



**Task Force on Equitable and Inclusive School Environments –  
Subcommittee #1 - Best practices, defining behaviors, other  
states and services for students under age 8  
January 19, 2021, 11:30 a.m. – 12:30 p.m.**

Microsoft Teams Virtual Meeting  
Call In: 1-802-828-7667  
Conference ID: 391 996 578  
1 National Life Drive, David 5, Room #532  
Montpelier, VT 05620-2501

DRAFT MEETING MINUTES

**Present:** **Marianna Donnally**, Department of Mental Health; **Sandra Cameron**, Vermont School Boards Association; **Steve Perrin**, Vermont Principals' Association, **Meaghan Morgan-Puglisi**, Vermont-National Education Association; **Charles Becker**, Legal Aid Disability Law Project; **Karen Price**, Vermont Family Network; **Amy Wheeler-Sutton**, Building Effective Strategies for Teaching Students Project at the University of Vermont; **Lindsey Halman**, Vermont Restorative Approaches Collaborative; and **Justin Picard**, Vermont School Counselor Association.

**Members of the public/others:** Jeff Maling

**AOE:** Suzanne Sprague

**Call to Order/Roll Call/Amendments to Agenda**

The meeting was called to order at 11:34 am by Lindsey Halman  
Thank Marilyn for her service as chair. Nominations for Chair of Subcommittee  
Meaghan elected chair unanimously

**Approval of Prior Meeting Minutes from December 1, 2021**

Marianna motions to approve minutes, seconded by Lindsey  
Minutes approved unanimously

**Public to be Heard:** Jeff Maling - Thanks the subcommittee for its work

**Legal Review Processing Discussion**

Still waiting on the report from the AOE. Not sure if our proposal (due January 15<sup>th</sup>) has been sent to  
Legislature

What are the most serious behaviors we would recommend: put in that we have had robust  
conversations but have not come to final conclusions about recommendation. (We would like the  
AOE to review any recommendations we make to ensure they don't go against statute.)

**Discussion/Working Session**

Maybe come up with a working definition of Imminent Harm?

Sandra Cameron – not comfortable without legal council

Marianna – is it possible to think about what to include in it? Without thinking legally. I worry about AOE leaving it to another entity to decide what imminent harm means. Could we brainstorm?

Steven Perrin – struck by people are not really worried about the gun free schools act; what people are more worried about are insidious reasons for excluding students. When it is done under the guise of “we need a break.” Would like us to talk more about that particular issue: when administrators are not using it as the result of a big event.

Amy – a school emailed me with scenarios asking if they were considered imminent harm. Ruling went out in August and we aren’t giving our report until March. AOE said they were working on a definition, but when they went to present, someone else said our work is still ongoing. Perhaps we could work from whatever document they have developed rather than starting from scratch. Talk about informal suspension (staff “needs time” or prediction of imminent harm)

Lindsey - defining behaviors that should not receive any exclusionary discipline (continue list from last time); provide recommendations for other actions

Justin - worrying and wondering about whether the behavior itself doesn’t mean imminent harm, but there is an impact (racial slurs); what constitutes safe or unsafe behaviors?; context matters

Sandra - context matters with racism and sexual harassment; Do we know what to expect from the legislature once we present the initial report?; legislative council at the general assembly – look at report and give us legal guidance on language

Karen – seclusion/restraint language has other pieces that must be taken into consideration (behavior is not to be considered on its own – maybe we could put a list like that together)

Marianna – some of these areas are going to bump up against other legal guidance or expectations (bullying and harassment – can’t conflict with that); it would make sense to figure out how to align these things

Amy - Initial report: the bulk of incidents are coming from School Conduct and Policy Violation is biggest category (followed by Fighting and Assault)

Charles – imminent threat of harm (why that specific language); going through Title 16: the language that’s used says you can suspend or expel based on “harmful to the welfare of the school” – maybe want to spend time defining that language; have run into difficulties with language of both; restraint and seclusion language is more specific (“imminent and substantial”)

Amy – the work of this subcommittee is “what are the most serious behaviors” after all other supports and interventions have been tried should still be eligible for suspension or expulsion; for students under 8 it can only be for safety reasons; what is the language for under 8 and what are the most serious behaviors overall – safety is so subjective

Meaghan – keep rules for kids under 8 the same for students over 8 (with added sexual assault language and racist slurs)

Marianna – include LGBTQ+ groups as well; Rule 4500 definition is interesting; exclusion should be in very limited circumstances; definition around physical and emotional harm

In response to Karen’s talk about Wonder if there were instances we thought were okay, you have a process to report and there is a process after that.

Charles – legislature made a mistake by not adopting Rule 4500 definitions (“imminent and substantial risk of physical injury”); school student with kid scissors does not pose risk of physical injury

Sandra – could present an emotional injury

Amy – exclusion/restraint collects data but not on racial

Jeff Maling suggests looking at Vermont School Board Association policies (current disciplinary model policy is under review) – could we ask for what was historically used and how can we transform that.

Amy – Sandra is on VSBA and it is under review because of the Act we are working on

Karen will pull together restraint language and we will have a discussion next time

Amy will ask Kate Rogers for draft language they had been working on

Meaghan will put together list of possible reasons to enact exclusionary discipline

Lindsey – data in the database is not inclusive of gender non-conforming/transgender students, students with disabilities, etc. (make part of recommendation)

### **Adjourn**

The meeting adjourned at 12:28pm

Marianna moved, Karen seconded

Meeting minutes submitted by: Meaghan Morgan-Puglisi