Substantiated Claims

- A. Scope of Response. After a final determination that an act(s) of hazing, harassment and/or bullying has been committed, the school shall take prompt and appropriate disciplinary and/or remedial action reasonably calculated to stop the hazing, harassment and/or bullying and prevent any recurrence of harassment, hazing and/or bullying, and remedy its effects on the victim(s). In so doing, the following should be considered:
- i. Potential Remedial Actions. Remedial action may include but not be limited to an age appropriate warning, reprimand, education, training and counseling, transfer, suspension, and/or expulsion of a student, and warning, reprimand, education, training and counseling, transfer, suspension and/or termination of an employee. A series of escalating consequences may be necessary if the initial steps are ineffective in stopping the hazing, harassment and/or bullying. To prevent recurrences counseling for the offender may be appropriate to ensure that he or she understands what constitutes hazing/harassment and/or bullying and the effects it can have. Depending on how widespread the hazing/harassment/bullying was and whether there have been any prior incidents, the school may need to provide training for the larger school community to ensure that students, parents and teachers can recognize hazing/harassment/bullying if it recurs and know how to respond.
 - ii. School Access/Environment Considerations. The District will also take efforts to support victims' access to the District's programs, services and activities and consider and implement school-wide remedies, where appropriate. Accordingly, steps will be taken to eliminate any

hostile and/or threatening environment that has been created. For example, if a female student has been subjected to harassment/bullying by a group of other students in a class, the school may need to deliver special training or other interventions for that class to repair the educational environment. If the school offers the student the option of withdrawing from a class in which a hostile environment/bullying occurred, the District will assist the student in making program or schedule changes and ensure that none of the changes adversely affect the student's academic record. Other measures may include, if appropriate, directing a bully/harasser to apologize to the affected student. If a hostile environment has affected the entire school or campus, an effective response may need to include dissemination of information, the issuance of new policy statements or other steps that are designed to clearly communicate the message that the school does not tolerate harassment and/or bullying and will be responsive to any student who reports that conduct.

- iii. Hazing Case Considerations. Appropriate penalties or sanctions or both for organizations that or individuals who engage in hazing and revocation or suspension of an organization's permission to operate or exist within the institution's purview if that organization knowingly permits, authorizes, or condones hazing.
- iv. Other Remedies: Other remedies may include providing counseling to the victim(s) and/or the perpetrator(s), and additional safety planning measures for the victim(s).

- B. Retaliation Prevention. It is unlawful for any person to retaliate against a person who has filed a complaint of harassment or against a person who assists or participates in an investigation, proceeding or hearing related to the harassment complaint. A person may violate this anti-retaliation provision regardless of whether the underlying complaint of harassment is substantiated.

The District will take reasonable steps to prevent any retaliation against the student who made the complaint (or was the subject of the harassment), against the person who filed a complaint on behalf of a student, or against those who provided information as witnesses. At a minimum, this includes making sure that the students and their parents, and those witnesses involved in the school's investigation, know how to report any subsequent problems and making follow-up inquiries to see if there have been any new incidents or any retaliation.

- C. Alternative Dispute Resolution. At all stages of the investigation and determination process, school officials are encouraged to make available to complainants alternative dispute resolution methods, such as mediation, for resolving complaints. Certain considerations should be made before pursuing alternative dispute resolution methods, including, but not limited to:
- i. the nature of the accusations (for example, face-to-face mediation is not appropriate for sexual violence cases),
 - ii. the age of the complainant and the accused individual,
 - iii. the agreement of the complainant, and
 - iv. other relevant factors such as any disability of the target or accused individual, safety issues, the relationship and relative power differential between the target and accused individual, or any history of repeated misconduct/harassment by the accused individual.

V. Post Investigative Reviews

Rights of Complainants

- A. Internal Review of Initial Harassment Determinations by Complainant.

A complainant or parent of a complainant may request internal review by the District of a designee's initial determination (following investigation) that harassment has not occurred via written request submitted to the District superintendent. All levels of internal review of the investigator's initial determination, and the issuance of a final decision, shall, unless special circumstances are present and

documented by the District, be completed within 30 calendar days after review is requested.

B. Independent Reviews of Final Harassment Determinations by Complainant.

A complainant may request an independent review within thirty (30) days of a final determination if s/he: (1) is dissatisfied with the final determination as to whether harassment occurred, or (2) believes that although a final determination was made that harassment occurred, the school's response was inadequate to correct the problem.

The complainant shall make such a request in writing to the superintendent of schools within thirty (30) days of a final determination. Upon such request, the superintendent shall promptly initiate an independent review by a neutral person as described under 16 V.S.A. § 570a.(b)(1) and shall cooperate with the independent reviewer so that s/he may proceed expeditiously. The review shall consist of an interview of the complainant and relevant school officials and a review of the written materials from the school's investigation.

Upon completion of the independent review, the reviewer shall advise the complainant and school officials in writing: (1) as to the sufficiency of the school's investigation, its determination, and/or the steps taken by the school to correct any harassment found to have occurred, and (2) of recommendations of any steps the school might take to prevent further harassment from occurring. A copy of the independent review report shall be sent to the Secretary of Education.

The reviewer shall advise the student of other remedies that may be available if the student remains dissatisfied and, if appropriate, may recommend mediation or other alternative dispute resolution. The independent reviewer shall be considered an agent of the school for the purpose of being able to review confidential student records. The costs of the independent review shall be borne by the District. The District may request an independent review at any stage of the process.

C. Rights to Alternative Harassment Complaint Process. In addition to, or as an alternative to filing a harassment complaint pursuant to this policy, a person may file a harassment complaint with the Vermont Human Rights Commission or the Office for Civil Rights of the U.S. Department of Education at the addresses noted below:

Vermont Human Rights Commission
14-16 Baldwin Street
Montpelier, VT 05633-6301
(800) 416-2010 or (802) 828-2480 (voice) (877) 294-9200 (tty) (802) 828-2481 (fax)
Email: human.rights@state.vt.us

Office for Civil Rights, Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109-3921
617-289-0111 (voice) 877-521-2172 (tdd) 617-289-0150 (fax)
Email: OCR.Boston@ed.gov

Rights of Accused Students

A. Appeal. Any person determined to have engaged in an act(s) of hazing, harassment and/or bullying may appeal the determination and/or any related disciplinary action(s) taken, directly to the school board of

the school district. The school board shall conduct a review on the record. The standard of review by the school board shall be whether the finding that an act(s) of hazing, harassment, and/or bullying has been committed constitutes an abuse of discretion by the school level fact finder. Appeals should be made to the school board within ten (10) calendar days of receiving the determination that an act(s) of hazing, harassment and/or bullying has occurred and/or any announced discipline. The school board shall set the matter for a review hearing at the next scheduled school board meeting to the extent practicable, but not later than 30 days from receipt of the appeal filing.

- B. Accused Student/Appellant Access to Investigative Reports/Findings. The school district shall make available upon request of the Accused Student/Appellant, any relevant information, documents, materials, etc. related to the investigation and related finding on appeal that can be redacted and de-identified in compliance with the requirements set forth at 34 CFR Part 99. For those documents that cannot be provided due to the requirements set forth at 34 CFR Part 99, when an Accused Student/Appellant seeks a review on the record before the school board of the school district, a school administrator may seek the consent of the parent/guardian of the targeted student, or the accused eligible targeted student (if 18 or older, the targeted student has the ability to consent), in order to inform the accused student of the findings which gave rise to the school's determination that an act(s) of harassment, hazing, and/or bullying occurred. The parent/guardian or eligible student shall provide a signed and dated written consent before an educational agency or institution discloses personally identifiable information from the student's education records.

VI. Confidentiality and Record Keeping

- A. Privacy Concerns. The privacy of the complainant, the accused individual, and the witnesses shall be maintained consistent with the District's obligations to investigate, to take appropriate action, and to comply with laws governing the disclosure of student records or other applicable discovery or disclosure obligations.
- i. Concerns Related to Harassment Complaints. The scope of appropriate response to a harassment complaint may depend upon whether a student or parent of a minor student reporting the harassment asks that the student's name not be disclosed to the harasser or that nothing be done about the alleged harassment. In all cases, school officials will discuss confidentiality standards and concerns with the complainant initially. The school will inform the student that a confidentiality request may limit the school's ability to respond. The school will remind the student that both federal Title IX and Vermont Title 9 prevent retaliation and that if he or she is afraid of reprisals from the alleged harasser, the school will take steps to prevent retaliation and will take strong action if retaliation occurs. If the student continues to ask that his or her name not be revealed, the school should take all reasonable steps to investigate and respond to the complaint consistent with the student's request as long as doing so does not prevent the school from responding effectively to the harassment and preventing harassment of other students.

The school will evaluate the confidentiality request in the context of its responsibility to provide a safe and nondiscriminatory environment for all students. The factors the school might consider in this regard include the seriousness of the alleged harassment, the age of the student harassed, whether there have been other complaints or reports of harassment against the alleged harasser, and the rights of the accused individual to receive information about the accuser and the allegations if a formal proceeding with sanctions may result. If information about the incident is contained in an "education record" of the student alleging the harassment, as defined by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g, the school will consider whether FERPA prohibits it from disclosing information without the student's consent.

- B. Document Maintenance. The Superintendent or school administrator shall assure that a record of any

complaint, its investigation and disposition, as well as any disciplinary or remedial action taken following the completion of the investigation, is maintained by the District in a confidential file accessible only to authorized persons. All investigation records created in conformance with this model policy and model procedures, including but not limited to, the complaint form, interview notes, additional evidence, and the investigative report, shall be kept by the Equity Coordinator, Designated Employees and District/Supervisory Union Central Office for at least six years after the investigation is completed.

VII. Reporting to Other Agencies

- A. Reports to Department of Children and Families. When a complaint made pursuant to this policy includes allegations of child abuse, any person responsible for reporting suspected child abuse under 33 V.S.A. § 4911, et seq. must report the allegation to the Commissioner of DCF. If the victim is over the age of 18 and a report of abuse is warranted, the report shall be made to Adult Protective Services in accordance with 33 V.S.A. § 6901 et seq.
- B. Reports to Vermont Agency of Education. If a harassment complaint is made in a public school about conduct by a licensed educator that might be grounds under Vermont law for licensing action, the principal shall report the alleged conduct to the Superintendent and the Superintendent shall report the alleged conduct to the Commissioner. If a harassment complaint is made in an independent school about conduct by a licensed educator that might be grounds under Vermont law for licensing action, the head of school is encouraged to report the alleged conduct to the Secretary of Education.
- C. Reporting Incidents to Police
- i. FERPA Rights. Information obtained and documented by school administration regarding the school's response to notice of student conduct that may constitute hazing, harassment and/or bullying may constitute an "educational record" regarding the student or student(s) involved as defined by the Family Education Rights and Privacy Act. Accordingly, such information may not be disclosed without prior parent approval to local law enforcement except in response to a lawfully issued subpoena, or in connection with an emergency if disclosure is necessary to protect the health or safety of the student or other individuals.
 - ii. First Hand Reports. Nothing in this policy shall preclude persons from reporting incidents and/or conduct witnessed first-hand that may be considered to be a criminal act to law enforcement officials.
 - iii. Hazing Incidents. It is unlawful to (1) engage in hazing; (2) solicit direct, aid, or attempt to aid, or abet another person engaged in hazing; or (3) knowingly fail to take reasonable measures within the scope of the person's authority to prevent hazing. It is not a defense in an action under this section that the person against whom the hazing was directed consented to or acquiesced in the hazing activity. Hazing incidents will be reported to the police in a manner consistent with the confidentiality rights set forth above in this section.
- D. Continuing Obligation to Investigate. Reports made to either DCF or law enforcement shall not be considered to absolve the school administrators of their obligations under this policy to pursue and complete an investigation upon receipt of notice of conduct which may constitute hazing, harassment and/or bullying.

VIII. Disseminating Information, Training, and Data Reporting

- A. Disseminating Information. Annually, prior to the commencement of curricular and co-curricular activities, the District shall provide notice of this policy and procedures to students, custodial parents or

guardians of students, and staff members, including references to the consequences of misbehavior contained in the plan required by 16 V.S.A. 1161a. Notice to students shall be in age-appropriate language and include examples of hazing, harassment and bullying. At a minimum, this notice shall appear in any publication of the District that sets forth the comprehensive rules, procedures and standards of conduct for the District.

- B. Student Training. The school administrator shall use his/her discretion in developing age-appropriate methods of discussing the meaning and substance of this policy with students to help prevent hazing, harassment and bullying.
- C. Staff Training. The board or its designee shall ensure that teachers and other staff receive training in preventing, recognizing and responding to hazing, harassment and bullying.
- D. Data Gathering. Public school districts shall provide the Vermont Agency of Education with data requested by the Secretary of Education.

| Unit Board of: | Warned | Adopted | Unit Board of: | Warned | Adopted |
|-----------------------|---------------|----------------|-----------------------|---------------|----------------|
| Barnard | Oct. 6, 2015 | Nov. 3, 2015 | Reading | Oct. 14, 2015 | Nov. 18, 2015 |
| Killington | Oct. 1, 2015 | Nov. 10, 2015 | Woodstock | Oct. 19, 2015 | Dec. 14, 2015 |
| Prosper Valley | Oct. 5, 2015 | Dec. 7, 2015 | | | |

EXHIBIT 12

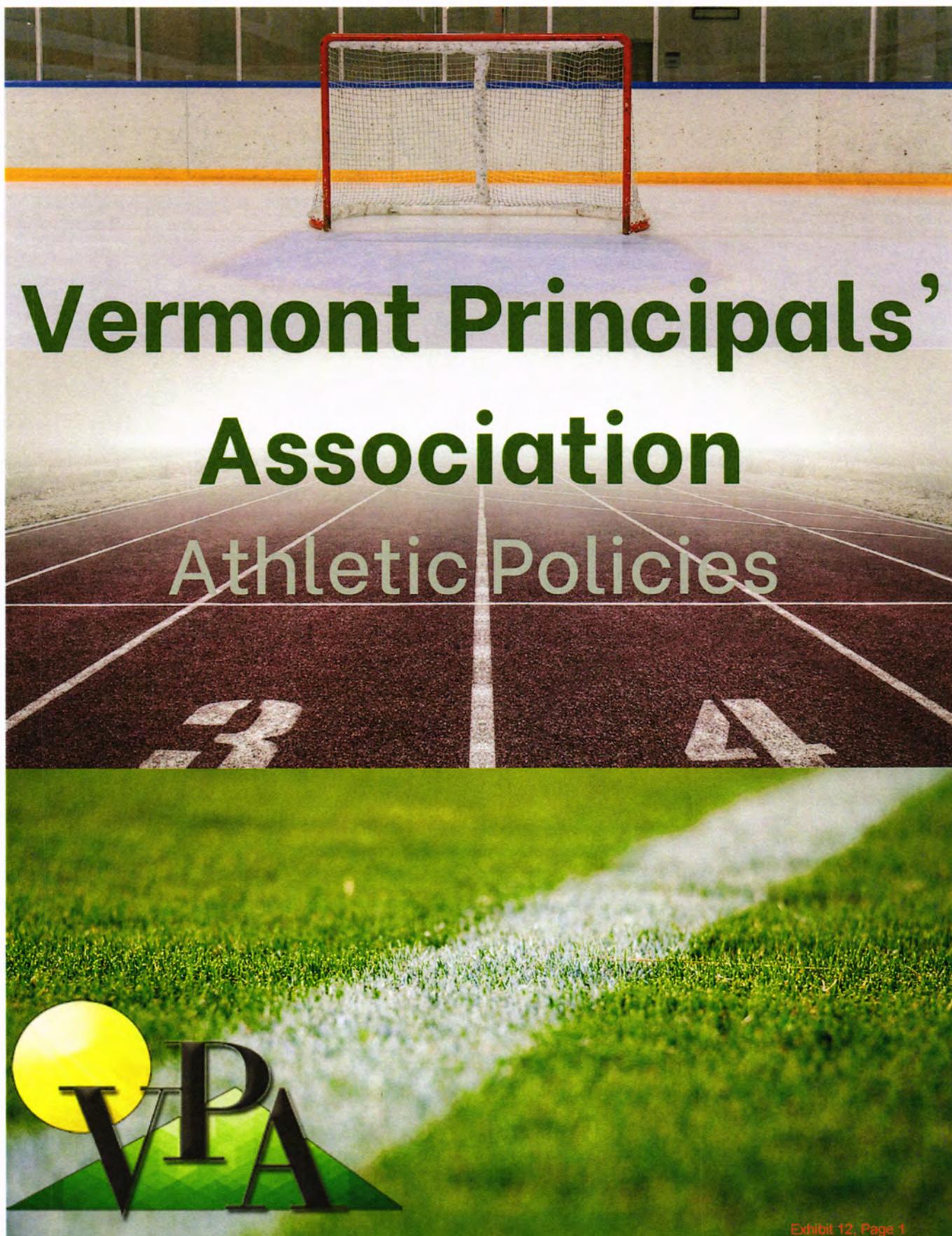


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1. Commitment to Racial, Gender-Fair, and Disability Awareness:

The Vermont Principals' Association believes that all individuals should be treated with dignity, fairness, and respect. Students must be able to participate in Association-sponsored activities in an environment that is free of sexual harassment, prejudice, and discrimination. The Vermont Principals' Association and its member schools are committed to creating an environment in our activities and programs that promotes respect for and appreciation of racial, gender, sexual orientation, religious and ethnic differences, and is disability aware. Preventing prejudice and discrimination begins with every individual.

- [Link to Reporting a Concern](#)
- [VPA Statement of Support for Transgender Students & Student Athletes 10/5/22](#)
- [Pregame Statement & Recommendations](#)
- [Procedures for any Hate Speech During Events](#)

2. Policy on Gender Identity:

The Vermont Principals' Association (VPA) recognizes the value of participation in interscholastic sports for all student-athletes. The VPA is committed to providing all students with the opportunity to participate in VPA activities in a manner consistent with their gender identity as is outlined in the Vermont Agency of Education Best Practices For Schools For Transgender And Gender Nonconforming Students. Vermont's Public Accommodations Act (9 V.S.A. 4502) and VPA policies prohibit discrimination and/or harassment of students on school property or at school functions by students or employees. The prohibition against discrimination includes discrimination based on a student's actual or perceived sex and gender. Gender includes a person's actual or perceived sex as well as gender identity and expression.

Definitions: For these guidelines, the following definitions will apply:

- *Assigned Sex at Birth:* the sex designation, usually male or female, assigned to a person when they are born.
- *Gender Expression:* how a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms.
- *Gender Identity:* means an individual's actual or perceived gender identity, or gender-related characteristics intrinsically related to an individual's gender or gender identity, regardless of the individual's assigned sex at birth. (1 V.S.A. 144)
- *Gender Non-Conforming:* a term used to describe people whose gender expressions differ from stereotypic expectations. The term "gender variant" or "gender atypical" are also used. Gender non-conforming individuals may identify as male, female, some combination of both, or neither.
- *Sexual Orientation:* a person's sexual orientation and sexual attraction to other people based on the gender of the other person. Sexual orientation is not the

same as gender identity. Not all transgender youth identify as gay, lesbian, or bisexual, and not all gay, lesbian, and bisexual youth display gender-nonconforming characteristics.

- *Transgender*: an adjective describing a person whose sex assigned to him or her at birth does not correspond to their gender identity.
- *Transition*: the process in which a person goes from living and identifying as one gender to living and identifying as another.

Privacy Policy: All discussions and documentation shall be kept confidential to the extent permitted by law unless the student and the family make a specific request in writing.

Procedures:

- The student and the parent(s)/guardians shall notify the Superintendent (or designee) that the student would like the opportunity to participate in interscholastic athletics consistent with the gender they identify as.
- The student's home school will determine the eligibility of a student seeking to participate in interscholastic athletics in a manner consistent with their gender identity where the student's gender identity does not correspond to their sex assigned at birth.
- The Superintendent (or designee) will confirm the gender identity asserted for purposes of trying out for an interscholastic sports team through documentation from the parent, guardian, guidance counselor, or a doctor, psychologist, counselor, or other medical personnel. A medical diagnosis shall not be required.
- Once a member school has rendered a determination of eligibility to try out for an interscholastic sports team or teams which corresponds to the student's gender identity the eligibility is granted for the duration of the student's participation in interscholastic athletics. The student shall be required to petition should their gender change. The student must meet all school and VPA standards for eligibility for practice and competition.
- The school's Athletic Director should notify the VPA if any accommodations are needed.

Appeals: All appeals concerning a school's determination as to the eligibility of a gender non-conforming student to participate in interscholastic sports will go directly to the VPA for consideration/action.

3. Policy on a Coach's Code of Ethics:

The responsibility of a coach is to teach attitudes, proper habits, knowledge, and skills. The athletic program is designed to enhance academic achievement and should never interfere with opportunities for academic success. Each student-athlete should be treated as an individual whose welfare shall be primary at all times. The coach must be aware that they serve as a model in the education of the student-athlete and, therefore,

shall never place the value of winning above the value of sportsmanship, health, and safety.

Core Coaching Beliefs

- In all personal contact with the student-athlete, officials, athletic directors, school administrators, the state high school athletic association, the media, and the public, the coach shall strive to set an example of the highest ethical and professional conduct.
- The coach shall support and enforce school rules for the prevention of substance use and abuse.
- The coach shall promote the entire interscholastic program of the school and direct their team in alignment with the total school program.
- The coach shall be thoroughly acquainted with a contest, state, league, and local rules, and is responsible for their interpretation to team members. The coach shall abide by the letter and spirit of these rules at all times.
- Coaches shall actively use their influence to enhance sportsmanship among their spectators.
- Contest officials shall have the respect and support of the coach. The coach shall not engage in conduct that incites players or spectators against the officials or each other. Public criticism of officials or players is unethical.
- Before and after contests, all coaches should meet and exchange friendly greetings to set the correct tone for the event.
- A coach shall not exert pressure on faculty members to give student-athletes special consideration.
- It is unethical for coaches to scout opponents by any other means than those adopted by the state high school athletic association and the league.

4. Policy on Principal's Responsibilities Regarding Student Activities:

Schools that hold a voluntary membership in the Vermont Principals' Association may participate in interscholastic activities only with other VPA member schools or schools that have been approved by the VPA. No school which holds a voluntary membership in the VPA may participate in interscholastic activities with a school located in another state unless that school is a member in good standing of its state association or permission is given by the VPA. It shall be the responsibility of the principal (or designee) of each member school to determine that all opponents in interscholastic athletic contests are members in good standing of its state athletic association.

Changes: No game shall be canceled nor dates changed except by mutual consent of the principals concerned or their designees, or by procedures approved by a league.

Raffles 50/50 raffles will be allowed at any Vermont Principals' Association finals (championships) and the semi-final contests

5. Policy for Scheduling VPA Tournaments:

It is not within the province of the Vermont Principals' Association to oversee the calendar of its member schools or the leagues/conferences they may belong to. In planning state activities, the VPA attempts to avoid conflicts of state-wide importance.

6. Policy on Student Eligibility:

The definition of co-curricular activities in this document shall include all interscholastic and extra-curricular activities sanctioned by the VPA.

Assurance of Eligibility: The principal of each member school assures the VPA that all participants representing that school in interscholastic activities during the regular season and VPA-sponsored events shall meet all eligibility requirements of the school and the VPA. The administrator of each Recognized Independent School or parent/teacher of a student enrolled in a Home Study Program shall assure the VPA that all participants representing the school or program meet all eligibility requirements of the VPA.

Standards of Eligibility: Eligibility rules and activities policies apply to all students in grades 7-12 in affiliated schools. Eligibility rules and activities policies apply to all activities, both athletic and non-athletic, sanctioned or sponsored by the VPA.

Home Study Programs: A home study student who wishes to participate in a public school co-curricular program shall be an "eligible student" under this section if:

- The participating student is enrolled in a home-study program in compliance with Title 16 V.S.A, Section 166(b).
- The participating student must have a legal residence in the school district or is a legal resident of a district that does not maintain a school and pays tuition on behalf of its students.
- Participation in a school's co-curricular activities program shall not commence until a copy of the Vermont Agency of Education Enrollment Letter is presented to the principal by the parent or guardian.
- The participating student's academic program, as referenced in the Vermont Agency of Education Enrollment Letter, will be reviewed by the student's parent or guardian at appropriate intervals as locally determined and consistent for all students to determine academic progress. This review and determination must be certified in writing from the parent/guardian to the principal.
- The student may participate in co-curricular activities sponsored by a VPA member school provided the student complies with the same physical

examination, insurance, age, and any other requirements for participation as required of all students.

- Eligibility issues on all matters other than academic progress may be appealed following the bylaws of the Vermont Principals' Association.
- Before the start of a sports season or fine arts and performance activities in which a home study student wishes to participate, the parent or guardian and student must notify the principal in writing that they wish to participate in a school's co-curricular activities program. Failure to provide a timely notification will not disqualify the student from participating but may result in some delays in participation.
- The home study student must adhere to the same standards of behavior, responsibilities, and performance as other participants of the team.
- Consistent with the law governing all student-athletes, participation in co-curricular activities programs is a privilege, not a right, and nothing in these eligibility standards is intended to confer a right on any individual to participate in co-curricular activities.

Student Participation Limitations: Participation on scholastic teams is limited to enrolled students and qualified home study students. The rationale for this limitation is as follows:

- Co-curricular activities are supposed to be part of a scholastic program. These are school teams, not community teams.
- School teams promote academic progress in the classroom by requiring adherence to local academic standards. At a minimum, it is more difficult for schools to administer academic standards when some of the participants in activities are, because they are not enrolled, exempted from those requirements.
- School teams help promote a sense of community within the school.
- Participation by individuals who are not enrolled displaces enrolled students. All teams have limited playing time. Most teams have cut policies; some students do not even get to participate on their school team. We should not tell enrolled students to sit on the sidelines, or even not make the team, because someone from another school has taken the spot.
- Participation by individuals not enrolled places the school's administrators, teachers, and coaches in the position of having responsibility for the participant without the authority they have over-enrolled students.
- The VPA nurtures an environment in which all schools support a full range of activities for their students. Independent schools may partner with another school through a member-to-member agreement. (see policy on member-to-member agreements)

Eligibility Limitations and Amateur Status (*Spot for NIL Policy Development*)

Contestants or participants must be enrolled in their school and must meet the school's prescribed academic and eligibility rules. Students may only compete on school teams sponsored by their school during the season, and may only compete for the one school

in which they are officially enrolled. Students may participate in meets as individuals but may not participate as a member of another team.

7. Use of 8th Grade Students on High School Teams:

The VPA Policy concerning below grade nine participation on high school teams is based on the following sports: baseball, basketball, soccer, and softball, within four divisions. The sole exception to this is girls' ice hockey.

- No student-athlete below grade eight will be allowed in any VPA sanctioned sports at any level (varsity, junior varsity, freshman).
- Grade eight participation is possible in Divisions 1, 2, and 3 by waiver request. Grade eight participation may be granted only at the lowest level of team offering at the school.
- Division 4 schools may use a grade eight student-athlete on a sub-varsity team provided that the student-athlete is needed to maintain the school's sub-varsity team. If a Division 4 school does not have a sub-varsity team, the grade eight student-athlete may be used on a varsity team provided that:
 - a) a waiver has been granted by the VPA
 - b) no other student-athlete in grades 9 through 12 has been cut from the program.
- Grade eight student-athletes who will participate in a high school sports program fall under the same academic and behavioral expectations of high school students.
- Grade eight student-athletes who participate on a high school sports team will be granted five years (10 semesters) of eligibility.
- Schools must apply for a waiver from the VPA to use a grade eight student-athlete in any sport with less than four divisions.
- Determination has been made by their principal (or designee) to ensure that the grade eight student-athlete is physically, mentally, and socially prepared to participate at the high school level.

In girl's hockey, 8th graders may only be used if:

- a) there is a lack of an appropriate program at their grade level either in a local club or middle school program (thus their only option would be to play on a boy's team, with full contact) and
- b) the high school program has demonstrated a need for athletes to maintain their program (using the Member to Member numbers to determine a full complement of players for a team).

[8th Grade Girls Hockey Waiver](#)

8. VPA Criteria For Granting Waivers

- The use of the grade eight student-athlete is considered necessary for a school to field a team in that sport

- The grade eight student-athlete must not displace another student-athlete in grades nine through twelve.
- The grade eight student-athlete must meet all the VPA eligibility requirements.
- The grade eight student-athlete must be a bona fide student in the same school district as the high school.
- The use of the grade eight student-athlete cannot eliminate or unduly impact a middle school team.
- In cases where the grade eight student-athlete comes from a sending school, both the sending AND the receiving schools' administrators must agree to the usage of this grade eight student-athlete.
- The grade eight student-athlete is not eligible to participate in high school sports that have an individual component to them (track, cross-country, wrestling, golf, nordic ski, alpine ski, snowboarding, gymnastics).

9. Non-School Competition Rules

- A member of a school team is a student-athlete who is regularly present for, and actively participates in, all team tryouts, practices, and competitions. Bona fide members of a school team are prevented from missing a high school practice or competition to compete with an out-of-school team, practice, or competition including tournaments, showcases, combines, or other athletic events.
- Whenever a conflict arises between the high school team practice/competition and an out-of-school practice/competition on the same day, the high school team practice/competition shall be honored by the student-athlete. Priority must be given at all times to the high school team, its practices, and its contest unless permission has been granted by the school. It is expressly understood that permission shall not be granted regularly.
- It is highly recommended to all schools that this information be put into all athletic handbooks and also should be presented by Athletic Directors/Coaches at pre-season meetings with athletes and parents.

10. Eligibility:

Transfer Students

- Transfer students are immediately eligible provided they were bona fide students in good standing in the school from which they transferred according to the definition in (a) above and there is a bona fide change in residence. If the transfer is the result of any coercion, recruiting, or inducement to move to participate in interscholastic activities, students will be ineligible for 365 calendar days from the date of the infraction.
- If there is no bona fide change in residence, students are eligible to participate immediately if they transfer before the first play date of that sports season. If a

student transfers after the first play date of that sports season and does not change residence, the student must wait 20 calendar days after the transfer to be eligible and must participate in at least 60% of the regular season competitions (at the new school) to be eligible for postseason competition.

- The VPA may grant a waiver of the 20 calendar day waiting period, the 60% eligibility requirement, or the 365 calendar day waiting period upon request by the school if the school establishes that the transfer was made for reasons not related to activities.
- Students who transfer from one school to another and then transfer back to their original school, or any other school, are not eligible for sports participation for the remainder of that school year unless the transfer is due to a change in residence or permission is granted by the VPA.

Recruitment

- A school shall be deemed in violation of the rule against recruitment for directly or indirectly supporting or sanctioning recruitment if a representative or agent of the school, or any individual or group associated with the athletic programs of that school, approaches a student-athlete in another school, apart from a publicized meeting for all prospective students in that school, and directly or indirectly attempts to persuade or induce a student-athlete to enroll in their school. A school may also violate this rule by failing to take adequate steps to control recruitment by third parties.

Age Rule

- A student who competes in any VPA sanctioned activity must be under nineteen (19) years of age, except that a student whose nineteenth (19th) birthday occurs on or after August 1 is eligible for all activities in the ensuing school year. Students who have attained the age of nineteen (19) before August 1 shall be ineligible for all VPA sanctioned activities.

Diplomas

- Students are ineligible if they have graduated from any course of study in a secondary school comparable to the Vermont system. The initial determination of whether the secondary school is comparable shall be made by the school's principal. If there is a question concerning the eligibility of a student under this rule, the Assistant Executive Director of the VPA may review the principal's determination. Determining whether a secondary school is comparable, the principal, the Assistant Executive Director, the Activity Standards Committee, and the Board of Appeals shall consider the normal number of years of the primary and secondary school program; the length of the school day, and year; the curriculum; whether graduation makes the student eligible for post-secondary education; and any other relevant information. If the total length of the normal primary and secondary program for the school system in question is less than twelve years, then the secondary school may be deemed less than comparable. Waivers of this eligibility rule may also be granted under these bylaws.

Length of High School Eligibility

- Students have four (4) consecutive years or eight (8) consecutive semesters of eligibility for participation in school activities. Attendance of thirty (30) school days of any semester shall be regarded as a semester. Attendance is defined as being included in the official roll and attendance records of the school and not a physical presence in the class. A student that is enrolled for his/her eighth and final semester of eligibility, during the fall-winter term, may complete the winter sports season as long as they are an eligible student and have not graduated.

Years of Participation in the Same Sport

- No student may participate in the same sport for more than four seasons.

Amateur Status Rulings and Comments:

Students are ineligible if they have lost their amateur standing under any of these qualifications.

- They have received remuneration, gifts, or donations directly or indirectly for participation in an athletic contest or as a prize for being outstanding players.
- They have participated under an assumed name.
- They have competed on a team on which some player was paid for his participation.
- They have entered into a playing contract with a professional club or agent.
- Reference to "gifts or donations" is not intended to preclude the acceptance of playing apparel and equipment that is provided by a sponsoring organization.
- Students who lose amateur status in one sport do not lose it in other sports.
- Amateurs or a team of amateurs may participate against a team of professionals. Amateurs may not participate on a professional team, or on a team where members of the team are receiving remuneration for their athletic services.

Attendance at Sports Skills Instructional Programs

Students who during the regular school day, attend specialized schools or programs where the primary purpose of this instruction or program is to enhance skills in specific sports and/or activities, during the time of established VPA seasons in that particular activity, will not be permitted to participate with their home school in that activity.

Participation in All-Star Contests

1) For this policy, an All-Star contest is defined to be one in which student-athletes are selected based upon their performance as a Member of a VPA school-sanctioned athletic activity.

2) The VPA does not sanction or approve of All-Star contests. Student-athletes who participate in All-Star contests will lose their VPA eligibility to participate in that same sport at their high school for the next sports season. The only exceptions to this are when the All-Star contest is directly related to the activities of the U.S. Olympic Committee, involves a Senior who has completed their sports eligibility (participation in one sport does not affect participation in another sport), or if the VPA Office gives specific approval for that event.

Eligibility for International Exchange and International Students

- An international exchange student is an international student who attends high school in the U.S. To be eligible for interscholastic athletics in the U.S., such students must be under the auspices of and be placed with a U.S. host family by an international student exchange program that has been accepted for listing by the Council on Standards for International Educational Travel (CSIET) and be recognized by the U.S. Department of State. The foreign exchange program must assign students to host families by a method that ensures that no student is placed because of his/her athletic interests or abilities.
- An international exchange student is considered to be placed with a host family when a written notice of placement is provided by the exchange organization to the student and his/her parents, and the host family. No member of the school's coaching staff, paid or voluntary, shall serve as the host family.
- The international exchange student must possess a current J-1 visa, issued by the U.S. State Department.
- The international exchange student must comply with all eligibility requirements set forth by the Vermont Principals' Association and school-based eligibility rules.
- The international exchange student may not be a graduate of or have received a diploma from a secondary school or its equivalent, which is comparable to a Vermont secondary school in the student's native country.
- An international student who is not under the auspices of and placed by a CSIET-listed exchange program must meet the following requirements to be considered for interscholastic athletics eligibility in any state:
 - The student must possess a current F-1 visa, issued by U.S. Immigration.
 - The student must provide to the principal of the school they attend an official untranslated transcript and a transcript that is translated into English by an acceptable agent or agency, which indicates work taken in all grades in which the student was enrolled.
 - The international student must pay tuition to the high school they attend as prescribed in Section 625 of U.S. Public Law 104-208.
 - No member of the school's coaching staff, paid or voluntary, shall serve as the resident family for the student.

- The international student must comply with all eligibility requirements set forth by The Vermont Principals' Association in this document.

Non-compliance with one or more of the foregoing provisions shall render the international student ineligible for interscholastic athletics at any high school that is a member of any NFHS member state high school association.

11. Waivers (grounds for and hardship rule)

- Waivers of eligibility rules in matters of age may be granted as a matter of discretion only under extraordinary circumstances in which undue hardship (as defined in these rules) directly causes non-compliance with the eligibility rule, and if the waiver will not harm other participants or the fairness of competition.
- For eligibility in matters other than age, waivers may be granted or denied as an exercise of discretion by the Activities Standards Committee after considering the information that the Committee deems relevant. Schools may file for hardship waivers for their students utilizing the Hardship Application that is on the VPA website. As part of the packet, schools need to include the following; a copy of the student's transcript, a letter from the school administrator supporting the waiver request, a letter from the parent and or student describing the request, and any other pertinent information that the school would like to include. Once completed, the packet is to be sent to the VPA and a meeting will be arranged with the Activity Standards Committee. At this meeting, school representatives, the student, and parent/guardian will be welcome to attend and may present information to the committee.
- Eligibility waivers fall into one of three categories: Medical, Situational, or Refugee. All eligibility waiver requests must fall into one of these three categories."
- Hardship Waiver Rule- The Activities Standards Committee interprets undue hardship as a situation to the student-athlete which is severe enough to prevent the normal application of VPA eligibility rules. Circumstances involving choice on the part of the student or parents/guardians do not necessarily constitute undue hardship.
 - Appeals:
 - Appeals from the application of VPA policies and or waivers of VPA policies may be made by a member school directly to the VPA. Appeals/waiver requests may be approved by the VPA Office or may be referred to the VPA Activity Standards Committee for consideration. Requests that are denied by the VPA Office may be appealed to the VPA Activity Standards Committee by the member schools. Requests that are denied by the Activity Standards Committee may be appealed to the VPA Appeals Committee
 - Appeals of local school policies often follow the steps listed below. However, contact your local school to determine your school's specific process:

- First step: Meet and present issues with the school's athletic director
- Second step: If unresolved, meet and present issues to the school's principal
- Third step: If unresolved, meet and present issues to the district superintendent
- Fourth Step: If unresolved, meet and present issues to the local school board (this is the final step). Note – appeals of local school policies cannot be appealed to the VPA as these are local policies in which the VPA has no jurisdiction.”

12. **Disciplinary Action Procedures:**

(Note: This applies to appeals of VPA policies, not local school district policies or procedures).

Investigation: When alleged violations of VPA policies or rules are reported, the Executive Director or designee shall investigate any alleged violations in person or through a designated representative, (e.g. local school administrators).

Local Investigations: Violations of rules, including violations that happen at or about interscholastic athletic events should be reported to and handled by local school officials as their given processes and procedures are outlined. This includes reports of student misconduct, hate speech, and any resulting hazing, harassment, bullying, and/or Title IX. Incidents can be reported directly to the VPA via the [online reporting form](#) as well. Any reports received to the VPA will be redirected to local officials as the initial point of contact for investigation and any resulting interventions.

Third-Party Investigation: If violations of rules and the given local investigation(s) are distributed among two or more school systems, the given superintendents can agree to jointly hire a third-party investigator which the VPA will help facilitate and match to the scenario. The results of the third-party investigation will be reviewed by all parties involved to determine the next steps with the given results.

Notice of Probable Violation: If the Executive Director or designee determines from the preliminary investigation that a probable violation has occurred, the Executive Director or designee shall give to the alleged violator written notice of the probable violation. The written notice shall contain the charges made, a recommended penalty, and a copy of the preliminary investigation report if a report has been prepared. The notice shall also advise the alleged violator of his/her/opportunity to be heard before the Activities Standards Committee.

Opportunities to be Heard: The alleged violator may accept the notice and recommended penalty or may file an appeal with the Activities Standards Committee. The alleged violation and penalty shall be final unless the alleged violator submits to the Activities Standards Committee a written appeal with a written explanation of his/her version of the events within seven (7) calendar days of the date of the Notice of Probable violation.

Request for Hearing: A hearing (either in person or by electronic means) will be set, provided a request is made in writing and delivered to the Executive Director or designee within seven (7) calendar days from the date of the Notice of Probable Violation.

Evidence, Right to Counsel: If a hearing is requested, it will be set to be heard within fourteen (14) school days from the request. The alleged violator may introduce evidence and may be represented by counsel. Evidence may be in the form of testimony, affidavits, written reports, electronic recordings, or other information that may assist the Committee in making its decision.

Closing of Hearings: After the presentation of evidence, the Activities Standards Committee shall declare the hearings closed.

Reopening of Hearings: The hearings may be reopened by the Activities Standards Committee or upon application in writing of any party at any time before the decision is made, if the Activities Standards Committee, in its discretion, determines to reopen the hearing.

Modification of Deadline: The Activities Standards Committee may modify any time governing its proceedings by mutual agreement or for good cause.

Time of Decision: The decision shall be made by the Activities Standards Committee within seven school days after the closing of hearings or seven (7) school days after review of the written explanation if no request for a hearing is made. The decision shall be mailed by the Activities Standards Committee to each party by certified mail, return receipt requested, or electronic means.

Decision: The findings and decision of the Activities Standards Committee shall be in writing. The Committee may assess appropriate sanctions, which may include, but are not limited to, warnings, forfeitures, prohibitions from competitions, suspension, the expulsion of membership, and individual bans or suspensions.

Suspensions: The Executive Director or designee may, temporarily, may suspend schools, students, and VPA Tournament officials from participation in athletic events before a final determination of any appeal. In such an event, the suspension shall be continued for no longer than is reasonably necessary for the Activities Standards Committee to convene a hearing if one is requested by the affected parties.

Proper Parties. Only schools shall have the right to challenge discipline assessed against the school or the school's teams. Individuals connected with the school or the affected team may not challenge discipline that is assessed against the school or the team, but may, accompanied by representatives from the school, or in collaboration with the school, may challenge actions or decisions that affect their eligibility.

Appeal from Committee Action: Any VPA Committee action or decision may be appealed directly to the Activities Standards Committee for determination. The principal or designee of the school involved must formally notify the Executive Director or designee in writing (by letter, fax, or email) of the appeal, the grounds of the appeal, and whether the school or individual intends to present evidence in support of the appeal. The Activities Standards Committee shall hear the appeal. The Committee shall conduct the appeal following the procedures described above. Actions or decisions involving a school or a school team may only be appealed by the leadership of the school. Individuals connected with the school or affected team may not challenge actions or decisions on their own that are made concerning schools or teams but may, accompanied by a representative of the member school, challenge actions or decisions that affect their eligibility. The Executive Director or designee shall then notify the principal of the date, time, and place of the hearing, which may be conducted by telephone or electronically. The principal of the schools involved in the appeal, or his or her designee, must participate in the appeal hearing. If the appeal concerns individual eligibility, the student and his/her parent or guardian must participate in the appeal hearing. Schools or individuals requesting action by the Activities Standards Committee shall submit all relevant information and argument to the Activities Standards Committee at least five business days before the Appeals hearing.

Board Of Appeals

- The Executive Council shall appoint a Board of Appeals as an independent party to hear an appeal from eligibility and discipline decisions concerning activities made by the Activity Standards Committee following appeals under these bylaws. To afford full due process, any decision of the Activities Standards Committee denying eligibility to an individual or team may be appealed to the Board of Appeals. Actions or decisions addressing a school or a school team may only be appealed by the school. Individuals connected with the school or affected team may not challenge actions or decisions that are made concerning schools or teams but may challenge actions or decisions that affect their eligibility.
- The Board of Appeals shall not have authority to alter any policy or bylaw, but shall apply the policies and bylaws in resolving such appeals.
- The Board of Appeals shall consist of five (5) VPA members, and three appointees from other educational organizations, including one superintendent, one teacher, and one school board member. The appointments from other educational organizations would be made in consultation with the Vermont Superintendents' Association, the Vermont NEA, and the Vermont School Boards

Association. Five duly-appointed members of the Board of Appeals must be present to hear and determine any appeals.

- The Board of Appeals shall appoint one of its members to preside as Chair over the hearings of any appeal and the presiding member shall control the manner and presentation of the evidence presented at the hearing of the appeal.
- All appeals must be sent to the Board of Appeals through the Executive Director or designee and shall be delivered by letter, fax, or email within seven (7) calendar days after receipt of the decision from which the appeal is taken. This notice of appeal must contain (1) a copy of the decision appealed from; (2) the grounds on which the appeal is based; and (3) the names of all interested parties; (3) a detailed description of the persons who will be participating, and the evidence to be presented at the hearing, will be sent to the VPA within five business days of the hearing. The Board of Appeals may modify any time governing its proceedings by mutual agreement or for good cause.
- The Board of Appeals shall give notice of the hearing delivered by letter, fax, or email to all interested parties designated as such in the appeal. The hearing may be held by electronic means.
- At the hearing on the merits, the Chair of the Board of Appeals shall preside. A board member who has a conflict of interest shall disqualify himself/herself from participation or attendance in the hearing.
- At the hearing, the Board of Appeals shall receive evidence in the form of testimony, affidavits, written reports, electronic recordings, or other information that may assist their decision. Individuals attending the hearing may not participate unless they are providing evidence or they are parties or attorneys making arguments. It should be noted that if the school and/or appealing party plans to have legal counsel, the VPA reserves the right to also have legal counsel and must receive timely notification in advance. This may necessitate a delay in the Appeal hearing timeline. At the hearing, a representative or designee from the Activities Standards Committee shall participate as a party and explain the decision of the Activities Standards Committee. The principal of the schools involved in the appeal, or his or her designee, must participate in the appeal hearing, regardless of whether or not the school supports or opposes the appeal. All interested parties shall have the full opportunity to present evidence. The Board may recess the hearing to obtain additional information or evidence.
- The Board of Appeals shall make a prompt decision within seven (7) school days after the closing of the hearing; written findings and decisions supported by the evidence shall be delivered to each party by letter, fax, or email.
- If the Board of Appeals finds that the appeal involves new or relevant information that was not presented to the Activities Standards Committee, the Board shall immediately remand the appeal to the Activities Standards Committee for reconsideration of the new information. In making this determination, the Board of Appeals acknowledges that the Activities Standards Committee has the initial and primary responsibility for administering activities, and shall have the

opportunity to formally consider all facts and arguments that may affect an appeal and whether there was good cause for failure to submit the new information.

13. Legal Action Against Association by Member Schools

- The VPA is a voluntary association, which is democratically governed. VPA member schools agree to abide by the final decisions of the VPA. VPA members agree that litigation by members against the VPA undermines the VPA governance structure and wastes valuable resources that could otherwise be devoted to students.
- Any VPA member school which is a party to legal action in any court to overturn, stay, or enjoin any final decision of the VPA and is subsequently unsuccessful in seeking a verdict shall be liable for reasonable costs and attorney's fees incurred by the Association in defending against such action.
- Should the Association be forced to initiate legal action to collect the aforementioned costs and attorney's fees, the member school shall be additionally liable for the Association's reasonable costs and attorney's fees resulting from the collection action.

14. Enforcement of Rules by Schools

- Schools are expected to comport with and enforce the eligibility standards as set out in the VPA bylaws and policies.
- Violations of the eligibility standards by schools shall result in one or more of the following penalties: (1) A warning in writing to the principal. (2) Forfeiture of the game (3) Prohibition from postseason competition or state-wide nonathletic activity (4) Suspension or exclusion of institutional membership in the VPA.

Violation of Eligibility Standards

A student who has violated one of the eligibility rules becomes immediately ineligible. This includes academic eligibility (sections (a), (e), (f), (g), (l) transfer or amateur status (section (k); or enrollment in a specialized school/program where the primary purpose is to enhance athletic skills in a particular sport, resulting in ineligibility for that sport (section (l)).

Violation of Eligibility Standards, Article II

- Violations of VPA Standards of Eligibility, Article II, will result in automatic forfeitures, by the school, of any competitions in which the students have participated.

Tournament Play – Ineligibility

- If a player or team in any VPA-sponsored tournament or championship is found to be ineligible following any rules in Article III, the Executive

Director (or his/her designee), in consultation with the VPA Activities Standards Committee representative(s) and member(s) of the sport/activity committee in question, will make an ad hoc decision in consideration of the best interests of the tournament and the VPA membership as a whole.

- In cases where a team is declared ineligible at any level of the tournament and therefore disqualified from further competition, the ad hoc committee will correct the error at the lowest level of the tournament possible without disrupting the tournament timelines. For example: When a team is disqualified from a tournament and it is impossible to correct the problem at its origin since it will disrupt the flow of the tournament for other teams, the problem is corrected at the next possible level by allowing the team defeated by the ineligible team to assume the position of the disqualified team and continue the tournament competition at that level.
- The decision made will aim to be the most reasonable and fair for all concerned while producing the least interruption of tournament structure and tournament timelines, maintaining all previously agreed to contractual commitments for facilities and personnel, and promoting fair and equitable enforcement of tournament and VPA bylaws and rules.

15. Policy on Rules for Organized Vermont 7-12 Sports:

State-wide interscholastic sports are organized, supervised, and regulated by school leaders. Competitors are expected to display a high standard of sportsmanship at all times. Unsportsmanlike acts will not be tolerated. It is the responsibility of the school authorities, especially the coaches and their staff, to see that unsportsmanlike conduct is addressed. School officials will investigate any act of unsportsmanlike conduct. This relates to interscholastic athletics between or among member schools, schools holding membership in another state association, or activity sponsored by the VPA.

16. General Rules

- 16.1.** Schools will organize formal practices for each athletic activity following the definition of the appropriate season.
- 16.2.** No school will schedule more than two (2) games per week, Monday through Friday, exclusive of the need to reschedule postponed games or compete in sanctioned tournaments. A third game may be scheduled on Saturday.
- 16.3.** In all sports, except for baseball and softball, schools shall schedule no more than one contest per day per team. In baseball and softball, schools may schedule doubleheaders, provided that all other policies and bylaws are followed.

- 16.4.** Sunday Competitions: The Vermont Principals' Association will allow the scheduling of VPA Sunday tournament play only under all the following circumstances:
- Weather conditions or availability of venue resulted in a postponed game
 - Both principals agree to such Sunday participation.
- 16.5.** Interstate Play: When schools schedule interscholastic games or contests with schools in other states, each school shall observe its state regulations in eligibility. No member school will host or participate in an interstate tournament or meet involving more than two (2) schools unless such a contest has been approved by all interested state associations. Application for sanction must be initiated at least thirty (30) days before the date of the meeting.
- 16.6.** The playing rules for interscholastic athletic contests shall be prescribed by the committee having the responsibility for that activity.
- 16.7.** No member school while involved in interscholastic competition with a team at the varsity, junior varsity, and/or organized school unit level shall compete in a tournament not sanctioned by the VPA.
- 16.8.** Participants in all interscholastic athletic activities must have a minimum of ten (10) practice sessions before competing in interscholastic contests. No more than two practice sessions in a day shall count toward a minimum of ten practice sessions. Participants in unavoidably delayed state tournaments or authorized regional athletic activities are exempt from this rule if such participation prevents compliance. Participants must be allowed one day without any practice or game in each calendar week.
- 16.9.** Participants must have a minimum seven (7) days rest period before starting practice for the succeeding sports season. Participants in unavoidably delayed state tournaments or authorized regional athletic activities are exempt from this rule if such participation prevents compliance.
- 16.10.** No student may participate in any VPA-sanctioned activity without providing evidence to the student's school administration or designee before participation in an activity showing that the participant is covered under some private or public health insurance program for the medical care for injuries that may be suffered on account of participation in an activity. Member institutions are encouraged to work with their student participants and parents to help make available individual insurance policies at an affordable cost to students who wish to participate in VPA-sanctioned activities.
- 16.11.** Interscholastic athletics involving mixed (boys/girls) competition is prohibited except in those instances where the member school does not offer equivalent (same) activities for girls. In these situations, girls shall be eligible to try out in any activity, and upon becoming a member of the team, will be eligible for state competition. Therefore, boys shall not try out for traditional girls' sports and be eligible for state competition. For purposes of this policy, the following activities are identified as girl's sports: field hockey, softball, girls soccer, girls basketball, girls golf, girls gymnastics, girls hockey, girls lacrosse, girls alpine and nordic skiing, girls tennis, girls track and field, girls snowboarding, girls volleyball and

girls ultimate. This policy recognizes traditional boys-dominated sports and the need to protect opportunities for girl athletes.

17. Unsportsmanlike Behavior

- **Taunting/Harassment**

Taunting is considered any action(s) or comment(s) by coaches, players, or spectators which are intended to bait, anger, embarrass, ridicule, or demean others, whether or not the deeds or words are vulgar or racist. Included is a contact that berates, needles, intimidates, or threatens based on race, gender, ethnicity or origin, or background, and conduct that attacks religious beliefs, size, economic status, speech, family, special needs, or personal matters.

- Taunting in all sports is a flagrant unsportsmanlike foul that will result in a game ejection as outlined in the student/coach ejection policy
- Each school is encouraged to have procedures regarding taunting by spectators.

- **Student/Coach Ejection Rule:** Any student/coach ejected for unsportsmanlike conduct or a flagrant foul shall be suspended from the next two contests, (except for football, skiing, and gymnastics, for which the suspension shall be one contest) in the sport from which the student/coach was ejected. If the ejection occurs in the last contest of the season, the student shall be ineligible for the same time in the next sport in which the student participates. If the ejection occurs in the last contest of the coach's or student's last sports season, the school shall take appropriate disciplinary action to impose a sanction proportionate to the penalties imposed by these rules and shall report that discipline to the VPA. The suspended student may not be in uniform. A student who is ejected a second time shall be suspended for the remainder of the season in that sport. A coach ejected for unsportsmanlike conduct shall receive the same suspension given to student-athletes. If suspended, a coach may NOT attend the contest. A student or coach who has been ejected for unsportsmanlike conduct for the second time in a season shall be suspended for the remainder of the season in that sport.

- **Assault Upon Officials by Coaches:** A coach who intentionally strikes, shoves, kicks, or makes another aggressive physical contact with an official before, during, or after an interscholastic contest, shall be disqualified immediately and his/her coach's eligibility may be suspended for up to one full calendar year. A coach who is disqualified under this provision shall not coach in any contest, pending a hearing before the Activities Standards Committee. The Activities Standards Committee shall determine the length of the suspension, giving due consideration to all relevant factors, including the seriousness of the offense. At the end of any suspension, the coach may request the reinstatement of his/her eligibility. At this time, the Activities Standards Committee will place the request on their next meeting agenda, at which meeting the coach, athletic

director, and principal are required to attend. The Activities Standards Committee will determine whether or not to reinstate the coach's eligibility.

- **Assault Upon Officials by Students:** Any member of the team who intentionally strikes, shoves, kicks, or makes other aggressive physical contacts with an official before, during, or after an interscholastic contest, shall be disqualified immediately and may be ineligible to participate in all sports for up to one full calendar year. A student who is disqualified under this provision shall not play in any contest, pending a hearing before the Activities Standards Committee. The Activities Standards Committee shall determine the length of the suspension, giving due consideration to all relevant factors, including the seriousness of the offense. NOTE: "Member of the team" is defined to include players, managers, scorekeepers, timers, and statisticians.
- **Assault Upon Coaches by Coaches:** A coach who intentionally strikes, shoves or kicks, or makes other aggressive physical contact with another coach before, during, or after an interscholastic contest shall be disqualified immediately and their coach's eligibility may be suspended for up to one calendar year. A coach who is disqualified under this provision shall not coach in any contest, pending a hearing before the Activities Standards Committee. The Activities Standards Committee shall determine the length of the suspension, giving due consideration to all relevant factors, including the seriousness of the offense. At the end of the suspension, the coach may request the reinstatement of their eligibility. At this time, the Activities Standards Committee will place the request on their next meeting agenda, at which meeting the coach and Principal are required to attend. The Activities Standards Committee will determine whether or not to reinstate the coach's eligibility.
- **Enforcement:** It is the responsibility of the local school to ensure this regulation is enforced. When a suspended student or coach is allowed to participate, forfeiture of the contest is mandatory. This regulation shall apply to all regular season and tournament contests.
- **The appeal of ejection orders:** Judgment calls by officials ordering ejection shall be final. The only grounds for appeal from a suspension under this section shall be that the ejection was caused by gross misconduct by the official, or that the official has filed a written report stating that the ejection was erroneous. Unless a stay of the suspension is granted, by the Assistant Executive Director in his/her sole discretion, the suspension shall be immediately effective.

18. Sanctioning A New Activity:

The VPA is open to the development of new sports/activities initiatives that would benefit students in VPA member schools. Listed below are the steps that are necessary to present a new sport/activity and the timeline involved.

- If a school(s) or interested party, would like to present the possibility of a new sport or activity, a petition shall be brought to the VPA Activity Standards Committee. This petition will have evidence of a minimum of 9 schools that have indicated they would be willing to offer the sport/activity for two years on an “exhibition” basis.
- A meeting will be set with the VPA Activity Standards Committee at which the interested school(s) or parties will conduct a presentation concerning the proposed sport/activity. Written evidence from the schools interested in participating in this sport/activity will be provided. A general description of the sport/activity shall also be provided. Additional supporting documents/statements may also be presented. Members of the interested schools must be at the ASC meeting to answer questions.
- If approved, a committee will be formed to write the guide for the new sport/activity that will contain the rules and any other necessary information. This committee will also serve as the “official VPA committee” for that sport/activity for the next two years.
- At the end of the two-year “exhibition” time, the sport/activity committee will meet again with ASC to summarize the progress that has been made over the two years. ASC will then vote as to whether the sport/activity is to be sanctioned.

19. Coach Replacement During a Contest

- Before the start of any athletic contest, the head coach must identify the adult who is designated to replace him/her in the event they are unable to complete the contest, due to illness, ejection, etc.
- When a coach is unable to continue, their team shall forfeit the contest if a replacement was not named before the start of the contest.

20. Individual Student Participation Limits:

The present VPA policies relating to individual participation limitations per season are (team sports):

- Baseball – maximum 16 games (16 x 7 innings = 112 innings)
- Basketball – maximum 20 games (20 x 5 quarters = 100 quarters) “No basketball player shall play more than five (5) quarters in any day, exclusive of the need for overtime play. Note – overtime is considered as an extension of the 4th quarter. Participation in a quarter (no matter how much time is played) constitutes a quarter of play.”
- Field Hockey – maximum 14 games (14 x 2 halves = 28 halves)
- Football – maximum 9 games (9 x 4 quarters = 36 quarters)
- Ice Hockey – maximum 20 games (20 x 3 periods = 60 periods)
- Soccer – maximum 14 games (14 x 2 halves = 28 halves)
- Softball – maximum 16 games (16 x 7 innings = 112 innings)

- Lacrosse – maximum 16 games (16 x 4 periods = 64 periods)

21. Fine For Submitting Late/Inaccurate Pairings Member:

VPA schools that submit inaccurate pairing forms shall be subject to the following fine system:

- 1st Submission: Warning in writing to the principal of the school and no fine.
- 2nd Submission and beyond: \$200.00 per occurrence for activities that require applications.
- \$100 per occurrence for required non-application materials (participation surveys, etc.)
- The member school principal shall be notified each time an inaccurate pairing form is submitted.

22. VPA Lightning Rule:

The VPA policy on lightning procedures for outdoor interscholastic activities is the following:

- When thunder is heard or lightning is seen, students and spectators must leave the field and go inside.
- Once lightning has been recognized or thunder heard, teams must wait at least thirty minutes (thirty-minute rule) before resuming activities. Any subsequent lightning or thunder after the beginning of the 30-minute count should reset the clock and another count should begin.

23. Individual/Team Activities

- The VPA sponsors several activities in which there are both individual and team competitions. These activities are golf, gymnastics, skiing, snowboarding, tennis, cross-country, track (indoor and outdoor), and wrestling.
- Traditionally, the VPA has allowed student-athletes who wanted to participate in these sports as individuals but attended schools that did not sponsor teams to practice with and participate through schools with teams. These student-athletes would only participate as individuals. They could win individual awards, but their scoring would not count for any team.
- The purpose of this policy is to formalize this practice and establish regulations that are consistent with the VPA's regulations.

24. Rules Governing Participation In Individual Competitions

- To participate under this rule, a student-athlete must be enrolled in a school that is a member of the VPA or be enrolled in a home study program in compliance with Title 16 V.S.A.
- Participation in this program is limited to the following sports: golf, gymnastics, skiing, snowboarding, tennis, cross-country, track (indoor and outdoor), and wrestling.
- Student-athletes under this program may practice and travel with the school team.
- Student-athletes under this program only participate as individuals. They may win individual awards, but their scoring will not count for any team.
- A student is ineligible for this program if their school maintains a team in the sport. A home study student is ineligible for this program if the school district in which they have a legal residence (or a school that the home study student's town pays tuition to) has a team. Enrolled students and home study students should first be placed on their home school or hometown teams as participants.
- This program does not allow student-athletes to select the school team in which they will participate. If the school district in which they have a legal residence does not have a team, the student-athletes must participate on a team that is geographically closest to the student's residence.
- The participating student must comply with all VPA regulations to be eligible to participate.
- The school where the student is enrolled and the school that is sponsoring the team must consent to the student athlete's participation.
- The participating student must adhere to the same standards of behavior, responsibility, and performance as the participants on the team. The participating student may be subject to the same discipline and sanctions as are applied to team members.

25. Sports Seasons:

The following is a list of sports and the seasons to which they have been assigned:

- Fall Sports Season — cross-country, field hockey, football, soccer, and bass fishing.
- Winter Sports Season — basketball, cheerleading, dance, ice hockey, wrestling, gymnastics, skiing, snowboarding, and indoor track.
- Spring Sports Season — baseball, golf, softball, track and field, tennis, lacrosse, and ultimate.

26. Scheduling of Sports Seasons:

The Activities Standards Committee shall establish the starting and ending dates for each of the sports seasons following this bylaw. The Activities Standards Committee

shall also establish the length of the sports season for each activity. Should state tournaments or authorized regional tournaments be scheduled after the official close of any sports season, an otherwise eligible team may participate. The Activities Standards Committee shall schedule the seasons to maximize gender equity, the availability of appropriate sites and officials and support for all competitions and tournaments.

- **Fall:** All fall sports for athletes shall start on the same date unless otherwise approved by the Activities Standards Committee. Tournament competition in any sport may be staggered so that one gender starts and completes its tournament before the other gender.
- **Winter:** There shall be at least a one-week break between the scheduled end of the Fall Sports Season, and the start of the Winter Sports Season if possible . Tournament competition in any sport may be staggered, dependent upon venue availability.
- **Spring:** There shall be at least a one-week break between the scheduled end of the Winter Sports Season and the start of the Spring Sports Season if possible. All spring sports shall start on the same date unless otherwise approved by the Activities Standards Committee. Tournament competition in any sport may be staggered so that one gender starts and completes its tournament before the other gender. The Spring Sports Season shall end no later than the second Saturday in June, inclusive of all scheduled tournament dates.
- No school shall permit students to enroll in the winter activity until the fall activity in which they are participating is concluded and they have had the required rest period between sports seasons. No student shall enroll in the spring activity until the winter activity in which they are participating is concluded and they have had the required seven-day rest period between sports seasons. Students participating in state tournaments or authorized regional athletic activities are exempt from this rule if such participation prevents compliance.

Loyalty Clause:

A member of a school team is a student athlete who is regularly present for, and actively participates in ALL team try-outs, practices and competitions. Bona fide members of a school team are prevented from missing a high school practice or competition to compete with an out-of-school team, practice or competition to include tournaments, showcases, combines or other athletic events. Whenever a conflict arises between the high school team practice/competition and an out-of-school practice/competition on the same day, the high school practice/competition shall be honored by the student athlete. Priority MUST be given at all times to the high school team, its practices, and its contests unless permission has been granted by the school. It is expressly understood that permission shall not be granted on a regular basis and shall only be granted in extraordinary circumstances.

27. Out of Season Coaching Rule

Definitions

- Out-of-season: all days during the school year, except for the season of the sport in question.
- Summer recess: from the last day of school to 10 calendar days before the start of the Fall season.
- Practice: formal meeting or direct instruction/training designed for the sport (this does not include organizational pre-season meetings).
- Coach: defined as a "paid" coach by either the school or a related organization (Boosters Club, etc.). Head Coaches who are not paid are included under this definition.
- Out-of-Season (including, for all purposes in this section, to also encompass the time between sports seasons during the school year) practice is not permitted under the direction of a school's paid instructor or head coach regardless of paid or voluntary status. There shall be absolutely no practice during the school year out-of-season period for a particular sport (football and baseball currently have exemptions to this rule).
- Open gyms are allowed as long as an invitation is given to every student in the school and there is no instruction (coaching) of any kind).

Coach Contact: During a sports season (In-season as defined by the VPA calendar) a coach is allowed to have contact with all levels in that sport including other schools (middle or elementary school programs) or non-school teams.

Summer Recess: During the summer recess, all restrictions are rescinded. Local schools may determine to what extent the school, the coaches, and the students are to be involved in the "summer recess" program.

The exception to out-of-season coaching restriction:

- Students should have the opportunity to voluntarily participate in an out-of-season scholastic competition that does not interfere with educational development. The choice to participate in such activities should be truly voluntary. There should be no pressure placed on student-athletes. Student-athletes should have the opportunity to pursue a variety of activities. Student-athletes who pursue a variety of activities should be protected from an unfair competitive disadvantage against those who may concentrate on one particular sport. This rule is intended to balance these important interests.
- A coach from a VPA member school may not coach athletes from their high school program in the same sport out-of-season (note – a coach may not coach 8th graders who may be on their team the following year). **Exception:** Coaches may coach their child/children in out-of-season opportunities as long as no other members on that team are from the VPA member school that they coach at.
- Student participation in out-of-season/summer sports activities should be truly voluntary. No student should be pressured, either directly or indirectly, to

participate in out-of-season/summer sports activities. Any coach, instructor, or administrator who directly or indirectly pressures a student-athlete to participate in out-of-season/summer sports activities shall be subject to sanctions, including suspension from coaching in any VPA sanctioned activities.

28. Scrimmages and Jamborees

- Scrimmage: A scrimmage is defined as and intended to be a learning situation, not a competitive event. A scrimmage is a practice and shall be treated as such. Scrimmages have unlimited timeouts during which coaches are allowed to provide instruction. Scrimmage can be conducted under the following regulations:
- A team cannot play more than 20% of the maximum number of regular season games as scrimmages with other teams (schools) up to the conclusion of the regular season. Scrimmages are allowed in the postseason and are not a part of the 20%.
- No admission shall be charged. While the public need not be denied admittance to a scrimmage, it shall not be played as a regular game.
- Scrimmages are not bound by the length of game regulations, however, individual players cannot exceed the playing time of a regular season game.
- A score is only to be kept by the quarter/period/inning/half and not as a regular game.
- Jamboree (or Round Robin): A jamboree is defined as a scrimmage in which a team engages two or more other teams. Schools are allowed to use the equivalent of 2 scrimmages at a jamboree/round robin.

29. Canceled Season Rule:

A school that cancels a sport after the official schedule has been established must forfeit wins to its remaining scheduled opponents unless this action takes place ninety (90) days before the start of the activity.

30. Divisional Alignments:

The Association may establish divisional alignments within the various activities. When a divisional alignment is being reviewed, The Assistant Executive Director will send a notice to its member schools. The notice shall require that the member school submit to the VPA the count of its enrolled students as of October 15. The count shall be submitted on a form attached to the notice, following the directions set forth on the form. The Activities Standards Committee may solicit and consider advice from any source on the classifications, including committees for the various activities. It shall be the goal of the Activities Standards Committee to establish divisional classifications by February 1 for use in the following school year. Notice of the divisional classifications shall be sent by the VPA to the member institutions. Ordinarily, the notice will be sent by December or

immediately after divisional classifications have been determined. Within fifteen days of the receipt of notice of the new divisional alignments, the member institutions may submit a request for adjusting the divisional alignment of the school. Requests to compete in a higher classification may be granted by the Assistant Executive Director of the VPA. If the request to compete in a higher classification is denied by the Assistant Executive Director, the request may be reviewed by the Activities Standards Committee or sports-specific committee. The Activities Standards Committee or sports-specific committee shall consider all requests to reduce the classification of any member school for any activity. Requests to reduce the classification will be granted only in extraordinary circumstances. The Assistant Executive Director, the Activities Standards Committee and the sports-specific committee shall endeavor to decide all requests for waivers or changes promptly. Following such a decision, the final classifications shall be provided to the member schools. It shall be the goal of the VPA to provide the final classification in as timely a manner as possible. The final classifications shall be employed in the following two school years.

31. Protest Procedures

School Sponsored Activities unfortunate circumstances and misunderstandings can and should be resolved between the Principals/Headmasters of the schools involved. If the Principals/Headmasters of the schools involved are unable to arrive at a resolution to the problem, a principal will:

- Notify the President of the league in writing, filing a copy with the Assistant Executive Director of the VPA.
- If the dispute is not league related, the Assistant Executive Director (or their designee) will be available to mediate the disagreement.
- VPA Sponsored Activities in all activities sponsored by the VPA, athletic and non-athletic, the following will be the procedure for handling protests and grievances:
- Any protest relative to any aspect, other than the actual activity, will be settled by the observer. Should there be no observer assigned or present the host administrator will make the necessary decisions.
- Any protest relative to the activity will be settled by the chief official. If no official has been designated as chief official by the Council, the referee or the official so designated by the playing rules will be considered the chief official. In any athletic activity where protest procedures are provided in the playing rules, these procedures will be followed. Only playing rules of the rule book/guide governing that activity being played are protestable.
- The director of any activity or the coach of any team desiring to protest the actual activity or game must notify the chief official, referee, umpire, and the opposing coach that the contest is going on under protest. If a protest has not been as outlined in the rulebook or guide, no protest may be lodged.
- Should the principal of any school wish to appeal the ruling, based on the misapplication of a rule made by the chief official, observer, or host principal, the

Principal must contact the VPA office within 24 hours. The Executive Director/Assistant Executive Director will conduct an investigation requiring written reports, if deemed necessary, and will render a decision.

- Any protest to be made of a decision by the VPA office shall be by telephone communication within twenty-four (24) hours. It will be The Executive Director/Assistant Executive Director's responsibility to contact the other members of the protest committee and to obtain statements from all concerned.

The following will constitute the protest committee:

- The President of the Association
- The President-elect of the Association
- The Executive Director of the Association or his/her designee
- The Chairman of the Activities Standards Committee
- The Chair of the Sports Specific Committee involved
- Alternates shall be appointed by the President to serve in place of any of the principals listed above whose school is involved in the protest or grievance or who have any conflict of interest.
- The decision of the protest committee shall be final.

32. Coaches Eligibility and Coaches Training Program

The VPA believes that coaches should obtain proper training. Coaches play a critical role in the overall quality of the interscholastic activity program, the safety of student-athletes, and the education of our children.

- A person shall be eligible to be employed as a coach in any interscholastic high school and/or middle-level activity if the person satisfies all of the following conditions:
- The person's appointment as the coach must be approved by the local school district responsible for the member school in which the person coaches.
- The coach must be at least 18 years of age or a high school graduate at the commencement of the sports season for which the person has been appointed to coach.
- The coach must sign a statement acknowledging that they have read, understood, and agree to comply with and abide by all VPA bylaws and policies.
- The coach must complete an NFHS Interscholastic Coaching Principles course, the NFHS Sports First Aid course, and the NFHS Concussion Education course (this course must be completed immediately once a coach is hired and before the beginning of their first practice) or other comparable courses that must be approved by the VPA.
- The coach must complete the NFHS Interscholastic implicit bias course (as of winter sports season 2021).

A coach must complete training within one year (as determined by the start of that sports season) of his or her employment as a coach (except for the concussion education

course which must be completed immediately) (Required under 16 V.S.A. sec. 1431 (b)(3)(B).

- Coaches who have previously completed approved training but are not currently certified may continue in their positions; they must complete the approved training within seven years from the adoption of this bylaw.

This by-law only applies to coaches who are under contract with a school or school district. It does not apply to volunteer assistants.

- The Activities Standards Committee may adopt a program requiring coaches who have completed the initial Coaching Education Program to periodically update their training in other courses that are approved by the Activity Standards Committee.

33. **Allowing Member School Students To Participate On Other Member School Teams:**

The Member to Member Program is designed to provide a short-term fix for a school with low participation and an opportunity for a student/athlete from another school(s) to participate on a team that a sending school does not offer.

Member high school students may participate on another member high school's team provided that the following criteria are met:

- Member high schools that are interested in developing a program must submit a written request for participation on another member school's team to the VPA Assistant Executive Director sixty days before the start of each sports season to allow adequate time for reviewing the application. The VPA will only approve requests that satisfy all of the criteria of this program. Requests submitted with less than a sixty-day notice will be considered and acted on as soon as possible.
- Priority to requests will be evaluated on the following criteria:
 - Receiving-school in the same county that has a demonstrated need for their program.
 - Receiving-school outside of the county that has a demonstrated need for their program and is within comparable distance from programs within their county
 - Receiving school from within the county that has the desired program, but may not have needed as based on the complement of players in section (j). If there are multiple receiving schools in the area, the highest priority will go to the receiving school with the greatest need.
- As part of the application, there must be a written agreement between each participating school that has been approved by the respective principals and athletic directors. Receiving (or host) schools may enter into multiple agreements in a sports season, as long as the total number of students does not exceed the 20% allocation of students from other member schools. Sending schools may

enter into only one agreement per sport. The agreement must specifically authorize participation in this program.

- The agreement must state that the schools have considered compensation from the sending school(s). Compensation could be in the form of an exchange of opportunities in other programs or any other form that the schools agree to. If compensation is agreed to, the agreement shall describe the compensation. Financial compensation, if any, shall come from the school.

Substantive Requirements:

- This program only applies to team sports (i.e., Baseball, Basketball, Bowling, Cheerleading, Dance, Field Hockey, Football, Hockey, Lacrosse, Soccer, Softball, Tennis, Ultimate, and Volleyball). Students can continue to participate as individual competitors in all other sports under existing standards. Schools may enter into an agreement provided that no student/athletes have been cut at any level in that sport (cut meaning out of the program).
- The athlete(s) must meet all eligibility and student conduct requirements otherwise established by VPA rules and the involved schools.
- There must be no athletic recruitment of the student-athlete. No coach, booster, or persons involved with the athletic department should directly or indirectly solicit students from other schools for this program. This means that a coach or school employee who receives a direct inquiry must immediately refer the inquiry to the appropriate school administrator.
- The sending school(s) may not offer the team sport in which the student wishes to participate. If a sending school has previously offered this team sport, they are ineligible to participate in this program for two years from the date the team was dropped.
- In sports in which the VPA sanctions separate championships for boys and girls (Basketball, Ice Hockey, Lacrosse, and Soccer), a student may request participation if the student's school does not offer the sport to his or her gender. (All schools should provide athletic programs that provide appropriate opportunities to both genders).
- Schools involved in a Member to Member Agreement must be members of the VPA.
- There must be no displacement of student-athletes from the receiving (host) school sponsoring the activity from spots on the team. Thus, the receiving school sponsoring the team must maintain a no-cut policy for the program in question or have less than the normal complement of players required for a team who is enrolled in the sponsoring school. Students accepted under a Member to Member program may participate at any level of the team that the receiving school offers.
- Two schools may reach an agreement for a particular sport before a season begins, however, the agreement will not take effect until the first

day of the sports season when it has been determined that there are available slots.

- Schools may enter into a Member-to-Member Program for sub-varsity teams as long as there is no displacement at the JV or freshman level.
- For purposes of this rule, the normal complement of players required for a team shall be the following for each of the listed sports:
 - Baseball – 18
 - Basketball – 12
 - Bowling – 10
 - Cheerleading (Winter) – 24
 - Dance – 20
 - Field Hockey – 20
 - Football – 30
 - Hockey – 24
 - Lacrosse Boys – 20
 - Lacrosse Girls – 22
 - Soccer – 20
 - Softball – 18
 - Tennis – 10
 - Volleyball – 14
 - Ultimate – 20
- Students from sending schools shall comprise no more than 20% of the normal complement or team roster (if the school does not have the normal complement) for each team listed above. The maximum numbers are listed below. (Note – A team must go with the normal complement or team roster, whichever number is lower.)
 - Baseball – 4
 - Basketball – 2
 - Bowling – 2
 - Cheerleading (Winter) – 5
 - Dance – 4
 - Field Hockey – 4
 - Football – 6
 - Hockey – 5
 - Lacrosse Boys – 4
 - Lacrosse Girls – 4
 - Soccer – 4
 - Softball – 4
 - Tennis – 2
 - Volleyball – 3
 - Ultimate – 4
- If a sponsoring school receives more requests for placement on a particular team than are slots available, the sponsoring school will arrange a meeting with the sending schools to conduct a blind random

lottery. A school may not award the slots based on ability or peer pressure. Returning players are allocated one of the open slots if a new agreement is implemented. Returning players, from a previous year, from a sending school, can remain with a receiving school program through their graduation. If a receiving school decides not to renew a Member to Member program, players returning from the previous year may stay with the receiving school program, and the sending school may enter into a new Member to Member program with another school for new players. Any players who are already participating in a Member to Member program will be able to remain with that program until their graduation. If that program no longer qualifies as a receiving school for the sending school, based on the new member-to-member policy, future players would participate with the new receiving school.

- Schools with a normal complement of players may not enter into a Member to Member agreement unless there is no receiving school within a reasonable distance (county). A receiving school must then show that there is a need even if they have a normal complement of players or the receiving school is the only available option. If there are multiple receiving schools in the area, the highest priority will go to the receiving school with the greatest need.
- The sending school(s) and receiving school shall define all legal liabilities for student participants in the program agreement. This is including, but is not limited to: insurance, transportation, and supervision.

Evaluation & Divisional Alignment

- All agreements are one year in length and must be renewed annually.
- In establishing divisional alignments, the appropriate VPA committee shall consider any existing programs and their impact on fair competition. The VPA shall review the application with the appropriate sports committee and may revise the divisional alignment as a condition of approval if appropriate to preserve fair competition.

34. Cooperative Team Rule:

Any proposal to form a new cooperative team must be in complete form and submitted to the VPA Activities Standards Committee at least six (6) months in advance of the beginning practice date for that sport.

The Activities Standards Committee will examine all applications with the following foci:

- a. Respect the goals of the petitioning schools.
- b. Protect competing schools from competitive disadvantage.
- c. Guarantee increased student participation.
- d. Ensure that no displacement of athletes occurs.
- e. Rest on a firm financial commitment by the schools involved to support a viable team.

- f. The Activities Standards Committee must then approve this application before action can be taken on the formation of this team.
- g. All cooperative team applications must contain a letter of acknowledgment from the league (or the scheduled opponents in the case of independent schools) they belong to (NVAC, MVL, or CVL) that states that they are aware of the application being submitted.
- h. A proposal should demonstrate that the cumulative student participation in the combining schools will be greater under the cooperative program than it was during each of the previous two years. This requirement protects against cooperative programs being formed because of the withdrawal of financial support by any of the schools involved.
- i. The proposal should demonstrate that students who participated in the program during the previous year are guaranteed the opportunity to continue that participation under the cooperative proposal. If each school has a sufficient number of athletes trying out for a given sport to field a team, then a request for a cooperative team will be denied.
- j. No consideration will be given to cooperative proposals that result from the elimination of the sport due to financial cuts during the two years immediately before the request.
- k. Cooperative team proposals will only be considered if they increase the number of student participants, and will not be considered if they are driven by the desire to "save money" at the risk of decreasing the number of potential student participants.
- l. The division to which the cooperative team is assigned will be determined by the combined student enrollment of the schools involved.
- m. A school may not send students to two (2) different cooperative programs in a single sport.
- n. One school will be identified as the host for the cooperative team, however, a waiver for playing games at additional sites (with another school(s) in the cooperative team) will be considered as long as the games at the additional site are identified when the cooperative team application is submitted for approval
- o. Cooperative team proposals must be limited to VPA member schools.
- p. Cooperative proposals will be granted for two years.
- q. All liability associated with the formation and conduct of approved cooperative teams rests with the host school that exempts the VPA and its agents from all liability and responsibility.

Process: The school involved in the development of a cooperative team must submit the following packet of information for consideration.

- Complete and submit the VPA Cooperative Team Letter of Application
 - A description of the proposed cooperative team. This description needs to include information from items (b), (c), (e), and (h) from the Policy Requirements listed above and should reflect

information on items to be considered in Section 6. Guidelines (below).

- A letter of acknowledgment from the league that the schools are currently in.
- A statement from each school involved in the proposal indicates that this proposal is not the result of the withdrawal of financial support over the past two years. Once submitted, the cooperative team application will be heard at the next VPA Activities Standards Committee meeting.
- Schools will be required to attend this meeting to answer any questions the committee may have. Final approval or denial by the Activities Standards Committee will be done at this meeting.

Guidelines (things to consider when developing a proposal) The principals of the schools involved in the proposed cooperative team need to assure the Activities Standards Committee that the following items were considered and have been resolved:

- A sufficient reason(s) for sponsoring a cooperative team.
- An appropriate name for the cooperative team.
- Suitable practice arrangements.
- Fair competitive arrangements.
- Safe and adequate transportation arrangements.
- Provisions for physical exams and medical coverage.
- Insurance provisions (required by the VPA)
- The setting and monitoring of academic standards for purposes of eligibility.
- The purchase, repair, and maintenance of equipment.
- Source and control of finances.
- Guidelines for termination of the program.
- Use and maintenance of facilities.
- Selection, supervision, and payment of coaches.
- Coordination of class/school schedules.
- Ticket prices and sales, disbursement of proceeds.
- Student spectator and fan control and supervision.
- Cooperative team identity (mascot, colors, uniform, etc.)
- Award policies (determining letters, etc.)
- Governance for the resolution of disputes.
- Identification of and rationale for, programs eliminated within the past two (2) years.

35. Policy on Middle School Athletic and Activities:

The Vermont Principals' Association defines a middle school as students who are enrolled in grades 5 – 8. The VPA believes that an understanding of the unique physical, psychological, emotional, and educational needs of all middle school children should drive all aspects of middle school education. The VPA believes that middle school sports should be kept in perspective. To that end, we concur with the National Middle School Association research summary on sports in

middle school, which states: "Many positive benefits for young adolescents may result from participation in sports which can enhance their self-esteem and increase their interest in sports. However, when young adolescents' needs and interests become secondary to pressures and unreasonable expectations from coaches, parents, and even themselves, sports often have the opposite effect. Young adolescents' psychological well-being should be a priority in developing middle school sports programs." The VPA believes that every interested student is allowed to participate in athletics and activities at the middle school level. Member institutions are encouraged to find creative ways and means for every middle school student to experience the personal growth and development that comes through active participation.

- [Link to Reporting a Concern](#)
- [Pregame Statement & Recommendations, Spring Season 2022 \(4/11/22\)](#)
- [Procedures for any Hate Speech during events](#)