



Policy Committee

Exhibits

Policies for Rescission, Waive Second Reading:

- 0100/6010 Our Mission
- 6050 Organization of Instruction
- 6080.11 Technology and Instruction
- 6100.9 Use of Computers in Instruction
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Policies for Review, First Reading:

- 5110.4 Student Discipline

Policies for Review, Waive Second Reading:

- 5113 Student Attendance: Truancy and Chronic Absenteeism

Policy Summary

August 20, 2024

Rescind

0100/6010 Our Mission

A mission or vision statement is not a necessary policy under CT or federal law. A mission or vision can be maintained by the Board and is not unlawful, but it is not a "policy" that gives direction to the administration or staff.

6050 Organization of Instruction

This policy is not mandatory and we recommend repeal. The district is not currently in compliance with this policy. For example, the policy currently provides that the elementary level will be K-4, and the middle level 5-8, but does not mention an intermediate level. If not repealed, we recommend that the Board conduct a comprehensive review in light of the district's current building configuration and new school building construction and reconfiguration of grades at each school.

6080.11 Technology and Instruction

This policy is not mandatory and we recommend repeal because it is unnecessary and likely outdated. Technology is now an essential part of education and thus this policy is likely no longer necessary. If the Board wishes to maintain a policy concerning technology, we recommend internal review to ensure that the processes identified continue to be applicable.

6100.9 Use of Computers in Instruction

We recommend the Board repeal this policy. As explained under policy 5210, we recommend that the Board adopt the S&G Model Policy concerning computer use in school.

6100.9.1 Computers: Web Sites / Pages

We recommend the Board repeal this policy. As explained under policy 5210, we recommend that the Board adopt the S&G Model Policy concerning computer use in school.

6100.15.2 Use of Internet/Online Services

We recommend the Board repeal this policy. As explained under policy 5210, we recommend that the Board adopt the S&G Model Policy concerning computer use in school.

Review, First Reading:

5110.4 Student Discipline

We have revised this policy to prohibit the unauthorized use of generative artificial intelligence. We also made changes to address consistent discipline practices and promote strategies to teach, encourage, and reinforce positive student behavior in light of recent guidance issued by the U.S. Department of Education Office for Civil Rights and U.S. Department of Justice Civil Rights Division, Resource on Confronting Racial Discrimination in Student Discipline. The revisions also reflect several legislative changes passed this session as well as updated definitions.

Review, Waive Second Reading:

5113 Student Attendance: Truancy and Chronic Absenteeism

In 2021, the Connecticut legislature directed the State Board of Education to amend its definitions of “excused absence” and “unexcused absence” as they relate to student attendance during remote learning. In the fall of 2022, the State Board of Education responded to this mandate by revising its definition of “in attendance.” We have revised our model regulations to reflect the new definition. In addition, we have revised the regulation’s documentation requirements to allow districts greater flexibility, while still following the guidelines established by the Connecticut State Department of Education. The revised language allows districts to accept delivery of written documentation to support a student’s absence through a scanned copy sent by e-mail under “certain circumstances” rather than “in rare and extraordinary circumstances.”

#0100 / #6010

Our Mission

Madison Public Schools
Vision for 21st Century Education

The Madison Public Schools: “Every child, every day, leading the way”

The Madison Public Schools are driven by a mission to prepare all learners to make a unique, positive contribution in a complex, global society. We are committed to fostering the diverse talents and abilities of each and every child in an emotionally and physically safe environment. We envision learning as joyful and learners as passionate. We support our educators as innovators in a dynamic pursuit of continuous improvement.

We are committed to the work that will lead to the development of all learners’ capacities to:

- put ideas into action by thinking critically and creatively to identify and solve authentic, complex problems;
- communicate and collaborate purposefully and effectively using a variety of media;
- approach learning with effort and persistence while responding to success and failure with resiliency, reflection, and adaptability in an ever-changing world;
- make ethical and responsible decisions.

Date of Adoption: October 1, 1996
Revised: November 7, 2006
Revised: September 3, 2013
Revised: February 11, 2014 / Added Series 0000 Mission, Goals, Philosophy

#6050**Organization of Instruction**

The school system has seven schools, and offers a diversified educational program compatible with the needs of the community and state standards.

The overall organization plan of the school system will be designed to facilitate the philosophy of educating every child, each to his or her fullest capacity.

The basic structure of the system will consist of three main divisions - the elementary level, middle school level, and high school level.

The elementary level will include the grades of kindergarten through grade four. The middle school will consist of grades five through eight; and, the high school will consist of grades nine through twelve.

The organization is designed to meet the standards of accreditation as required by the State Department of Education, and to serve the needs of all students.

Date of Adoption: October 1, 1996
Date of Revision: November 20, 2001

#6080.11**Technology and Instruction**

Students shall become technologically literate and acquire skills and knowledge that allow them to function comfortably as productive citizens in a technologically-oriented society. Student achievement of technology literacy is expected to be accomplished throughout the K-12 continuum through a planned, ongoing, and systematic program. Continuous evaluation of progress toward this goal is to be conducted by the Superintendent and school district staff.

The program of instruction in technology literacy requires attention to the following components:

1. Curriculum. Objectives for instruction will be designed to promote sequential learning awareness, theory, and application of technology.
2. Hardware. Specifications for selection will be designed to ensure durable, functional, and updated equipment.
3. Software. Programs for use in technology, whether commercially or locally developed, will be selected and shared, within constraints of copyright laws, in the school system to promote maximum learning.
4. Staff Development. Employees shall be offered training in awareness, theory, and technology applications.
5. Resources and Funding. Commitment of school system resources is required for the development of the technology literacy program, and the Superintendent shall budget district funds to this program as well, seeking other public and private fundings for district technology.

6080.11 (continued)

Technologies curricula in the schools shall:

1. familiarize students with technology equipment operation and uses;
2. progress to use of technology as an instructional aide for regular class work and an enhancement to content learning; and
3. teach students to use technology as one of many effective tools for problem solving.

The Superintendent or his / her designee shall work with staff to develop a long-range plan appropriate for instructional technology from kindergarten through the grade twelve continuum, including:

1. budgeting and acquisition of technology equipment and infrastructure at all school levels;
2. budgeting and acquisition of computer software at all school levels;
3. professional development on appropriate uses for instructional technology and skills in instructional uses;
4. coordination of K-12 curricula in instructional technology; and
5. application of technology throughout the curricula in grades K-12.

Legal Reference: Connecticut General Statutes
10-221 Boards of education to prescribe rules.

Date of Adoption: April 1, 1997

6100.9
Use of Computers in Instruction

The Board recognizes that technological advances in all areas are necessary and that computers are and will continue to be a part of this advance. As such, the Board's goal is to implement computer resources in each school facility. The computer resources of the Madison Public Schools are the property of the Madison Board of Education and are to be used exclusively for the instruction of students, management of instruction, and administration of the district. These resources are not to be used for personal gain by students and staff of the district. The Board reserves the right to bypass any passwords on computer files, records, and electronic access privileges on any computer resources under the control of the Board. Because of the many types of applications and the potential cost, the Board establishes the following policy to plan for and guide this growth both for instructional and administrative uses.

Computers for instruction will be used primarily for the following:

1. providing computer-assisted instruction to improve student performance;
2. managing an instructional program in areas such as a classroom, library and resource room involving maintenance of test scores, grades, and other data used in evaluating instruction and student progress;
3. teaching computer skills and / or concepts and applying those skills to real-life applications; and
4. promoting use of computers for general interest, enrichment, and motivation.

Any student or staff member using computers will be instructed in the proper use and care of the hardware and software prior to its use.

The school principal, or designee, will coordinate the use of computers in the classrooms within his / her school.

Date of Adoption: April 1, 1997

6100.9.1**Computers: Web Sites / Pages**

The Board of Education encourages the administration and staff to create and maintain World Wide Web sites for the district and individual schools for educational purposes. The web sites shall serve as avenues for educating the community, providing information about our schools and communicating with the extended school community. District and individual school web sites shall be used to share information relating to our schools and our mission. Web sites may also provide instructional resources for staff and students.

Materials displayed on web sites are published on the Internet. Therefore, the content should be professional quality and consistent with the education mission of the school system. Web sites shall follow standards for ethical behavior with regard to information and technology by showing respect for the principles of intellectual freedom, intellectual property rights and the responsible use of information and technology. Pages shall reflect an understanding that both internal and external audiences will be viewing the information.

Any pages or links representing the school district shall follow guidelines and responsibilities pertaining to content standards, student records, copyright, and technical standards which are contained in the administrative regulations which accompany this policy.

Additionally, all provisions of this policy must comply with existing Board of Education policies.

(cf. 5180.1 – Records / Confidentiality)

(cf. 5090.4.2 - Freedom of Speech / Written and Oral Expression)

(cf. 6100.10 - Selection of Instructional Materials)

(cf. 6100.14.3 - Resource Centers / Media Centers / School Libraries)

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.
 10-209 Records not to be public.
 11-8a Retention, destruction and transfer of documents
 11-8b Transfer or disposal of public records. State Library Board to adopt regs.
 46b-56 (e) Access to Records of Minors.
 Ct Public Records Administration Schedule V - Disposition of Educ. 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 PL 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.

Public Law 94-553, The Copyright Act of 1976, 17 U.S.C. 101 et. seq.

U.S. Const. Amend. I

Electronic Communications Privacy Act, 18 U.S.C. 2510-2522

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §§791, 793-794 (2006), (34 Code of Federal Regulations Part 104)

Americans with Disabilities Act of 1990, 42 U.S.C. §§12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006)

Americans with Disabilities Amendments Act of 2008

Date of Adoption: May 4, 1999

#6100.15.2**Use of Internet / Online Services**

The Madison Public Schools shall offer Internet / online services access to all staff and students, K-12, to advance the use of telecommunication in the instructional setting. Since it is impossible to control or monitor the content of material on the Internet / online services, students and staff are expected to engage in an educationally sound use of this resource. Failure to comply with this policy shall result in students / staff being denied access to and use of the Internet / online services.

Internet Safety

Each District computer with Internet access shall have a filtering device that blocks entry to visual depictions that are obscene, pornographic or harmful or inappropriate for students, as defined by the Children's Internet Protection Act and as determined by the Superintendent or designee. The Superintendent or designee shall enforce the use of such filtering devices. An administrator, supervisor, or other authorized person may disable the filtering device for bona fide research or other lawful purpose, provided the person receives prior permission from the Superintendent or his / her designee.

The Superintendent or designee shall include measures in this policy's implementation plan and administrative regulation to address the following:

- a. Limiting student access to inappropriate matter as well as restricting access to harmful materials;
- b. Student safety and security when using electronic communications;
- c. Limiting unauthorized access, including "hacking" and other unlawful activities; and
- d. Limiting unauthorized disclosure, use and dissemination of personal identification information.

#6100.15.2 (continued)**Guidelines for the Use of the Internet / Online Services**

Since the sole purpose of the Madison Public Schools is to support educational activities, certain guidelines governing students' and staff use of the Internet / online services are in order.

The Board of Education retains the right to place reasonable restrictions on material that students / staff access or post through the Internet / online services:

- Because there may be a cost associated with Internet / online services, users should obtain approval from the library media specialist or school administrator before accessing “for fee” online services.
- Users are expected to exhibit exemplary behavior while online, behavior that will reflect well on the school and the district.
- Users are expected to adhere to the same code of conduct appropriate for school or school-related activities.
- Any unauthorized access to computer systems or to computer data maintained by the Madison Public Schools, including the student database, the fiscal database, and the personnel database, is prohibited.
- Deliberate attempts to disrupt computer system performance or to destroy data by spreading computer viruses or by other means is prohibited.
- Users are prohibited from online harassment, i.e., acting in a manner which serves to distress, threaten, demean, annoy, or taunt another user.
- Users are prohibited from the use of profanity, offensive or inflammatory speech, personal attacks, or any other form of rude behavior or inappropriate language.

#6100.15.2 (continued)

- Users may not access or post material that is “objectionable,” i.e., material which includes, but is not limited to pornography, hate literature, material that promotes or threatens injury to individuals, and material which is related to illegal activities.
- Users are prohibited from plagiarizing the ideas or writings of another person via the Internet / online services.
- Users are prohibited from reproducing a work that is protected by a copyright.
- Users will respect the privacy of others while online.
- Users are expected to follow regulations for efficient and effective use of the Internet / online services.

Violation of this policy will result in disciplinary action, up to and including student suspension or expulsion, subject to the terms and conditions of Board Policy 5110.4. Staff violations of this policy may result in disciplinary action in accordance with regulations developed by the Superintendent with regard to acceptable use of Internet / online services.

Date of Adoption: May 8, 1997
Date of Revision: February 8, 2006

#5110.4

Student Discipline**(formerly Suspension/Expulsion/Exclusion
From School/School Activities)**

It is the policy of the Madison Board of Education (the “Board”) to create a school environment that promotes respect of self, others, and property within the Madison Public Schools (the “District”). Compliance with this policy will enhance the Board and the District’s ability to maintain discipline and reduce interference with the educational process that can result from student misconduct. Pursuant to this policy, the District shall promote the utilization of consistent discipline practices, both within and across schools in the District, while also promoting the consideration of individual circumstances arising in each student disciplinary matter. Where appropriate, the District implements strategies that teach, encourage and reinforce positive student behavior that do not require engagement with the discipline system.

I. Definitions

- A. **Cannabis** means marijuana, as defined by Conn. Gen. Stat. § 21a-240.
- B. **Dangerous Instrument** means any instrument, article or substance which, under the circumstances in which it is used or attempted or threatened to be used, is capable of causing death or serious physical injury, and includes a "vehicle" or a dog that has been commanded to attack.
- C. **Deadly Weapon** means any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon or metal knuckles. A weapon such as a pellet gun and/or air soft pistol may constitute a deadly weapon if such weapon is designed for violence and is capable of inflicting death or serious bodily harm. In making such determination, the following factors should be considered: design of weapon; how weapon is typically used (e.g. hunting); type of projectile; force and velocity of discharge; method of discharge (i.e. spring v. CO2 cartridge) and potential for serious bodily harm or death.
- D. **Electronic Defense Weapon** means a weapon which by electronic impulse or current is capable of immobilizing a person temporarily, but is not capable of inflicting death or serious physical injury, including a stun gun or other conductive energy device.
- E. **Emergency** means a situation in which the continued presence of the student in school poses such a danger to persons or property or such a disruption of the educational process that a hearing may be delayed until a time as soon after the exclusion of such student as possible.
- F. **Exclusion** means any denial of public school privileges to a student for disciplinary purposes.
- G. **Expulsion** means the exclusion of a student from school privileges for more than ten (10) consecutive school days and shall be deemed to include, but not be limited to, exclusion from the school to which such student was assigned at the time such disciplinary action was taken. The expulsion period may not extend beyond one (1) calendar year.

H. Firearm, as defined in 18 U.S.C § 921, means (a) any weapon (including a starter gun) that will, is designed to, or may be readily converted to expel a projectile by the action of an explosive, (b) the frame or receiver of any such weapon, (c) a firearm muffler or silencer, or (d) any destructive device. The term firearm does not include an antique firearm. As used in this definition, a "**destructive device**" includes any explosive, incendiary, or poisonous gas device, including a bomb, a grenade, a rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, or any other similar device; or any weapon (other than a shotgun or shotgun shell which the Attorney General finds is generally recognized as particularly suited for sporting purposes) that will, or may be readily converted to, expel a projectile by explosive or other propellant, and which has a barrel with a bore of more than ½" in diameter. The term "destructive device" also includes any combination of parts either designed or intended for use in converting any device into any destructive device and from which a destructive device may be readily assembled. A "destructive device" does not include: an antique firearm; a rifle intended to be used by the owner solely for sporting, recreational, or cultural purposes; or any device which is neither designed nor redesigned for use as a weapon.

H.I. Generative Artificial Intelligence ("AI") refers to a technology system, including but not limited to ChatGPT, capable of learning patterns and relationships from data, enabling it to create content, including but not limited to text, images, audio, or video, when prompted by a user.

I.J. Protected Class Harassment is a form of discrimination on the basis of any protected characteristic (or protected class) including race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, veteran status, status as a victim of domestic violence, or any other basis prohibited by state or federal law ("Protected Class"). Harassment constitutes unlawful discrimination when it creates a hostile environment, which occurs when the harassment is sufficiently severe, pervasive, or persistent so as to interfere with or limit a student's ability to participate in or benefit from the services, activities, or opportunities offered by a school. Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Harassment against any individual on the basis of that individual's association with someone in a Protected Class may be a form of Protected Class harassment.

J.K. In-School Suspension means an exclusion from regular classroom activity for no more than ten (10) consecutive school days, but not exclusion from school, provided such exclusion shall not extend beyond the end of the school year in which such in-school suspension was imposed. No student shall be placed on in-school suspension more than fifteen (15) times or a total of fifty (50) days in one (1) school year, whichever results in fewer days of exclusion.

K.L. Martial Arts Weapon means a nunchaku, kama, kasari fundo, octagon sai, tonfa or Chinese star.

L.M. Removal is the exclusion of a student from a classroom for all or part of a single class period, provided such exclusion shall not extend beyond ninety (90) minutes.

M.N. School Days shall mean days when school is in session for students.

N.O. School-Sponsored Activity means any activity sponsored, recognized or authorized by the Board and includes activities conducted on or off school property.

O.P. Seriously Disruptive of the Educational Process, as applied to off-campus conduct, means any conduct that markedly interrupts or severely impedes the day-to-day operation of a school.

P.Q. Suspension means the exclusion of a student from school and/or transportation services for not more than ten (10) consecutive school days, provided such suspension shall not extend beyond the end of the school year in which such suspension is imposed; and further provided no student shall be suspended more than ten (10) times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless such student is granted a formal hearing as provided below.

Q.R. Weapon means any BB gun, any blackjack, any metal or brass knuckles, any police baton or nightstick, any dirk knife or switch knife, any knife having an automatic spring release device by which a blade is released from the handle, having a blade of over one and one-half inches in length, any stiletto, any knife the edged portion of the blade of which is four inches and over in length, any martial arts weapon or electronic defense weapon, or any other dangerous or deadly weapon or instrument, unless permitted by law under Section 29-38 of the Connecticut General Statutes.

R.S. Notwithstanding the foregoing definitions, the reassignment of a student from one regular education classroom program in the District to another regular education classroom program in the District shall not constitute a suspension or expulsion.

S.T. For purposes of this policy, references to “school”, “school grounds”, and “classroom” shall include physical educational environments, including on school transportation, as well as in which students are engaged in remote learning, which means instruction by means of one or more Internet-based software platforms as part of a remote learning.

II. Scope of the Student Discipline Policy

A. Conduct on School Grounds, on School Transportation or at a School-Sponsored Activity:

1. **Suspension.** Students may be suspended for conduct on school grounds, on school transportation, or at any school-sponsored activity that violates a publicized policy of the Board or is seriously disruptive of the educational process or endangers persons or property.
2. **Expulsion.** Students may be expelled for conduct on school grounds, on school transportation or at any school-sponsored activity that either (1) violates a publicized policy of the Board and is seriously disruptive of the educational process, or (2) endangers persons or property.

B. Conduct off School Grounds:

Discipline. Students may be disciplined, including suspension and/or expulsion, for conduct off school grounds if such conduct *violates a* publicized policy of the Board and is seriously disruptive of the educational process.

C. Seriously Disruptive of the Educational Process

In making a determination as to whether such conduct is seriously disruptive of the educational process, the Administration and the Board ~~of Education~~ may consider, but such consideration shall not be limited to, the following factors: (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 Conn. Gen. Stat. § 29-38, and whether any injuries occurred; and (4) whether the conduct involved the use of alcohol. The Administration and/or the Board ~~of Education~~ may also consider (5) whether the off-campus conduct involved the illegal use of drugs.

D. A student shall not have greater discipline, punishment, or sanction for the use, sale, or possession of cannabis on school property than a student would face for the use, sale, or possession of alcohol on school property, except as otherwise required by applicable law.

III. Actions Leading to Disciplinary Action, including Removal from Class, Suspension and/or Expulsion

Conduct that is considered to violate a publicized policy of the Board of Education includes the offenses described below. Any such conduct may lead to disciplinary action (including, but not limited to, removal from class, suspension and/or expulsion in accordance with this policy):

1. Striking or assaulting a student, members of the school staff or other persons.
2. Theft.
3. The use of obscene or profane language or gestures, the possession and/or display of obscenity or pornographic images or the unauthorized or inappropriate possession and/or display of images, pictures or photographs depicting nudity.
4. Violation of smoking, dress, transportation regulations, or other regulations and/or policies governing student conduct.
5. Refusal to obey a member of the school staff, law enforcement authorities, or school volunteers, or disruptive classroom behavior.
6. Any act of Protected Class Harassment or reprisal or retaliation against any individual for reporting in good faith incidents of Protected Class Harassment, or who participate in the investigation of such reports.
7. Refusal by a student to respond to a staff member's request for the student to provide the student's name to a staff member when asked, misidentification of oneself to such person(s), lying to school ~~officials~~ staff members or otherwise engaging in dishonest behavior.

8. Inappropriate displays of public affection of a sexual nature and/or sexual activity on school grounds, on school transportation, or at a school-sponsored activity.
9. A walk-out from or sit-in within a classroom or school building or school grounds.
10. Blackmailing, threatening or intimidating school staff or students (or acting in a manner that could be construed to constitute blackmail, a threat, or intimidation, regardless of whether intended as a joke), including the use of AI to engage in such conduct.
11. Possession of any weapon, weapon facsimile, deadly weapon, martial arts weapon, electronic defense weapon, pistol, knife, blackjack, bludgeon, box cutter, metal knuckles, pellet gun, air pistol, explosive device, firearm, whether loaded or unloaded, whether functional or not, or any other dangerous object or instrument. The possession and/or use of any object or device that has been converted or modified for use as a weapon.
12. Possession of any ammunition for any weapon described above in paragraph 11.
13. Unauthorized entrance into any school facility or portion of a school facility or aiding or abetting an unauthorized entrance.
14. Possession or ignition of any fireworks, combustible or other explosive materials, or ignition of any material causing a fire. Possession of any materials designed to be used in the ignition of combustible materials, including matches and lighters.
15. Possession, sale, distribution, use, or consumption of tobacco, electronic nicotine delivery systems (e.g. e-cigarettes), electronic cannabis delivery system, or vapor products, or the unlawful possession, sale, distribution, use or consumption of drugs, narcotics or alcoholic beverages (or any facsimile of tobacco, drugs, narcotics or alcoholic beverages, or any item represented to be tobacco, drugs or alcoholic beverages), including being under the influence of any such substances or aiding in the procurement of any such substances. For the purposes of this Paragraph 15, the term “electronic nicotine delivery system” shall mean an electronic device used in the delivery of nicotine or other substances to a person inhaling from the device, and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device, including, but not limited to, electronic cigarette liquid. For purposes of Paragraph 15, the term “electronic cannabis delivery system” shall mean an electronic device that may be used to simulate smoking in the delivery of cannabis to a person inhaling the device and includes, but is not limited to, a vaporizer, electronic pipe, electronic hookah and any related device and any cartridge or other component of such device. For the purposes of Paragraph 15, the term “vapor product” shall mean any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not include nicotine and is inhaled by the user of such product. For the purposes of this Paragraph 15, the term "drugs" shall include, but shall not be limited to, any medicinal preparation (prescription and non-prescription) and any controlled substance whose possession, sale, distribution, use or consumption is illegal under state and/or federal law, including cannabis.
16. Sale, distribution, or consumption of substances contained in household items; including, but not limited to glue, paint, accelerants/propellants for aerosol canisters, and/or items such as

the aerators for whipped cream; if sold, distributed or consumed for the purpose of inducing a stimulant, depressant, hallucinogenic or mind-altering effect.

17. Possession of paraphernalia used or designed to be used in the consumption, sale or distribution of drugs, alcohol or tobacco, as described in subparagraph (15) above. For purposes of this policy, drug paraphernalia includes any equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing controlled drugs or controlled substances into the human body, including but not limited to items such as "bongs," pipes, "roach clips," vials, tobacco rolling papers, and any object or container used, intended or designed for use in storing, concealing, possessing, distributing or selling controlled drugs or controlled substances, including cannabis.
18. The destruction of real, personal or school property, such as, cutting, defacing or otherwise damaging property in any way.
19. Accumulation of offenses such as school and class tardiness, class or study hall cutting, or failure to attend detention.
20. Trespassing on school grounds while on out-of-school suspension or expulsion.
21. Making false bomb threats or other threats to the safety of students, employees, and/or other persons.
22. Defiance of school rules and the valid authority of teachers, supervisors, administrators, other employees and/or law enforcement authorities.
23. Throwing snowballs, rocks, sticks and/or similar objects, except as specifically authorized by school employees responsible for student supervision.
24. Unauthorized and/or reckless and/or improper operation of a motor vehicle on school grounds or at any school-sponsored activity.
25. Leaving school grounds, school transportation or a school-sponsored activity without authorization.
26. Use of or copying of the academic work of another individual and presenting it as the student's own work, without proper attribution; the unauthorized use of AI for the completion of class assignments; or any other form of academic dishonesty, cheating or plagiarism.
27. Possession and/or use of a cellular telephone, radio, portable audio player, CD player, blackberry, personal data assistant, walkie talkie, Smartphone, mobile or handheld device, or similar electronic device, on school grounds, on school transportation, or at a school-sponsored activity in violation of Board policy and/or administrative regulations regulating the use of such devices.

- 231 28. Possession and/or use of a beeper or paging device on school grounds, on school
232 transportation, or at a school-sponsored activity without the written permission of the
233 principal or designee.
- 234 29. Unauthorized use of or tampering with any school computer, computer system, computer
235 software, Internet connection or similar school property or system, or the use of such property
236 or system for inappropriate purposes, including using AI in a manner that disrupts or
237 undermines the effective operation of the school district or is otherwise seriously disruptive
238 to the educational process.
- 239 30. Possession and/or use of a laser pointer, unless the student possesses the laser pointer
240 temporarily for an educational purpose while under the direct supervision of a responsible
241 adult.
- 242 31. Hazing.
- 243 32. Bullying, defined as an act that is direct or indirect and severe, persistent or pervasive, which:
244 a. causes physical or emotional harm to an individual;
245 b. places an individual in reasonable fear of physical or emotional harm; or
246 d. infringes on the rights or opportunities of an individual at school.
- 247 Bullying shall include, but need not limited be to, a written, oral or electronic communication
248 or physical act or gesture based on any actual or perceived differentiating characteristics,
249 such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender
250 identity or expression, socioeconomic status, academic status, physical appearance, or
251 mental, physical, developmental or sensory disability, or by association with an individual
252 or group who has or is perceived to have one or more of such characteristics.
- 253 33. Cyberbullying, defined as any act of bullying through the use of the Internet, interactive and
254 digital technologies, cellular mobile telephone or other mobile electronic devices or any
255 electronic communications.
- 256 34. Acting in any manner that creates a health and/or safety hazard for employees, students, third
257 parties on school property or the public, regardless of whether the conduct is intended as a
258 joke, including but not limited to violating school or district health and safety protocols
259 developed in connection with the COVID-19 pandemic, such as, but not limited to, physical
260 distancing and mask-wearing requirements.
- 261 35. Engaging in a plan to stage or create a violent situation for the purposes of recording it by
262 electronic means; or recording by electronic means acts of violence for purposes of later
263 publication (other than to school officials).
- 264 36. Engaging in a plan to stage sexual activity for the purposes of recording it by electronic
265 means; or recording by electronic means sexual acts for purposes of later publication.

37. Using computer systems, including email, remote learning platforms, instant messaging, text messaging, blogging, or the use of social networking websites, AI, or other forms of electronic communications, to engage in any conduct prohibited by this policy.
38. Use of a privately owned electronic or technological device in violation of school rules, including the unauthorized recording (photographic or audio) of another individual without permission of the individual or a school employee.
39. Engaging in teen dating violence, defined as any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, which occurs between two students who are currently in or who have recently been in a dating relationship.
40. Any action prohibited by any Federal or State law.
41. Any other violation of school rules or regulations or a series of violations which makes the presence of the student in school seriously disruptive of the educational process and/or a danger to persons or property.

IV. Discretionary and Mandatory Expulsions

- A. An administrator responsible for a school program (“responsible administrator”) may consider recommendation of expulsion of a student in grades three to twelve, inclusive, in a case where the responsible administrator has reason to believe the student has engaged in conduct described at Sections II.A. or II.B., above.
- B. A responsible administrator must recommend expulsion proceedings in all cases against any student in grades kindergarten to twelve, inclusive, whom the District Administration has reason to believe:
 1. was in possession on school grounds, on school transportation, or at a school-sponsored activity of a deadly weapon, dangerous instrument, martial arts weapon, or firearm as defined in 18 U.S.C. § 921 as amended from time to time; or
 2. off school grounds, possessed a firearm as defined in 18 U.S.C. § 921, in violation of Conn. Gen. Stat. § 29-35, or possessed and used a firearm as defined in 18 U.S.C. § 921, a deadly weapon, a dangerous instrument or a martial arts weapon in the commission of a crime under chapter 952 of the Connecticut General Statutes; or
 3. was engaged on or off school grounds or school transportation in offering for sale or distribution a controlled substance (as defined in Conn. Gen. Stat. § 21a-240(9)), whose manufacturing, distribution, sale, prescription, dispensing, transporting, or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under Conn. Gen. Stat. §§21a-277 and 21a-278. Sale or Distribution of less than one (1) kilogram of cannabis is not subject to mandatory expulsion.

The terms “dangerous instrument,” “deadly weapon,” “electronic defense weapon,” “firearm,” and “martial arts weapon,” are defined above in Section I.
- C. In any preschool program provided by the Board of Education or provided by a regional educational service center or a state or local charter school pursuant to an agreement with the

Board of Education, no student enrolled in such a preschool program shall be expelled from such preschool program, except an expulsion hearing shall be conducted by the Board of Education in accordance with Section VIII of this policy whenever the Administration has reason to believe that a student enrolled in such preschool program was in possession of a firearm as defined in 18 U.S.C. § 921, as amended from time to time, on or off school grounds, on school transportation, or at a preschool program-sponsored event. The term “firearm” is defined above in Section I.

D. Upon receipt of an expulsion recommendation, the Superintendent may conduct an inquiry concerning the expulsion recommendation. If the Superintendent or designee determines that a student should or must be expelled, student shall forward such recommendation to the Board of Education so that the Board can consider and act upon this recommendation.

E. In keeping with Conn. Gen. Stat. § 10-233d and the Gun-Free Schools Act, it shall be the policy of the Board to expel a student in grades kindergarten to twelve, inclusive, for one (1) full calendar year for the conduct described in Section IV.B(1), (2) and (3) of this policy and to expel a student enrolled in a preschool program for one (1) calendar year for the conduct described in Section IV.C. For any mandatory expulsion offense, the Board may modify the term of expulsion on a case-by-case basis.

V. Procedures Governing Removal from Class

~~A.~~—A student may be removed from class by a teacher or administrator if the student deliberately causes a serious disruption of the educational process. When a student is removed by a teacher, the teacher must send the student to a designated area and notify the responsible administrator or administrator’s designee at once.

~~B.~~A. A student may not be removed from class more than six (6) times in one school year nor more than twice in one week unless the student is referred to the responsible administrator or administrator’s designee and granted an informal hearing at which the student should be informed of the reasons for the disciplinary action and given an opportunity to explain the situation.

~~C.~~B. The parents or guardian of any minor student removed from class shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of such removal from class.

VI. Procedures Governing Suspension

A. The responsible administrator or administrator’s designee, shall have the right to suspend a student for breach of conduct as noted in Section II of this policy for not more than ~~ten (10)~~five (5) consecutive in-school days. In cases where suspension is contemplated, the following procedures shall be followed.

1. Unless an emergency situation exists, no student shall be suspended prior to having an informal hearing before the responsible administrator or administrator’s designee at which the student is informed of the charges and given an opportunity to respond. In the event of an emergency, the informal hearing shall be held as soon after the suspension as possible.

2. If suspended, such suspension shall be an in-school suspension, except the responsible administrator or administrator's designee may impose an out-of-school suspension on any pupil:
 - a. in grades three to twelve, inclusive, if, during the informal hearing, (i) the responsible administrator or administrator's designee determines that the student poses such a danger to persons or property or such a disruption of the educational process that student should be excluded from school during the period of suspension; or (ii) the responsible administrator or administrator's designee determines that an out-of-school suspension is appropriate based on evidence of (A) the student's previous disciplinary problems that have led to suspensions or expulsion of such student, and (B) previous efforts by the Administration to address the student's disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies, or
 - b. in grades preschool to two, inclusive, if the responsible administrator or administrator's designee (A) determines that an out-of-school suspension is appropriate for such student based on evidence that such student's conduct on school grounds is behavior that causes physical harm, (B) requires that such pupil receives services that are trauma-informed and developmentally appropriate and align with any behavioral intervention plan, individualized education program or plan pursuant to Section 504 of the Rehabilitation Act of 1973, as amended from time to time, for such pupil upon such pupil's return to school immediately following the out-of-school suspension, and (C) considers whether to convene a planning and placement team meeting for the purposes of conducting and evaluation of the student. ~~or on school transportation is of a violent or sexual nature that endangers persons.~~
3. An out-of-school suspension imposed in accordance with (2.A) of this subsection shall not exceed ten(10) school days, and an out-of-school suspension imposed in accordance with (2.B.) of this subsection shall not exceed five (5) school days.
4. Evidence of past disciplinary problems that have led to removal from a classroom, suspension, or expulsion of a student who is the subject of an informal hearing may be received by the responsible administrator or the administrator's designee, but only considered in the determination of the length of suspensions.
54. By telephone, the responsible administrator or the administrator's designee shall make reasonable attempts to immediately notify the parent or guardian of a minor student following the suspension and to state the cause(s) leading to the suspension.
65. Whether or not telephone contact is made with the parent or guardian of such minor student, the responsible administrator or administrator's designee shall forward a letter promptly to such parent or guardian to the last address reported on school records (or to a newer address if known by the responsible administrator or administrator's designee), offering the parent or guardian an opportunity for a conference to discuss same.

76. In all cases, the parent or guardian of any minor student who has been suspended shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the suspension.
87. Not later than twenty-four (24) hours after the commencement of the suspension, the responsible administrator or administrator's designee shall also notify the Superintendent or designee of the name of the student being suspended and the reason for the suspension.
98. The student shall be allowed to complete any classwork, including examinations, without penalty, which the student missed while under suspension.
109. The school Administration may, in its discretion, shorten or waive the suspension period for a student who has not previously been suspended or expelled, if the student completes an Administration-specified program and meets any other conditions required by the Administration. Such Administration-specified program shall not require the student and/or the student's parents to pay for participation in the program. The Superintendent may delegate this authority to building or program level administrators.
110. Notice of the suspension shall be recorded in the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record if the student graduates from high school. In cases where the student's period of suspension is shortened or waived in accordance with Section VI.A(9), above, the Administration may choose to expunge the suspension notice from the cumulative record at the time the student completes the Administration-specified program and meets any other conditions required by the Administration. The Superintendent may delegate this authority to building or program level administrators.
112. If the student has not previously been suspended or expelled, and the Administration chooses to expunge the suspension notice from the student's cumulative record prior to graduation, the Administration may refer to the existence of the expunged disciplinary notice, notwithstanding the fact that such notice may have been expunged from the student's cumulative file, for the limited purpose of determining whether any subsequent suspensions or expulsions by the student would constitute the student's first such offense.
132. The decision of the responsible administrator or administrator's designee with regard to disciplinary actions up to and including suspensions shall be final.
143. During any period of suspension served out of school, the student shall not be permitted to be on school property and shall not be permitted to attend or participate in any school-sponsored activities, unless the responsible administrator or the administrator's designee specifically authorizes the student to enter school property for a specified purpose or to participate in a particular school-sponsored activity.
- B. In cases where a student's suspension will result in the student being suspended more than ten (10) times or for a total of fifty (50) days in a school year, whichever results in fewer days of exclusion, the student shall, prior to the pending suspension, be granted a formal hearing before the Board of Education. The responsible administrator or administrator's designee shall report the student to the Superintendent or designee and request a formal Board hearing. If an emergency situation exists, such hearing shall be held as soon after the suspension as possible.

VII. Procedures Governing In-School Suspension

- A. The responsible administrator or administrator's designee may impose in-school suspension in cases where a student's conduct endangers persons or property, violates school policy or seriously disrupts the educational process as determined by the responsible administrator or administrator's designee.
- B. In-school suspension may not be imposed on a student without an informal hearing by the responsible administrator or administrator's designee.
- C. In-school suspension may be served in the school or program that the student regularly attends or in any other school building within the jurisdiction of the Board.
- D. No student shall be placed on in-school suspension more than fifteen (15) times or for a total of fifty (50) days in one school year, whichever results in fewer days of exclusion.
- E. The parents or guardian of any minor student placed on in-school suspension shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the period of the in-school suspension.

VIII. Procedures Governing Expulsion Hearing

A. Emergency Exception

Except in an emergency situation, the Board of Education shall, prior to expelling any student, conduct a hearing to be governed by the procedures outlined herein and consistent with the requirements of Conn. Gen. Stat. § 10-233d or Conn. Gen. Stat. § 10-233l, if applicable, as well as the applicable provisions of the Uniform Administrative Procedures Act, Conn. Gen. Stat. §§ 4-176e to 4-180a, and § 4-

181a. Whenever an emergency exists, the hearing provided for herein shall be held as soon as possible after the expulsion.

B. Hearing Panel:

Expulsion hearings conducted by the Board will be heard by any three or more Board members. A decision to expel a student must be supported by a majority of the Board members present, provided that no less than three (3) affirmative votes to expel are cast.

- 1. Alternatively, the Board may appoint an impartial hearing board composed of one (1) or more persons to hear and decide the expulsion matter, provided that no member of the Board may serve on such panel.

C. Hearing Notice and Rights of the Student and Parent(s)/Guardian(s):

- 1. Written notice of the expulsion hearing must be given to the student, and, if the student is a minor, to student's parent(s) or guardian(s) at least five (5) business days before such hearing.

2. A copy of this Board policy on student discipline shall also be given to the student, and if the student is a minor, to student's parent(s) or guardian(s), at the time the notice is sent that an expulsion hearing will be convened.
3. The written notice of the expulsion hearing shall inform the student of the following:
 - a. The date, time, place and nature of the hearing, including if the hearing will be held virtually, via video conference.
 - b. The legal authority and jurisdiction under which the hearing is to be held, including a reference to the particular sections of the legal statutes involved.
 - c. A short, plain description of the conduct alleged by the ~~Administration~~Superintendent or Superintendent's designee.
 - d. The student may present as evidence relevant testimony and documents concerning the conduct alleged and the appropriate length and conditions of expulsion; and that the expulsion hearing may be the student's sole opportunity to present such evidence.
 - e. The student may cross-examine witnesses called by the ~~Administration~~Superintendent of Superintendent's Designee.
 - f. The student may be represented by an attorney or other advocate of student's choice at the student's expense or at the expense of student's parent(s) or guardian(s).
 - g. A student is entitled to the services of a translator or interpreter, to be provided by the Board of Education, whenever the student or student's parent(s) or guardian(s) requires the services of an interpreter because student(s) do(es) not speak the English language or is(are) disabled.
 - h. The conditions under which the Board is not legally required to give the student an alternative educational opportunity (if applicable).
 - i. Information concerning the parent's(s') or guardian's(s') and the student's legal rights and about free or reduced-rate legal services and how to access such services.
 - j. The parent(s) or guardian(s) of the student have the right to have the expulsion hearing postponed for up to one week to allow time to obtain representation, except that if an emergency exists, such hearing shall be held as soon after the expulsion as possible.

D. Hearing Procedures:

1. The hearing will be conducted by the Presiding Officer, who will call the meeting to order, introduce the parties, Board members and others participating in the hearing (if applicable), briefly explain the hearing procedures, and swear in any witnesses called by the ~~Administration~~Superintendent or Superintendent's designee or the student. If an impartial board or more than one person has been appointed, the impartial board shall appoint a Presiding Officer.
2. The hearing will be conducted in executive session. A verbatim record of the hearing will be made, either by tape or digital recording or by a stenographer. A record of the hearing

will be maintained, including the verbatim record, all written notices and documents relating to the case and all evidence received or considered at hearing.

3. The ~~Administration~~ Superintendent or Superintendent's designee shall bear the burden of production to come forward with evidence to support its case and shall bear the burden of persuasion. The standard of proof shall be a preponderance of the evidence.
4. Formal rules of evidence will not be followed. The Board (or the impartial board) has the right to accept hearsay and other evidence if it deems that evidence relevant or material to its determination. The Presiding Officer will rule on testimony or evidence as to it being immaterial, irrelevant, and/or any other objections to its submission.
5. The hearing will be conducted in two (2) parts. In the first part of the hearing, the Board (or the impartial board) will receive and consider evidence regarding the conduct alleged by the Administration.
6. In the first part of the hearing, the charges will be introduced into the record by the Superintendent or designee.
7. Each witness for the ~~Superintendent or Superintendent's designee~~ Administration will be called and sworn. After a witness has finished testifying, he/she will be subject to cross-examination by the opposite party or his/her legal counsel, by the Presiding Officer and by Board members (or the impartial board).
8. The student shall not be compelled to testify at the hearing.
9. After the ~~Superintendent or Superintendent's designee~~ Administration has presented its case, the student will be asked if they have any witnesses or evidence to present concerning the charges. If so, the witnesses will be sworn, will testify, and will be subject to cross examination and to questioning by the Superintendent or Superintendent's designee, the Presiding Officer and/or by the Board (or the impartial board). The student may also choose to make a statement at this time. If the student chooses to make a statement, they will be sworn and subject to cross examination and questioning by the Superintendent or Superintendent's designee, the Presiding Officer and/or by the Board (or the impartial board). Concluding statements will be made by the Superintendent or Superintendent's designee ~~Administration~~ and then by the student and/or the student's representative.
10. In cases where the student has denied the allegation, the Board (or the impartial board) must determine whether the student committed the offense(s) as charged by the Superintendent or Superintendent's designee.
11. If the Board (or the impartial board) determines that the student has committed the conduct as alleged, then the Board (or the impartial board) shall proceed with the second portion of the hearing, during which the Board (or the impartial board) will receive and consider relevant evidence regarding the length and conditions of expulsion.
12. When considering the length and conditions of expulsion, the Board (or the impartial board) may review the student's attendance, academic and past disciplinary records. The Board (or the impartial board) may not review notices of prior expulsions or suspensions which have been expunged from the student's cumulative record, except as provided in

Section VI.A (9), (10), (11), above, and Section X, below. The Board (or the impartial board) may ask the Superintendent or Superintendent's designee for a recommendation as to the discipline to be imposed.

13. Evidence of past disciplinary problems that have led to removal from a classroom, suspension or expulsion of a student being considered for expulsion may be considered only during the second portion of the hearing, during which the Board (or the impartial board) is considering length of expulsion and nature of alternative educational opportunity to be offered.

14. Where administrators presented the case in support of the charges against the student, neither such administrative staff nor the Superintendent or Superintendent's designee shall ~~not~~ be present during the deliberations of the Board (or the impartial board) either on questions of evidence or on the final discipline to be imposed. The Superintendent or Superintendent's designee may, after reviewing the incident with administrators, and reviewing the student's records, make a recommendation to the Board (or the impartial board) as to the appropriate discipline to be applied.

15. The Board (or the impartial board) shall make findings as to the truth of the charges, if the student has denied them; and, in all cases, the disciplinary action, if any, to be imposed. While the hearing itself is conducted in executive session, the vote regarding expulsion must be made in open session and in a manner that preserves the confidentiality of the student's name and other personally identifiable information.

16. Except for a student who has been expelled based on possession of a firearm or deadly weapon as described in subsection IV.B(1) and (2) above, the Board (or the impartial board) may, in its discretion, shorten or waive the expulsion period for a student who has not previously been suspended or expelled, if the student completes a Board-specified program and meets any other conditions required by the Board (or the impartial board). The Board-specified program shall not require the student and/or the student's parents to pay for participation in the program.

17. The Board (or the impartial board) shall report its final decision in writing to the student, or if such student is a minor, also to the parent(s) or guardian(s), stating the reasons on which the decision is based, and the disciplinary action to be imposed. Said decision shall be based solely on evidence presented at the hearing. The parents or guardian or any minor student who has been expelled shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of the period of the expulsion.

18. The hearing may be conducted virtually, via video conference, at the direction of the Board (or the impartial board), in the event school buildings are closed to students or individuals are provided limited access to school buildings due to a serious health or other emergency. Any virtual hearing must provide the student the due process rights identified in this Subsection D.

E. Presence on School Grounds, on School Transportation, and Participation in School-Sponsored Activities During Expulsion:

During the period of expulsion, the student shall not be permitted to be on school property or on school transportation and shall not be permitted to attend or participate in any school-sponsored activities, except for the student's participation in any alternative educational opportunity provided by the district in accordance with this policy, unless the Superintendent or Superintendent's specifically provides written permission for the student to enter school property or school transportation for a specified purpose or to participate in a particular school-sponsored activity.

F. Stipulated Agreements:

In lieu of the procedures used in this Section, the Superintendent or Superintendent's designeeAdministration and the parent(s) or legal guardian(s) of a student facing expulsion may choose to enter into a Joint Stipulation of the Facts and a Joint Recommendation to the Board concerning the length and conditions of expulsion. Such Joint Stipulation and Recommendation shall include language indicating that the parent(s) or legal guardian(s) understand their right to have an expulsion hearing held pursuant to these procedures, and language indicating that the Board, in its discretion, has the right to accept or reject the Joint Stipulation of Facts and Recommendation. If the Board (or the impartial board) rejects either the Joint Stipulation of Facts or the Recommendation, an expulsion hearing shall be held pursuant to the procedures outlined herein. If the Student is eighteen years of age or older, the student shall have the authority to enter into a Joint Stipulation on the student's own behalf.

If the parties agree on the facts, but not on the disciplinary recommendation, the Superintendent or Superintendent's designeeAdministration and the parents (or legal guardians) of a student facing expulsion may also choose to enter into a Joint Stipulation of the Facts and submit only the Stipulation of the Facts to the Board (or the impartial board) in lieu of holding the first part of the hearing, as described above. Such Joint Stipulation shall include language indicating that the parents and/or student over the age of 18 understand their right to have a hearing to determine whether the student engaged in the alleged misconduct and that the Board, in its discretion, has the right to accept or reject the Joint Stipulation of Facts. If the Board (or the impartial board) rejects the Joint Stipulation of Facts, a full expulsion hearing shall be held pursuant to the procedures outlined herein.

IX. Alternative Educational Opportunities for Expelled Students

A. Students under sixteen (16) years of age:

Whenever the Board of Education expels a student under sixteen (16) years of age, it shall offer any such student an alternative educational opportunity.

B. Students sixteen (16) to eighteen (18) years of age:

1. The Board of Education shall provide an alternative educational opportunity to a sixteen (16) to eighteen (18) year-old student expelled for the first time if the student requests it and if the student agrees to the conditions set by the Board (or the impartial board). Such alternative educational opportunity may include, but shall not be limited to, the placement of a student who is at least seventeen years of age in an adult education program. Any student participating in an adult education program during a period of expulsion shall not

be required to withdraw from school as a condition to participation in the adult education program.

2. The Board of Education is not required to offer an alternative educational opportunity to any student between the ages of sixteen (16) and eighteen (18) who is expelled for a second, or subsequent, time.

3. The Board of Education shall count the expulsion of a student when the student was under sixteen (16) years of age for purposes of determining whether an alternative educational opportunity is required for such student when the student is between the ages of sixteen and eighteen.

C. Students eighteen (18) years of age or older:

The Board of Education is not required to offer an alternative educational opportunity to expelled students eighteen (18) years of age or older.

D. Content of Alternative Educational Opportunity

1. For the purposes of Section IX, and subject to Subsection IX.E, below, any alternative educational opportunity to which an expelled student is statutorily entitled shall be (1) alternative education, as defined by Conn. Gen. Stat. § 10-74j and in accordance with the *Standards for Educational Opportunities for Students Who Have Been Expelled*, adopted by the State Board of Education, with an individualized learning plan, if the Board provides such alternative education, or (2) in accordance with the *Standards for Educational Opportunities for Students Who Have Been Expelled*, adopted by the State Board of Education.

. The Superintendent, or designee, shall develop administrative regulations concerning alternative educational opportunities, which administrative regulations shall be in ~~compliance with~~ compliance with the standards adopted by the State Board of Education. Such administrative regulations shall include, but not limited to, provisions to address student placement in alternative education; individualized learning plans; monitoring of student(s) placements and performance; and a process for transition planning.

E. Students identified as eligible for services under the Individuals with Disabilities Education Act ("IDEA"):

Notwithstanding Subsections IX.A. through D. above, if the Board of Education expels a student who has been identified as eligible for services under the Individuals with Disabilities Education Act ("IDEA"), it shall offer an alternative educational opportunity to such student in accordance with the requirements of IDEA, as it may be amended from time to time, and in accordance with the *Standards for Educational Opportunities for Students Who Have Been Expelled*, adopted by the State Board of Education.

F. Students for whom an alternative educational opportunity is not required:

The Board of Education may offer an alternative educational opportunity to a student for whom such alternative educational opportunity is not required by law or as described in this policy.

In such cases, the Board, or if delegated by the Board, the Administration, shall determine the components, including nature, frequency and duration of such services, of any such alternative educational opportunity.

X. Notice of Student Expulsion on Cumulative Record

Notice of expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such notice, except for notice of an expulsion of a student in grades nine through twelve, inclusive, based upon possession of a firearm or deadly weapon, shall be expunged from the cumulative educational record by the ~~Board-District~~ if the student graduates from high school.

In cases where the student's period of expulsion is shortened or waived in accordance with Section VIII.D(14), above, the Board may choose to expunge the expulsion notice from the cumulative record at the time the student completes the Board-specified program and meets any other conditions required by the Board. Except as may be specified by the Board in an expulsion hearing decision, the Board delegates the authority to make decisions pertaining to expungement to the Superintendent.

If a student's period of expulsion was not shortened or waived, the Board may choose to expunge the expulsion notice from the student's cumulative record prior to graduation if such student has demonstrated to the Board that the student's conduct and behavior in the years following such expulsion warrants an expungement. In deciding whether to expunge the expulsion notice, the Board may receive and consider evidence of any subsequent disciplinary problems that have led to removal from a classroom, suspension or expulsion of the student. Except as may be specified by the Board in an expulsion hearing decision, the Board delegates the authority to make decisions pertaining to expungement to the Superintendent.

If the student has not previously been suspended or expelled, and the Administration chooses to expunge the expulsion notice from the student's cumulative record prior to graduation, the Administration may refer to the existence of the expunged notice, notwithstanding the fact that such notice may have been expunged from the student's cumulative file, for the limited purpose of determining whether any subsequent suspension or expulsion by the student would constitute the student's first such offense.

XI. Change of Residence During Expulsion Proceedings

A. Student moving into the District:

1. If a student enrolls in the District while an expulsion hearing is pending in another public school district, such student shall not be excluded from school pending completion of the expulsion hearing unless an emergency exists, as defined above. The Board shall retain the authority to suspend the student or to conduct its own expulsion hearing. The procedures outlined above in Section VIII and consistent with the requirements of Conn. Gen. Stat. § 10-233d or Conn. Gen. Stat. § 10-233i, if applicable, as well as the applicable provisions of the Uniform Administrative Procedures Act, Conn. Gen. Stat. §§ 4-176e to 4-180a, and § 4-181a shall be utilized for any hearing conducted under this section.

2. Where a student enrolls in the district during the period of expulsion from another public school district, the Board may adopt the decision of the student expulsion hearing conducted by such other school district. The student shall be excluded from school pending such hearing. The excluded student shall be offered an alternative educational opportunity in accordance with statutory requirements. The Board (or the impartial board) shall make its determination pertaining to expulsion based upon a hearing held by the Board (or the impartial board), which hearing shall be limited to a determination of whether the conduct which was the basis of the previous public school district's expulsion would also warrant expulsion by the Board. The procedures outlined above in Section VIII and consistent with the requirements of Conn. Gen. Stat. § 10-233d or Conn. Gen. Stat. § 10-233f, if applicable, as well as the applicable provisions of the Uniform Administrative Procedures Act, Conn. Gen. Stat. §§ 4-176e to 4-180a, and § 4-181a shall be utilized for any hearing conducted under this section.

B. Student moving out of the District:

Where a student withdraws from school after having been notified that an expulsion hearing is pending, but before a decision has been rendered by the Board, the notice of the pending expulsion hearing shall be included on the student's cumulative record and the Board shall complete the expulsion hearing and render a decision. If the Board subsequently renders a decision to expel the student, a notice of the expulsion shall be included on the student's cumulative record.

XII. Procedures Governing Suspension and Expulsion of Students Identified as Eligible for Services under the Individuals with Disabilities Education Act ("IDEA")

A. Suspension of IDEA students:

Notwithstanding the foregoing, if ~~the Administration~~ a responsible administrator suspends a student identified as eligible for services under the IDEA (an "IDEA student") who has violated any rule or code of conduct of the District that applies to all students, the following procedures shall apply:

1. The ~~Administration~~ responsible administrator shall make reasonable attempts to immediately notify the parents of the student of the decision to suspend on the date on which the decision to suspend was made, and a copy of the special education procedural safeguards must either be hand-delivered or sent by mail to the parents on the date that the decision to suspend was made.
2. During the period of suspension, the District is not required to provide any educational services to the IDEA student beyond that which is provided to all students suspended by the District.

B. Expulsion and Suspensions that Constitute Changes in Placement for IDEA students:

Notwithstanding any provision to the contrary, if the Administration recommends for expulsion an IDEA student who has violated any rule or code of conduct of the District that applies to all students, the procedures described in this section shall apply. The procedures described in this section shall also apply for students whom the Administration has suspended in a manner that is considered under the IDEA, as it may be amended from time to time, to be a change in educational placement:

1. Upon the decision by the Administration to recommend expulsion or impose a suspension that would constitute a change in educational placement, the Administration shall promptly notify the parent(s)/guardian(s) of the student of the recommendation of expulsion or the suspension that would constitute a change in educational placement, and provide the parents(s)/guardian(s) a copy of the special education procedural safeguards either by hand-delivery or by mail (unless other means of transmission have been arranged).
2. The District shall immediately convene the student's planning and placement team ("PPT"), but in no case later than ten (10) school days after the recommendation for expulsion or the suspension that constitutes a change in placement was made. The student's PPT shall consider the relationship between the student's disability and the behavior that led to the recommendation for expulsion or the suspension which constitutes a change in placement, in order to determine whether the student's behavior was a manifestation of the student's disability.
3. If the student's PPT finds that the behavior was a manifestation of the student's disability, the Administration shall not proceed with the recommendation for expulsion or the suspension that constitutes a change in placement.
4. If the student's PPT finds that the behavior was not a manifestation of the student's disability, the Administration may proceed with the recommended expulsion or suspension that constitutes a change in placement.
5. During any period of expulsion, or suspension of greater than ten (10) days per school year, the Administration shall provide the student with an alternative education program in accordance with the provisions of the IDEA.
6. When determining whether to recommend an expulsion or a suspension that constitutes a change in placement, the responsible administrator (or designee) should consider the nature of the misconduct and any relevant educational records of the student.

C. Removal of Special Education Students for Certain Offenses:

1. A responsible administrator may remove a student eligible for special education under the IDEA to an appropriate interim alternative educational setting for not more than forty-five (45) school days if the student:

- a. Was in possession of a dangerous weapon, as defined in 18 U.S.C. 930(g)(2), as amended from time to time, on school grounds, on school transportation or at a school-sponsored activity, or
 - b. Knowingly possessed or used illegal drugs or sold or solicited the sale of a controlled substance while at school, on school transportation or at a school-sponsored activity; or
 - c. Has inflicted serious bodily injury upon another person while at school, on school premises, on school transportation or at a school function.
2. The following definitions shall be used for this subsection XII.C.:
- a. **Dangerous weapon** means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2.5 inches in length.
 - b. **Controlled substance** means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act, 21 U.S.C. 812(c).
 - c. **Illegal drug** means a controlled substance but does not include a substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of federal law.
 - d. **Serious bodily injury** means a bodily injury which involves: (A) a substantial risk of death; (B) extreme physical pain; (C) protracted and obvious disfigurement; or (D) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

XIII. Procedures Governing Expulsions for Students Identified as Eligible under Section 504 of the Rehabilitation Act of 1973 (“Section 504”)

- A. Except as provided in subsection B below, notwithstanding any provision to the contrary, if the Administration recommends for expulsion a student identified as eligible for educational accommodations under Section 504 who has violated any rule or code of conduct of the District that applies to all students, the following procedures shall apply:
 1. The parents of the student must be notified of the decision to recommend the student for expulsion.
 2. The District shall immediately convene the student’s Section 504 team (“504 team”) for the purpose of reviewing the relationship between the student’s disability and the behavior that led to the recommendation for expulsion. The 504 team will determine whether the student’s behavior was a manifestation of the student’s disability.
 3. If the 504 team finds that the behavior was a manifestation of the student’s disability, the Administration shall not proceed with the recommended expulsion.

4. If the 504 team finds that the behavior was not a manifestation of the student's disability, the Administration may proceed with the recommended expulsion.

B. The Board may take disciplinary action for violations pertaining to the use or possession of illegal drugs or alcohol against any student with a disability who currently is engaging in the illegal use of drugs or alcohol to the same extent that such disciplinary action is taken against nondisabled students. Thus, when a student with a disability is recommended for expulsion based solely on the illegal use or possession of drugs or alcohol, the 504 team *shall not be required to meet* to review the relationship between the student's disability and the behavior that led to the recommendation for expulsion.

XIV. Procedures Governing Expulsions for Students Placed in a Juvenile Detention Center

A. Any student who commits an expellable offense and is subsequently placed in a juvenile detention center or any other residential placement for such offense may be expelled by the Board in accordance with the provisions of this section. The period of expulsion shall run concurrently with the period of placement in a juvenile detention center or other residential placement.

B. If a student who committed an expellable offense seeks to return to the District after participating in a diversionary program or having been placed in a juvenile

detention center or any other residential placement and such student has not been expelled by the board of education for such offense under subdivision (A) of this subsection, the Board shall allow such student to return and may not expel the student for additional time for such offense.

XV. Early Readmission to School

An expelled student may apply for early readmission to school. The Board delegates the authority to make decisions on readmission requests to the Superintendent. Students desiring readmission to school shall direct such readmission requests to the Superintendent. The Superintendent has the discretion to approve or deny such readmission requests, and may condition readmission on specified criteria.

XVI. Dissemination of Policy

The District shall, at the beginning of each school year and at such other times as it may deem appropriate, provide for an effective means of informing all students, parent(s) and/or guardian(s) of this policy.

XVII. Compliance with Documentation and Reporting Requirements

A. The District shall include on all disciplinary reports the individual student's state-assigned student identifier (SASID).

B. The District shall report all suspensions and expulsions to the State Department of Education.

C. If the Board of Education expels a student for sale or distribution of a controlled substance, as defined in Conn. Gen. Stat. § 21a-240(9), whose manufacture, distribution, sale, prescription, dispensing, transporting or possessing with the intent to sell or dispense, offering, or

administration is the subject to criminal penalties under Conn. Gen. Stat. §§ 21a-277 and 21a-278, the District shall refer such student to an appropriate state or local agency for rehabilitation, intervention or job training and inform the agency of its action.

- D. If the Board of Education expels a student for possession of a firearm, as defined in 18 U.S.C. § 921, or deadly weapon, dangerous instrument or martial arts weapon, as defined in Conn. Gen. Stat. § 53a-3, the District shall report the violation to the local police.

Legal References:

Connecticut General Statutes:

§ 10-16	Length of school year
§ 10-74j	Alternative education
§§ 4-176e through 4-180a and § 4-181a	Uniform Administrative Procedures Act
§ 10-222d	Safe school climate plans. Definitions. Safe school climate assessments
§§ 10-233a through 10-233f	Suspension and expulsion of students
§ 10-233l	Expulsion and suspension of children in preschool programs
§ 10-253	School privileges for children in certain placements, nonresident children, children in temporary shelters, homeless children and children in juvenile detention facilities. Liaison to facilitate transitions between school districts and juvenile and criminal justice systems.
§ 19a-342a	Use of electronic nicotine delivery system or vapor product prohibited. Exceptions. Signage required. Penalties
§ 21a-240	Definitions
§ 21a-277	Penalty for illegal manufacture, distribution, sale, prescription, dispensing
§ 21a-278	Penalty for illegal manufacture, distribution, sale, prescription, or administration by non-drug-dependent person
§§ 21a-408a through 408p	Palliative Use of Marijuana
§ 29-35	Carrying of pistol or revolver without permit prohibited. Exceptions
§ 29-38	Weapons in vehicles
§ 53a-3	Definitions
§ 53-206	Carrying of dangerous weapons prohibited

§ 53-344 Sale or delivery of cigarettes or tobacco products to persons under twenty-one.

§ 53-344b Sale and delivery of electronic nicotine delivery system or vapor products to persons under twenty-one years or age

Public Act No. 21-46, “An Act Concerning Social Equity and the Health, Safety and Education of Children.”

Packer v. Board of Educ. of the Town of Thomaston, 717 A.2d 117 (Conn. 1998).

State v. Hardy, 896 A.2d 755 (Conn. 2006).

State v. Guzman, 955 A.2d 72 (Conn. App. Ct. 2008).

Connecticut State Department of Education, *Standards for Educational Opportunities for Students Who Have Been Expelled*, adopted January 3, 2018.

Federal law:

Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, as amended by the Individuals with Disabilities Education Improvement Act of 2004, Pub. L. 108-446.

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794(a).

18 U.S.C. § 921 (definition of “firearm”)

18 U.S.C. § 930(g)(2) (definition of “dangerous weapon”)

18 U.S.C. § 1365(h)(3) (identifying “serious bodily injury”)

21 U.S.C. § 812(c) (identifying “controlled substances”)

34 C.F.R. § 300.530 (defining “illegal drugs”)

Gun-Free Schools Act, 20 U.S.C. § 7961

Honig v. Doe, 484 U.S. 305 (1988)

[U.S. Department of Education Office for Civil Rights, U.S. Department of Justice Civil Rights Division, Resource on Confronting Racial Discrimination in Student Discipline \(May 2023\)](#)

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#5113**Student Attendance, Truancy and
Chronic Absenteeism
(formerly Student Attendance)**

Regular and punctual student attendance in school is essential to the educational process. Connecticut state law places responsibility for assuring that students attend school with the parent or other person having control of the child. To assist parents and other persons in meeting this responsibility, the Board of Education (the “Board”), through its Superintendent, will adopt and maintain procedures to implement this policy.

In addition, the Board takes seriously the issue of chronic absenteeism. To address this issue, the Board, through its Superintendent, will adopt and maintain procedures regarding chronic absenteeism in accordance with state law.

Legal References:

Public Act No. 22-47

Connecticut General Statutes § 10-220

Connecticut General Statutes § 10-184

Connecticut General Statutes § 10-186

Connecticut General Statutes § 10-198a

Connecticut General Statutes § 10-198b

Connecticut General Statutes § 10-198c

Connecticut General Statutes § 10-198d

Connecticut General Statutes § 10-198e

Connecticut General Statutes § 10-198f

Guidelines for Reporting Student Attendance in the Public School Information System
(Connecticut State Department of Education, January 2008)

Connecticut State Board of Education Memorandum, *Definitions of Excused and Unexcused Absences* (June 27, 2012)

Connecticut State Department of Education, *Guidelines for Implementation of the Definitions of Excused and Unexcused Absences and Best Practices for Absence Prevention and Intervention* (April 2013)

Connecticut State Department of Education, *Reducing Chronic Absence in Connecticut's Schools: A Prevention and Intervention Guide for Schools and Districts* (April 2017)

Connecticut State Department of Education Memorandum, *Youth Service Bureau Referral for Truancy and Defiance of School Rules* (February 22, 2018)

Connecticut State Department of Education, *Youth Service Bureau Referral Guide* (February 2018)

Connecticut State Department of Education Memorandum, *Mental Health Wellness Days* (January 24, 2022)

Connecticut State Department of Education Memorandum, *Adoption of Definitions of Remote Absence* (September 7, 2022)

Connecticut State Board of Education Resolution (September 7, 2022)

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Date Revised: January 10, 2023

First Reading: August 20, 2024

Regulation #5113
Student Attendance, Truancy and
Chronic Absenteeism
(formerly Student Attendance)

I. Attendance and Truancy

A. Definitions for Section I

1. **“Absence”** - any day during which a student is not considered “in attendance” ~~at his/her assigned school, or on a school-sponsored activity (e.g. field trip), for at least one half of the school day.~~ as defined in these regulations.
2. **“Disciplinary absence”** - Any absence as a result of school or district disciplinary action. Any student serving an out-of-school suspension or expulsion should be considered absent. ~~Such~~ except for each day that the student receives alternative educational programming for at least half of the instructional school day. A disciplinary absence is not considered excused or unexcused for attendance and truancy purposes.
3. **“Educational evaluation”** - for purposes of this policy, an educational evaluation is an assessment of a student’s educational development, which, based upon the student’s presenting characteristics, would assess (as appropriate) the following areas: health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities.
4. **“Excused absence”** - a student is considered excused from school if the school has received written documentation describing the reason for the absence within ten (10) school days of the student’s return to school, or if the child has been excluded from school in accordance with section 10-210 of the Connecticut General Statutes (regarding communicable diseases), and the following criteria are met:
 - a. Any absence before the student’s tenth (10th) absence is considered excused when the student’s parent/guardian approves such absence and submits

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appropriate written documentation in accordance with this regulation.

b. For the student's tenth (10th) absence and all absences thereafter, a student's absences from school are, with appropriate documentation in accordance with this regulation, considered excused only for the following reasons:

- i. student illness (verified by an appropriately licensed medical professional);
- ii. religious holidays;
- iii. mandated court appearances (documentation required);
- iv. funeral or death in the family, or other emergency beyond the control of the student's family;
- v. extraordinary educational opportunities pre-approved by the district administrators and in accordance with Connecticut State Department of Education guidance and this regulation;
- vi. lack of transportation that is normally provided by a district other than the one the student attends.

c. A student, age five (5) to eighteen (18), whose parent or legal guardian is an active duty member of the armed forces who has been called for duty, is on leave from or has immediately returned from deployment to a combat zone or combat support posting, shall be granted ten (10) days of excused absences in any school year, and, in the discretion of the administration, additional excused absences to visit such student's parent or legal guardian with respect to the parent's leave or deployment. In the case of such excused absences, the student and parent or legal guardian are responsible for obtaining assignments from the student's teacher prior to any period of excused absence, and for ensuring that such assignments are completed by the student prior to his or her return to school.

5. "In aAttendance" - aAny day during which a student is present at the student's assigned school, or an activity sponsored by the school, and/or participating in an activity sponsored by the school (e.g., field trip) for at least half of the regular school day; and/or

67 participating in statutorily authorized remote learning as determined through a
68 combination of synchronous virtual classes, synchronous virtual meetings, activities on
69 time-logged electronic systems, and/or the completion and submission of assignments for
70 at least half of the instructional school day;

71 6. “Mental health wellness day” - a school day during which a student attends to such
72 student’s emotional and psychological well-being in lieu of attending school.

73
74 7. “Remote learning” means instruction by means of one or more Internet-based software
75 platforms as part of a remote learning model as may be authorized by the Madison Board
76 of Education (the “Board”) in accordance with applicable law.

77 8. “Student” - a student enrolled in the Madison Public Schools (the “District”).
78

79 97. “Truant” - any student five (5) to eighteen (18) years of age, inclusive, who has four (4)
80 unexcused absences from school in any one month or ten (10) unexcused absences from
81 school in any school year.

82
83 108. “Unexcused absence” - any absence from a regularly scheduled school day for at least
84 one half of the school day, which is not excused or considered a disciplinary absence.

85
86 The determination of whether an absence is excused will be made by the building
87 principal or principal’s his/her designee. Parents or other persons having control of the
88 child may appeal that decision to the Superintendent or his/her Superintendent’s designee,
89 whose decision shall be final.

90
91 B. Mental Health Wellness Days

92
93 Any student enrolled in grades kindergarten to twelve, inclusive, shall be permitted to
94 take two mental health wellness days during the school year, during which day such
95 student shall not be required to attend school. No student shall take mental health
96 wellness days during consecutive school days. Mental health wellness days shall be
97 excused when permission by the student’s parent/guardian is documented by the student’s
98 school, regardless of the number of absences a student has accrued in the school year.
99 Mental health wellness days will not be included in reporting or referrals related to

truancy. Mental health wellness day will count as an “absence” for determining chronic absenteeism, as defined in Section II of this policy.

C.. Written Documentation Requirements for Absences

1. Written documentation must be submitted for each incidence of absence within ten (10) school days of the student’s return to school. Consecutive days of absence are considered one incidence of absence.
2. The first nine (9) days of absence will be excused upon receipt of a signed note from the student’s parent/guardian, a signed note from a school official that spoke in person with the parent/guardian regarding the absence, or a note confirming the absence by the school nurse or by a licensed medical professional, as appropriate. ~~For any absence due to student illness, the signed note must include the specific symptom(s) exhibited by the student so that the District can monitor trends that would suggest the spread of COVID-19.~~
3. For the student’s tenth (10th) absence, and all absences thereafter, documentation of the absence must be submitted in accordance with paragraphs 1 and 2 above, and must also include the reason for the absence and the following additional information:
 - a. student illness:
 - i. a signed note from a medical professional, who may be the school nurse, who has evaluated the student confirming the absence and giving an expected return date ~~and including the specific symptom(s) exhibited by the student so that the District can monitor trends that would suggest the spread of COVID-19;~~ or
 - ii. a signed note from school nurse who has spoken with the student’s medical professional and confirmed the absence, including the date and location of the consultation ~~and including the specific symptom(s) exhibited by the student so that the District can monitor trends that would suggest the spread of COVID-19.~~

- b. religious holidays: none.
- c. mandated court appearances:
- i. a police summons;
 - ii. a subpoena;
 - iii. a notice to appear;
 - iv. a signed note from a court official; or
 - v. any other official, written documentation of the legal requirement to appear in court.
- d. funeral or death in the family, or other emergency beyond the control of the student's family: a written document explaining the nature of the emergency.
- e. extraordinary educational opportunity pre-approved by the district administrators and in accordance with Connecticut State Department of Education guidance and this policy: written pre-approval from the administration, in accordance with this regulation.
- f. lack of transportation that is normally provided by a district other than the one the student attends: none.
4. ~~Neither e-mail nor text message shall serve to satisfy the requirement of written documentation. In rare and extraordinary circumstances, Under certain circumstances, a~~ building administrator may, in ~~his/her~~the administrator's own discretion, accept the delivery of written documentation through a scanned copy sent by e-mail.
5. The District reserves the right to randomly audit written documentation received, through telephone and other methods of communication, to determine its authenticity.
6. Any absence that is not documented in accordance with this regulation within ten (10) school days after the incidence of absence will be recorded as unexcused. If documentation is provided within ten (10) school days, but is incomplete, the building principal may, at his/her own discretion, grant up to a five (5) school day extension for provision of the completed documentation.

D. Extraordinary Educational Opportunities

1. To qualify as an extraordinary educational opportunity, the opportunity must:
 - a. be educational in nature and must have a learning objective related to the student's course work or plan of study;
 - b. be an opportunity not ordinarily available to the student;
 - c. be grade and developmentally appropriate; and
 - d. include content that is highly relevant to the student; while some opportunities will be relevant to all students, others will contain very specific content that would limit their relevance to a smaller group of students.
2. Family vacations do not qualify as extraordinary educational opportunities.
3. All requests for approval of extraordinary educational opportunities must:
 - a. be submitted to the building principal in writing prior to the opportunity, but no later than ten (10) school days prior to the opportunity except in exceptional circumstances at the discretion of the building administrator;
 - b. contain the signatures of both the parent/guardian and the student;
 - c. include an outline of the learning objective of the opportunity and include detail as to how the objective is linked to the student's coursework or plan of study; and
 - d. include additional documentation, where available, about the opportunity.
4. The building principal shall provide a response in writing and include the following:
 - a. either approval or denial of the request;
 - b. brief reason for any denial;
 - c. any requirements placed upon the student as a condition of approval;
 - d. the specific days approved as excused absences for the opportunity;
 - e. the understanding that the building administrator may withdraw ~~its~~ approval if the opportunity is canceled or the student fails to meet the agreed-upon requirements of the approval.

- 193 5. All decisions of the building principal relating to extraordinary educational opportunities
194 shall be final.
- 195 6. Students who are granted excusal from school to participate in extraordinary educational
196 opportunities are expected to share their experiences with other students and/or school
197 staff when they return.
- 198 7. Approval for an extraordinary educational opportunity is determined on a case-by-case
199 basis and the analysis of individualized factors. An opportunity approved for one student
200 may not be approved for another.

201

202 E. Truancy Exceptions:

203

- 204 1. A student five (5) or six (6) years of age shall not be considered truant if the parent or
205 person having control over such student has appeared personally at the ~~school~~-District
206 office and exercised the option of not sending the child to school at five (5) or six (6)
207 years of age.

208

209 ~~2. Until June 30, 2023, A student seventeen (17) years of age shall not be considered truant~~
210 ~~if the parent or person having control over such student consents to such student's~~
211 ~~withdrawal from school. Such parent or person shall personally appear at the school~~
212 ~~district office and sign a withdrawal form indicating such consent. Such withdrawal form~~
213 ~~must include an attestation from a guidance counselor or school administrator from the~~
214 ~~school that the district provided the parent (or person having control of the child) with~~
215 ~~information on the educational options available in the school system and community.~~

- 216
- 217 ~~23. Beginning July 1, 2023, A~~a student who is eighteen (18) years of age or older may
218 withdraw from school. Such student shall personally appear in person at the school
219 District office and sign a withdrawal form. Such withdrawal form must include an
220 attestation from a guidance counselor or school administrator from the school that the
221 District provided such student with information on the educational options available in
222 the school system and community.
- 223

224 3. ~~Beginning July 1, 2023, a~~ student seventeen (17) years of age shall not be considered
225 truant if the parent or person having control over such child withdraws such child from
226 school and enrolls such child in an adult education program pursuant to Conn. Gen. Stat.
227 § 10-69. Such parent or person shall personally appear at the ~~school~~ District office and
228 sign an adult education withdrawal and enrollment form. Such adult education
229 withdrawal and enrollment form shall include an attestation (1) from a school counselor
230 or school administrator of the school that the District has provided such parent or person
231 with information on the educational options available in the school system and in the
232 community, and (2) from such parent or person that such child will be enrolled in an adult
233 education program upon such child's withdrawal from school.

234
235 ~~45.~~ If a parent or guardian of an expelled student chooses not to enroll the student in an
236 alternative program, the student shall not be considered to be "truant."

237
238 F. Readmission to School Following Voluntary Withdrawal

- 239
240 1. Except as noted in paragraph 2 below, if a student voluntarily withdraws from school (in
241 accordance with Section ~~ED.32~~, above) and subsequently seeks readmission, the Board
242 may deny school accommodations to the student for up to ninety (90) school days from
243 the date of the student's withdrawal from school.
- 244
245 2. If a student who has voluntarily withdrawn from school (in accordance with Section
246 ~~D.2E.3~~, above) seeks readmission within ten (10) school days of his/her withdrawal, the
247 Board shall provide school accommodations to the student not later than three (3) school
248 days after the student requests readmission.

249
250 G. Determinations of Whether a Student is "In Attendance":

- 251
252 1. A student serving an out of school suspension or expulsion shall be reported as absent
253 unless he or she receives an alternative educational program for at least ~~one~~ half of the

254 ~~regular~~ instructional school day. In any event, the absence is considered a disciplinary
255 absence, and will not be designated as excused or unexcused.

- 256
- 257 2. On early dismissal days and days shortened due to inclement weather, the regular school
258 day for attendance purposes is considered to be the amount of instructional time offered
259 to students on that day. For example, if school is open for four hours
260 on a shortened day scheduled, a student must be present for a minimum of two hours in
261 order to be considered “in attendance.”

- 262
- 263 3. Students placed on homebound instruction due to illness or injury in accordance with
264 applicable regulations and requirements are counted as being “in attendance” for every
265 day that they receive instruction from an appropriately certified teacher for an amount of
266 time deemed adequate in accordance with applicable law.

267

268 H. Procedures for students in grades K-8*

269 1. Notification

- 270 a. Annually at the beginning of the school year and upon the enrollment of any child
271 during the school year, the administration shall notify the parent or other person
272 having control of the student enrolled in grades K - 8 in writing of the obligations
273 pursuant to Conn. Gen. Stat. § 10-184 to ensure that such a student attends school
274 regularly or to show that the child is elsewhere receiving equivalent instruction in the
275 studies taught in the District.

- 276
- 277 b. Annually at the beginning of the school year and upon the enrollment of any child
278 during the school year, the administration shall obtain from the parent or other person
279 having control of the student in grades K-8 a telephone number or other means of
280 contacting such parent or other person during the school day.

281

282 2. Monitoring

283 Each school shall implement a system of monitoring individual unexcused absences of
284 students in grades K-8. Whenever such a student fails to report to school on a regularly

285 scheduled school day, school personnel under the direction of the building principal [or
286 principal's designee] shall make a reasonable effort to notify the parent or other person
287 having control of such student by telephone and by mail of the student's absence, unless
288 school personnel have received an indication that the parent or other person is aware of
289 the student's absence. [Reasonable efforts shall include two (2) attempts to reach the
290 parent or other person at the telephone number provided by the parent or other person.
291 Such attempts shall be recorded on a form provided by the Superintendent.] Any person
292 who, in good faith, gives or fails to give such notice shall be immune from liability, civil
293 or criminal, which might otherwise be incurred or imposed and shall have the same
294 immunity with respect to any judicial proceeding which results from such notice or
295 failure to give notice.
296

297 I. Procedures applicable to students ages five (5) to eighteen (18)

298 1. Intervention

299 a. When a student is truant, the building principal or ~~his/her~~principal's designee shall
300 schedule a meeting with the parent (or other person having control of such student)
301 and appropriate school personnel to review and evaluate the reasons for the student's
302 truancy. This meeting shall be held no later than ten (10) days after the student
303 becomes truant. The district shall document the meeting, and if parent or other person
304 declines to attend the meeting, or is otherwise is non-responsive, that fact shall also be
305 documented and the meeting shall proceed with school personnel in attendance.
306

307 b. When a student is truant, the Superintendent or ~~the Superintendent's~~his/her designee
308 shall coordinate services with and referrals of students to community agencies
309 providing child and family services, as appropriate. The ~~D~~istrict shall document
310 efforts to contact and include families and to provide early intervention in truancy
311 matters.
312

313 c. When a student is truant, the Superintendent or Superintendent's designee shall
314 provide notice to the student's parent or guardian of the information concerning the
315 existence and availability of the 2-1-1 Infoline program, and other pediatric mental and

behavioral health screening services and tools described in Conn. Gen. Stat. § 17a-22r.

- d. ~~Beginning July 1, 2023,~~ When a student is truant, an appropriate school mental health specialist, as determined by the District, shall conduct an evaluation of the student to determine if additional behavioral health interventions are necessary for the well-being of the child. “School mental health specialist” means any person employed by the District to provide mental health services to students, including but not limited to a school social worker, school psychologist, trauma specialist, behavior technician, board certified behavior analyst, school counselor, licensed professional counselor or licensed marriage and family therapist.
- e. If the Commissioner of Education determines that any school under the jurisdiction of Madison Board of Education (the “Board”) has a disproportionately high rate of truancy, the district shall implement in that school a truancy intervention model identified by the Department of Education pursuant to Conn. Gen. Stat. § 10-198e.
- f. In addition to the procedures specified in subsections (a) through (c) above, a regular education student who is experiencing attendance problems should be referred to the building Child Study Team [or other appropriate school-based team] (the “Team”) to consider the need for additional interventions and/or assistance. The Team will also consider whether the student should be referred to a planning and placement team (“PPT”) meeting to review the student’s need and eligibility for special education. A special education student who is experiencing attendance problems should be referred to a PPT meeting for program review.
- g. Where the documented implementation of the procedures specified in subsections (a) through (d) above does not result in improved outcomes despite collaboration with the parent/guardian, the Superintendent or ~~his/her~~ Superintendent’s designee may, with written parental consent, refer a student who is truant to a Youth Service Bureau.

J. Attendance Records

All attendance records developed by the Board shall include the individual student's state-assigned student identifier (SASID).

II. Chronic Absenteeism

A. Definitions for Section II

1. "Chronically absent child" - a child who is enrolled in a school under the jurisdiction of the Board and whose total number of absences at any time during a school year is equal to or greater than ten percent (10%) of the total number of days that such student has been enrolled at such school during such school year;
2. "Absence" - an excused absence, unexcused absence or disciplinary absence, as those terms are defined by the State Board of Education pursuant to section 10-198b of the general statutes and these administrative regulations;
3. "District chronic absenteeism rate" - the total number of chronically absent children under the jurisdiction of the Board in the previous school year divided by the total number of children under the jurisdiction of the Board for such school year; and
4. "School chronic absenteeism rate" - the total number of chronically absent children for a school in the previous school year divided by the total number of children enrolled in such school for such school year.

B. Establishment of Attendance Review Teams

If the Board has a district chronic absenteeism rate of ten percent (10%) or higher, it shall establish an attendance review team for the school district.

If a school under the jurisdiction of the Board has a school chronic absenteeism rate of fifteen percent (15%) or higher, it shall establish an attendance review team for that school.

If the Board has more than one school with a school chronic absenteeism rate of fifteen percent (15%) or higher, it shall establish an attendance review team for the school district or at each such school.

If the Board has a district chronic absenteeism rate of ten percent (10%) or higher and one or more schools with a school chronic absenteeism rate of fifteen percent (15%) or higher, it shall establish an attendance review team for the school district or at each such school.

C. Composition and Role of Attendance Review Teams

Any attendance review team established under these regulations may include school administrators, guidance counselors, school social workers, teachers, representatives from community-based programs who address issues related to student attendance by providing programs and services to truants, as defined under I.A.97, and chronically absent children and their parents or guardians.

Each attendance review team shall be responsible for reviewing the cases of truants and chronically absent children, discussing school interventions and community referrals for such truants and chronically absent children and making any additional recommendations for such truants and chronically absent children and their parents or guardians. Each attendance review team shall meet at least monthly.

D. State Chronic Absenteeism Prevention and Intervention Plan

The Board and its attendance review teams, if any, will consider any chronic absenteeism prevention and intervention plan developed by the State Department of Education.

III. Reports to the State Regarding Truancy Data

Annually, each local and regional board of education shall include information regarding the number of truants and chronically absent children in the strategic school profile report for each school under its jurisdiction and for the school district as a whole submitted to the Commissioner of Education. Measures of truancy include the type of data that is required to be collected by the Department of Education regarding attendance and unexcused absences in order for the department to comply with federal reporting requirements and the actions taken by the board of education to reduce truancy in the school district.

IV. Evolving State Department of Education Guidance

The Board will comply with any and all guidance issued by the State Department of Education regarding attendance requirements, including during periods of blended learning, and regarding attendance requirements of students who choose not to participate.

Legal References:

Connecticut General Statutes § 10-220

Connecticut General Statutes § 10-184

Connecticut General Statutes § 10-186

Connecticut General Statutes § 10-198a

Connecticut General Statutes § 10-198b

Connecticut General Statutes § 10-198c

Connecticut General Statutes § 10-198d

Connecticut General Statutes § 10-198e

Connecticut General Statutes § 10-198f

Guidelines for Reporting Student Attendance in the Public School Information System
(Connecticut State Department of Education, January 2008)

Connecticut State Board of Education Memorandum, *Definitions of Excused and Unexcused Absences* (June 27, 2012)

Connecticut State Department of Education, *Guidelines for Implementation of the Definitions of Excused and Unexcused Absences and Best Practices for Absence Prevention and Intervention* (April 2013)

Connecticut State Department of Education, *Reducing Chronic Absence in Connecticut's Schools: A Prevention and Intervention Guide for Schools and Districts* (April 2017)

Connecticut State Department of Education Memorandum, *Youth Service Bureau Referral for Truancy and Defiance of School Rules* (February 22, 2018)

Connecticut State Department of Education, *Youth Service Bureau Referral Guide* (February 2018)

Connecticut State Department of Education Memorandum, *Mental Health Wellness Days* (January 24, 2022)

Connecticut State Department of Education Memorandum, *Adoption of Definition of Remote Absence* (September 7, 2022)

Connecticut State Board of Education Resolution (September 7, 2022)