

Existing policy, number 5123, adopted March 15, 2007, modified (based upon Derby High School "Student-Parent Handbook).

Students

Promotion/Acceleration/Retention

Philosophy

The Board of Education of the City of Derby subscribes to the concept of "Continuous Progress". Lessons are to be structured to assess the student's current readiness level as measured against the established continuum of skill development. Regardless of chronological age, or grade placement, the learning experience must consider each student's current educational development and accomplishments. The pacing of the educational experience shall be based upon the individual student's wealth of educational accomplishments and the individual student's innate abilities. The public schools of our district are dedicated to the total and continuous development of each student enrolled; therefore, the certified staff is expected to place students at the grade level best suited to them academically, socially and emotionally.

Students will normally progress annually from grade to grade or level to level. Exceptions may be made when, in the judgment of the certified staff, such exceptions are in the best educational interest of the students involved. Exceptions will always be made after prior notification and explanation to each student's parents or guardian. For retention the final decision will rest with school authorities.

Definitions

Continuous Progress

Satisfactory performance and educational development as measured against the established learning continuum from Kindergarten to Grade Twelve.

Established Learning Continuum

The scope and sequence of skills and educational development determined by grade level expectations or educational programming design (varies by subject and staff discretion).

Promotion

Evaluation by the professional staff that students have successfully demonstrated skill and educational development consistent with the learning continuum or minimum graduation requirements.

Retention

Evaluation by the Professional staff that students' progress as measured against the "Established Learning Continuum" warranting an advanced grade level placement or waiver of a specific

Students

Promotion/Acceleration/Retention

Retention (continued)

course prerequisite (such waiver must conform to and be consistent with mandated high school graduation requirements). Acceleration from grade K-12 should be considered only after a careful and extensive personal evaluation of the students on all aspects of the Promotion/Acceleration/Retention criteria.

Promotion/Acceleration/Retention – Criteria

The total assessment of a student shall include an evaluation of all of the following eight items of the criteria. The criteria are not listed in rank order.

1. Chronological Age
2. Past Performance
3. Academic Aptitude
4. Emotional Maturity
5. Social Maturity
6. Physical Maturity
7. Prediction for Success
8. Assessment of the possibility of benefiting the child totally through Acceleration/Retention.

Acceleration

Acceleration of grade level or subject shall be based upon an evaluation by an appropriate committee of the high school professional staff selected by the school administration provided.

1. Approval of all aspects of the proposed acceleration (including the evaluation committee membership) has been granted by the Superintendent of Schools.
2. That each planned acceleration meets all necessary graduation requirements state statutes as determined by local standards and approved by the Superintendent of Schools or his agent.

Supplemental Services

Students may require more individual attention and supplemental services to realize their potential. In some instances, students may be considered for retention when they are substantially deficient in expected levels of academic performance. The ultimate decision of whether to promote or retain a student shall be based on specific criteria and the determination of which option is in the best interests of the child.

Students

Promotion/Acceleration/Retention

Supplemental Services (continued)

Upon the recommendation of the school Principal, students who have demonstrated substantial academic deficiencies that may jeopardize their eligibility for promotion will be provided with supplemental services and the school Principal may also require that students attend after school programs, summer school or other programs offered by the school district that are designed to assist students in remedying such deficiencies.

Special Services

The promotion and retention of students who receive special education services or programs will include input from the planning and placement team.

Guidelines: Promotion/Acceleration/Retention (Grades K-8)

In general, children shall be placed at the grade level to which they are best suited. The educational program shall provide for the continuous progress of children from grade to grade, with children spending one year in each grade. However, a small number of children, advancing grade levels in a shorter duration. Such retention or advancement should be considered.

1. When a child is achieving significantly below or above expected levels;
2. When retention or advancement would have a reasonable chance of benefiting the child's total development;
3. For retention as soon as possible in the early stages of the child's education preferably in grades K-3.

No later than the close of the second marking period, the teacher considering retention/advancement must confer with the Principal and others involved with the child (such as the child's special teacher, counselor, and parents) to discuss specific areas of concern. The parents shall then be invited to a meeting with the teacher, Principal, and other staff members no later than the mid point of the third marking period for an updated discussion of the matter. This discussion shall consist of an explanation to the parents of their child's current academic standing in relationship to program objectives and individual ability. Goals shall be set for the prior through May 1. During the first two weeks of May another meeting will be held to review the goals and the student's progress. At this time, the final decision of retention/advancement shall be made. The final retention decision shall be made by the Principal, certified staff, and with parental consultation.

Students

Promotion/Acceleration/Retention

Guidelines: Promotion/Acceleration/Retention (Grades K-8) (continued)

The educational program for a retained student is to be structured so as to offer the best opportunities for learning success. The revised program should reflect a comprehensive analysis of those educational factors that might have contributed to the retention. The retained students may be placed with the same teacher(s) for the following year if this is deemed appropriate. Other staff and ancillary personnel should be utilized to support retained students as needs and circumstances dictate.

For Promotion, the major references available to staff are (1) observation of total student development, (2) assessed performance on teacher made criterion-reference tests or skill development records, (3) performance on standardized tests, (4) attendance, and (5) report card grades.

It is expected that all students will be in attendance at school on a regular basis. Regular class attendance and participation in instructional activities is considered vital to a student meeting the academic standards as defined by the Board of Education's attendance policy.

Promotion Requirements

Students in grades 7 and 8 must pass 4 ½ credits in order to be promoted to the next grade. A total of 9 credits is required elementary certification and enrollment in high school. The program for grade seven and eight students is as follows:

	<u>Credit</u>
Language Arts	1
Math	1
Social Studies 1	1
Science	1
Flex	1
Academic Wheel	1
Physical Education	.20

Flex 8th	Credit	Flex 7th	Credit
Intro to Computers	.20	Music	.20
Tech Ed.	.20	Art	.20
Music	.20	Keyboard	.20
Art	.20	Geography	.20
Health	.20	Tech Ed.	.20

Students

Promotion Requirements – (continued)

Academic Wheel Grade 8

Problem Solving	.25	Credits
Science Problems	.25	Credits
Research Paper	.25	Credits
Math Skills	.25	Credits

Academic Wheel Grade 7

Geometry	.25	Credits
Statistics	.25	Credits
L.A. Skills	.25	Credits
Grammar	.25	Credits

Promotion/Acceleration/Retention Grades 9 - 12

In order to enroll in ninth grade a student must have completed an approved elementary school program. Such approval shall be granted by the Superintendent of Schools or his agent. Promotion to grades ten - twelve shall be governed by the standards set forth below and standards established by state statutes. The minimum required credits are listed as follows:

1. The awarding of high school diploma is contingent upon a student completing and passing all the following requirements:
 - a. ~~Twenty-two (22)~~ four (24) credits. (for years 2011-2013)
2. The minimum number of credits to be taken per grade level are:
 - a. Grade 9 - ~~5.25~~ 6.0
 - b. Grade 10 - ~~5.25~~ 6.0
 - c. Grade 11 - ~~5.25~~ 6.0
 - d. Grade 12 - ~~5.25~~ 6.0

~~Note: one additional credit must be earned during grades 9-12.~~

3. The number of earned credits necessary to enter each grade level:
 - a. Grade 10 - 5 earned credits
 - b. Grade 11 - ~~10~~ 11 earned credits
 - c. Grade 12 - ~~15~~ 17 earned credits
4. All seniors are required to complete and pass a minimum of ~~4-1/4~~ 6 credits and complete a total of ~~twenty-two (22)~~ four (24) credits.
5. The minimum total of ~~twenty-two (22)~~ four (24) credits earned must include:
 - a. English I, II, III and IV (Remedial courses would be in addition to the regular English course)

Students

Promotion/Acceleration/Retention

Promotion/Acceleration/Retention Grades 9 - 12 (continued)

- b. Mathematics - 3 years/credits
- c. Science - 2 3 years/credits
- d. Social Studies - 3 3.5 years/credits (must include ½ year Government, Local, State, Federal), and 1 year U.S. History
- e. Physical Education - 1 credit (waivers may be granted at the sole discretion of the Administration for extreme medical reasons or handicapped conditions)
- f. Health Education - .5 credits
- g. Fine Arts - .5 credits (Includes courses in art, music or theater arts)
- h. Practical Arts – 1 credit (Includes courses in business, computer science, technical education or work experience)
- i. Music Appreciation - .5 credits

Summer School

A summer program may be recommended for students who fail a subject with a grade average no lower than 10 points below the minimum passing grade (i.e. 60 passing, 50 eligibility for summer program), providing such summer program has been given prior approval by the school administration and such approval has been given in writing to the student and or parent:

- a. No more than two subjects may be made up at summer program.
- b. Credit for summer school attendance is subject to the administration's discretion. Regardless of grade earned and regardless of prior written approval to attend summer program.
- c. The administration may require a proficiency test designed by the appropriate local high school department prior to awarding summer school credit (administrative discretion),
- d. Under no circumstances can credit be given for a summer course, if:
 - 1. The student's performance is below a "C" average, and
 - 2. The student failed to attend at least 90% of the summer class.

Students

Promotion/Acceleration/Retention

High School Promotion/Retention

No later than the close of the second marking period for 9th, 10th, and 11th grade students, the teacher considering retention/advancement must confer with the Principal and others involved with the student (such as the student's special teacher, counselor, and parents) to discuss specific areas of concern. The parents shall then be invited to a meeting with the teacher, Principal, and other staff members no later than the mid-point of the third marking period for an updated discussion of the matter. This discussion shall consist of an explanation to the parents of their child's current academic standing in relationship to program objectives and individual ability. Goals shall be set for the prior through May 1. During the first two weeks of May another meeting will be held to review the goals and the student's progress. At this time, the final decision of retention/advancement shall be made. The final retention decision shall be made by the Principal, as by certified staff, and with parental consultation.

The educational program for a retained student is to be structured so as to offer the best opportunities for learning success. The revised program should reflect a comprehensive analysis of those educational factors that might have contributed to the retention. The retained students may be placed with the same teacher(s) for the following year if this is deemed appropriate. Other staff and ancillary personnel should be utilized to support retained students as needs and circumstances dictate.

For Promotion, the major references available to staff are (1) observation of total student development, (2) assessed performance on teacher made criterion-reference tests or skill development records, (3) performance on standardized tests, (4) attendance, and (5) report card grades.

The academic record of each senior is to be reviewed by the guidance department with student no later than October 1 to insure that all graduation requirements have been met by the student or have been scheduled for the senior year. Where inadvertent omissions have occurred, the senior's schedule is to be revised accordingly.

Whenever senior retention is being considered (D and F grades for a given term), the following procedures shall be followed:

- a. Special warning reports are to be issued to parents in each course that seniors have failed or appear to be failing for each marking period, teachers will sign each report and records will be kept in the office.
- b. At the end of the first marking period, all seniors failing one or more courses are to be scheduled for individual conferences with their guidance counselors or teachers to review progress and make course adjustments where necessary.

Students

Promotion/Acceleration/Retention

High School Promotion/Retention (continued)

- c. At the end of the second marking period, the guidance department will send letters to parents of seniors failing one or more subjects alerting them to the possibility of their children not graduating and requesting conferences with parents, counselors, and the teachers involved.
- d. At the end of the third marking period, the procedures outlines for the end of the second term will be repeated.
- e. After completion of the fourth marking period, final examination, failure reports for seniors are to be submitted to the guidance office. The school administration will review the student's graduation status with the teachers and counselors. As necessary, the guidance department or Principal will notify students and their parents that since graduation requirements have not been completed, the students will not graduate.
- f. Counselors will contact failing students and discuss all options available to earn a diploma or a high school equivalency certification.

Graduation

Participation in the graduation ceremony shall be denied to students who fail to meet graduation requirements due to:

1. Violation of the Board of Education's Attendance Policy.
2. Academic failures, which do not qualify for summer school attendance.

Participation in the graduation ceremony but withholding of an official diploma may be at the discretion of the school administration provided:

1. The student qualifies for summer school, and
2. The student has the potential of meeting graduation requirements at the end of the summer session immediately following graduation.

Students

Promotion/Acceleration/Retention

Legal Reference: Connecticut General Statutes

P.A. 99-288 An Act Concerning Education Accountability

10-221(b) Boards of education to prescribe rules.

10-265g Summer reading programs required for priority school districts.

Evaluation of student reading level. Personal reading plans. (as amended by PA 01-173 and PA 06-135)

10-2651 Requirements for additional instruction for poor performing students in priority school districts, exemption. Summer school required; exception (as amended by PA 99-288, PA 01-173, PA 03-174 and PA 06-135)

Derby High School "Student-Parent Handbook," 2010-2011, P.10.

Policy adopted:

DERBY PUBLIC SCHOOLS
Derby, Connecticut

(Reviewed and approved by Policy Review Committee)

*A new policy to consider***Students****Supervision/Actions Required for Schools/Districts Designated as “Needing Improvement”****Board of Education Responsibility**

The Derby Board of Education (Board) is given specific educational policy and management responsibilities by statute with respect to those districts and schools designated by the State Board of Education as “in need of improvement based on student performance and performance trends on the state-wide mastery examinations,” consistent with federal and state law. Recognizing that the problems of low student test performance are multi-faceted and not susceptible to rapid amelioration, the Board, in partnership with the State of Connecticut, commits itself to action designed to address and remediate those special problems faced by the district/schools designated as “in need of improvement” by the state and the students who attend them.

Application of Policy

This policy shall apply only to schools in the District which have been officially designated as “in need of improvement” (INOI) by the State Department of Education pursuant to the provisions of C.G.S. 10-223e(b). When the District or a designated school is removed from the list established by the state, this policy shall no longer be applicable. *However, individual schools in the District officially designated as “in need of improvement” shall be subject to all other Board of Education policies which govern its schools, in addition to the provisions of this “in need of improvement” policy.*

Schools “in need of improvement”

1. As used in this policy, a school District which has been designated as “in need of improvement based on student performance and performance trends on state-wide mastery examinations” as defined in C.G.S. 10-223e(b) shall be referred to using the abbreviation “I.N.O.I.”
2. As used in this policy, “the process for improving school performance” required under state and federal law with respect to any public school within the District which has been designated as “in need of improvement” shall be referred to using the abbreviation “P.I.S.P.” for “process for improving school performance”.

Responsibility of the State of Connecticut Regarding INOI Schools in the District

1. Biennially, The State Board of Education shall prepare a list of elementary schools/districts that are in need of improvement (INOI) based on student performance and performance trends on the state-wide mastery examinations given to students pursuant to section 10-14n of the general statutes and the federal No Child Left Behind Act. Designation as a low achieving school or district means the named school or district shall be subject to intensified supervision and direction by the State Board of Education.

Students

Supervision/Actions Required for Schools Designated as “Needing Improvement” (continued)

2. The State Department of Education shall notify the Board of the identity of any school(s) under its jurisdiction that is on the list. (and if the District is on the list)
3. If more than one District school is on the list, the State Department of Education shall notify the Board which such schools are most in need of improvement.
4. The State Commissioner of Education or designee shall meet with the Board through the Superintendent of Schools. Such meetings shall be to discuss the process for improving school performance at INOI schools. (or the district is so designated)
5. The Commissioner of Education may require the Board to reallocate federal and state categorical assistance provided to the District in order to implement a PISP.

Responsibility of the Board of Education Regarding Improvement Plan(s) (PISP)

1. Upon receipt of information from the State Department of Education that one or more schools have been designated as INOI, the Board shall review the steps legally required dealing with the designation.
2. If more than one District school is designated INOI by the State, the Board, the schools on said designation list shall be prioritized and a timetable developed for such schools to undergo a process for improving school performance (“P.I.S.P”). In establishing this priority ranking, the Board shall be guided by the advice of the State Department of Education as to which such schools are most in need of improvement.
3. The list and timetable for improvement established by the Board shall be forwarded to the Commissioner of Education for his/her approval.
4. The Board shall require each school designated as INOI to take the following actions:
 - a. Develop a written improvement plan (PISP) designed to remediate the causes of the school’s INOI designation. Said improvement plan must be submitted to the Board of Education for its approval;
 - b. Upon approval of the plan for a school INOI, the plan shall be implemented at the beginning of the following school year;
 - c. The PISP for an INOI school may provide for site-based management of the school;
 - d. The PISP for a school shall involve the school community and may only be developed in consultation with the school’s Principal, teachers at the school, and parents of students attending the school;

Students

Supervision/Actions Required for Schools Designated as “Needing Improvement”

Responsibility of the Board of Education Regarding Improvement Plan (PISP) (continued)

- e. The school Principal shall have responsibility for coordinating steps necessary to prepare the PISP for the school under the overall supervision of the Superintendent of Schools;
- f. The State Department at Education shall provide technical assistance to the affected school on the development of the PISP, and it shall be the responsibility of the school Principal to contact the State Department to obtain such assistance;
- g. Take steps to become accredited by the New England Association of Schools and Colleges.

Responsibility of Board of Education to Monitor Improvement Plan (PISP)

1. After the PISP has been approved for a school designated as INOI, the Board shall monitor progress made under the improvement plan.
2. If two years after the date of approval of the PISP the Board finds that the INOI school has not made sufficient progress, the Board, shall develop a plan for such school that requires the Board to take one or more of the following actions in order to improve student performance at the designated school, as may be required by the State Board of Education;
 - a. Complete an operations audit to identify possible programmatic savings and an instructional audit to identify any deficits in curriculum and instruction or in the learning environment of the school or district;
 - b. Use state and federal funds for critical needs, as directed by the State Board of Education;
 - c. Provide incentives to attract highly qualified teachers and principals;
 - d. Direct the transfer and assignment of teachers and principals;
 - e. Implement model curriculum, including, but not limited to, recommended textbooks, materials and supplies approved by the Department of Education;
 - f. Reconstitute schools, as identified by the Commissioner, as state or local charter schools, schools established pursuant to section 10-74g, innovation schools, or schools based on other models for school improvement, or for management by an entity other than the local board;

Students

Supervision/Actions Required for Schools Designated as “Needing Improvement”

Responsibility of Board of Education to Monitor Improvement Plan (PISP) (continued)

- g. Develop and implement a plan addressing deficits in achievement and in the learning environment as recommended in the instructional audit;
- h. Cooperate with the technical assistance team provided to the school or district by the State Department of Education to guide school or district initiatives and report progress to the Commissioner of Education;
- i. Meet the established instructional and learning environment benchmarks for the school or district set by the State Department of Education as it progresses toward removal from the list of low achieving schools or districts;
- j. Provide learning academies within schools that require continuous monitoring of student performance by teacher groups;
- k. Undergo training to improve the Board’s operational efficiency and effectiveness as leaders of the Districts’ improvement plans, and submit an annual action plan to the Commissioner of Education outlining how, when and in what manner their effectiveness shall be monitored;
- l. Allow students who attend the school to attend other public schools in the District; and
- m. Any combination of the actions described in this subdivision or similar, closely related actions.

Alternate:

- a. Close and reconstitute the school;
 - b. Restructure the school in terms of the grades included or the programs offered, or both;
 - c. Provide for site-based management of the school; and,
 - d. Allow students who attend the school to attend other public schools in the District;
 - e. The plan established by the Board of Education may include a provision for the transfer of employees in conjunction with any of the above actions set out in a-d.
3. The plan referred to in sections 1 and 2, which is to be established by the Board of Education only after the PISP established by school representatives has proved unsatisfactory, must be submitted to the Commissioner of Education for approval and such approval must be obtained before the plan may be implemented.

Students

Supervision/Actions Required for Schools Designated as “Needing Improvement”

Establishment of a School Governance Council

- A. The Board of Education (Board) improvement may establish a school governance council for each school identified as in need of improvement.
- B. The Board for a school that has been designated as a low achieving school, due to such school failing to make adequate yearly progress in mathematics and reading at the whole school level shall establish a school governance council for each school so designated.

Note: *Schools that have been designated as a low achieving school due to such school failing to make adequate yearly progress in mathematics and reading at the whole school level prior to July 1, 2010, and are among the lowest five per cent of schools in the state based on achievement shall establish a school governance council for the school not later than January 15, 2011.*

Note: *Schools that have been designated as a low achieving school section due to such school failing to make adequate yearly progress in mathematics and reading at the whole school level prior to July 1, 2010, but are not among the lowest five per cent of schools in the state based on achievement, shall establish a school governance council for the school not later than November 1, 2011.*

Note: *The provisions of “A” and “B” above shall not apply to a school described in said paragraphs if (1) such school consists of a single grade level, or (2) such school is under the jurisdiction of a local or regional board of education that has adopted a similar school governance council model on or before July 1, 2011, that consists of parents, teachers from each grade level or subject area, administrators and paraprofessionals and such school governance council model is being administered at such school at the time such school is identified as in need of improvement or so designated as a low achieving school.*

C. Composition of School Governance Council

- i. The school governance council for high schools shall consist of (i) seven members who shall be parents or guardians of students attending the school, (ii) two members who shall be community leaders within the school district, (iii) five members who shall be teachers at the school, (iv) one nonvoting member who is the principal of the school, or his or her designee, and (v) two nonvoting student members who shall be students at the school. The parent or guardian members shall be elected by the parents or guardians of students attending the school, provided, for purposes of the election, each household with a student attending the school shall have one vote. The community leader members shall be elected by the parent or guardian members and teacher members of the school governance council. The teacher members shall be elected by the teachers of the school. The nonvoting student members shall be elected by the student body of the school.

Students

Supervision/Actions Required for Schools Designated as “Needing Improvement”

Establishment of a School Governance Council (continued)

- ii. The school governance council for elementary and middle schools shall consist of (i) seven members who shall be parents or guardians of students attending the school, (ii) two members who shall be community leaders within the school district, (iii) five members who shall be teachers at the school, and (iv) one nonvoting member who is the principal of the school, or his or her designee. The parent or guardian members shall be elected by the parents or guardians of students attending the school, provided, for purposes of the election, each household with a student attending the school shall have one vote. The community leader members shall be elected by the parent or guardian members and teacher members of the school governance council. The teacher members shall be elected by the teachers of the school.
- iii. Terms of voting members shall be for two years and no members shall serve more than two terms on the Council. The nonvoting student members shall serve one year and no student member shall serve more than two terms on the Council.

D. Responsibilities of School Governance Council

The school governance council, or a similar governance council model as previously described, serves in an advisory capacity and shall assist the school administration in the areas listed below:

- Analyzing school achievement data and school needs relative to the improvement plan for the school;
- Reviewing the fiscal objectives of the draft budget for the school and providing advice to the Principal before such school’s budget is submitted to the Superintendent of Schools;
- Participating in the hiring process of the school principal or other administrators of the school by conducting interviews of candidates and reporting on such interviews to the Superintendent of Schools and Board of Education;
- Assisting the Principal in making programmatic and operational changes for improving the school’s achievement. (including program changes, adjusting school hours and days of operation, and enrollment goals for the school);
- Developing and approving written school parent involvement policy that outlines the role of parents and guardians. A school’s Title I parent involvement policy can serve the purpose of the policy required under this section; and
- Working with school administrators in developing and approving a school compact for parents, legal guardians and students that outlines the school’s goals and academic focus identifying ways that parents and school personnel can build a partnership to improve student learning. (A school’s Title I compact can serve the purpose of the compact required under this section.)

Students

Supervision/Actions Required for Schools Designated as “Needing Improvement”

Establishment of a School Governance Council (continued)

In addition to its required responsibilities, a Council may assist the school administration by:

- a. Utilizing records relating to information about parents and guardians of students maintained by the Board of Education for the sole purpose of the election to the Council. Such information shall be confidential and shall only be disclosed as provided in the statute and shall not be further disclosed; and
- b. If the Council, or a similar school governance council model as previously described, during the third year after it was established, determines it necessary and subject to the provisions of statute, recommending reconstitution of the school in accordance with the provisions of law. A Council may not vote to reconstitute if the school was already reconstituted. Such reconstitution, determined by an affirmative vote, shall be to one of the following models:
 - i. Turnaround model
 - ii. Restart model
 - iii. Transformation model
 - iv. CommPACT School
 - v. Innovation School
 - vi. Any other model that may be developed by federal law

Note: *The Board within 10 days of receiving a recommendation for reconstitution must hold a public hearing to discuss the vote and at the next regularly scheduled Board meeting or ten days after the public hearing, whichever is later, conduct a vote to accept the model recommended by the Governing Council, select an alternate model or maintain the current school status. Other time lines are established in the statute regarding an alternative model chosen by the Board and required discussions and role of the Commissioner of Education.*

- c. The school governance council, or a similar school governance council model as previously described, may: (A) In a school that requires an improvement plan, review the annual draft report detailing the goals set forth in the state accountability plan and provide advice to the Principal prior to submission of the report to the Superintendent of Schools; (B) in a schools where an improvement plan becomes required, assist the Principal in developing such plan prior to its submission to the Superintendent; (C) work with the Principal of the school to develop, conduct and report the results of an annual survey of parents, guardians and teachers on issues related to the school climate and conditions; and (D) provide advice on any other major policy matters affecting the school to the Principal, except on any matters relating to provisions of any collective bargaining agreements.

Students

Supervision/Actions Required for Schools Designated as “Needing Improvement”

Establishment of a School Governance Council (continued)

- d. Provide advice to the Principal on any major policy matters affecting the school, except on matters relating to collective bargaining agreements between the teachers and the Board of Education.

The Board of Education recognizes its statutory responsibility and will provide appropriate training and instruction to members of the School Governance Council or to a similar school governance council model as previously described, to aid them in the execution of their duties. (Districts should consider using Title I parent involvement funding, where applicable, to support the work of the Councils)

In addition to School Governance Councils’ responsibilities, it is also important to recognize the limits of their advisory function. The duties of School Governance Councils do not entail activities including, but not limited to:

- Managing the school;
- Supervising staff;
- Entering into contracts or purchase agreements;
- Discussing individual issues between teachers and students and/or parents;
- Determining student eligibility for school admission; or
- Determining class allocations or student assignments.

A school governance council shall be considered a component of parental involvement for purposes of federal funding pursuant to the No Child Left Behind Act, P.L. 107-110.

On or before December 1, 2013, and biennially thereafter, the SDE shall in its report to the General Assembly include an evaluation of the establishment and effectiveness of the school governance councils.

Legal Reference: Connecticut General Statutes

10-14n Statewide mastery examination, Certification of mastery.
Limitations on use of test results. Examinations in accordance with federal NCLB Act; funding. Kindergarten assessment tool.

10-221(b) Boards of education to prescribe rules.

10-223e State-wide education accountability plan and possible actions.
Study of academic achievement.

10-265g Summer reading programs required for priority school districts.
Evaluation of student reading level. Personal reading plans. (as amended by PA 01-173)

Students

Supervision/Actions Required for Schools Designated as “Needing Improvement”

Legal Reference: Connecticut General Statutes (continued)

10-265l Requirements for additional instruction for poor performing students in priority school districts; exemption. Summer school required; exemption (as amended by PA 99-288, PA 01-173, and PA 03-174)

P.A. 10-111 An Act Concerning Education Reform in Connecticut.

P.A. 11-135 An Act Concerning Implementation Dates for Secondary School Reform, Exceptions to the School Governance Council Requirement and the Inclusion of Continuous Employment in a Cooperative Arrangement as Part of the Definition of Teacher Tenure.

P.L. 107-110 The No Child Left Behind Act

Policy adopted:

DERBY PUBLIC SCHOOLS
Derby, Connecticut

(Reviewed and approved by Policy Review Committee)

Existing policy, presently numbered 5127 adopted 12/20/01, appropriate as renumbered.

Students

Graduation Ceremony

There shall be only one district graduation ceremony upon completion of grade twelve in the high school. All other exercises upon student completion of elementary and middle school grades shall be referred to by another name.

Any student who has fulfilled Board of Education graduation requirements from the high school shall be granted a diploma, however participation in graduation exercises may be dependent upon his or her satisfying financial obligations to the school district. All components of graduation exercises shall be subject to the control of the Board of Education and the administration.

(cf. 6141.5 Advanced College Placement)

(cf. 6146 Graduation Requirements)

Policy adopted:

DERBY PUBLIC SCHOOLS
Derby, Connecticut

(Reviewed and approved by Policy Review Committee)

Existing policy, number 5124 adopted 12/20/01, modified.

Students

Reporting to Parents

The Board of Education encourages regular and effective two-way communication between parent and teacher through frequent and varied reporting methods. Parent-teacher conferences, letters and informal notes, telephone calls to parents, and school visitation should be used regularly, among other means, to inform parents of student successes and student needs and to inform teachers of parent concerns about, suggestions for, and perceptions of their children which may help the teacher in his or her work with particular children.

1. **Report Card.** Written reports on student progress will be issued in accordance with a schedule approved by the Superintendent of Schools after consultation with Principals and faculties. Reporting dates shall be determined annually and placed on the school calendar. Parents will be advised no later than the second to last reporting period (~~March 15~~) of a student's potential failure in a course or grade and the possibility of the student repeating the grade or course.

Report cards should reflect the educational growth of the student in relationship to each student's ability, attitudes, interests, conduct or citizenship, and achievement and in relationship to standards for his/her age and grade.

Teachers also will report on student progress at regularly scheduled parent conferences.

2. **Warning Notices.** Student progress reports to parents/guardians should be sent as needed between marking periods - not only to indicate student failure but also to note deficiencies needing attention - or special student achievement. Parental acknowledgment of these communications is required.

If parents are separated or divorced, both have equal rights to be informed of their child's school progress unless there is an order from the court to the contrary. Noncustodial parents shall receive written reports and conference notifications upon a request to the school Principal.

Legal Reference: Connecticut General Statutes
 10-15b Access of parent or guardian to student's records.
 46b-56 Access to records of minor children by noncustodial parent.

Policy adopted:

DERBY PUBLIC SCHOOLS
 Derby, Connecticut

(Reviewed and approved by Policy Review Committee)

A new policy to consider pertaining to HIPAA.

Students

Health/Medical Records

When applicable, District schools will comply with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) to maintain the privacy of protected health information that it receives, obtains, transmits or sends. The Board of Education designates the school nurse as its HIPAA Privacy Officer.

Student education records, including personally identifiable health information, maintained by the District is subject to and protected by the Family Educational Rights and Privacy Act (FERPA). Both the United States Department of Health and Human Services and the United States Department of Education Family Policy Compliance Office have stated that student records under FERPA are not subject to HIPAA. Therefore, District schools will comply with FERPA's confidentiality provisions rather than HIPAA's.

The District will seek Medicaid eligibility information to determine if services to a student may be billed. Bills will be processed electronically for Medicaid reimbursement for qualified services to eligible special education students. The District will comply with HIPAA's electronic transactions requirements. Procedures and safeguards will be developed to protect the privacy of health information and prevent wrongful user and disclosure. At a minimum, the policy and procedure for student records will comply with the Family Educational Rights and Privacy Act of 1974 (FERPA) with assurances that the District has obtained authorization from the parent or adult student prior to the release of protected health information for the purpose of Medicaid billing. Individuals involved in the Medicaid billing process for the District shall be trained on the privacy procedures. Discipline shall be imposed, up to and including discharge, for staff that wrongfully uses or discloses protected health information.

(cf. 3231 – Medical Reimbursement for Special Education Students)
(cf. 5125 – Student Records; Confidentiality)

Legal Reference: Connecticut General Statutes
1-19(b)(11) Access to public records. Exempt records.
10-15b Access of parent or guardians to student's records.
10-154a Professional communications between teacher or nurse & student.
10-209 Records not to be public
46b-56 (e) Access to Records of Minors.
Connecticut Public Records Administration Schedule V - Disposition of Education Records (Revised 1983).
Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C.1232g.).

Students

Health/Medical Records

Legal References: (continued)

Dept. of Educ. 34 C.F.R. Part 99 (May 9, 1980 45 FR 30802) regs. implementing FERPA enacted as part of 438 of General Educ. provisions act (20 U.S.C. 1232g)-parent and student privacy and other rights with respect to educational records, as amended 11/21/96.

USA Patriot Act of 2001, PL 107-56, 115 Stat. 272, Sec 507, 18 U.S.C. §2332b(g)(5)(B) and 2331

PL 107-110 "No Child Left Behind Act of 2001" Sections 5208 and

42 U.S.C. 1320d-1320d-8, P.L. 104-191, Health Insurance Portability and Accountability Act of 1996 (HIPAA)

65 Fed. Reg. 50312-50372

65 Fed. Reg. 92462-82829

63 Fed. Reg. 43242-43280

67 Fed. Reg. 53182-53273

Policy adopted:

DERBY PUBLIC SCHOOLS
Derby, Connecticut

(Reviewed and approved by Policy Review Committee)

A new policy to consider.

Students

Student Records; Confidentiality

Educational records, defined as records directly related to a student, will be kept for each student and will reflect the physical, emotional, social and academic aspects of a student's development in the educational process.

The Board of Education recognizes the need to comply with the legal state and federal requirements regarding the confidentiality, access to and amendment of student records. The procedures for the confidentiality of student records shall be consistent with federal statutes, including the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, and its implementing and revised regulations, The No Child Left Behind Act of 2001, and the Connecticut General Statutes.

Safeguards shall be established by the school administration to protect the student and the student's family from invasion of privacy in the collection, maintenance and dissemination of information, and to provide accessibility to recorded information by those legally entitled thereto. Access to inspect or review a student's educational record or any part thereof may include the right to receive copies under limited circumstances.

For the purposes of this policy:

"Parent" means a natural parent, an adopted, or a legal guardian or an individual acting as a parent in the absence of a parent or guardian. If parents are divorced or legally separated the parent granted custody and the parent not granted custody of a minor child both have the right of access to the academic, medical, hospital, or other health records of the child, unless a court order prohibits access. Whenever a student has attained the age of 18 years or is attending an institution of post-secondary education, the permission or consent required of, and the rights accorded to, the parents or guardians of the student shall thereafter only be required of, and accorded to, the student.

"Student" means an individual who is or has been "in attendance" in person at an educational agency or institution for whom education records are maintained. It also includes those situations in which students "attend" classes but are not physically present, including attendance by videoconference, satellite, Internet, or other electronic information and telecommunication technologies.

"Student record" means any item of information directly related to an identifiable student, other than directory information, which is maintained by a school district or required to be maintained by an employee in the performance of his/her duties whether recorded in handwriting, print, computer media, video or audio tape, film, microfilm and microfiche. Student records include information relative to an individual student gathered within or without the school system and maintained within the school system, regardless of the physical form in which it is maintained. Any information maintained for the purpose of review by a second party is considered a student record. Records that pertain to an individual's previous attendance as a student are "education records" under FERPA regardless of when they were created or received within the school system.

Students

Student Records; Confidentiality (continued)

“Student record” shall not include informal notes related to a student compiled by a school officer or employee which remain in the sole possession of the maker and are not accessible or revealed to any other person except a substitute. Records of the law enforcement unit of the District or school are not considered student records.

“Law Enforcement Unit” means an individual office, department, division, or other component of an education agency or institution that is officially authorized or designated by that agency or institution to (1) enforce laws or refer matters of law enforcement to appropriate authorities, or (2) maintain the physical security and safety of the agency or institution.

“Substitute” means a person who performs the duties of the individual who made the notes on a temporary basis, and does not refer to a person who permanently succeeds the maker of the notes in his or her position.

“School Official” means a person employed by the District as an administrator, supervisor, instructor, or support staff member, including health or medical staff and law enforcement unit personnel, a person serving on the Board of Education, a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist), or a parent or student serving on an official committee such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks.

“Authorized Representative” means any entity or individual designated by a state or local educational authority or an agency headed by an official listed in §99.31(a)(3) to conduct with respect to Federal or State-supported education programs, any audit or evaluation, or any compliance or enforcement activity in connection with Federal legal requirements that relate to these programs.

“Education Program” means any program that is principally engaged in the provision of education, including, but not limited to, early childhood education, elementary and secondary education, postsecondary education, special education, job training, career and technical education and adult education, and any program that is administered by an educational agency or institution.

“Early Childhood Education Program” means a Head Start program, a state licensed or regulated child care program, or a program that serves children from birth through age six that addresses the children’s cognitive, social, emotional and physical development and is a (i) state prekindergarten program; (ii) a program authorized under the Individuals with Disabilities Education Act; or (iii) is a program operated by a local educational agency.

Students

Student Records; Confidentiality (continued)

“Directory Information” means information contained in a student’s education record that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information includes, but is not limited to, one or more of the following items: parent’s name and/or e-mail address, student’s name, address, telephone number, date and place of birth, major field(s) of study, participation in officially recognized activities and sports, photographic, computer and/or video images, grade levels, electronic mail address, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous public or private school attended by the student.

A student’s social security number or student ID number is prohibited from designation as directory information. However, student ID numbers and other electronic personal identifiers used to access or communicate in electronic systems may be disclosed only if the identifier is not used by itself to authenticate identity and cannot be used to gain access to education records.

A student’s ID number or other unique personal identifier that is displayed on a student ID badge is considered directory information, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user’s identity, such as a PIN, password, or other factor known or possessed only by the authorized user.

The Superintendent shall be responsible for ensuring that all requirements under federal and state statutes shall be carried out by the district. He/She will develop procedures (administrative regulations) providing for the following:

1. Annually informing parents of their rights.
2. Permitting parents to inspect and review educational records, including, at least, a statement of the procedure to be followed by a parent or eligible student who requests to inspect and review the educational records, with an understanding that the procedure may not deny access to educational records; a description of the circumstances in which the district feels it has a legitimate cause to deny a request for a copy of such records; a schedule of fees for copies; and a listing of the types and locations of education records maintained by the school and the titles and addresses of school officials responsible for those records.
3. Not disclosing personally identifiable information from a student’s education records without the prior written consent of the student’s parent, except as otherwise permitted by administrative regulations; including at least a statement of whether the school will disclose personally identifiable information from the records to other school officials within the school who have been determined by the school to have legitimate educational interests, and, if so, a specification of the criteria for determining which parties are “school officials” and what the school considers to be a “legitimate educational interest”; and a specification of the personally identifiable information to be designated as directory information.

Students

Student Records; Confidentiality (continued)

4. Maintaining the record of disclosures of personally identifiable information from a student's education records and permitting a parent to inspect that record.
5. Providing a parent with an opportunity to seek the correction of the student's education records through a request to amend the records or a hearing, and permitting the parent or an eligible student to place a statement in the education records of the student.
6. Guaranteeing access to student records to authorized persons within five days following the date of request.
7. Assuring security of student records.
8. Enumerating and describing the student records maintained by the school system.
9. Annually informing parents under what conditions that their prior consent is not required to disclose information.
10. Ensuring the orderly retention and disposition, per applicable state statutes, of the districts student records.
11. Notifying parents of secondary school students that it is required to release the student's name, address and telephone listing to military recruiters and institutions of higher learning upon request. Parents or eligible students may request that the District not release this information, and the District will comply with the request.
12. Notifying parents annually of the District's policy on the collection or use of personal information collected from students for the purpose of marketing or selling that information or otherwise providing that information to others for that purpose, including arrangements to protect student privacy that are provided by the agency in the event of such collection, disclosure or use.

Legal Reference: Connecticut General Statutes

1-19(b)(11) Access to public records. Exempt records.

7-109 Destruction of documents.

10-15b Access of parent or guardians to student's records.

10-154a Professional communications between teacher or nurse & student.

Students

Student Records; Confidentiality

Legal Reference: Connecticut General Statutes (continued)

10-209 Records not to be public.

10-221b Boards of education to establish written uniform policy re: treatment of recruiters.

11-8a Retention, destruction and transfer of documents

11-8b Transfer or disposal of public records. State Library Board to adopt regulations.

46b-56 (e) Access to Records of Minors.

Connecticut Public Records Administration Schedule V - Disposition of Education Records (Revised 1983).

Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C.1232g.).

Dept. of Educ. 34 C.F.R. Part 99 (May 9, 1980 45 FR 30802) regs. implementing FERPA enacted as part of 438 of General Educ. provisions act (20 U.S.C. 1232g)-parent and student privacy and other rights with respect to educational records, as amended 11/21/96, and Final Rule 34 CFR Part 99, December 9, 2008, December 2, 2011)

USA Patriot Act of 2001, PL 107-56, 115 Stat. 272, Sec 507, 18 U.S.C. §2332b(g)(5)(B) and 2331

PL 107-110 "No Child Left Behind Act of 2001" Sections 5208 and 9528

Owasso Independent Sch. Dist. No.1-011 v. Falvo, 534 U.S.426 (2002)

P.L. 112-278 "The Uninterrupted Scholars Act"

Policy adopted:

DERBY PUBLIC SCHOOLS
Derby, Connecticut

(Reviewed and approved by Policy Review Committee)

Existing policy, number 5131.5 adopted 12/20/01, appropriate as written.

Students

Vandalism

The parent or guardian of any minor/unemancipated child who willfully cuts, defaces, or otherwise damages, in any way, any property; real or personal, belonging to the school system shall be held monetarily liable for such actions up to the maximum amount allowed under state law.

The liability provided under Connecticut General Statutes 52-572 does not relieve the minor(s) of personal liability for such damage or injury. This liability of the parent for damages done by a minor child is in addition to any other liability which exists in law.

The parent or guardian of a minor child shall also be held liable for all property belonging to the school system lent to the student and not returned upon demand of the school system. The student may also be liable to disciplinary action.

Vandalism by an Adult Student

An adult student shall be held personally liable for any damage done to any property, real or personal, belonging to the school district. The student may also be subject to disciplinary action.

(cf. 6161.2 - Guidelines for Care of Instructional Materials)

Legal Reference: Connecticut General Statutes

10-221 Boards of education to prescribe rules. (re: sanctions that may be imposed by a Board against students who damage or fail to return textbooks, library materials, or other educational materials)

52-572 Parental liability for torts of minors. Damage defined.

Policy adopted:

DERBY PUBLIC SCHOOLS
Derby, Connecticut

(Reviewed and approved by Policy Review Committee)

Existing policy, number 5131.5 adopted 12/20/01, appropriate as written.

Students

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10-221 Boards of education to prescribe rules. (re: sanctions that may be imposed by a Board against students who damage or fail to return textbooks, library materials, or other educational materials)

52-572 Parental liability for torts of minors. Damage defined.

Policy adopted:

DERBY PUBLIC SCHOOLS
Derby, Connecticut

(Reviewed and approved by Policy Review Committee)

Existing policy, presently numbered 5143 adopted 12/20/01, appropriate as renumbered, with regulation portion separated from policy portion and addition of legal reference. A sample follows for comparison and consideration.

Students

Drug and Alcohol Abuse

Through the use of revised curriculum, classroom activities, community support and resources, a strong and consistent administrative and faculty effort, and rehabilitative and disciplinary procedures, the administration and staff of Derby Schools, in cooperation with the student's parent/guardians, will work to educate, prevent, and intervene in the abuse of all drug, alcohol, and mood altering substances by the entire student population in accordance with state law.

As an extension of this policy, the rules, regulations, and guidelines shall be used by all school district personnel when responding to drug, mood altering substances, alcohol-related situations, and any nicotine product.

Legal References: Connecticut General Statutes
 1-21b Smoking prohibited in certain places.
 10-19 Teaching about alcohol, nicotine or tobacco, drugs and acquired immune deficiency syndrome. Training of personnel.
 10-154a Professional communications between teacher or nurse and student. Surrender or physical evidence obtained from students.
 10-220b Policy statement on drugs.
 10-221 (d) Boards of education to prescribe rules, policies and procedures re sale or possession of alcohol or controlled drugs.
 21a-240 Definitions dependency producing drugs.
 21a-240(8) Definitions "Controlled Drugs," dependency producing drugs
 21-240(9) Definitions "controlled substance".
 21a-243 Regulation re schedules of controlled substances.
 53-198 Smoking in motor buses, railroad cars and school buses.
 Federal Regulation 34 CFR Part 85 Drug-free Schools & Communities Act.
 20 U.S.C. Section 7181 et. Seq., No Child Left Behind Act.
New Jersey v T.L.O., 469 U.S. 325 (1985)
Veronia Scholl District 47J v. Acton, 515 U.S. 646 (1995) *Board of Education of Independent School District No. 92 of Pottawatomie County v. Earls* 01-332 U.S. (2002)

Policy adopted:

DERBY PUBLIC SCHOOLS
 Derby, Connecticut

Existing policy, presently numbered 5135 adopted 12/20/01, appropriate as renumbered, and with addition of legal reference.

Students

Weapons and Dangerous Instruments

The Derby Board of Education recognizes that possession and/or use of a weapon or dangerous instrument by any student is detrimental to the welfare and safety of the students and the staff within the school district. Possession and/or use of any weapon or dangerous instrument in any school building on school grounds, in any school vehicle, or at any school sponsored or approved activity is strictly prohibited.

For purpose of this policy, the terms “weapon” and “dangerous instrument” shall include, but are not limited to: any pistol, revolver, rifle, shotgun or other firearm, air gun, spring gun, slingshot, bludgeon, artificial knuckles, knife, chemical weapon, explosive device, stun gun or other electric shock producing device, any device having a sharp point or edge such as an ice pick or razor, and any other similarly dangerous instrument capable of inflicting injury to person or property. Possession of an instrument which might otherwise be considered a “dangerous instrument” such as; a baseball bat, tool or laboratory device, shall be permitted if such instrument is in a student’s possession because, and to the extent that, such instrument is necessary for the student to participate in an approved school program extra-curricular activity, science fair or other similar event.

Whenever a school administrator has a reasonable suspicion that a student is in possession of a weapon or dangerous instrument, such administrator is authorized to conduct an unannounced inspection of such student’s locker, desk, vehicle parked on school property, the pockets of the student’s clothing, and/or any purse, gym bag or other receptacle belonging to or under the control of the student. Any search by the administrator must be reasonably related to the student. A student found to have in his/her possession any weapon or dangerous instrument or facsimile thereof, will have that item confiscated, and will be subjected to school discipline, which may result in suspension and/or expulsion.

In any case in which there is a possible violation of criminal law which related to the possession and/or use of a weapon or dangerous instrument, the school administration will report to and work cooperatively with police, prosecutors and other law enforcement authorities.

Student and staff will be provided with a written copy of this policy annually. Any teacher, employee, student, parent, school volunteer, or other member of the school community who reasonably believes that a student is in violation of this policy, shall refer the matter to the administrator that a weapon or dangerous instrument has been carried on, or introduced onto school property by any student, the incident shall be reported within 24 hours to the Superintendent of School, who shall notify the Board of Education for consideration of student expulsion in accordance with Connecticut General Statute 10-233d.

Students

Weapons and Dangerous Instruments (continued)

Legal Reference: Connecticut General Statutes

10-221 Boards of education to prescribe rules.

10-233a through 10-233f - Expulsion as amended by PA 95-304

53a-3 Definitions.

53a-217b - Possession of firearms and deadly weapons on school grounds

53-206 Carrying and sale of dangerous weapons.

PA 94-221 An Act Concerning School Discipline and Safety.

GOALS 2000: Educate America Act

18 U.S.C. 921 Definitions.

USCA 7151 – No Child Left Behind Act

Policy adopted:

DERBY PUBLIC SCHOOLS
Derby, Connecticut

(Reviewed and approved by Policy Review Committee)

A new policy.

Students

Off School Grounds Misconduct

Students are subject to discipline, up to and including suspension and expulsion for misconduct, which is seriously disruptive of the educational process and is a violation of a publicized Board policy, even if such misconduct occurs off-school property and during non-school time.

In compliance with judicial decisions, the Board considers conduct which is "severely disruptive of the educational process" to mean conduct that "markedly interrupts or severely impedes the day-to-day operations of a school" in addition to such conduct also being violative of publicized school policy. Such conduct includes, but is not limited to, phoning in a bomb threat, or making a threat, off school grounds, to kill or hurt a teacher or student.

In addition, in making the determination as to whether conduct is "seriously disruptive of the educational process," the administration may consider, but such consideration shall not be limited to (1) whether the incident occurred within close proximity of a school; (2) whether other students from the school were involved or whether there was any gang involvement; (3) whether the conduct involved violence, threats of violence or the unlawful use of a weapon, as defined in Section 29-38 and whether any injuries occurred; and (4) whether the conduct involved the use of alcohol. The conduct can also be the use of inappropriate electronic messages. The Board of Education or impartial hearing board, in matters of expulsion for out of school misconduct, in making a determination as to whether conduct is "seriously disruptive of the educational process," may consider, but consideration is not limited to the same items listed previously.

Such discipline may result whether: 1) the incident was initiated in the school or on school grounds, or 2) even if the incident occurred or was initiated off-school grounds and non-school time; if after the occurrence there was a reasonable likelihood that return of the student would contribute to a disruptive effect on the school education or its process, markedly interrupting or severely impeding the day-to day operation of a school, by threatening:

1. The school's orderly operations;
2. The safety of the school property;
3. The welfare of the persons who work or study there.

Examples of the type of such off-school misconduct that may result in such discipline include but are not limited to:

1. Use, possession, sale, or distribution of dangerous weapons; (as defined C.G.S. 53a-3, 53-206, and 29-35)
2. Use, possession, sale, or distribution of illegal drugs; or
3. Violent conduct,
4. Making of a bomb threat,
5. Threatening to harm or kill another student or member of the staff.

where any such activity has the reasonable likelihood of threatening the health, safety or welfare of school property, individuals thereon, and/or the educational process.

Students

Off School Grounds Misconduct (continued)

For example, if it is determined that a student's use, possession, or sale of drugs in the community has a strong likelihood of endangering the safety of students or employees because of the possibility of such sales in the school; or if violent conduct in the community presents a reasonable likelihood of repeating itself in the school environment; or if any similar type of misconduct in the community has a reasonable likelihood of being continued or repeated in school or of bringing retaliation or revenge into the school for such off-school misconduct, the Board may impose discipline up to and including suspension and/or expulsion. The rationale to be applied in considering disciplinary action is whether the off-school grounds conduct will markedly interrupt or severely impede the day-to-day operation of a school.

A student who possessed and used a firearm, deadly weapon, dangerous instrument or martial arts weapon in the commission of a crime off-campus shall be expelled for one calendar year unless said expulsion is modified on a case-by-case basis.

Legal Reference: Connecticut General Statutes
 4-176e through 4- 185 Uniform Administrative Procedure Act.
 10-233a through 10-233f re in-school suspension, suspension, expulsion. (as amended by PA 98-139)
 29-35 Carrying of pistol or revolver without permit prohibited.
 29-38 Weapons in vehicles.
 53a-3 Firearms and deadly weapons.
 53-206 Carrying and sale of dangerous weapons.
 53a-217b Possession of firearms and deadly weapons on school grounds.
 PA 94-221 An Act Concerning School Safety.
 18 U.S.C. 921 Definitions.
 PL 103-382 Elementary and Secondary Education Act. (Sec. 14601 - Gun Free Requirements: Gun Free School Act of 1994)
 PA 95-304 An Act Concerning School Safety.
 PA 96-244 An Act Concerning Revisions to the Education Statutes.
Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education. (SC 15862
Wisniewski v. Bd. Of Educ., 494F.3d34 (2nd Cir. 2007)
Doninger v. Niehoff, 257F.3d (2nd Cir. 2008)

Policy adopted:

DERBY PUBLIC SCHOOLS
 Derby, Connecticut

(Reviewed and approved by Policy Review Committee)

Students

Electronic Devices

Students shall not use or display electronic devices including cell phones during school hours in a manner that disrupts the educational environment, including using the device to cheat, signal others, or otherwise violate student conduct rules.

A person who discovers a student using or displaying a cell phone *in a disruptive manner*, shall implement the appropriate consequences. Each school shall establish consequences, for the violation of the cell phone use policy and upon approval of the Board of Education shall publish those consequences in the school handbook.

Derby High School Policy:

1. Use of electronic devices is permitted with administrative approval in common areas such as (but not limited to): hallways, cafeteria and senior lounge.
2. Teachers shall permit the use of electronic devices for educational purposes in class by displaying a "green" card, this allows students to use their device as directed by the teacher.
3. Teachers shall limit the use of electronic devices in class by displaying a "red" card, cell phones and other personal electronic devices should be stored and out of view.
4. Students who violate the technology policy will receive the following progressive discipline.
 - A. **First Violation:** Verbal/Written Warning
 - B. **Second Violation:** Teacher Detention and Office Referral
 - C. **Third Violation:** In-School Suspension and Device Confiscation (Failure to turn over device will result in increased disciplinary action for insubordination)
 - D. **Fourth Violation:** Out of school suspension for continued violation of school policy, parent conference required for return. A behavior plan may be designed at this time to prevent further infractions.

Derby Middle School Policy:

It is the understanding and mission of Derby Middle School to employ technology appropriately and responsibly for the safe and logical advancement of learning. Digital responsibility is essential in the application of any device and it is a privilege that is maintained through trust and responsible usage. The level of responsibility will be progressive and commensurate with the students ability to maturely control the device.

Students

Electronic Devices

Derby Middle School Policy: (continued)

1. The use of personal electronic devices in grade six is not permitted. Students who own devices and bring them to school must store them either in their locker or their backpack. Devices are not permitted during school hours unless authorized by administration. Students who violate this school rule will be subject to progressive discipline.
 - A. **First Violation:** Verbal/Written Warning and call home
 - B. **Second Violation:** Teacher Detention, Office Referral and a call home
 - C. **Third Violation:** In-School Suspension and Device Confiscation. The parent/guardian must pick the phone up from school. (Failure to turn over device will result in increased disciplinary action for insubordination)
 - D. **Fourth Violation:** Out of school suspension for continued violation of school policy, parent conference required for return. A behavior plan may be designed at this time to prevent further infractions.

2. Beginning in grade seven teachers shall permit the use of electronic devices for educational purposes in class by displaying a "green" card, this allows students to use their device as directed by the teacher. Students in grade seven may also use their personal electronic device in the cafetorium during their assigned lunch. Students who violate this school rule will be subject to progressive discipline.
 - A. **First Violation:** Verbal/Written Warning and call home
 - B. **Second Violation:** Teacher Detention, Office Referral and a call home
 - C. **Third Violation:** In-School Suspension and Device Confiscation. The parent/guardian must pick the phone up from school. (Failure to turn over device will result in increased disciplinary action for insubordination)
 - D. **Fourth Violation:** Out of school suspension for continued violation of school policy, parent conference required for return. A behavior plan may be designed at this time to prevent further infractions.

3. Teachers of students in grade eight shall permit the use of electronic devices for educational purposes in class by displaying a "green" card, this allows students to use their device as directed by the teacher. Students in grade eight may also access their personal electronic device during their assigned lunch and between classes only on the "C" level, the eighth grade floor. Students who violate this school rule will be subject to progressive discipline.

Students

Electronic Devices

Derby Middle School Policy: (continued)

- A. First Violation: Verbal/Written Warning and call home
- B. Second Violation: Teacher Detention, Office Referral and a call home
- C. Third Violation: In-School Suspension and Device Confiscation. The parent/guardian must pick the phone up from school. (Failure to turn over device will result in increased disciplinary action for insubordination)
- D. Fourth Violation: Out of school suspension for continued violation of school policy, parent conference required for return. A behavior plan may be designed at this time to prevent further infractions.

Bradley and Irving School Policy:

- 1. Cell phones and personal electronic devices are not permitted to be used by students during school hours.

Legal Reference: PA 95-304 An Act Concerning School Safety

PA 96-108 An Act Concerning Student Use of Telecommunication Devices and the Establishment of Graduation Dates

A new policy to consider.

Students

Gang Activity or Association

The Board of Education affirms its position that its schools shall provide an orderly place for learning. By this policy the Board prohibits the existence of gangs, gang-like or gang-related activities on school property or at any activity associated with or under the general guidance of school authorities.

No student on or about District property or at any District activity:

1. Shall wear, possess, use, distribute, display or sell any clothing, jewelry, emblem, badge, symbol, sign, or other things which are evidence of membership or affiliation in any gang;
2. Shall commit any act or omission, or use any speech, either verbal or nonverbal (gestures, handshakes, etc.) showing membership or affiliation in a gang;
3. Shall use any speech or commit any act or omission in furtherance of the interests of any gang or gang activity, including, but not limited to:
 - a. Soliciting others for membership in any gang;
 - b. Requesting any person to pay protection or otherwise intimidating or threatening any person;
 - c. Committing any other illegal act or other violation of school district policies;
 - d. Tagging, or otherwise defacing school or personal property with gang or gang-related symbols or slogans;
 - e. Inciting other students to act with physical violence upon any other person.

After consulting with parents, teachers, students, local community and state agencies, the District will develop a comprehensive program that addresses gang involvement and related violent activities. The comprehensive program will be coordinated with the District's Drug and Alcohol Health Education Plan/Program.

Gang Prevention and Intervention Program

The District will develop a plan to include:

1. An assessment of the nature and extent of gang involvement, violent activities and drug abuse by students in the District.
2. An assessment of the impact of the gang involvement, violent activities and drug abuse on attendance and educational achievement by students of the District.
3. A summary of the extent and type of needs to reduce gang involvement, violent activities, and drug abuse by the students, which shall minimally include:

Students

Gang Activity or Association (continued)

Gang Prevention and Intervention Program (continued)

- a. Strategies to reduce drug activities, violent activities, and drug abuse.
 - b. Methods to communicate conflict resolution skills for staff and students.
 - c. Strategies to keep staff, students, parents, and the public informed about the District's comprehensive gang prevention and intervention policy and related activities.
4. In-service training in gang behavior and characteristics to facilitate staff identification of students at-risk and promote membership in authorized school groups and/or activities as an alternate.
 5. The Superintendent or his/her designee shall, in cooperation with local law enforcement and/or juvenile agencies, develop an administrative regulation listing known gang clothing, jewelry, emblems, badges, signs, gestures, handshakes, and symbols. The list shall be updated periodically as necessary. The principals shall maintain this list in the main office of the school and shall notify students of the items, symbols, and behaviors prohibited by this policy. This notice shall be included in the student handbook.

School administrators will monitor the school environment and parents will be informed of suspected gang involvement and/or activities. If an administrator verifies a student's involvement in gang activity, the parent or guardian will be informed and appropriate law enforcement and social agencies will be notified. Administrators shall comply with confidentiality laws when releasing student record information. Cooperation with law enforcement agencies is authorized and encouraged.

Students violating this policy may be subject to disciplinary action, including suspension and/or recommendation for expulsion.

- (cf. 5114 – Suspension/Expulsion; Student Due Process)
- (cf. 5113.2 – Truancy)
- (cf. 5131 – Conduct)
- (cf. 5131.2 – Assault)
- (cf. 5131.21 – Terroristic Acts/Threats)
- (cf. 5131.5 – Vandalism)
- (cf. 5131.6 – Drugs, Tobacco, Alcohol)
- (cf. 5131.8 – Out of Schools Misconduct)
- (cf. 5131.81 – Use of Electronic Devices (Beepers, Cell Phones))
- (cf. 5131.911 – Bullying)
- (cf. 5132 – Student Dress and Grooming)
- (cf. 5144 – Discipline/Punishment)
- (cf. 5145.12 – Search and Seizure)
- (cf. 5145.42 – Racial Harassment of Students)
- (cf. 5145.52 – Harassment)

Students

Gang Activity or Association

Legal References: Connecticut General Statutes

7-294l State and local police training programs to provide training on gang-related violence.

7-294x Council to provide training to public school security personnel.

10-16b Prescribed courses of study.

10-221 Boards of education to prescribe rules.

29-7n Record and classification of gang-related crimes.

10-233a through 10-233f re in-school suspension, suspension and expulsion.

53-206 Carrying and sale of dangerous weapons.

53a-217b Possession of firearms and deadly weapons on school grounds.

Tinker vs. Des Moines Community School District (393 U.S. 503. 1969).

Jeglin v. San Jacinto Unified School District (827F. Supp. 1459-C.D.Ca. 1993).

Olesen v. Board of Education School District No. 228 (676F. Supp. 820-N.D. Ill. 1987).

Policy adopted:

DERBY PUBLIC SCHOOLS
Derby, Connecticut

(Reviewed and approved by Policy Review Committee)

Existing policy, number 5131.91 adopted 12/20/01, appropriate as written, and with update to legal reference.

Students

Hazing

I. Purpose

The purpose of this policy is to maintain a safe learning environment for students and staff that is free from hazing. Hazing activities as defined herein involving students are inconsistent with the educational goals of the school district and are disruptive of the educational process.

II. Definitions

- A. "Hazing" means any activity that recklessly or intentionally endangers the health and safety of a person for the purpose of initiation or admission into or as a condition of membership of, admission to or affiliation with, a student organization or activity, including membership of any athletic team. The term shall include, but not be limited to:
1. Requiring indecent exposure of the body;
 2. Assault upon the person and any type of physical abuse against the person such as whipping, beating, striking, branding, electronic shocking, or placing a harmful substance on the body;
 3. Exposure to weather or confinement in an unreasonably small, unventilated, unsanitary or unlighted area;
 4. Requiring any activity that subjects the person to extreme mental stress, such as sleep deprivation or extended isolation from social contact;
 5. Requiring the ingestion or consumption of any alcoholic beverage, drug, tobacco product or any other substance that subjects the person to an unreasonable risk of harm or that could adversely affect the mental or physical health or safety of the person;
 6. Any activity of affiliation or initiation that intimidates a person, that threatens a person with ostracism, that subjects a person to significant embarrassment or humiliation, that significantly and adversely affects the mental health or dignity of a person, or that discourages a person from remaining in school;
 7. Requiring the person to violate a state or federal law or school district policy or regulation.

Students

Hazing (continued)

III. Applicability of Policy

- A. No student, teacher, administrator, coach, volunteer, contractor or other person affiliated with the school district by employment or otherwise shall plan, direct, encourage, aid, or engage in hazing.
- B. No teacher, administrator, coach, volunteer, contractor, or other person affiliated with the school district by employment or otherwise shall permit, condone, or tolerate hazing.
- C. Apparent permission or consent by a person who is the victim of hazing will not avoid the prohibitions contained in this policy.
- D. The Superintendent or his designee will act to investigate all complaints of hazing and will discipline or take appropriate action against any person who is found to have violated this policy.

IV. Reporting Procedures

- A. Any person who believes he or she has been the victim of hazing or any person with knowledge of conduct that may constitute hazing shall report the alleged acts immediately to the appropriate school district official designated by this policy.
- B. The building Principal is the person responsible for receiving reports of hazing at the building level. Any person may report hazing directly to the Superintendent. In the case of athletic teams the report may be made to the coach of the team or the athletic director.
- C. Teachers, administrators, volunteers, coaches, contractors, or other persons affiliated with the school district by employment or otherwise shall be particularly alert to possible situations, circumstances or events which might indicate hazing. Any such person who receives a report of, observes, or has other knowledge of or conduct which may constitute hazing shall inform the building Principal or other appropriate school district official immediately.
- D. Submission of a good faith complaint or report of hazing will not affect the complainant or reporter's future employment, grades, or work assignments.

Students

Hazing (continued)

V. School District Action

- A. Upon receipt of a complaint or report of hazing, the Superintendent shall undertake or authorize an investigation by school officials or a third party designated by the Superintendent.
- B. Upon completion of the investigation, the Superintendent will take appropriate action. Such action may include, but is not limited to, suspension, expulsion, and termination of employment.

VI. Reprisal

The Superintendent will take appropriate action, including disciplinary action, in the event of retaliation against any person who makes a good faith report of alleged hazing or who testifies, assists, or participates in an investigation, or who testifies, assists, or participates in a proceeding or hearing relating to such hazing. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

VII. Dissemination of Policy

This policy shall be reproduced in all parent-student handbooks and in each school's staff handbook.

Legal Reference:	Connecticut General Statutes 10-145a Certificate of qualification. Specific components of teacher preparation programs. 10-45o Teacher education and mentoring program. Administrator three-year plan. Instructional modules. Data system. Guidelines. 10-220a In-service training. Professional development committees. 10-222d Policy on bullying behavior 10-222g Prevention and intervention strategy re: bullying 10-222h Analysis of bullying policies 10-233a through 10-233f re: suspension and expulsion PA 11-232 An Act Concerning the Strengthening of School Bullying Laws.
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Policy adopted:

DERBY PUBLIC SCHOOLS
Derby, Connecticut

(Reviewed and approved by Policy Review Committee)

*A policy and accompanying Safe School Climate Plan developed by the law firm of
Shipman and Goodwin.*

Students

Hazing

Bullying Prevention and Intervention

The Derby Board of Education is committed to creating and maintaining an educational environment that is physically, emotionally and intellectually safe and thus free from bullying, harassment and discrimination. In accordance with state law and the Board's Safe School Climate Plan, the Board expressly prohibits any form of bullying behavior on school grounds; at a school-sponsored or school-related activity, function or program, whether on or off school grounds; at a school bus stop; on a school bus or other vehicle owned, leased or used by a local or regional Board of Education; or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board of Education.

The Board also prohibits any form of bullying behavior outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school. Discrimination and/or retaliation against an individual who reports or assists in the investigation of an act of bullying is likewise prohibited.

Students who engage in bullying behavior shall be subject to school discipline, up to and including expulsion, in accordance with the Board's policies on student discipline, suspension and expulsion, and consistent with state and federal law.

For purposes of this policy, "**Bullying**" means the repeated use by one or more students of a written, verbal or electronic communication, such as cyberbullying, directed at or referring to another student attending school in the same school district, or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same school district, that:

- 1) causes physical or emotional harm to such student or damage to such student's property;
- 2) places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;
- 3) creates a hostile environment at school for such student;
- 4) infringes on the rights of such student at school; or
- 5) substantially disrupts the education process or the orderly operation of a school.

Students

Hazing

Bullying Prevention and Intervention (continued)

Bullying shall include, but not be limited to, a written, verbal or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

For purposes of this policy, “**Cyberbullying**” means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.

Consistent with the requirements under state law, the Derby Board of Education authorizes the Superintendent or his/her designee(s), along with the Safe School Climate Coordinator, to be responsible for developing and implementing a Safe School Climate Plan in furtherance of this policy. As provided by state law, such Safe School Climate Plan shall include, but not be limited to provisions which:

- (1) enable students to anonymously report acts of bullying to school employees and require students and the parents or guardians of students to be notified annually of the process by which students may make such reports;
- (2) enable the parents or guardians of students to file written reports of suspected bullying;
- (3) require school employees who witness acts of bullying or receive reports of bullying to orally notify the safe school climate specialist, or another school administrator if the safe school climate specialist is unavailable, not later than one school day after such school employee witnesses or receives a report of bullying, and to file a written report not later than two school days after making such oral report;
- (4) require the safe school climate specialist to investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports made under this section;
- (5) require the safe school climate specialist to review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report;
- (6) include a prevention and intervention strategy for school employees to deal with bullying;
- (7) provide for the inclusion of language in student codes of conduct concerning bullying;

Students

Hazing

Bullying Prevention and Intervention (continued)

- (8) require each school to notify the parents or guardians of students who commit any verified acts of bullying and the parents or guardians of students against whom such acts were directed not later than forty-eight hours after the completion of the investigation;
- (9) require each school to invite the parents or guardians of a student who commits any verified act of bullying and the parents or guardians of the student against whom such act was directed to a meeting to communicate to such parents or guardians the measures being taken by the school to ensure the safety of the student against whom such act was directed and to prevent further acts of bullying;
- (10) establish a procedure for each school to document and maintain records relating to reports and investigations of bullying in such school and to maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection, and annually report such number to the Department of Education and in such manner as prescribed by the Commissioner of Education;
- (11) direct the development of case-by-case interventions for addressing repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline;
- (12) prohibit discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying;
- (13) direct the development of student safety support plans for students against whom an act of bullying was directed that address safety measures the school will take to protect such students against further acts of bullying;
- (14) require the principal of a school, or the principal's designee, to notify the appropriate local law enforcement agency when such principal, or the principal's designee, believes that any acts of bullying constitute criminal conduct;
- (15) prohibit bullying (A) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a local or regional board of education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the local or regional board of education, and (B) outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;

Students

Hazing

Bullying Prevention and Intervention (continued)

- (16) require, at the beginning of each school year, each school to provide all school employees with a written or electronic copy of the school district's safe school climate plan; and
- (17) require that all school employees annually complete the training described in Conn. Gen. Stat. §10-220a.

The notification required pursuant to subdivision (8) (above) and the invitation required pursuant to subdivision (9) (above) shall include a description of the response of school employees to such acts and any consequences that may result from the commission of further acts of bullying. Any information provided under this policy or accompanying Safe School Climate Plan shall be provided in accordance with the confidentiality restrictions imposed under the Family Educational Rights Privacy Act ("FERPA") and the district's Confidentiality and Access to Student Information policy and regulations.

Not later than January 1, 2012, the Derby Board of Education shall approve the Safe School Climate Plan developed pursuant to this policy and submit such plan to the Department of Education. Not later than thirty (30) calendar days after approval by the Board, the Board shall make such plan available on the Board's and each individual school in the school district's web site and ensure that the Safe School Climate Plan is included in the school district's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

Legal Reference: Connecticut General Statutes
 10-145a Certificate of qualification. Specific components of teacher preparation programs.
 10-45o Teacher education and mentoring program. Administrator three-year plan. Instructional modules. Data system. Guidelines.
 10-220a In-service training. Professional development committees.
 10-222d Policy on bullying behavior
 10-222g Prevention and intervention strategy re: bullying
 10-222h Analysis of bulling policies
 10-233a through 10-233f re: suspension and expulsion
 PA 11-232 An Act Concerning the Strengthening of School Bullying Laws.

Policy adopted:

DERBY PUBLIC SCHOOLS
 Derby, Connecticut

(Reviewed and approved by Policy Review Committee)

*A sample safe school climate plan developed by the law firm of
Shipman and Goodwin.*

Students

Hazing

Safe School Climate Plan

The Board is committed to creating and maintaining a physically, emotionally, and intellectually safe educational environment free from bullying, harassment and discrimination. In order to foster an atmosphere conducive to learning, the Board has developed the following Safe School Climate Plan, consistent with state law and Board Policy. This Plan represents a comprehensive approach to addressing bullying and cyberbullying and sets forth the Board's expectations for creating a positive school climate and thus preventing, intervening, and responding to incidents of bullying.

Bullying behavior is strictly prohibited, and students who are determined to have engaged in such behavior are subject to disciplinary action, which may include suspension or expulsion from school. The district's commitment to addressing bullying behavior, however, involves a multi-faceted approach, which includes education and the promotion of a positive school climate in which bullying will not be tolerated by students or school staff.

I. Prohibition Against Bullying and Retaliation

- A. The Board expressly prohibits any form of bullying behavior on school grounds; at a school-sponsored or school-related activity, function or program whether on or off school grounds; at a school bus stop; on a school bus or other vehicle owned, leased or used by a local or regional Board of Education; or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board of Education.
- B. The Board also prohibits any form of bullying behavior outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school.
- C. In addition to prohibiting student acts which constitute bullying, the Board also prohibits discrimination and/or retaliation against an individual who reports or assists in the investigation of an act of bullying.
- D. Students who engage in bullying behavior in violation of Board Policy and the Safe School Climate Plan shall be subject to school discipline, up to and including expulsion, in accordance with the Board's policies on student discipline, suspension and expulsion, and consistent with state and federal law.

Students

Hazing

Safe School Climate Plan (continued)

II. Definition of Bullying

- A. **“Bullying”** means the repeated use by one or more students of a written, verbal or electronic communication, such as cyberbullying, or a physical act or gesture directed at another student attending school in the same district that:
1. causes physical or emotional harm to such student or damage to such student’s property;
 2. places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;
 3. creates a hostile environment at school for such student;
 4. infringes on the rights of such student at school; or
 5. substantially disrupts the education process or the orderly operation of a school.
- B. Bullying shall include, but not be limited to, a written, verbal or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

III. Other Definitions

- A. **“Cyberbullying”** means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications;
- B. **“Electronic communication”** means any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system;
- C. **“Hostile environment”** means a situation in which bullying among students is sufficiently severe or pervasive to alter the conditions of the school climate;

Students

Hazing

Safe School Climate Plan

III. Other Definitions (continued)

- D. “Mobile electronic device”** means any hand-held or other portable electronic equipment capable of providing data communication between two or more individuals, including, but not limited to, a text messaging device, a paging device, a personal digital assistant, a laptop computer, equipment that is capable of playing a video game or a digital video disk, or equipment on which digital images are taken or transmitted;
- E. “Outside of the school setting”** means at a location, activity or program that is not school related, or through the use of an electronic device or a mobile electronic device that is not owned, leased or used by a local or regional Board of Education;
- F. “Prevention and intervention strategy”** may include, but is not limited to, (1) implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying identified by the Department of Education, (2) school rules prohibiting bullying, harassment and intimidation and establishing appropriate consequences for those who engage in such acts, (3) adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur, (4) inclusion of grade-appropriate bullying education and prevention curricula in kindergarten through high school, (5) individual interventions with the bully, parents and school employees, and interventions with the bullied child, parents and school employees, (6) school-wide training related to safe school climate, (7) student peer training, education and support, and (8) promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions;
- G. “School climate”** means the quality and character of school life with a particular focus on the quality of the relationships within the school community between and among students and adults;
- H. “School employee”** means (1) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by a local or regional Board of Education or working in a public elementary, middle or high school; or (2) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle or high school, pursuant to a contract with the local or regional Board of Education;

Students

Hazing

Safe School Climate Plan

III. Other Definitions (continued)

- I. **“School-Sponsored Activity”** shall mean any activity conducted on or off school property (including school buses and other school-related vehicles) that is sponsored, recognized or authorized by the Board of Education.

IV. Leadership and Administrative Responsibilities

A. Safe School Climate Coordinator

For the school year commencing July 1, 2012, and each school year thereafter, the Superintendent shall appoint, from existing school district staff, a District Safe School Climate Coordinator (“Coordinator”). The Coordinator shall:

1. be responsible for implementing the district’s Safe School Climate Plan (“Plan”);
2. collaborate with Safe School Climate Specialists, the Board, and the Superintendent to prevent, identify and respond to bullying in district schools;
3. provide data and information, in collaboration with the Superintendent, to the Department of Education regarding bullying;
4. meet with Safe School Climate Specialists at least twice during the school year to discuss issues relating to bullying in the school district and to make recommendations concerning amendments to the district’s Plan.

B. Safe School Climate Specialist

For the school year commencing July 1, 2012, and each school year thereafter, the principal of each school (or principal’s designee) shall serve as the Safe School Climate Specialist. The Safe School Climate Specialist shall investigate or supervise the investigation of reported acts of bullying and act as the primary school official responsible for preventing, identifying and responding to reports of bullying in the school.

V. Development and Review of Safe School Climate Plan

- A. For the school year commencing July 1, 2012 and each school year thereafter, the Principal of each school shall establish a committee or designate at least one existing committee (“Committee”) in the school to be responsible for developing and fostering a safe school climate and addressing issues relating to bullying in the school. Such committee shall include at least one parent/guardian of a student enrolled in the school, as appointed by the school principal.

Students

Hazing

Safe School Climate Plan

V. Development and Review of Safe School Climate Plan (continued)

- B. The Committee shall: 1) receive copies of completed reports following bullying investigations; 2) identify and address patterns of bullying among students in the school; 3) review and amend school policies relating to bullying; 4) review and make recommendations to the Coordinator regarding the Safe School Climate Plan based on issues and experiences specific to the school; 5) educate students, school employees and parents/guardians on issues relating to bullying; 6) collaborate with the Coordinator in the collection of data regarding bullying; and 7) perform any other duties as determined by the Principal that are related to the prevention, identification and response to school bullying.
- C. Any parent/guardian serving as a member of the Committee shall not participate in any activities which may compromise the confidentiality of any student, including, but not limited to, receiving copies of investigation reports, or identifying or addressing patterns of bullying among students in the school.
- D. Not later than January 1, 2012, the Board of Education shall approve the Safe School Climate Plan developed pursuant to Board policy and submit such plan to the Department of Education. Not later than thirty (30) calendar days after approval by the Board, the Board shall make such plan available on the Board's and each individual school in the school districts web site and ensure that the Safe School Climate Plan is included in the school district's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

VI. Procedures for Reporting and Investigating Complaints of Bullying

- A. Students and parents (or guardians of students) may file written reports of bullying. Written reports of bullying shall be reasonably specific as to the basis for the report, including the time and place of the alleged conduct, the number of incidents, the target of the suspected bullying, and the names of potential witnesses. Such reports may be filed with any building administrator and/or the Safe School Climate Specialist (i.e. building principal), and all reports shall be forwarded to the Safe School Climate Specialist for review and actions consistent with this Plan.

Students

Hazing

Safe School Climate Plan

VI. Procedures for Reporting and Investigating Complaints of Bullying (continued)

- B. Students may make anonymous reports of bullying to any school employee. Students may also request anonymity when making a report, even if the student's identity is known to the school employee. In cases where a student requests anonymity, the Safe School Climate Specialist or his/her designee shall meet with the student (if the student's identity is known) to review the request for anonymity and discuss the impact that maintaining the anonymity of the complainant may have on the investigation and on any possible remedial action. All anonymous complaints shall be reviewed and reasonable action will be taken to address the situation, to the extent such action may be taken that does not disclose the source of the complaint, and is consistent with the due process rights of the student(s) alleged to have committed acts of bullying. No disciplinary action shall be taken solely on the basis of an anonymous complaint.
- C. School employees who witness acts of bullying or receive reports of bullying shall orally notify the Safe School Climate Specialist or another school administrator if the Safe School Climate Specialist is unavailable, not later than one (1) school day after such school employee witnesses or receives a report of bullying. The school employee shall then file a written report not later than two (2) school days after making such oral report.
- D. The Safe School Specialist shall be responsible for reviewing any anonymous reports of bullying and shall investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports. In order to allow the district to adequately investigate complaints filed by a student or parent/guardian, the parent of the student suspected of being bullied should be asked to provide consent to permit the release of that student's name in connection with the investigation process, unless the student and/or parent has requested anonymity.
- E. In investigating reports of bullying, the Safe School Climate Specialist or designee will consider all available information known, including the nature of the allegations and the ages of the students involved. The Safe School Climate Specialist will interview witnesses, as necessary, reminding the alleged perpetrator and other parties that retaliation is strictly prohibited and will result in disciplinary action.

Students

Hazing

Safe School Climate Plan

VII. Responding to Verified Acts of Bullying

- A. Following investigation, if acts of bullying are verified, the Safe School Climate Specialist or designee shall notify the parents or guardians of the students against whom such acts were directed as well as the parents or guardians of the students who commit such acts of bullying of the finding not later than forty-eight hours after the investigation is completed. This notification shall include a description of the school's response to the acts of bullying. In providing such notification, however, care must be taken to respect the statutory privacy rights of other students, including the perpetrator of such bullying. The specific disciplinary consequences imposed on the perpetrator, or personally identifiable information about a student other than the parent/guardian's own child, may not be disclosed except as provided by law.
- B. In any instance in which bullying is verified, the Safe School Climate Specialist or designee shall also invite the parents or guardians of the student who commits any verified act of bullying and the parents or guardian of the student against whom such act was directed to a meeting to communicate the measures being taken by the school to ensure the safety of the student/victim and to prevent further acts of bullying. The invitation may be made simultaneous with the notification described above in Section VII. A., as it must include a description of the school's response to such acts, along with consequences, as appropriate. Normally, separate meetings shall be held with the respective parents; however, at the discretion of the Safe School Climate Specialist and with written consent of the parents/guardians involved, the meeting(s) may be held jointly.
- C. If bullying is verified, the Safe School Climate Specialist or designee shall develop a student safety support plan for any student against whom an act of bullying was directed. Such support plan will include safety measures to protect against further acts of bullying.
- D. A specific written intervention plan shall be developed to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual. The written intervention plan may include counseling, discipline and other appropriate remedial actions as determined by the Safe School Climate Specialist or designee, and may also incorporate a student safety support plan, as appropriate.

Students

Hazing

Safe School Climate Plan

VII. Responding to Verified Acts of Bullying (continued)

E. Notice to Law Enforcement

If the Principal of a school (or his/her designee) reasonably believes that any act of bullying constitutes a criminal offense, he/she shall notify appropriate law enforcement. Notice shall be consistent with the Board's obligations under state and federal law and Board policy regarding the disclosure of personally identifiable student information. In making this determination, the Principal or his/her designee, may consult with the school resource office, if any, and other individuals the Principal or designee deems appropriate.

- F. If a bullying complaint raises concern about discrimination or harassment on the basis of a legally protected classifications (such as race, religion, color, national origin, sex, sexual orientation, age or disability), the Safe School Climate Specialist or designee shall also coordinate any investigation with other appropriate personnel within the district as appropriate (e.g. Title IX Coordinator, Section 504 Coordinator etc.)

VIII. Documentation and Maintenance of Log

- A. Each school shall maintain written complaints of bullying, along with supporting documentation received and/or created as a result of bullying investigations, consistent with the Board's obligations under state and federal law. Any educational record containing personally identifiable student information pertaining to an individual student shall be maintained in a confidential manner, and shall not be disclosed to third parties without written prior written consent of a parent, guardian or eligible student, except as permitted under Board policy and state and federal law.
- B. The Principal of each school shall maintain a list of the number of verified acts of bullying in the school and this list shall be available for public inspection upon request. Consistent with district obligations under state and federal law regarding student privacy, the log shall not contain any personally identifiable student information, or any information that alone or in combination would allow a reasonable person in the school community to identify the students involved. Accordingly, the log should be limited to basic information such as the number of verified acts, name of school and/or grade level and relevant date. Given that any determination of bullying involves repeated acts, each investigation that results in a verified act of bullying for that school year shall be tallied as one verified act of bullying unless the specific actions that are the subject of each report involve separate and distinct acts of bullying. The list shall be limited to the number of verified acts of bullying in each school and shall not set out the particulars of each verified act, including, but not limited to any personally identifiable student information, which is confidential information by law.

Students

Hazing

Safe School Climate Plan

VII. Responding to Verified Acts of Bullying (continued)

- C. The Principal of each school shall report the number of verified acts of bullying in the school annually to the Department of Education in such manner as prescribed by the Commissioner of Education.

IX. Other Prevention and Intervention Strategies

- A. Bullying behavior can take many forms and can vary dramatically in the nature of the offense and the impact the behavior may have on the victim and other students. Accordingly, there is no one prescribed response to verified acts of bullying. While conduct that rises to the level of “bullying”, as defined above, will generally warrant traditional disciplinary action against the perpetrator of such bullying, whether and to what extent to impose disciplinary action (e.g., detention, in-school suspension, suspension or expulsion) is a matter for the professional discretion of the building principal (or responsible program administrator or his/her designee). No disciplinary action may be taken solely on the basis of an anonymous complaint. As discussed below, schools may also consider appropriate alternative to traditional disciplinary sanctions, including age-appropriate consequences and other restorative or remedial interventions.
- B. A specific written intervention plan shall be developed to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual. This plan may include safety provisions, as described above, for students against whom acts of bullying have been verified and may include other interventions such as counseling, discipline, and other appropriate remedial or restorative actions as determined by the responsible administrator.
- C. The following sets forth possible interventions which may also be utilized to enforce the Board’s prohibition against bullying:

- i. **Non-disciplinary Interventions**

- When verified acts of bullying are identified early and/or when such verified acts of bullying do not reasonably require a disciplinary response, students may be counseled as to the definition of bullying, its prohibition, and their duty to avoid any conduct that could be considered bullying. Students may also be subject to other forms of restorative discipline or remedial actions, appropriate to the age of the students and nature of the behavior.

Students

Hazing

Safe School Climate Plan

IX. Other Prevention and Intervention Strategies (continued)

i. Non-disciplinary Interventions (continued)

If a complaint arises out of conflict between students or groups of students, peer or other forms of mediation may be considered. Special care, however, is warranted in referring such cases to peer mediation. A power imbalance may make the process intimidating for the victim and therefore inappropriate. In such cases, the victim should be given additional support. Alternatively, peer mediation may be deemed inappropriate to address the concern.

ii. Disciplinary Interventions

When acts of bullying are verified and a disciplinary response is warranted, students are subject to the full range of disciplinary consequences. Anonymous complaints, however, shall not be the basis for disciplinary action.

In-school suspension and suspension may be imposed only after informing the accused perpetrator of the reasons for the proposed suspension and giving him/her an opportunity to explain the situation, in accordance with the Board's Student Discipline policy.

Expulsion may be imposed only after a hearing before the Board of Education, a committee of the Board or an impartial hearing officer designated by the Board of Education in accordance with the Board's Student Discipline policy. This consequence shall normally be reserved for serious incidents of bullying and/or when past interventions have not been successful in eliminating bullying behavior.

iii. Interventions for Bullied Students

The building principal (or other responsible program administrator) or his/her designee shall intervene in order to address incidents of bullying against a single individual. Intervention strategies for a bullied student may include the following:

- a. Counseling;
- b. Increased supervision and monitoring of student to observe and intervene in bullying situations;
- c. Encouragement of student to seek help when victimized or witnessing victimization;
- d. Peer mediation or other forms of mediation, where appropriate;
- e. Student Safety Support plan; and
- f. Restitution and/or restorative interventions.

Students**Hazing****Safe School Climate Plan****IX. Other Prevention and Intervention Strategies (continued)****iv. General Prevention and Intervention Strategies**

In addition to the prompt investigation of complaints of bullying and direct intervention when acts of bullying are verified, other district actions may ameliorate potential problems with bullying in school or at school-sponsored activities. While no specific action is required, and school needs for specific prevention and intervention strategies may vary from time to time, the following list of potential prevention and intervention strategies shall serve as a resource for administrators, teachers and other professional employees in each school. Such prevention and intervention strategies may include, but are not limited to:

- a. School rules prohibiting bullying, harassment and intimidation and establishing appropriate consequences for those who engage in such acts;
- b. Adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur;
- c. Inclusion of grade-appropriate bullying education and prevention curricula in kindergarten through high school, which may include instruction regarding building safe and positive school communities including developing healthy relationships and preventing dating violence as deemed appropriate for older students;
- d. Individual interventions with the perpetrator, parents and school employees, and interventions with the bullied student, parents and school employees;
- e. School-wide training related to safe school climate, which training may include Title IX/sexual harassment training, Section 504/ADA training, cultural diversity/multicultural education or other training in federal and state civil rights legislation or other topics relevant to safe school climate;
- f. Student peer training, education and support;
- g. Promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions;

Students

Hazing

Safe School Climate Plan

IX. Other Prevention and Intervention Strategies (continued)

iv. General Prevention and Intervention Strategies (continued)

- h. Implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying, including any such program identified by the Department of Education;
 - i. Respectful responses to bullying concerns raised by students, parents or staff;
 - j. Planned professional development programs addressing prevention and intervention strategies, which training may include school violence prevention, conflict resolution and prevention of bullying, with a focus in evidence based practices concerning same;
 - k. Use of peers to help ameliorate the plight of victims and include them in group activities;
 - l. Avoidance of sex-role stereotyping;
 - m. Continuing awareness and involvement on the part of school employees and parents with regards to prevention and intervention strategies;
 - n. Modeling by teachers of positive, respectful, and supportive behavior toward students;
 - o. Creating a school atmosphere of team spirit and collaboration that promotes appropriate social behavior by students in support of others; and
 - p. Employing classroom strategies that instruct students how to work together in a collaborative and supportive atmosphere.
- D. In addition to prevention and intervention strategies, administrators, teachers and other professional employees may find opportunities to educate students about bullying and help eliminate bullying behavior through class discussions, counseling, and reinforcement of socially-appropriate behavior. Administrators, teachers and other professional employees should intervene promptly whenever they observe mean-spirited student conduct, even if such conduct does not meet the formal definition of "bullying."

Students

Hazing

Safe School Climate Plan (continued)

X. Improving School Climate

~~[Individual schools should use this section to outline affirmative steps to improve the quality of school climate as defined within a particular school and/or district. These strategies should align with school improvement plans, school climate assessments, and be based on current data available on the quality of school climate within the school and/or district including, but not limited to, the type, nature, frequency etc. of behavior that may constitute or lead to bullying, harassment or similar behavior. This section is intended to be broader in scope and should be targeted towards fostering positive school climate rather than exclusively preventing, investigating and otherwise responding to specific incidences of bullying.]~~

OR The District recognizes that a positive school climate is crucial in reducing or eliminating bullying conduct in its schools. The measures described in this Safe School Climate Plan are designed to promote a positive school climate, and their successful implementation involves a partnership among administrators, teachers, other staff members, parents and students themselves. This Plan is subject to periodic review and revision to assure that it effectively promotes a positive school climate. All members of the school community are encouraged to participate in that effort by conveying to the Safe School Climate Coordinator their questions, concerns and recommendations regarding this Plan and its implementation.

XI. Annual Notice and Training

- A. Students, and parents or guardians of students shall be notified annually of the process by which students may make reports of bullying.
- B. The Board shall provide for the inclusion of language in student codes of conduct concerning bullying.
- C. At the beginning of each school year, each school shall provide all school employees with a written or electronic copy of the school district's safe school climate plan and require that all school employees annually complete training on the identification, prevention and response to bullying as required by law.

XII. School Climate Assessments

On and after July 1, 2012, and biennially thereafter, the Board shall require each school in the district to complete an assessment using the school climate assessment instruments, including surveys, approved and disseminated by the Department of Education. The Board shall collect the school climate assessments for each school in the district and submit such assessments to the Department.

Students

Hazing

Safe School Climate Plan

Legal Reference: Connecticut General Statutes

- 10-145a Certificate of qualification. Specific components of teacher preparation programs.
- 10-45o Teacher education and mentoring program. Administrator three-year plan. Instructional modules. Data system. Guidelines.
- 10-220a In-service training. Professional development committees.
- 10-222d Policy on bullying behavior
- 10-222g Prevention and intervention strategy re: bullying
- 10-222h Analysis of bulling policies
- 10-233a through 10-233f re: suspension and expulsion
- PA 11-232 An Act Concerning the Strengthening of School Bullying Laws.

Regulation approved:

DERBY PUBLIC SCHOOLS
Derby, Connecticut

(Reviewed and approved by Policy Review Committee)

MODEL ANNUAL BULLYING NOTICE

[State Law requires that boards of education notify students annually of the process by which they may anonymously report acts of bullying to school employees. We suggest that this notice be included in a student handbook.]

Bullying behavior by any student in the Derby Public Schools is strictly prohibited, and such conduct may result in disciplinary action, including suspension and/or expulsion from school. "Bullying" means the repeated use by one or more students of a written, oral or electronic communication, such as cyberbullying, directed at or referring to another student attending school in the same school district or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same school district that:

- A. Causes physical or emotional harm to such student or damage to such student's property,
- B. Places such student in reasonable fear of harm to himself or herself, or of damage to his or her property,
- C. Creates a hostile environment at school for such student,
- D. Infringes on the rights of such student at school, or
- E. Substantially disrupts the education process or the orderly operation of a school.

Bullying shall include, but not be limited to, a written, verbal or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance, or physical, mental, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

Students who engage in any act of bullying, on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by the Board of Education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board of Education, and outside of the school setting if such bullying:

- A. Creates a hostile environment at school for the victim,
- B. Infringes on the rights of the victim at school, or
- C. Substantially disrupts the education process or the orderly operation of a school.

Students and/or parents may file verbal or written complaints concerning suspected bullying behavior, and students shall be permitted to anonymously report acts of bullying to school employees. Any report of suspected bullying behavior will be promptly reviewed. If acts of bullying are verified, prompt disciplinary action may be taken against the perpetrator, consistent with his/her rights of due process. Board policy and regulation #5131.911 set forth this prohibition and the related procedures in detail, and are available to students and their parents/guardians upon request.

**DERBY PUBLIC SCHOOLS
REPORT OF SUSPECTED BULLYING BEHAVIORS**

Name of Person Completing Report: _____

Date: _____

Target(s) of Behaviors:

Relationship of Reporter to Target (self, parent, teacher, peer, etc.):

Complaint Filed Against: _____

Date of Incident(s): _____

Location(s): _____ Time: _____

Specify your complaint by stating the problem as you see it. Describe the incident, participants, background to the incident, and any attempts you have made to resolve the problem. Please note relevant dates, times and places.

Indicate if there are witnesses who can provide more information regarding your complaint. If the witnesses are not school district staff or students, please provide contact information.

Name	Address	Telephone Number
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

5131.911
Form 1
(continued)

Have there been previous incidents (check one)? Yes No

If "yes", please describe the behavior of concern, the approximate dates and the location:

Were these incidents reported to school employees (check one) Yes No

If "Yes", to whom was it reported and when?

Was the report verbal or written?

Proposed Solution:

Indicate your opinion on how this problem might be resolved in the school setting. Be as specific as possible.

I certify that the above information and events are accurately depicted to the best of my knowledge.

Signature of Complainant

Date Submitted

Received By

Date Received

For Staff Use Only:

Has reporter requested anonymity? Yes No

Does the school have parent/guardian consent to disclose the student's name in connection with the investigation? Yes No

Administrative Investigation Notes (use separate sheet if necessary):

Bullying Verified? Yes No

Remedial Actions(s) Taken: _____

If Bullying Verified, Has Notification Been Made to Parents of Students Involved?

Parents' Names: _____	Date Notified: _____
Parents' Names: _____	Date Notified: _____
Parents' Names: _____	Date Notified: _____
Parents' Names: _____	Date Notified: _____

If Bullying Verified, Has Invitation to Meetings Been Held with Parents of Students?

Parents' Names: _____	Date Sent: _____
Parents' Names: _____	Date Sent: _____
Parents' Names: _____	Date Sent: _____
Parents' Names: _____	Date Sent: _____

Date of Meetings:

If Bullying Verified, Has School Developed Student Safety Support/Intervention Plan?

Yes No

(Attach bullying complaint, witness statements, and notification to parents of students involved if bullying is verified, Invitations to Parent Meetings, Records of Parent Meetings)

**DERBY PUBLIC SCHOOLS
REPORT OF BULLYING FORM/INVESTIGATION SUMMARY**

School _____ Date _____

Location(s) _____

Reporter Information:

- Anonymous student report
- Staff Member report Name _____
- Parent/Guardian report Name _____
- Student report Name _____

Student Reported as Committing Act: _____

Student Reported as Victim: _____

Description of Alleged Act(s): _____

Time and Place: _____

Names of Potential Witnesses: _____

For Staff Use Only:

Action of Reporter: _____

Administrative Investigation Notes (see separate sheet if necessary):

Bullying Verified? Yes No

Remedial Action(s) Taken: _____

If Bullying Verified, Has Notification Been Made to Parents of Students Involved?

Parents' Names: _____	Date Notified: _____
Parents' Names: _____	Date Notified: _____
Parents' Names: _____	Date Notified: _____
Parents' Names: _____	Date Notified: _____

If Bullying Verified, Has Invitation to Meetings Been Held with Parents of Students?

Parents' Names: _____	Date Sent: _____
Parents' Names: _____	Date Sent: _____
Parents' Names: _____	Date Sent: _____
Parents' Names: _____	Date Sent: _____

Date of Meetings:

If Bullying Verified, Has School Developed Student Safety Support/Intervention Plan?

Yes No

(Attach bullying complaint, witness statements, and notification to parents of students involved if bullying is verified, Invitations to Parent Meetings, Records of Parent Meetings)

A new policy to consider.

Students

Bullying

Cyberbullying

The District's computer network and the Internet, whether accessed on campus or off campus, during or after school hours, may not be used for the purpose of harassment. All forms of harassment over the Internet, commonly referred to as cyberbullying, are unacceptable and viewed as a violation of this policy and the District's acceptable computer use policy and procedures.

Definitions

"Cyberbullying" means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.

"Mobile electronic device" means any hand-held or other portable electronic equipment capable of providing data communication between two or more individuals, including, but not limited to, a text messaging device, a paging device, a personal digital assistant, a laptop computer, equipment that is capable of playing a video game or a digital video disk, or equipment on which digital images are taken or transmitted.

Malicious use of the District's computer system to develop programs or to institute practices that harass other users or gain unauthorized access to any entity on the system and/or damage the components of an entity on the network is prohibited. Users are responsible for the appropriateness of the material they transmit over the system. Hate mail, harassment, discriminatory remarks, or other antisocial behaviors are expressly prohibited.

Cyberbullying includes, but is not limited to the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another person by sending or posting inappropriate and hurtful e-mail messages, instant messages, text messages, digital pictures or images, or Web site postings, including blogs. It is also recognized that the author (poster or sender) of the inappropriate material is often disguised (logged on) as someone else.

Students and community members who believe they have been the victims of such misuses of technology, as described in this policy, should not erase the offending material from the system. A copy of the material should be printed and brought to the attention of the School Climate Specialist/Principal.

All reports of cyberbullying will be investigated promptly in compliance with the District's "Safe School Climate Plan."

Students

Bullying

Cyberbullying (continued)

In situations in which the cyberbullying originated from a non-school computer, but brought to the attention of school employees, any disciplinary action shall be based upon whether the conduct is determined to be severely disruptive of the educational process so that it markedly interrupts or severely impedes the day-to-day operations of a school. In addition, such conduct must also be violative of a publicized school policy. Such conduct includes, but is not limited to, threats, or making a threat off school grounds, to kill or hurt a teacher or student. A student who redistributes inappropriate content, as previously described, is also subject to disciplinary action.

Disciplinary action may include, but are not limited to, the loss of computer privileges, detention, suspension, or expulsion for verified perpetrators of cyberbullying. In addition, when any kind of threat is communicated or when a hate crime is committed, this shall be reported to local law officials.

For districts participating in the federal E-Rate program:

The District recognizes its responsibility to educate students regarding appropriate behavior on social networking and chat room sites about cyberbullying. Therefore, students shall be provided instruction about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms and cyberbullying awareness and response.”

(cf. 0521 – Nondiscrimination)

(cf. 5114 – Suspension and Expulsion/Due Process)

(cf. 5131 – Conduct)

(cf. 5131.21 – Threats or Acts of Violence)

(cf. 5131.8 – Off School Grounds Misconduct)

(cf. 5131.82 – Restrictions on Publications and Written or Electronic Material)

(cf. 5131.912 – Aggressive Behavior)

(cf. 5131.911 – Bullying)

(cf. 5144 – Discipline/Punishment)

(cf. 5145.4 – Nondiscrimination)

(cf. 5145.5 – Sexual Harassment)

(cf. 5145.51 – Peer Sexual Harassment)

Students

Bullying

Cyberbullying

Legal Reference: Connecticut General Statutes
PA 02-119, An Act Concerning Bullying Behavior in Schools and Concerning the Pledge of Allegiance
Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education. (SC 15862)
Public Law 110-385 Broadband Data Improvement Act/Protecting Children in the 21st Century Act
Wisniewski v. Bd. Of Educ., 494 F.3d 34 (2nd Cir. 2007)
Doninger v. Niehoff, 257 F. 3d 41 (2nd Cir. 2008)
P.A. 11-232 An Act Concerning The Strengthening of Bullying Laws

Policy adopted:

DERBY PUBLIC SCHOOLS
Derby, Connecticut

(Reviewed and approved by Policy Review Committee)

Students

Dress and Grooming

The following are considered inappropriate for all students to wear during the school day:

1. Pants or shorts of sweat or spandex material cannot be worn by the 6th through 12th graders. All pants or shorts shall be worn, belted or tied at the waist. Tights, spandex or any other unduly revealing clothing may not be worn as outer garments. A long dress or long shirt is appropriate to wear over pants or shorts made of leggings or spandex material.
2. Tank tops, undershirts, halter tops, tube tops, bare midriffs, transparent clothing, plunging necklines (front or back), sleeveless shirts or any other unduly revealing attire.
3. Clothes, which are torn, ragged or have holes.
4. Skirts, shorts, dresses and jumpers must be at the knee.
5. Outer coats, windbreakers, hats, scarves, earmuffs, bandanas, curlers, goggles, sunglasses are prohibited indoors.
6. Hooded shirts maybe worn indoors provided the hoods are not used as head apparel.
7. Footwear which causes noisy distraction or which is unsafe or a health hazard and is not secured to the foot.
8. Jewelry or wallet/key chains that can be dangerous or distracting.
9. Cell phones, laser pens or other types of electronic devices which are not prescribed for instructional purposes.
10. No references to drugs, sex, alcohol or obscene remarks.
11. Exemption for all school sanctioned uniforms on designated days by the administration such as prom dresses and school dances.

Legal Reference: Connecticut General Statutes
10-221 Board of Education to prescribe rules, policies and procedures

Policy adopted: January 19, 2017

DERBY PUBLIC SCHOOLS
Derby, Connecticut

A new policy to consider.

Students

Behavior of Participants in Athletic Events

Players are expected to comply fully and wholeheartedly with the intent and spirit of the rules of the game and to respect the dignity of the game, the officials, the opponents, and the institution which they represent. Any display of unsportsmanlike behavior at any time will bring proper penalties and discipline and, if necessary, a forfeiture of a temporary or of a permanent nature of playing privileges for any transgressing student.

Conduct of the participants during the contest is under the control of the appointed game officials who have jurisdiction to levy any penalties they feel necessary, which penalties may include ejection from the game and suspension from future games.

Any action taken by a coach to suspend a player from any future games should immediately be communicated in writing to the Athletic Director, giving the name of the student involved, date and reason for suspension.

Policy adopted:

DERBY PUBLIC SCHOOLS
Derby, Connecticut

(Reviewed and approved by Policy Review Committee)

A new regulation to consider.

Students

Behavior of Participants in Athletic Events

- A. Any student athlete involved in any high school or middle school athletic contest, who is clearly determined to have precipitated a fight before, during or after an athletic contest, shall be removed from the game and barred from competition for the following three (3) games.

A second occurrence of precipitating a fight shall result in ejection and barring from all future participation in any sport for the balance of the school year, or for one sport season in the same sport, whichever is greater.

A third occurrence shall result in permanent prohibition from participation in any sport in the school system, for a period not less than two years.

Penalties shall be carried over to succeeding years.

- B. Any student spectator involved in a fight, before, during or after a game, shall be ejected from the site of the game and shall be banned from attending the next two (2) succeeding games.

A second occurrence of involvement in a fight shall result in ejection and banning from attending the following three (3) games.

A third occurrence shall result in prohibition in attending any sport for the balance of that school year.

Penalties shall be carried over to succeeding years

- C. Any disrespect for an official of the game, called by an official, shall result in suspension of playing or coaching privileges for the remainder of the season.

- D. Sportsmanship Lessons shall be conducted on a classroom basis, attendance required, designed to instill proper behavior, respect for fellow participants and officials, and the importance of "fair play" as a necessary element for participating in any sport.

The above actions shall be taken as the result of a thorough investigation by the school administration, with proper hearing provided. Pending completion of an investigation and hearing, suspension of playing privileges for student athletes on barring students from attending games when imposed shall be counted toward listed penalties, as necessary.

The Superintendent is directed to formulate any procedures necessary to carry out these regulations.

Regulation approved:

DERBY PUBLIC SCHOOLS
Derby, Connecticut

(Reviewed and approved by Policy Review Committee)

Existing policy, number 5134 adopted 12/20/01, appropriate as written.

Students

Married/Pregnant Students

Married students shall have the same educational opportunities as unmarried students, and the Board of Education's responsibility for the education of all school-age children includes pregnant students whether married or unmarried who shall be allowed to remain in school and provided appropriate support services as a part of the school program.

A pregnant student may remain in her regular school program as long as her physical and emotional condition permits. Any variation from a pregnant student's continuance in regular classes shall be based upon her specific needs. Homebound and hospitalized instruction shall be provided only when the Planning and Placement Team finds that it is in the best interest of the student.

A student who is under age 16 and a mother may request permission from the Board to attend adult education class in lieu of the regular school program.

(cf. 6200 - Adult Continuing Education)

Legal Reference: Connecticut General Statutes
 10-184 Duties of parents.
 10-186 Duties of local and regional boards of education re school attendance. State Board of Education Regulations
 10-76a-35 Educationally exceptional children.
 10-76d-15 Homebound and hospitalized instruction (subsection b4).
 10-76d (e)(2) Duties and powers of boards of education to provide special education programs and services.

Policy adopted:

DERBY PUBLIC SCHOOLS
Derby, Connecticut

(Reviewed and approved by Policy Review Committee)

A new regulation.

Students

Married/Pregnant Students

There are occasions when students either become pregnant or suspect they are pregnant. Depending upon the situation, knowledge of either may or may not be shared with a student's parent or guardian.

In case of pregnancy or suspected pregnancy, the school's attitude must always be one of concern for:

- A. Continuation of an appropriate educational program.
- B. Appropriate counseling to the student and maintenance of confidence with the student.
- C. Immediate involvement of the student's parent or guardian.
- D. Appropriate medical advice to the student.

In all instances of pregnancy or suspected pregnancy, the above four concerns reflect the extent of the schools' responsibility in such matters. Within the constraints of these responsibilities various situations are possible which can create difficult decisions for school personnel. These situations will be guided by the procedures outlined in the following scenarios.

Suspected Pregnancy

Situation: The student indicates to a staff member that she suspects she is pregnant and is desirous of obtaining advice on a course of action. She has not and does not want to communicate this information to her parent or guardian.

School Actions:

1. Counseling should be provided and the student encouraged to convey this information to her parent or guardian and to consult the family physician. If this route is successfully followed, the school's next action is one of follow-up; i.e., concern for the appropriate educational program in the event the student is pregnant and appropriate follow-up counseling whether or not the student was pregnant.
2. If, after counseling, the student refuses to share her suspected condition with her parents or guardians, she should be advised that appropriate medical facilities are available for performing tests to establish the fact of pregnancy. Information as to medical facilities available for performing such tests will be provided the student. At this point, the school's responsibility is one of follow-up.

Students

Married/Pregnant Students

Suspected Pregnancy (continued)

- A. If the student has appropriate tests conducted and is determined not to be pregnant, the school should provide appropriate follow-up counseling.
- B. If the student has appropriate tests conducted and is determined to be pregnant, the school should continue to encourage involvement of parents or guardian and the handling of the matter through the parents or guardian and the family physician. If the student refuses, she should be advised of appropriate medical facilities and counseling facilities which are available, and she should be encouraged to make contact with any one of these sources. Furthermore, the student must be advised that the school will be compelled to inform her parents or guardians of her condition, when after consultation with the School Medical Advisor, it is deemed necessary to change the educational program because of the student's pregnancy.

If a pregnant student does go to a professional source for advice and/or medical care, the professional source will be notified by the school, after consultation with the School Medical Advisor, that the parents or guardian will be informed of the student's condition when in the opinion of the school a change in educational program is necessary because of the student's pregnancy. A pregnant student, per state regulations, is eligible for special education services.

Confirmed Pregnancy

Situation: The student indicates to a staff member that she is pregnant and is desirous of obtaining advice on a course of action. She has not and does not want to communicate this information to her parent or guardian.

School Action:

1. The same procedure should be followed as mentioned under 2.B., "Suspected Pregnancy".
2. If, after counseling, the student refuses to share knowledge of her pregnancy with her parents or her guardian, she should be advised of appropriate medical facilities and counseling facilities which are available and she should be encouraged to make contact with any one of these sources. At this point the school's responsibility is one of follow-up.

Students

Married/Pregnant Students

Confirmed Pregnancy (continued)

A. Student contacts a professional source for assistance.

- (1) School should continue to encourage involvement of parents or guardian and the handling of the matter through the parents or guardian. If the student refuses this advice she must be advised that the school will be compelled to inform her parents or guardian of her condition, when after consultation with the School Medical Advisor, it is deemed necessary to change the educational program because of the student's pregnancy. Pregnancy is a category of disability that confers eligibility for special education services in Connecticut.

B. Student does not contact a professional source for assistance.

- (1) Same action as in the case where the student does contact a professional source for assistance.

Staff members are reminded of the "first line" of medical advice available through the school nurse. Whenever possible, and as early as possible, it is wise to help the student develop confidence in the nurse. If this confidence cannot be established, the staff member should seek assistance from the nurse as deemed most appropriate.

The following rights of pregnant and parenting students are supported by the Board of Education:

1. Pregnant and parenting students shall have the right to attend school.
2. Pregnant and parenting students shall receive homework and make-up work assignments to remain current with assignments and to avoid losing course credit due to excused absences.
3. Pregnant and parenting students shall have access to a homebound instructor when medically necessary and as determined by a Planning and Placement Team.
4. The attendance status of pregnant students shall be determined by the student and her physician.
5. At the conclusion of the medical absence for pregnancy, the student shall be reinstated to the status she held when the medical leave began.
6. All documented absences incurred by parenting students due to their child's illness and medical appointments shall be excused absences.

Students

Married/Pregnant Students

Confirmed Pregnancy (continued)

7. No student shall bring his/her child or the child of anyone else to school for a visit during regular instructional hours, except as a specific part of an instructional program, i.e. Parent and Child Development.
8. School officials may limit the activities of a pregnant student if her physician states that an activity might be potentially hazardous to the health of the pregnant student or the unborn child. The limitation of these school activities shall not impact the academic status of the pregnant student.

(cf. 6173 – Homebound Instruction)

(cf. 6200 – Adult Continuing Education)

Legal Reference: Connecticut General Statutes

10-184 Duties of parents.

10-186 Duties of local and regional boards of education re school attendance.

State Board of Education Regulations

10-76a-35 Educationally exceptional children.

10-76d-15 Homebound and hospitalized instruction (subsection b4).

10-76d(e)(2) Duties and powers of boards of education to provide special education programs and services.

Title IX of the Education Amendments of 1972, 20 U.S.C. §§1681-1688.

Regulation approved:

DERBY PUBLIC SCHOOLS
Derby, Connecticut

(Reviewed and approved by Policy Review Committee)

Existing policy, presently unnumbered, as taken from Derby High School "Student-Parent Handbook," appropriate as written.

Students

Rules Governing Extra-Curricular Activities

1. To be eligible to participate in any extra-curricular activity or sport, including field trips, class trips and dances, students must be passing at least 4 full time subjects. This rule applies to activities governed by CIAC and all dances, contests, trips, and senior privileges.
2. Any person who is found in possession of, using, or under the influence of intoxicating liquor or drugs at a school affair will be ejected from the premises, and will be barred from attending any event in the extra-curricular program for the remainder of the school year. This also includes all spectators at athletic contests. Any infractions of these rules during a school session will merit suspension from school and possible police referral.
3. Any student who is under suspension will not be allowed to participate in or attend any athletic contest, practice, school rally, concert, dance, or any other school sponsored exhibition until reinstatement by the administration. If a student returns to school for any reason while under a suspension, an additional period will be added to his/her original suspension.
4. Students who are absent or who are not in school by 10:00 a.m. will not be allowed to participate in an athletic event or any school function that day or night, unless prior approval has been obtained from the Principal.
5. Students attending extra-curricular activities are expected to behave in a reasonable manner. The authority of any teacher at those affairs is the same as in school and anyone disobeying them may be asked to leave the premises. Such an occurrence will be followed by disciplinary action by the Principal.
6. Any student who travels with a school sponsored activity must travel to and from that activity/function on the bus. Violation of this rule is subject to Board of Education consequence.

Policy adopted:

DERBY PUBLIC SCHOOLS
Derby, Connecticut

(Reviewed and approved by Policy Review Committee)

A new policy to consider.

Students

Foreign Students Attending Schools

Foreign students in the district's high schools shall be limited to those foreign students who are being sponsored by a local family or by a local civic organization and are being housed by a local family.

Policy adopted:

DERBY PUBLIC SCHOOLS
Derby, Connecticut

(Reviewed and approved by Policy Review Committee)

A new policy to consider.

Students

Student Welfare

Health

1. Since holistic health is essential for lasting utilization of educational opportunities, the health status of the child bears direct relation to the quality of educational achievement.
2. Health occupies a prominent place among the broad objectives of education, and all school health effort must be consistent with the purposes of schools and with educational objectives.
3. Parents have the basic responsibility for the health of their children. The schools' primary role is to help parents recognize and carry out their responsibility.
4. Schools have a legal and moral responsibility to provide a school health program which will promote and maintain the health of students.
5. All student activities shall be developed consistent with the appropriate abilities and limitations of students and with careful attention to student safety.
6. Education for health must be a functional activity; its components including formal instruction and the provision of experience through which students acquire health knowledge and build sound health practices and attitudes.
7. Achievement in improving the health of students will eventually be reflected in increased effectiveness of the total school program. Increased ability of students to make sound decisions about health will serve to minimize the health problems of society in the future.

Legal Reference: Connecticut General Statutes

10-221 Boards of education to prescribe rules

Policy adopted:

DERBY PUBLIC SCHOOLS
Derby, Connecticut

(Reviewed and approved by Policy Review Committee)

Students**Dress and Grooming**

The following are considered inappropriate for all students to wear during the school day:

1. Pants or shorts of sweat or spandex material cannot be worn by the 6th through 12th graders. All pants or shorts shall be worn, belted or tied at the waist. Tights, spandex or any other unduly revealing clothing may not be worn as outer garments.
2. Tank tops, undershirts, halter tops, tube tops, bare midriffs, transparent clothing, plunging necklines (front or back), sleeveless shirts or any other unduly revealing attire.
3. Clothes, which are torn, ragged or have holes.
4. Skirts, shorts, dresses and jumpers must be at the knee.
5. Outer coats, windbreakers, hats, scarves, earmuffs, bandannas, curlers, goggles, sunglasses are prohibited indoors.
6. Hooded shirts maybe worn indoors provided the hoods are not used as head apparel.
7. Footwear which causes noisy distraction or which is unsafe or a health hazard and is not secured to the foot.
8. Jewelry or wallet/key chains that can be dangerous or distracting.
9. Cell phones, laser pens or other types of electronic devices which are not prescribed for instructional purposes.
10. No references to drugs, sex, alcohol or obscene remarks.
11. Exemption for all school sanctioned uniforms on designated days by the administration.

Legal Reference: Connecticut General Statutes
10-221 Board of Education to prescribe rules, policies and procedures

Policy adopted: December 20, 2001

Existing policy, number 5132 adopted 12/20/01, modified and with addition of legal reference.

Students

Dress and Grooming

The following are considered inappropriate for all students to wear during the school day:

1. Pants or shorts of sweat or spandex material cannot be worn by the 7th ~~6th~~ through 12th graders. All pants or shorts shall be worn, belted or tied at the waist.
2. Tank tops, undershirts, halter tops, tube tops, bare midriffs, transparent clothing, plunging necklines (front or back), sleeveless shirts or any other unduly revealing attire.
3. Clothes, which are torn, ragged or have holes.
4. Skirts, shorts, dresses, and jumpers shorter than 4" above the knee.
5. Outer coats, windbreakers, hats, scarves, earmuffs, bandannas, curlers, goggles, sunglasses are prohibited indoors.
6. Hooded shirts maybe worn indoors provided the hoods are not used as head apparel.
7. Footwear which causes noisy distraction or which is unsafe or a health hazard and is not secured to the foot.
8. Jewelry or wallet/key chains that can be dangerous or distracting.
9. Beepers, walkman type players, cell phones, laser pens or other types of electronic devices which are not prescribed for instructional purposes.
10. No references to drugs, sex, alcohol or obscene remarks.
11. Exemption for all school sanctioned uniforms on designated days by the administration.

Legal Reference: Connecticut General Statutes

10-221 Boards of education to prescribe rules, policies and procedures.

Policy adopted:

DERBY PUBLIC SCHOOLS
Derby, Connecticut

(Reviewed and approved by Policy Review Committee)

A new comprehensive regulation to consider.

Students

Student Dress

The Board of Education has determined that reasonable regulation of school attire can further important educational interests including:

- (1) Reducing distraction and loss of self-esteem caused by teasing or competition over clothing;
- (2) Providing an environment where students can focus more on learning;
- (3) Enhancing school safety by making it harder to conceal weapons or contraband;
- (4) Creating a greater sense of community amongst the students;
- (5) Preparing students for the future roles in the professional workplace;
- (6) Creating an atmosphere reflecting seriousness of purpose about education;
- (7) Presenting a more positive image to the community;
and
- (8) Minimizing disruption from wearing inappropriate clothing or possessing inappropriate items at school.

It is the responsibility of parents to ensure that their children's dress conforms to requirements set forth below. The health, safety and education of the child must be the concern of every parent/guardian. It is the recommendation of professional school personnel that parents/guardians hold their children to the highest standard in regards to school attire.

In order to maintain an environment conducive to the educational process, the Board of Education prohibits the following from wear during the academic school day:

- a. Coats, jackets, or other attire normally worn as outerwear. Outerwear includes: coats, jackets, windbreakers, nylon pullovers, down vests, and other clothing the administration deems inappropriate. Such clothing or outerwear shall not be worn, carried, or kept in the classroom during regular school hours except on the elementary level where it shall be kept in cubbies, closets or storage areas.
- b. Head coverings of any kind, including but not limited to scarves, bandanas, masks, headbands, visors, kerchiefs, athletic sweatbands, hats, caps or hoods. Approved coverings worn as part of a student's religious practice or belief shall not be prohibited under this policy. Head coverings shall not be worn, carried, hung on belts or around the neck, or kept in the classroom during regular school hours.
- c. Items a. and b. above must be secured in the student's locker or in a designated storage area, before school starts. Items not stored will be confiscated by the Principal and kept until such time as he/she feels it is appropriate to return them.
- d. Footwear which mars floors, causes damage to floors, excessive noise or is a safety hazard including but not limited to, flip-flops, spike heels, boots.

Students

Student Dress (continued)

- e. Sunglasses, whether worn or carried or eyewear that is not medically necessary.
- f. Oversized metal belt buckles and all metal belts or belts featuring metal other than the buckle such as chains hanging off the belt or loops.
- g. Spiked or studded bracelets, brass knuckles, oversized or multi-finger rings, belts or any other article of attire with spikes or studs attached, or any other clothing item that may present a safety hazard to the student, other students, or staff.
- h. Attire or accessories which contain overly offensive or disruptive writing or pictures likely to unduly disrupt the educational environment, or which constitute “fighting words”, gang colors, signage, etc., or which depict the logo or emblems of drugs, tobacco products or alcoholic beverages; or attire or accessories that encourage the use of such products.
- i. Shirts and/or blouses which reveal the abdomen, chest, or undergarments.
- j. See-through clothing, tank tops, spaghetti straps or strapless.
- k. Shorts, miniskirts, or pants which reveal the upper thigh or undergarments. Spandex garments are allowed only if they are covered by shorts or skirts.
- l. Pants that reveal any portion of the torso or the undergarments, or that are more than two sizes larger than the student’s physical size would require.
- m. If permitted by the school administration, backpacks and/or book bags may be carried between classes, but shall not obstruct safe passage in the classroom or in the corridors.

Religious and Health Accommodations

Where the bona fide religious beliefs or health needs of a student conflict with the school attire policy, the schools will provide reasonable accommodation. Any student desiring accommodation shall notify their school principal in writing of the requested accommodation and the factual basis for the request. Approved coverings worn as part of a student’s bona fide religious practices or beliefs shall not be prohibited under this policy.

Compliance

School administrators and teachers are encouraged to use positive reinforcement to obtain compliance with school attire requirements. However, when a student fails to comply with the school attire policy, discipline is appropriate. The following discipline procedures shall apply:

Students

Student Dress

Compliance (continued)

High School:	
First Offense:	Removal from class with a chance to correct and return to class. Written notification to parent/guardian of the incident. (If unable to correct, they will not be allowed to return to class.)
Second Offense:	After-school detention. Written notification to parent/guardian of the incident. Clothing must be corrected.
Third Offense:	In-school suspension. Written notification to parent/guardian of the incident. Clothing must be corrected.
Subsequent Offenses:	Out-of-school suspension*. Written notification to parent/guardian of the incident. Upon return to school, clothing must be corrected. <i>(*This, beginning July 1, 2008, would violate the new law limiting out-of-school suspension)</i>
Middle School:	
First Offense:	Removal from class with a chance to correct and return to class. Written notification to parent/guardian of the incident.
Second Offense:	After school detention. Written notification to parent/guardian of the incident. Clothing must be corrected.
Third Offense:	Extended detention. Written notification to parent/guardian of the incident. Clothing must be corrected.
Subsequent Offenses:	In school suspension issued. Written notification to parent/guardian of the incident. Clothing must be corrected

Elementary Schools:

First Offense:	Verbal warning, removal from class with a chance to correct and return to class. Written notification to parent/guardian of the incident.
Second Offense:	Written notification to parent/guardian. Clothing must be corrected.
Third Offense:	Detention. Written notification to parent/guardian. Clothing must be corrected.
Subsequent Offenses:	Suspension* with parent/guardian conference. Written notification to parent/guardian. Clothing must be corrected. <i>(*In-school suspension recommended by CAFE based on recent legislation)</i>

Regulation approved:

DERBY PUBLIC SCHOOLS
Derby, Connecticut

(Reviewed and approved by Policy Review Committee)

Recommended replacement for existing policy #5141 adopted 12/20/01. This is the latest version of Derby's now "dated" policy due to changes in law and state resolutions.

Students

Student Health Services

School District Medical Advisor

The Board of Education (Board) shall appoint a school district medical advisor and appropriate medical support service personnel including nurses.

The school district medical advisor, in cooperation with the Board and the board of health/health department for the school district, shall:

1. Plan and administer each school's health program,
2. Advise on the provision of school health services,
3. Provide consultation on the school health environment, and
4. Perform any other duties as agreed between the advisor and the appointing board of education.

School health efforts shall be directed toward detection and prevention of health problems and to emergency treatment, including the following student health services:

1. Appraising the health status of student and school personnel;
2. Counseling students, parents, and others concerning the findings of health examination;
3. Encouraging correction of defects;
4. Helping prevent and control disease;
5. Providing emergency care for student injury and sudden illness;
6. Maintaining school health records.

Health Records

There shall be a health record for each student enrolled in the school district which will be maintained in the school nurse's room. For the purposes of confidentiality, records will be treated in the same manner as the student's cumulative academic record.

Student health records are covered by the Family Educational Rights and Privacy Act (FERPA) and are exempt from the Health Insurance Portability Accountability Act (HIPAA) privacy rule. However, it is recognized that obtaining medical information from health care providers will require schools to have proper authorization and to inform parents that such information once released by health care providers is no longer protected under HIPAA but is covered under FERPA.

Students

Student Health Services (continued)

Regular Health Assessments

Prior to enrollment in kindergarten, each child shall have a health assessment by one of the following medical personnel of the parents or guardians choosing to ascertain whether the student has any physical disability or other health problem tending to prevent him or her from receiving the full benefit of school work and to ascertain whether such school work should be modified in order to prevent injury to the student or to secure for the student a suitable program of education:

1. a legally qualified physician;
2. an advanced practice registered nurse;
3. a registered nurse;
4. a physician's assistant.
5. a school medical advisor.
6. a legally qualified practitioner of medicine, an advanced practice registered nurse, or a physician assistant stationed at any military base.

Such health assessment shall include:

1. Physical examination which shall include hematocrit or hemoglobin tests, height, weight, and blood pressure;
2. Updating of immunizations required under C.G.S. 10-204a as periodically amended;
3. Vision, hearing, postural, and gross dental screening;
4. If required by the school district medical advisor, testing for tuberculosis and sickle cell anemia or Cooley's Anemia;
5. Any other information including a health history as the physician believes to be necessary and appropriate.

Health assessments shall also be required in grades 6 or 7 and in grades 9 or 10 by a legally qualified physician of each student's parents or guardians own choosing, or by the school medical advisor, or the advisor's designee, to ascertain whether a student has any physical disability or other health problem. Such health assessments shall include:

1. Physical examination which shall include hematocrit or hemoglobin tests, height, weight, and blood pressure;
2. Updating of immunizations required under C.G.S. 10-204a and the Department of Public Health, Public Health Code, 10-204a-2a, 10-204-3a and 10-204a-4;
3. Vision, hearing, postural, and gross dental screening;

Students

Student Health Services

Regular Health Assessments (continued)

4. ~~If required by the school district medical advisor and the local health department, testing for tuberculosis and sickle cell anemia or Cooley's Anemia;~~ *OPTIONAL; Students born in high risk countries and entering school in Connecticut for the first time should receive either TST (tuberculin skin test) or IGRA (interferon gamma release assay). Any individual found to be positive shall have an appropriate medical management plan developed that includes a chest radiograph. Students not already known to have a positive test for tuberculosis shall be tested if they meet any of the risk factors for TB infection, as described in the administrative regulations accompanying this policy.*
5. Any other information including a health history as the physician believes to be necessary and appropriate.

A child will not be allowed, as the case may be, to begin or continue in district schools unless health assessments are performed as required. Students transferring into the district must provide evidence of required Connecticut vaccinations, immunizations, and health assessments at enrollment and prior to school attendance.

Health assessments will be provided by the school medical advisor or the advisor's designee without charge to all students whose parents or guardians meet the eligibility requirement of free and reduced priced meals under the National School Lunch Program or for free milk under the special milk program.

The Board of Education shall annually designate a representative to receive reports of health assessments and immunizations from health care providers.

Health assessment results and recommendations signed by the examining physician or authorized medical personnel shall be recorded on forms provided by the Connecticut State Board of Education and kept on file in the school the student attends. Upon written authorization from the student's parent or guardian, original cumulative health records shall be sent to the chief administrative officer of the school district to which such student moves and a true copy of the student's cumulative health records maintained with the student's academic records. The Superintendent of Schools, or designee, shall notify parents of any health-related problems detected in health assessments and shall make reasonable efforts to assure that further testing and treatment is provided, including advice on obtaining such required testing or treatment.

Students who are in violation of Board requirements for health assessments and immunizations will be excluded from school after appropriate parental notice and warning.

Students

Student Health Services (continued)

Vision Screening

All students in grades K, 1, 3, 4, & 5 will be screened using a Snellen chart, or equivalent screening, by the school nurse or school health aide. Additional vision screening will also be conducted in response to appropriate requests from parents/guardians or professionals working with the student in question. Results will be recorded in the student's health record on forms supplied by the Connecticut State Board of Education, and the superintendent shall cause a written notice to be given to the parent or guardian of each student found to have any defect of vision, with a brief statement describing such defect.

As necessary, special educational provisions shall be made for students with disabilities.

Hearing Screening

All students will be screened for possible hearing impairments in grades K, 1, 3, 4, & 5. Additional audiometric screening will be conducted in response to appropriate requests from parents/guardians or professionals working with the student. Results will be recorded in the student's health record on forms supplied by the Connecticut State Board of Education, and the Superintendent shall cause a written notice to be given to the parent or guardian of each student found to have any defect of hearing, with a brief statement describing such defect.

As necessary, special educational provisions shall be made for students with disabilities.

Postural Screening

School nurses will screen all female students in grades 5 and 7 and male students in grade 8 or 9 for scoliosis or other postural problems. Additional postural screening will also be conducted in response to appropriate requests from parents/guardians or professionals working with the student. Results will be recorded in the student's health record on forms supplied by the Connecticut State Board of Education, and the Superintendent shall cause a written notice to be given to the parent or guardian of each student found to have any postural defect of problem, with a brief statement describing such defect or disease.

As necessary, special educational provisions shall be made for students with disabilities.

Tuberculin Testing

Note: *The Connecticut Department of Public Health discourages routine TB testing of all students at school enrollment or for any of the required health assessment. It is recommended that students, at each mandated health assessment, be screened for their risk of exposure to TB. A child, determined to be at risk for exposure to TB should be required to be tested.*

In addition to tuberculin testing, if required by the school district medical advisor, as part of regular student health assessments, all new students, including preschool students, will be required to have at least one test for tuberculosis prior to entry in district schools, if determined to be at risk for exposure to TB.

Students

Student Health Services

Tuberculin Testing (continued)

~~Alternate language:~~

not taking

Students born in high risk countries who are entering schools in Connecticut for the first time should receive either a TST (tuberculin skin test) or an IGRA (interferon-gamma release assay). Anyone found to be positive shall have an appropriate medical management plan developed that include a chest radiograph.

A test for tuberculosis should be performed if any of the following risk factors prevail:

1. birth in a high risk country of the world (see list of countries in Appendix) and do not have a record of a TST (tuberculin skin test) or IGRA (interferon-gamma release assay) performed in the United States;
2. travel to a high risk country, staying at least a week with substantial contact with the indigenous population since the previously required examination;
3. extensive contact with persons who have recently come to the United States since the previously required examination;
4. contact with persons suspected to have tuberculosis, or
5. lives with anyone who has been in a homeless shelter, jail or prison, uses illegal drugs or has an HIV infection.

The results of the risk assessment and testing, when done, should be recorded on the State of Connecticut Health Assessment Record (HAR-3) or directly in the student's Cumulative Health Record (CHR-1)

Immunizations/Vaccinations

No student will be allowed to enroll in any program operated as part of the district schools without adequate immunization against the following diseases:

1. Measles
2. Rubella
3. Poliomyelitis
4. Diphtheria
5. Tetanus
6. Pertussis
7. Mumps
8. Hemophilus influenza type B
9. Any other vaccine required by Section 19a-7f of Connecticut General Statutes.
10. Hepatitis B
11. Varicella (chickenpox)
12. Hepatitis A
13. Pneumococcal disease
14. Influenza
15. Meningococcal disease

Students

Student Health Services

Immunizations/Vaccinations (continued)

All students in grades K-12 are required to have received 2 doses of measles, mumps and rubella vaccine or serologic proof of immunity. Students entering kindergarten and seventh grade shall show proof of having received 2 doses of varicella vaccine, laboratory confirmation of immunity, or present a written statement signed by a physician, physician assistant or advanced practice registered nurse indicating the individual has had varicella based on family or medical history. (Varicella requirement effective August 1, 2011)

All seventh grade students must show proof of 1 dose of meningococcal vaccine and 1 dose of Tdap in addition to the completion of the primary DTP series.

All students in grades K-12 are required to have 3 doses of Hepatitis B vaccine or serologic evidence of immunity.

Students shall be exempt from the appropriate provisions of this policy when:

1. they present a certificate from a physician or local health agency stating that initial immunizations have been given and additional immunizations are in process under guidelines and schedules specified by the Commissioner of Health Services; or
2. they present a certificate from a physician stating that in the opinion of such physician, immunization is medically contraindicated because of the physical condition of such child; or
3. they present a written statement from their parents or guardians that such immunization would be contrary to the religious beliefs of such child or his/her parents/guardians; such statement to be officially acknowledged by a notary public or a judge, a court clerk/deputy clerk, a town clerk, a justice of the peace, a Connecticut attorney, or a school nurse; or
4. in the case of measles, mumps or rubella, present a certificate from a physician, physician assistant or advanced practice registered nurse or from the Director of Health in such child's present or previous town of residence, stating that the child has had a confirmed case of such disease; or
5. in the case of Hemophilus influenza type B has passed his or her fifth birthday; or
6. in the case of diphtheria, tetanus and pertussis, has a medical exemption confirmed in writing by a physician, physician assistant or advanced practice registered nurse (per C.G.S. 19a-7f).

The school nurse will report to the local Director of Health any occurrence of State of Connecticut defined reportable communicable diseases.

Students

Student Health Services (continued)

Health Assessments/Interscholastic Sports Programs

Any student participating in an interscholastic sports program must have a health assessment, within the past thirteen months prior to the first training session for the sport or sports. After the initial examination, repeat examinations are required every two years. Each participant in a sport program must complete a health questionnaire before participating in each sport.

Parents are expected to use the services of their private physician. If a student is unable to obtain a health assessment from his/her personal physician for financial or other reasons, an examination can be arranged with school medical advisor. Health assessment results shall be recorded on forms provided by the Connecticut State Board of Education, signed by the examining physician, school medical advisor or advisor's designee, filed in the student's health folder, and maintained up to date by the school nurse.

Coaches and physical education staff shall insure appropriate monitoring of an athlete's physical condition.

Student Medical Care at School

School personnel are responsible for the immediate care necessary for a student whose sickness or injury occurs on the school premises during school hours or in school-sponsored and supervised activities.

Schools shall maintain files of emergency information cards for each student. If a child's injury requires immediate care, the parent or guardian will be called by telephone by the nurse, the building principal, or other personnel designated by the principal, and advised of the student's condition. When immediate medical or dental attention is indicated, and when parents or guardians cannot be reached, the student will be transported to the nearest hospital unless otherwise indicated on the student's Emergency Information card. In this event, the family physician/dentist and school district medical advisor will be notified of school district actions.

(cf. 5125.11 - Health/Medical Records HIPAA)

(cf. 5142 - Student Safety)

(cf. 5141.3 - Health Assessments & Immunizations)

(cf. 5141.4 - Child Abuse and Neglect)

(cf. 5141.5 - Suicide Prevention)

(cf. 6142.1 - Family Life and Sex Education)

(cf. 6145.2 - Interscholastic/Intramural Athletics)

(cf. 6171 - Special Education)

Students

Student Health Services (continued)

Legal Reference: Connecticut General Statutes
10-203 Sanitation.
10-204a Required immunizations, as amended by PA 15-174 & PA 15-242.
10-204c Immunity from liability
10-205 Appointment of school medical advisors.
10-206 Health assessments, as amended by PA 07-58 and PA 11-179.
10-206a Free health assessments.
10-207 Duties of medical advisers, as amended by P.A. 12-198.
10-208 Exemption from examination or treatment.
10-208a Physical activity of student restricted; boards to honor notice.
10-209 Records not to be public. (as amended by P.A. 03-211)
10-210 Notice of disease to be given parent or guardian.
10-212 School nurses and nurse practitioners.
10-212a Administration of medicines by school personnel.
10-213 Dental hygienists.
10-214 Vision, audiometric and postural screening: When required; notification of parents re defects; record of results. (As amended by PA 96-229 An Act Concerning Scoliosis Screening)
10-214a Eye protective devices.
10-214b Compliance report by local or regional board of education.
10-217a Health services for children in private nonprofit schools. Payments from the state, towns in which children reside and private nonprofit schools. Department of Public Health, Public Health Code – 10-204a-2a, 10-204a-3a and 10-204a-4
Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C. 1232g).
42 U.S.C. 1320d-1320d-8, P.L. 104-191, Health Insurance Portability and Accountability Act of 1996 (HIPAA)

Policy adopted:

DERBY PUBLIC SCHOOLS
Derby, Connecticut

(Reviewed and approved by Policy Review Committee)

List of High Risk¹ Tuberculosis Countries

Afganistan	Georgia	Paraguay
Algeria	Ghana	Peru
Angola	Guam	Philippines
Anguilla	Guatemala	Poland
Argentina	Guinea	Portugal
Armenia	Guinea-Bissau	Qatar
Azerbaijan	Guyana	Republic of Korea
Bahrain	Haiti	Republic of Moldova
Bangladesh	Honduras	Romania
Belarus	India	Russian Federation
Belize	Indonesia	Rwanda
Benin	Iraq	Saint Vincent and the Grenadines
Bhutan	Japan	Sao Tome and Principe
Bolivia (Plurinational State of)	Kazakhstan	Senegal
Bosnia and Herzegovina	Kenya	Serbia
Botswana	Kiribati	Seychelles
Brazil	Kuwait	Sierra Leone
Brunei Darussalam	Kyrgyzstan	Singapore
Bulgaria	Lao Peoples Democratic Republic	Solomon Islands
Burkina Faso	Latvia	Somalia
Burundi	Lesotho	South Africa
Cambodia	Liberia	Sri Lanka
Cameroon	Libyan Arab Jamahiriya	Sudan
Cape Verde	Madagascar	Suriname
Central African Republic	Malawi	Swaziland
Chad	Malaysia	Syrian Arab Republic
China	Maldives	Tajikistan
China, Hong Kong Sp. Admin. Region	Mali	Thailand
China, Macao Administrative Region	Marshall Islands	The former Yugoslav Rep. of Macedonia
Colombia	Mauritius	Timor-Leste
Comoros	Micronesia (Federated States of)	Togo
Cong	Mongolia	Tonga
Cook Islands	Montenegro	Trinidad and Tobago
Cote d'Ivoire	Morocco	Tunisia
Croatia	Mozambique	Turkey
Democratic People's Rep. of Korea	Myanmar	Turkmenistan
Democratic Republic of the Congo	Namibia	Tuvalu
Djibouti	Nepal	Uganda
Dominican Republic	New Caledonia	Ukraine
Ecuador	Nicaragua	United Republic of Tanzania
El Salvador	Niger	Uruguay
Equatorial Guinea	Northern Mariana Islands	Uzbekistan
Eritrea	Pakistan	Vanuatu
Estonia	Palau	Venezuela (Bolivarian Republic of)
French Polynesia	Panama	Viet Nam
Gabon	Papua New Guinea	Yemen
Gambia	Paraguay	Zambia
		Zimbabwe

¹Greater than 20/100,000 populationEstimates can be found at <http://apps.who.int/ghodata/?vid=500>