

# Board of Education Regular Meeting

Tuesday, January 19, 2021 6:00 PM

Via Zoom \*Members of the public can view the meeting by watching the live stream on the WPS YouTube channel. Please view the Google Calendar on the District website for link and agenda., 24 School Road, Weston, CT 06883-1623

## I. CALL TO ORDER, VERIFICATION OF QUORUM

## II. EXECUTIVE SESSION

## III. RESUME PUBLIC SESSION

## IV. PLEDGE OF ALLEGIANCE

## V. APPROVAL OF MINUTES

VI. PUBLIC COMMENT - \*Members of the public can view the meeting by watching the live stream on the WPS YouTube channel. Please view the Google Calendar on the District website for the link to the agenda, YouTube live stream link and link to the Public Comment Form, which is only open 10 minutes before the start of the meeting.

## VII. STUDENT BOARD OF EDUCATION REPRESENTATIVE COMMENTS

## VIII. NEW BUSINESS

A. Schooling Scenario Update

B. Update on Superintendent Search Process

C. Sixth FY 2021 Financial Update

D. Foodservice Financial Update

E. Discussion and Vote on Setting of WHS Graduation Date on April 1, 2021

F. Weston Board of Education Policies, Regulations, and Bylaws

1. First Reading - Policies and Regulation 4118.11-4218.11 and 5114.6 Title IX

2. First Reading - of Policy and Regulation 5114, Student Discipline, Policy and Regulation 6541, Transportation, and elimination of Policy 5131.1, Bus Conduct.

## IX. COMMITTEE REPORTS

A. Communications Committee

B. Curriculum Committee

C. Facilities Committee

D. Finance Committee

E. Policy Committee

X. **NEXT SCHEDULED MEETINGS OF THE BOARD OF  
EDUCATION**

A. Regular Session on February 16 at 6:00 p.m.

B. Review of Pending Agenda Items for Next Meeting

XI. **ADJOURNMENT**

## **Board of Education Special Meeting**

August 12, 2020 6:00 PM

Via Zoom

\*Members of the public can view the meeting by watching the live stream on the WPS YouTube channel. Please view the Google Calendar on the District website for link and agenda.

### **Attendance Taken at 6:00 PM:**

#### Present Board Members:

Anthony Pesco  
Melissa Walker  
Ruby Hedge  
Gina Albert  
Hillary Koyner  
Victor Escandon

#### Absent Board Members:

Taffy Miller

### **1. Recommendation for Reopening Scenario**

#### Discussion:

Dr. Pesco opened the meeting discussing the meeting plans for this week due to the fact we lost a week during the hurricane. He reviewed the agenda and that tonight they will be discussing Virtual Distance Learning and the plans for reopening at the two lower schools, Hurlbutt Elementary School and Weston Intermediate School. The Board has received a large number of emails from parents and some staff regarding the VDL and reopening plans. A public forum is being scheduled for next week where questions from parents and staff can be submitted. It was noted that the State does not require the Board to vote on reopening plans, however the Weston Board of Education will be looking at the proposed plans to make sure that they include all the health and safety guidelines, curricular rigor and meets the needs of every student.

### **2. State and Regional Update on Fall 2020 Reopening**

#### Discussion:

Dr. McKersie thanked the Board for pushing the start date of school to September 8 due to the recent storms. A reopening document was sent to families and staff by the District earlier today. The Administration's request to the Board is that the District open in an early dismissal hybrid approach. As we move into October, the Administration will look to see if we are able to move into a full-day hybrid approach.

Dr. McKersie spoke briefly about the State's decision to include Virtual Distance Learning for families, giving them the opportunity to be educated while home. As there are many communications from the District and schools, we are working to drive people to the website and the COVID-19 Resources button, which will include all the pertinent information.

### **3. Voluntary Distance Learning Update**

#### Discussion:

Dr. Craw spoke about the cohorting of all students by last name. At the K-5 level, the Voluntary Distance Learning students will have live streaming into

the classroom with their cohort (blue), and in the afternoon (after 1:15 p.m.), teachers will have time to meet with the VDL students. The next day, the schedule would change to the gold cohort.

Dr. Crow spoke briefly regarding the questions that have come up as to why not have one dedicated teacher for VDL students. With the fluctuation of VDL students, the need for additional resources depending on the number of students in VDL could be increased.

Both Ms. Falber and Ms. Kaddis said that they learned a lot during the Spring that will help teachers in the Fall. Ms. Wolak and Mr. Doak wanted everyone to know that both in-person and VDL students have all academic programs PFA classes available to them. The mode of instruction maybe different depending on the course. Clubs and Co-Curricular activities will be taking place virtually at both WHS and WMS. Ms. Wolak responded to the question regarding VDL students and participation in athletics. Students participating in VDL will not be able to participate in in-person sports. Voluntary Distance Learning in other phases is still being looked at as far as implementation within the in-person schedules.

#### **4. Hurlbutt Elementary School and Weston Intermediate School Fall 2020 Reopening Discussion**

##### Discussion:

Both Ms. Falber (WIS Principal) and Ms. Kaddis (HES Principal) spoke regarding how the hybrid scenario would work at the K-5 level. Ms. Falber spoke that she wants to make sure the streaming will work well for students and staff. The hybrid half-day or full day model would have those participating via VDL will be non-interactive, allowing the teacher to focus attention to those who are in the classroom. Afternoons from 1:15 p.m.-3:15 p.m. would be for additional individual or small group help with VDL students.

Ms. Kaddis spoke to a question as to what the expectations would be for K-1 students during the at home days. She doesn't expect the youngest learners to be able to sit in front of a computer screen and watch the whole time. Both Ms. Kaddis and Ms. Falber spoke to work that students will be given for at home days. The work could range from tasks such as take home pages to watching a video. This would be accomplished during their asynchronous days and brought back for their in-person days. Lack of air conditioning in some of the HES classrooms is currently being looked at and the Facilities Department is working on solutions.

The Board turned to Ms. Edwards to speak about Pupil Personnel Services and Special Education. Guidance from the State will be changing as of three hours prior to this meeting beginning. All PPS/SPED students are general education students first, and such, will be assigned to a blue or gold cohort. Any supports out of the classroom that a student needs will also occur (see page 38 of the Fall 2020 Reopening Plan sent to the State in July). A specific subset of students would attend school daily. These are students that have programs across all domains and need the consistency in order to have meaningful instruction.

Both full distance learning and full in-person learning is self-explanatory to the group. For both of the hybrid options (hybrid half day and hybrid full day), where students would be in school every other day, the off days would work to adhere to the IEP for the student to the greatest extent possible. The initial thinking is that VDL would follow the same plan outlined in the July 2020 Plan submitted to the State. Pull out groups or additional supports may include both

in-person and VDL student. This would be the most effective way to utilize staff and have students able to participate in groups.

As of today, August 12, 2020, some key pieces of guidance from the State were altered to state that all students must receive all services that are documented in their IEP's. They can occur in person, remotely, or a combination of both, with a strong emphasis on providing in-person instruction. The only flexibility the District has is in how we provide the services. The Learning Model IEP Implementation Plan will now be put into effect for each student that has an IEP, which is designed to only describe the differences in service delivery.

#### **5. Enrollment Update**

Discussion:

Dr. Craw and Ms. Kaddis discussed the most recent enrollment update and the increases in grades K, 1 and 6.

#### **6. Discussion and Possible Addition of a First Grade Section Based on Current Enrollment Trend**

Discussion:

Dr. Craw and Ms. Kaddis discussed the possibility of adding an additional K and grade 1 teacher due to the enrollment increases. Dr. Pesco would like to address this separately once Mr. Cross can provide current COVID-related increases to the current budget.

#### **7. Board of Education Special Meetings**

**7.1. Thursday, August 13, 2020 from 6:00 p.m.-8:00 p.m.**

**7.2. Public Forum via Zoom, TBD**

Discussion:

The Board would like a public forum session next week. The format will be discussed between Dr. McKersie and Mr. DiVito as to the best way to submit questions as well as have the opportunity to ask in person/real-time.

The meeting was adjourned at 9:16 p.m. with a motion by Ms. Hedge and second by Ms. Walker.

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Chairperson

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Superintendent

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**Board of Education Regular Meeting**

December 21, 2020 6:00 PM

Via Zoom \*Members of the public can view the meeting by watching the live stream on the WPS YouTube channel. Please view the Google Calendar on the District website for link and agenda.

Attendance was taken at 6:03 p.m.

**Present Board Members:**

Anthony Pesco  
Melissa Walker  
Ruby Hedge  
Gina Albert  
Taffy Miller  
Hillary Koyner  
Victor Escandon

**I. CALL TO ORDER, VERIFICATION OF QUORUM**

**II. EXECUTIVE SESSION**

**III. RESUME PUBLIC SESSION**

**IV. PLEDGE OF ALLEGIANCE**

Dr. Pesco requested two amendments to the posted agenda:

**Motion Passed:** move that the Weston Board of Education amend the agenda to add the item School Scenarios and Covid-19 Health Update; passed with a motion by Gina Albert and second by Ruby Hedge.

**7 Yeas – 0 Nays**

**Motion Passed:** Move that the Weston Board of Education amend posted agenda item 8F to have a discussion and possible vote on Alternative Pathways program at Weston High School; passed with a motion by Gina Albert and second by Ruby Hedge.

**7 Yeas – 0 Nays**

**V. APPROVAL OF MINUTES**

**Motion Passed:** Move that the Weston Board of Education approve the minutes from the November 16 Regular meeting and the December 9 Special Meeting; passed with a motion by Melissa Walker and second by Taffy Miller.

**7 Yeas – 0 Nays**

**VI. PUBLIC COMMENT**

Discussion:  
There were no comments from the public.

**VII. STUDENT BOARD OF EDUCATION REPRESENTATIVE COMMENTS**

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Discussion:

Student Representatives, Natalie Haythorn and Ava Pouloupoulos updated the Board on their experiences with the current schooling scenario, full remote learning, and how the student government has rallied the student body to stay in touch with online events such as trivia night as well as an upcoming Spirit Week in January. They also reported on community service events that WHS students participated in during the month of December. Lastly, the student reps expressed their appreciation to the PTO for the Senior Gift.

**VIII. NEW BUSINESS**

**VIII.A. New Course Proposal - American Tapestry: Multiculturalism in the United States**

Discussion:

Assistant Superintendent, Dr. Ken Craw gave an overview of the three new course proposals. The courses were fully vetted at the December Curriculum Committee Meeting. Two of the courses move forward the District work on Diversity, Equity and Inclusion. The 3D Art and Design course weaves together four courses that had low enrollment. The content is similar to what was previously offered.

Ruby Hedge asked what the minimum number of students needed to run a class; and inquired about online class offerings. Ms. Wolak responded and also expressed her confidence in the student interest in these courses.

**Motion Passed:** Move that the Weston Board of Education approve the new course proposal for American Tapestry; passed with a motion by Ruby Hedge and second by Taffy Miller.

**7 Yeas – 0 Nays**

**VIII.B. New Course Proposal - Voices from the Edge**

**Motion Passed:** Move that the Weston Board of Education approve the new course proposal for Voices from the Edge; passed with a motion by Taffy Miller and second by Gina Albert.

**7 Yeas – 0 Nays**

**VIII.C. New Course Proposal - 3D Art & Design**

**Motion Passed:** Move that the Weston Board of Education approve the new course proposal for 3D Art & Design; passed with a motion by Taffy Miller and second by Gina Albert.

**7 Yeas – 0 Nays**

**VIII.D. Fifth FY 2021 Financial Update and Approval of Transfers**

Discussion:

Phil Cross, Director of Finance and Operations spoke on the financial updates. He reported that the District does not have any month over month changes for this report. The main focus of the past few months has been with the expenses of reopening and related offsets for unanticipated costs.

Budget transfers to approve are in the amount of \$148,302 to true up the object codes that were not budgeted for because of unsettled contracts at the end of the budget cycle. Mrs. Albert commented for the sake of clarity that these are increases to the non-union employee and the union settlements. The District does

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budget a bucketed amount to cover those items, and this is just allocating the amounts to the appropriate lines. This is not an additional charge.

Mr. Cross continued by reporting that internal services fund continues to trend favorably. For the year-to-date end of November, we have approximate claims of \$140,000. Based on the theoretical average, we are trending 6.5% below average. The budgeted amount of funds for dental claims is about \$397,000, which will give the District approximately \$760,000 available in the fund at year end.

**Motion Passed:** Move that the Weston Board of Education approve the fifth fiscal year 2021 financial update and budget line item transfers as presented by Mr. Cross; passed with a motion by Gina Albert and second by Melissa Walker.

**7 Yeas – 0 Nays**

*Added Agenda Item:*

**School Scenarios and COVID-19 Health Update:**

Discussion:

Dr. William McKersie, Superintendent of Schools, gave an overview of the current COVID-19 public health indicators and medical guidance. He presented a tentative timeline and criteria for the reopening of school in January. He stated that the District’s primary concern is with keeping as many children in school as is safely possible.

Laura Kaddis, Principal of Hurlbutt Elementary School, spoke on the strategy for reopening and the importance of reducing density. She reported that they are constantly monitoring and working to improve all learning models and have seen tremendous student growth.

Tracy Edwards, Director of Pupil Personnel Services, spoke on the return to school for special education and high needs special education students. The goal is to return to the format of instruction before the shift to remote.

Pattie Falber, Principal of Weston Intermediate School spoke on the strategy for WIS. Areas of concern are student density, not being able to have a full 6 feet of distance and indoor mask breaks when outside is not available.

Dr. Pesco made a note to come back and review the VDL survey responses in another meeting. Board members discussed the return dates and particularly questioned the return to Full In learning for Grade 1. Board members also discussed with administrators the transition plans for rising students.

**VIII.E. Update from Town of Weston Facilities Optimization Committee**

Discussion:

Gayle Weinstein presented on the Town Facilities Optimization Committee’s RFP for consulting services. The main ideas for considerations are reducing the Board of Education campus footprint by going to three buildings and if there are any cost savings, and reorganizing the Town’s administrative buildings. Before submitting the RFP, the FOC would like to explore whether there should be other changes to the buildings that would have an impact on items such as carbon footprint reduction, as well as renovations that would enhance the students’ 21st Century learning environment. The FOC would like to have comments from the BOE by the end of January.

**VIII.F. Information and discussion on WHS Alternative Pathways**

Discussion:

Effective School Solutions (ESS) is a contracted program in place at Weston High School to address students with complex social emotional needs. A group of high school leaders and department chairs have proposed an internal program that incorporates Weston staff. The Alternative Pathways program promises to provide improved academic support as well as social-emotional support.

Staffing would include one full-time social worker, one paraprofessional and .8 FTE teaching staff. Staffing FTE is neutral. The four core CILs will use .2 of their .5 teaching load and no courses will be impacted. Dr. Pesco suggested creating a separate line item in the budget to track the costs.

**Motion Passed:** Move that the Weston Board of Education approve the new WHS program, Alternative Pathways; passed with a motion by Gina Albert and second by Taffy Miller.

**7 Yeas – 0 Nays**

**VIII.G. Discussion of CREC Teacher Residency Program 2021-22**

Discussion:

Dr. McKersie introduced the CREC Teacher Residency Program (TRP) for Board consideration in the near future. The TRP is a program to address the historic mismatch of the teaching force with the student population in Connecticut. The program is designed to locate individuals of color with a bachelor’s degree and are not currently teaching or certified, to bring them into a mentoring program and to provide a career track. They would come in as a resident, have ongoing coursework for a period of 18 months and work side by side with a mentor teacher within a classroom (possibly a few classrooms for greater exposure and networking). Participants would receive pay and benefits and are essentially guaranteed a full-time teaching position upon completion of the program. The District is not obligated to provide the resident with a full-time position if none are available and could refer them to another district in the network. Board members and administration expressed their support for the program. Ms. Hedge offered to forward the proposal to the Weston Education Foundation.

Dr. Craw updated the Board on the District’s ongoing work on Diversity, Equity and Inclusion. The Leadership Team and Curriculum Leaders are working with the Connecticut Center for School Change. Leaders are being trained specific to their building level.

**IX. OLD BUSINESS**

**X. COMMITTEE REPORTS**

**X.A. Communications Committee**

**X.B. Curriculum Committee**

**X.C. Facilities Committee**

**X.D. Finance Committee**

**X.E. Policy Committee**

**XI. NEXT SCHEDULED MEETINGS OF THE BOARD OF EDUCATION**

**XI.A. Regular Session on January 19, 2021 at 6:00 p.m.**

**XI.B. Review of Pending Agenda Items for Next Meeting**

**XII. ADJOURNMENT**

Discussion:

The meeting was adjourned at 9:08 p.m.

**Motion Passed:** with a motion by Ruby Hedge and second by Taffy Miller.

**7 Yeas – 0 Nays**

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Chairperson

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Superintendent

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### **Board of Education Regular Meeting**

January 07, 2021 7:00 PM

Via Zoom \*Members of the public can view the meeting by watching the live stream on the WPS YouTube channel. Please view the Google Calendar on the District website for link and agenda.

Attendance was taken at 7:04 p.m.

#### Present Board Members:

Anthony Pesco

Melissa Walker

Ruby Hedge

Gina Albert

Taffy Miller

Hillary Koyner

Victor Escandon

### **1. Call to Order, Verification of Quorum**

### **2. Pledge of Allegiance**

### **3. Presentation of FY 22 Operating and Capital Budget**

#### Discussion:

Dr. McKersie, Superintendent of Schools, opened the presentation of the FY 22 requested budget. He stated that the growth percentage of the budget is 3.81% and he reviewed the presentation online.

Phil Cross, Director of Finance and Operations presented on budget allocations and gave an overview of increases/decreases of each broad category.

Dr. Craw, Assistant Superintendent, presented on the budget themes in striving for continued excellence in three areas: Teaching & Learning; Healthy Learning Environment; Diversity, Equity and Inclusion.

Laura Kaddis, Principal of Hurlbutt Elementary School, presented on the requested budget for HES. The presented budget would defer for another year K-2 world language as well as a K-2 computer teacher.

Pattie Falber, Principal of Weston Intermediate School, presented on the requested budget for WIS. She spoke on the enrollment projections, which support a decrease of one classroom section in grade 4. The WIS budget also proposes a cost savings by continuing to defer 0.1 increase for math intervention.

Dan Doak, Principal of Weston Middle School, presented on the proposed budget for WMS. The main cost savings for the WMS budget are FTE savings based on enrollment; and eliminating .8 FTE for math lab.

Lisa Wolak, Principal of Weston High School, presented on the proposed budget for WHS. The main theme of the WHS requested budget being continued excellence through effective and efficient use of staffing.

Mark Berkowitz, Director of Athletics, presented on the proposed budget for WHS Athletics. Mr. Berkowitz gave an overview of the sustained excellence of the athletics program. The proposed FY 22 budget increase for WHS Athletics is 1.73%.

Dr. Craw presented on the performing arts proposed FY 22 budget.

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Tracy Edwards, Director of Pupil Personnel Services, presented on the PPS budget. She highlighted the complexity of the PPS/SPED Budget as it is driven by individual student needs that are varied and can change at any time. The proposed PPS FY 22 budget has some reductions in staffing as well as a cost savings related to replacing the ESS program with the District's own Alternative Pathways program at WHS. Increases in the budget are based on out of district placement of students and the new State mandate to provide student services to age 22 instead of 21. The PPS department is also proposing a cautious reduction in special education contingency funds.

Dan DiVito, Director of Digital Learning and Technology, presented on the proposed budget increases for his department. He presented a comprehensive 6-year technology replacement plan for the District. The major initiative for FY 22 is staff laptop replacement for the entire district.

Phil Cross provided added details on the budget drivers and reductions for the proposed budget. Specific line items were discussed, the main drivers being contractual increases for staff as well as employee benefits. It is anticipated that the Town of Weston Facility Feasibility Committee will have major recommendations relative to the middle school but those recommendations will not be complete until the next budget season. Mr. Cross also spoke on the new format of the budget book, the reason for the changes, and how to navigate it.

### **4. Board of Education Discussion**

Discussion:

Dr. Pesco opened the floor for discussion on the presentation. He stated that specific questions for each line item will begin in the scheduled Budget Workshops.

Ms. Walker asked how the district is measuring where our students are academically as compared to a non-epidemic year. Each building principal responded in kind stating their reliance on assessment data and classroom monitoring. Ms. Edwards spoke on the continuum of intervention and supports for all special education students.

Ms. Hedge asked about the requested multi-year view for the budget book. The multi-year view was not completed in time for this meeting and will be added by the January 14 Budget Workshop date.

Board members inquired about the enrollment projection data in the presentation. Also of concern was data concerning students who unenrolled from the district. Board members stressed the importance of accurate reporting of enrollment and drop-offs before the finalization of the budget.

Board members and administration discussed some of the pros and cons of third party transportation provider versus in-house transportation scenarios.

Ms. Walker inquired about the lack of capital investment for the middle school. Dr. McKersie agreed that both short-term and long-term investments needed to be discussed and that it is a Board level discussion to have with Town leaders. Dr. Pesco made note that he would bring this to the Town.

### **5. Public Comment**

Discussion:

No public comments were put forth.

**6. Adjournment**

**Motion Passed:** The meeting was adjourned with a motion by Ruby Hedge and second by Taffy Miller.

7 Yeas – 0 Nays

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Chairperson

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Superintendent

**WESTON BOARD OF EDUCATION**

**Weston, CT**

**Meeting Date:** 1/19/21

**Information Only**

**Action Requested**

**Agenda Item Subject:** Approval of the December 2020 Financial Report

**Submitted by:** Phillip Cross

**Document Summary/Purpose and/or Recommended Action:**

**Following is the sixth FY21 (December 2020) Financial Report Including Internal Services Fund (for Dental). We are recommending approval of the report.**

For more Board of Education Meeting and Committee Meeting Information, visit:  
<https://meeting.cabe.org/public/Agency.aspx?PublicAgencyID=47&AgencyTypeID=1>



January 15, 2021

TO: BOE Finance Committee

FROM: Phillip Cross, Director of Finance and Operations

SUBJECT: December Financial Report for FY 20-21

Below is a summary report of the FY 21 Budget through December, 2020.

<b>Object Series</b>	<b>FY 21 Adjusted Budget</b>	<b>FY 21 YTD Actuals</b>	<b>FY 21 Encumbrance</b>	<b>FY 21 Anticipated</b>	<b>FY 21 Projected to EOY</b>	<b>FY 21 Balance Available</b>	<b>Previous Month Balance</b>
<b>Salaries (1000's)</b>	<b>33,082,118</b>	<b>13,749,431</b>	<b>17,819,576</b>	<b>1,472,479</b>	<b>33,041,486</b>	<b>40,632</b>	<b>14,755</b>
<b>Benefits (2000's)</b>	<b>9,666,960</b>	<b>5,021,796</b>	<b>4,365,230</b>	<b>253,378</b>	<b>9,640,405</b>	<b>26,555</b>	<b>26,555</b>
<b>Professional Services</b>	<b>1,517,445</b>	<b>483,956</b>	<b>636,523</b>	<b>440,803</b>	<b>1,561,283</b>	<b>(43,838)</b>	<b>(90,800)</b>
<b>Property Services</b>	<b>2,139,034</b>	<b>769,224</b>	<b>972,043</b>	<b>466,587</b>	<b>2,207,854</b>	<b>(68,820)</b>	<b>(136,427)</b>
<b>Other Services (5000s)</b>	<b>5,858,228</b>	<b>1,950,966</b>	<b>3,602,557</b>	<b>280,454</b>	<b>5,833,978</b>	<b>24,251</b>	<b>24,251</b>
<b>Supplies (6000s)</b>	<b>2,691,613</b>	<b>1,155,167</b>	<b>1,193,947</b>	<b>411,027</b>	<b>2,760,141</b>	<b>(68,529)</b>	<b>(68,529)</b>
<b>Equipment (7000s)</b>	<b>219,008</b>	<b>247,482</b>	<b>15,881</b>	<b>29,015</b>	<b>292,377</b>	<b>(73,369)</b>	<b>(37,433)</b>
<b>Other Objects (8000s)</b>	<b>119,424</b>	<b>82,752</b>	<b>12,406</b>	<b>24,266</b>	<b>119,424</b>	<b>-</b>	<b>-</b>
<b>Revenue (9000s)</b>	<b>(1,132,387)</b>	<b>(229,113)</b>	<b>8,649</b>	<b>(1,110,864)</b>	<b>(1,331,328)</b>	<b>198,941</b>	<b>287,888</b>
<b>Total</b>	<b>\$54,161,443</b>	<b>\$23,231,660</b>	<b>\$28,626,813</b>	<b>\$2,267,147</b>	<b>\$54,125,620</b>	<b>\$35,823</b>	<b>\$20,259</b>

**Month over Month Changes:**

**Salaries – (\$25,877):**

- Teacher out on FMLA for remainder of year – (\$85,340)
- Long Term Sub hired for FML & other coverage and duties -\$41,936
- Correction of previous month placeholder – \$44,710
- Corona Virus related coverage moved to grant – (\$61,604)
- Additional food service supplemental -\$34,421

**Professional Services-(\$46,962)**

- Consulting Services, Tech.- FY21 budget included shared services with the Town. However, as of 7/1/20 the Town is being invoiced directly by the provider. There will be a corresponding decrease in revenue offset.

**Property Services – (\$67,607)**

- FEMA reimbursement (75%) for the one time cleaning of our facilities in March was received in December. This will be used to offset the cost of additional cleaning & disinfecting expenses- (\$41,985).
- The remaining 25% for the one time cleaning of our facilities in March was received from the Municipal CRF grant. This will also be used to offset the cost of additional cleaning & disinfecting expenses – (\$13,995).
- Downward revision of previous estimate for additional cleaning & disinfecting – (\$11,627).

**Equipment -\$35,936**

- Previous month did not account for budgeted items that have not been encumbered - \$29,015
- Additional reopening cost \$6,921

**Revenue Offset- \$88,947**

- Consulting Services, Tech.- FY21 budget included shared services with the Town. However, as of 7/1/20 the Town is being invoiced directly by the provider. There will be a corresponding decrease in revenue offset -\$46,962
- FEMA reimbursement directly applied to cleaning services - \$41,985

**WESTON PUBLIC SCHOOLS  
INTERNAL SERVICES FUND  
FOR HEALTH BENEFITS PROGRAM**

1/15/2021

Fiscal Year Ended 2021

**STATEMENT OF REVENUES AND EXPENDITURES**

Fund Balance -July 1, 2020 \$ 1,157,506

Revenues:

General Fund Appropriation	\$ -
Reimbursements	\$ -
Total Contributions	\$ -

Total Revenues (A) \$ -

Budgeted Expenditures

Delta Dental:

Claims	\$ 374,355
Administrative Fees	\$ 22,545
Total Health Plan Costs (B)	\$ 396,900

Net Change (A-B) \$ (396,900)

Fund balance June 30, 2021 (Estimated) \$ 760,606

**Delta Dental- Actual Claims**

Month	Claims & Fees
July	26,882
August	29,651
September	28,020
October	30,374
November	24,830
December	25,407
<b>Total</b>	<b><u>\$ 165,165</u></b>

Actual YTD Spend Rate	41.6%
Theoretical YTD Spend Rate	50.0%
YTD Theoretical variance %	-8.4%
YTD Theoretical variance \$	<b>\$ 33,285</b>

**WESTON PUBLIC SCHOOLS  
FY21 FINANCIAL REPORT**

Dec-21

Period: 6 of 12

2017-2018	2018-2019	2019-2020	Object Code	Description	2020-2021 Adopted Budget	2020-2021 Budget Transfers	2020-2021 Adjusted Budget	2020-2021 YTD Expended	2020-2021 Encumbered	2020-2021 Anticipated	2020-2021 Projected To EOY	2020-2021 Balance Available
Year-End Expense	Year-End Expense	Year-End Expense		Salaries & Wages (1000s)								
2,710,109	2,958,120	2,940,692	1110	Administrators	2,832,305	15,933	2,848,238	1,467,188	1,254,053	-	2,721,241	126,997
13,752,057	14,000,983	14,458,759	1111	Regular Ed. Teachers	14,375,732		14,375,732	5,601,680	8,541,737	-	14,143,417	232,315
2,226,605	2,261,144	2,279,850	1112	Special Ed. Teachers	2,364,062		2,364,062	937,158	1,433,654	-	2,370,812	(6,750)
1,096,676	1,100,515	1,020,707	1113	Guidance	1,061,845		1,061,845	399,134	632,765	-	1,031,899	29,946
442,412	441,883	472,621	1114	Psychologist	535,766		535,766	200,398	302,512	-	502,910	32,856
70,541	146,140	193,946	1115	Social Worker	161,848		161,848	67,658	94,389	-	162,047	(199)
514,611	544,236	517,368	1116	Speech & Hearing	591,674		591,674	230,020	326,363	-	556,383	35,291
712,850	766,769	758,161	1117	Academic Assistants	1,139,153		1,139,153	406,901	627,691	-	1,034,592	104,561
198,176	201,820	205,471	1118	Talented & Gifted	198,569		198,569	88,759	121,528	-	210,287	(11,718)
386,123	508,457	399,004	1119	Library/Media	412,193		412,193	166,797	245,396	0	412,193	-
116,665	117,832	59,505	1135	Transition Coordinator	60,457		60,457	19,266	30,826	-	50,092	10,365
817,750	827,912	824,102	1139	Certified Stipends	878,090		878,090	290,680	106,279	-	878,090	-
570,587	557,734	584,428	1140	Academic Leader (CIL's)	583,975		583,975	240,302	343,673	(0)	583,975	-
3,550	1,136	371	1141	Mentor Teacher	3,000		3,000	0	0	3,000	3,000	-
180,922	260,096	272,612	1142	Behavioral Analyst	277,765		277,765	116,012	161,896	(143)	277,765	-
-	-	44,359	1145	English Language Learner	45,069		45,069	17,334	27,735	0	45,069	-
\$ 23,799,635	\$ 24,694,776	\$ 25,031,956		<b>Sub-Total Certified Salaries</b>	\$ 25,521,503	\$ 15,933	\$ 25,537,436	\$ 10,249,288	\$ 14,250,496	\$ 483,988	\$ 24,983,771	553,665
					1.96%			40.1%	55.8%	1.9%	97.8%	2.2%
				<b>Other Certified Salaries</b>								
105,560	78,442	55,905	1131	Homebound Tutor	114,500		114,500	5,884	-	68,136	74,020	40,480
-	-	-	1136	Degree Level Change	63,520		63,520	-	-	63,520	63,520	-
242,496	235,636	147,029	1137	Substitute Teacher	296,801		296,801	50,051	-	224,750	274,801	22,000
157,440	174,525	185,735	1138	Summer Work - Certified Staff	162,300		162,300	232,110	-	(34,757)	197,353	(35,053)
122,719	137,378	136,838	1143	Building Substitutes	203,175		203,175	36,775	82,300	62,100	181,175	22,000
207,673	108,364	208,344	1144	Long term Substitute	-		-	180,501	298,024	-	478,525	(478,525)
\$ 835,889	\$ 734,345	\$ 733,851		<b>Sub-Total Other Certified Salaries</b>	\$ 840,296	\$ -	\$ 840,296	\$ 505,320	\$ 380,324	\$ 383,749	\$ 1,269,394	\$ (429,098)







**WESTON PUBLIC SCHOOLS  
FY21 FINANCIAL REPORT**

Dec-21

Period: 6 of 12

2017-2018	2018-2019	2019-2020	2020-2021	2020-2021	2020-2021	2020-2021	2020-2021	2020-2021	2020-2021	2020-2021	2020-2021	2020-2021	2020-2021
Year-End	Year-End	Year-End	Adopted	Budget	Transfers	Adjusted	YTD	Encumbered	Anticipated	Projected	Balance	Projected	Balance
Expense	Expense	Expense	Budget	Budget	Budget	Budget	Expended			To EOY	Available	To EOY	Available
			Description	Object	Code								
			<b>Other Services (5000s)</b>										
1,259,414	1,305,393	1,252,415	Regular Transportation	5100		1,521,003	740,349	734,344	46,310	1,521,003	0	1,521,003	0
99,873	85,138	685,161	SPED Transportation	5101		761,568	219,255	399,655	142,658	761,568	-	761,568	-
86,523	90,340	61,557	Athletic Transportation	5104		95,587	10,249	75,951	9,387	95,587	-	95,587	-
8,322	11,237	6,816	Extra Curricular Transportation	5105		12,938	-	-	12,938	-	-	12,938	-
108,543	93,719	70,605	General Liability Insurance	5200		93,508	89,784	-	-	89,784	3,724	89,784	3,724
24,322	22,529	16,650	Athletic Insurance	5202		19,242	16,650	-	-	16,650	2,592	16,650	2,592
104,074	110,645	96,485	Property Insurance	5205		108,581	97,536	-	-	97,536	11,045	97,536	11,045
170,078	115,430	91,922	Communications	5300		91,355	35,926	55,785	(356)	91,355	-	91,355	-
28,367	28,676	32,786	Postage	5400		33,137	15,220	18,081	(164)	33,137	-	33,137	-
2,365	4,099	5,964	Advertising	5500		6,000	1,455	707	3,838	6,000	-	6,000	-
15,602	14,991	16,281	Printing	5501		29,545	8,062	2,700	18,783	29,545	-	29,545	-
3,074,632	2,784,992	2,386,297	Tuition - Out of District	5600		2,726,060	555,815	2,171,901	(1,656)	2,726,060	-	2,726,060	-
275,000	280,500	286,110	Tuition - ESS Contract	5605		293,000	143,055	143,055	-	286,110	6,890	286,110	6,890
				5800, 5802									
34,747	41,687	44,827	Travel & Conference	5880		47,919	12,125	378	35,416	47,919	-	47,919	-
26,429	12,868	8,258	Mileage Reimbursement	5801		11,365	3,031	-	8,334	11,365	-	11,365	-
25,175	15,172	2,528	Other Purchased Services	5900		7,421	2,454	-	4,967	7,421	-	7,421	-
<b>\$ 5,343,467</b>	<b>5,017,416</b>	<b>\$ 5,064,662</b>	<b>TOTAL OTHER SERVICES</b>			<b>\$ 5,858,228</b>	<b>\$ 1,950,966</b>	<b>\$ 3,602,557</b>	<b>\$ 280,454</b>	<b>\$ 5,833,978</b>	<b>\$ 24,251</b>	<b>\$ 5,833,978</b>	<b>\$ 24,251</b>
							33.3%	61.5%	4.8%	99.6%			
			<b>Supplies &amp; Materials (6000's)</b>										
389,792	490,336	449,521	Materials	6110		479,278	180,095	122,927	209,472	512,494	(33,216)	512,494	(33,216)
29,378	26,770	21,452	Office Materials	6120		35,326	4,782	12,602	17,942	35,326	-	35,326	-
145,563	183,156	143,209	Maintenance Materials	6130		181,624	33,478	64,464	83,683	181,624	-	181,624	-
80,236	59,514	88,739	Custodial Materials	6131		78,348	13,249	41,064	24,035	78,348	-	78,348	-
20,229	18,616	16,200	Security Materials	6132		20,684	5,658	1,545	13,481	20,684	-	20,684	-
382,771	463,940	467,463	Software	6140		511,112	466,723	45,279	26,641	538,643	(27,531)	538,643	(27,531)
78,212	103,121	91,051	Diesel Fuel	6270		78,092	20,163	65,710	25,518	85,874	(7,782)	85,874	(7,782)
143,439	153,849	163,396	Books	6410		170,536	121,960	23,058	2,435	170,536	-	170,536	-
409,902	379,379	338,642	Heating Oil	6510		402,574	50,777	349,362	2,435	402,574	-	402,574	-
845,158	646,742	619,849	Electricity	6520		730,039	258,100	465,318	6,621	730,039	-	730,039	-
3,707	1,988	1,745	Propane gas	6530		4,000	181	2,619	1,200	4,000	-	4,000	-
<b>\$ 2,528,387</b>	<b>2,527,412</b>	<b>\$ 2,401,268</b>	<b>TOTAL SUPPLIES &amp; MATERIALS</b>			<b>\$ 2,691,613</b>	<b>\$ 1,155,167</b>	<b>\$ 1,193,947</b>	<b>\$ 411,027</b>	<b>\$ 2,760,141</b>	<b>\$ (68,529)</b>	<b>\$ 2,760,141</b>	<b>\$ (68,529)</b>
							42.9%	44.4%	15.3%	102.5%			

WESTON PUBLIC SCHOOLS  
FY21 FINANCIAL REPORT

Dec-21

Period: 6 of 12

2017-2018	2018-2019	2019-2020	Object Code	Description	2020-2021 Adopted Budget	2020-2021 Budget Transfers	2020-2021 Adjusted Budget	2020-2021 YTD Expended	2020-2021 Encumbered	2020-2021 Anticipated	2020-2021 Projected To EOY	2020-2021 Balance Available
Year-End Expense	Year-End Expense	Year-End Expense										
419,131	491,849	472,391	7300	Equipment (7000's)	219,008	-	219,008	247,482	15,881	29,015	292,377	(73,369)
\$ 419,131	\$ 491,849	\$ 472,391		TOTAL EQUIPMENT	\$ 219,008	\$ -	\$ 219,008	\$ 247,482	\$ 15,881	\$ 29,015	\$ 292,377	\$ (73,369)
								113.0%	7.3%	13.2%	133.5%	
83,509	80,845	91,658	8100	Other Objects (8000's)	92,029		92,029	73,921	3,761	14,347	92,029	0
19,461	25,969	21,888	8900	Dues, Fees and Memberships	27,395		27,395	8,831	8,645	9,919	27,395	0
\$ 102,970	\$ 106,814	\$ 113,546		Other Objects	\$ 119,424	\$ -	\$ 119,424	\$ 82,752	\$ 12,406	\$ 24,266	\$ 119,424	\$ -
				TOTAL OTHER OBJECTS				69.3%	10.4%	20.3%	100.0%	
				Revenues (9000's)								
(62,086)	(124,228)	(102,106)	9200	Technology Revenue	(74,207)		(74,207)	(19,906)	0	(7,339)	(27,245)	(46,962)
(77,102)	(73,440)	(60,515)	9201	Participation Fees, Athletics	(86,490)		(86,490)	(24,100)	8,649	(71,039)	(86,490)	0
(16,318)	(20,127)	(15,914)	9202	Gate Receipts, Athletics	(14,500)		(14,500)	-	0	-	0	(14,500)
			9204	Transportation Credits	-		-	(105,610)	0	-	(105,610)	105,610
(706,015)	(578,611)	(655,410)	9205	Excess Cost SPED	(650,455)		(650,455)	0	0	(650,455)	(650,455)	0
(87,500)	(87,101)	(89,626)	9206	Pre School Tuition SPED	(105,000)		(105,000)	(40,611)	0	(64,390)	(105,000)	0
(43,584)	(28,822)	(68,171)	9207	Regular Ed. Tuition	(30,304)		(30,304)	(36,222)	0	5,918	(30,304)	0
(38,350)	(44,580)	(46,817)	9208	Revenue from Town for Fields	(42,681)		(42,681)	0	0	(42,681)	(42,681)	0
(30,000)	(30,000)	(39,600)	9209	Parking Fees	(45,000)		(45,000)	0	0	(22,500)	(22,500)	(22,500)
		(2,706)	9210	Theater Receipts	(60,250)		(60,250)	0	0	(30,125)	(30,125)	(30,125)
(17,500)	(15,500)	(6,947)	9211	Facility Use Rental	(17,500)		(17,500)	0	0	0	0	(17,500)
	(690)		9215	Medicaid Revenue	(6,000)		(6,000)	(2,665)	0	(3,335)	(6,000)	0
				FY21 carryover funds						(224,918)	(224,918)	224,918
				FEMA		\$0			\$8,649	(\$1,110,864)	(\$1,331,328)	0
					(\$1,132,387)		(\$1,132,387)	(\$229,113)				\$198,941
\$ 50,969,360	\$ 51,946,734	\$ 52,248,792		GRAND TOTAL	\$ 54,161,443	\$ -	\$ 54,161,443	\$ 23,231,660	\$ 28,626,813	\$ 2,267,147	\$ 54,125,620	\$ 35,823
								42.89%	52.85%	4.19%	99.93%	0.07%

**WESTON BOARD OF EDUCATION**

**Weston, CT**

**Meeting Date:** 1/19/21

**Information Only**

**Action Requested**

**Agenda Item Subject:** Food Service Financial Update

**Submitted by:** Phillip Cross

**Document Summary/Purpose and/or Recommended Action:**

**Following is a FY21 Pro Forma Profit and Loss Statement for our Food Service Program.**

For more Board of Education Meeting and Committee Meeting Information, visit:  
<https://meeting.cabe.org/public/Agency.aspx?PublicAgencyID=47&AgencyTypeID=1>



January 15, 2021

**TO:** BOE Finance Committee

**FROM:** Phillip Cross, Director of Finance and Operations

**SUBJECT:** Food Service Operation

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With our current hybrid schedule, the number of meals served districtwide is significantly less when compared to last year. For the YTD ending December 31, 2020 the food service program is on average serving 60% less meals at the K-5 level, 70% less at the middle school and almost 100% less at the high school.

With the reduced meals and a la carte sales, it projected that the program will have an accrual loss of (\$397,923). It is further projected that there will be a cash shortfall of (\$103,243). The cash shortfall is less because the program opened the year with \$209,764 in the bank.

Because of the cash shortfall, the program will not reimburse the BOE operating account for the salary of the food service director (\$102,241).

**Weston Public Schools  
Food Service Program  
FY21 Pro Forma Profit & Loss**

Sales 222,828

**Direct Cost**

Product Cost (97,290)  
Personnel Cost (343,711)  

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(441,001)

Semi Variable cost (19,547)  

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(19,547)

**Fixed Cost**

Service Contract (10,620)  
Loan Amortization cost (29,233)  
Administrative Fee (71,600)  
Management Fee (49,370)  

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(150,203)

Refunds (10,000)

**Total Expenses (620,751)**

**NET PROFIT/(LOSS) \$ (397,923)**

**Weston Public School**  
**Food Service Program Cash Analysis**

<u>Description</u>	<u>Amount</u>
Opening Cash	209,764.00
Deposit	193,343.63
Withdrawal	(506,350.26)
Ending Cash	<u><u>(103,242.63)</u></u>

1/14/21 Cash on hand    \$    106,403

**WESTON BOARD OF EDUCATION**

**Weston, CT**

**Meeting Date:** January 19, 2021

**Information Only**

**Action Requested**

**Agenda Item Subject:** Discussion and Vote on Setting WHS Graduation Date on April 1, 2021

**Submitted by:** William McKersie

**Document Summary/Purpose and/or Recommended Action:**

For Board discussion and vote on setting WHS graduation date.

For more Board of Education Meeting and Committee Meeting Information, visit:  
<https://meeting.cabe.org/public/Agency.aspx?PublicAgencyID=47&AgencyTypeID=1>



Weston Public Schools  
Office of the Superintendent  
William S. McKersie, Ph.D.

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## MEMORANDUM

To: Weston Board of Education  
Date: January 19, 2021  
Subject: Recommended Graduation Date, 2020-21

### **Background**

As required by WPS Policy, the Weston Board of Education (BOE) annually sets the Graduation Date for Weston High School. The BOE sets the date by either a direct vote or by authorizing the Superintendent to set the date. As in most recent years, we recommend that the BOE authorize the Superintendent to set the date as of April 1, 2021.

A Connecticut law established last year allows school districts to set a firm graduation date as early in the year as necessary, no longer waiting until after April 1 of the relevant school year. Some districts took advantage of the flexibility; many did not, including Weston. The reasons for holding off until April 1 are as follows.

1. First, and most important, WHS is not able to hold graduation when school is still in session. We can hold a wonderful ceremony on the final day—when we know all exams and activities are completed for all students. We cannot hold a fitting ceremony if exams, classes and other student obligations are still underway. Thus, we cannot set the date ahead of what would be the 177<sup>th</sup> day<sup>1</sup> for all WHS students. With this in mind, if we recommend setting the date earlier than April 1, we likely would do so with the proviso that it would move one day for every school day lost due to inclement weather or other issues.
2. If we hold graduation ahead of seniors completing their 177<sup>th</sup> day of school, they would be required to return after graduation to complete the balance of days. Providing a quality experience for the seniors, and doing so that it blends effectively with the ongoing instruction and exams for 9<sup>th</sup>-11<sup>th</sup> graders would be difficult. In addition, the interest of seniors returning after graduation, even though required, is an open question.

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<sup>1</sup> For the 2020-21 School Year, the CT State Board of Education reduced the required number of school days from 180 to 177.

3. Fewer than half of area districts took advantage of the new law. Those who continued with the traditional April 1 timeframe shared our concerns about logistics and legal flexibility.

### **Recommendation**

The administration recommends that the Weston Board of Education authorize the Superintendent to set the Graduation Date for the 2020-21 School Year as of Thursday, April 1, 2021. I will coordinate with Ms. Lisa Wolak in the setting of the date, and communicate the decision as soon as possible to all WHS families and staff.

I look forward to discussing this recommendation with the BOE on Monday, January 19, 2021.

**WESTON BOARD OF EDUCATION**

**Weston, CT**

**Meeting Date:** January 19, 2021

**Information Only**

**Action Requested**

**Agenda Item Subject:** Policies and Regulation 4118.11-4218.11 and 5114.6 Title IX.

**Submitted by:** William McKersie.

**Document Summary/Purpose and/or Recommended Action:** All changes and updates per Shipman and Goodwin

For more Board of Education Meeting and Committee Meeting Information, visit:  
<https://meeting.cabe.org/public/Agency.aspx?PublicAgencyID=47&AgencyTypeID=1>

PERSONNEL

SEX DISCRIMINATION AND SEXUAL HARASSMENT

It is the policy of the Weston Board of Education (the “Board”) for the Weston Public Schools that any form of sex discrimination or sexual harassment is prohibited in the Board’s education programs and activities, whether by students, Board employees or third parties subject to substantial control by the Board. It is the policy of the Board to maintain a working environment free from harassment, insults or intimidation on the basis of an employee's sex and free from discrimination based on sex. ~~Verbal or physical conduct by a supervisor or co-worker relating to an employee's sex that has the effect of creating an intimidating, hostile or offensive work environment, unreasonably interfering with the employee's work performance, or adversely affecting the employee's employment opportunities is prohibited.~~

The Board does not discriminate on the basis of sex in the education programs or activities that it operates and the Board is required by Title IX of the Education Amendments of 1972 and its implementing regulations (“Title IX”), [Title VII of the Civil Rights Act of 1964 \(“Title VII”\),](#) [and Connecticut law](#) not to discriminate in such a manner. Students, Board employees and third parties are required to adhere to a standard of conduct that is respectful of the rights of all parties. Any employee or student who engages in conduct prohibited by this Policy shall be subject to disciplinary action, up to and including termination or expulsion, respectively. Third parties who engage in conduct prohibited by this Policy shall be subject to other sanctions, which may include exclusion from Board property and/or activities. Individuals who engage in acts of sex discrimination or sexual harassment may also be subject to civil and criminal penalties.

For conduct to violate ~~this Policy~~ [Title IX](#), the conduct must have occurred in an education program or activity of the Board; the conduct must have occurred within the United States of America; and the complainant must be participating in or attempting to participate in the education program or activity of the Board. Conduct that does not meet these requirements still may constitute a violation of [Title VII, Connecticut law, and/or](#) another Board policy.

The Superintendent of Schools shall develop Administrative Regulations implementing this Policy and in accordance with Title IX, [Title VII, and Connecticut law](#) (the “Administrative Regulations”).

**Sex discrimination** occurs when an employer refuses to hire, disciplines or discharges any individual, or otherwise discriminates against an individual with respect to his or her compensation, terms, conditions, or privileges of employment on the basis of the individual’s sex. Sex discrimination also occurs when a person, because of the person’s sex, is denied participation in or the benefits of any education program or activity receiving federal financial assistance.

**Sexual harassment** [under Title IX](#) means conduct on the basis of sex that satisfies one or more of the following:

(1) An employee of the Board conditioning the provision of an aid, benefit, or service of the Board on an individual's participation in unwelcome sexual conduct (*i.e., quid pro quo*);

(2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Board's education programs or activities; or

(3) "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

Sexual harassment under Title VII and Connecticut law means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

(1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

(2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

(3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

### Reporting Sex Discrimination or Sexual Harassment

It is the express policy of the Board to encourage victims of sex discrimination and/or sexual harassment to report such claims. Employees are encouraged to report complaints of sex discrimination and/or sexual harassment promptly in accordance with the appropriate process set forth in the Administrative Regulations. The Board directs its employees to respond to such complaints in a prompt and equitable manner.

Violations of this Policy by employees will not be permitted and may result in discipline up to and including discharge from employment. Individuals who engage in acts of sex discrimination or sexual harassment may also be subject to civil and criminal penalties. Retaliation against any employee for complaining about sex discrimination or sexual harassment is prohibited under this Policy and illegal under state and federal law.

Any Board employee with notice of sex discrimination and/or sexual harassment allegations shall immediately report such information to the building principal and/or the Title IX Coordinator, or if the employee does not work in a school building, to the Title IX Coordinator.

The Weston Public Schools administration (the "Administration") shall provide training to Title IX Coordinator(s), investigators, decision-makers, and any person who facilitates an informal resolution process (as set forth in the Administrative Regulations).—~~Such, which~~ training

~~will~~shall include ~~information on, but need not be limited to,~~ the definition of sex discrimination and sexual harassment, the scope of the Board’s education program and activity, how to conduct an investigation and implement the grievance process, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. The Administration shall make the training materials used to provide these trainings publicly available on the Board’s website. The Administration shall also periodically provide training to all Board employees on the topic of sex discrimination and sexual harassment under Title IX, Title VII, and Connecticut law, which shall include but not be limited to when reports of sex discrimination and/or sexual harassment must be made. The Administration shall distribute this Policy and the Administrative Regulations to employees, union representatives, students, parents and legal guardians and make the Policy and the Administrative Regulations available on the Board’s website to promote an environment free of sex discrimination and sexual harassment.

The Board’s Title IX Coordinator is the Director of Pupil Personnel Services. Any individual may make a report of sex discrimination and/or sexual harassment directly to the Title IX Coordinator using any one, or multiple, of the following points of contact:

District Coordinator

Tracy Edwards  
Director of Pupil Personnel Services  
24 School Road  
Weston, CT 06883  
(203) 221-6558  
tracyedwards@westonps.org

<del><u>Weston High School Coordinator</u></del>	<del><u>Weston High School Coordinator</u></del>
<del>Matthew Filip</del>	<del>Juliane Givoni</del>
<del>Assistant Principal</del>	<del>Assistant Principal</del>
<del>Weston High School</del>	<del>Weston High School</del>
<del>115 School Road</del>	<del>115 School Road</del>
<del>Weston, CT 06883</del>	<del>Weston, CT 06883</del>
<del>(203) 221-6505</del>	<del>(203) 221-6504</del>
<del>matthewfilip@westonps.org</del>	<del>julianegivoni@westonps.org</del>

<del><u>Weston Middle School Coordinator</u></del>	<del><u>Weston Intermediate School Coordinator</u></del>
<del>Dru Walters</del>	<del>Nicole Wilhelm</del>
<del>Assistant Principal</del>	<del>Assistant Principal</del>
<del>Weston Middle School</del>	<del>Weston Intermediate School</del>
<del>135 School Road</del>	<del>95 School Road</del>
<del>Weston, CT 06883</del>	<del>Weston, CT 06883</del>
<del>(203) 221-6364</del>	<del>(203) 221-6334</del>
<del>druwalters@westonps.org</del>	<del>nicolewilhelm@westonps.org</del>

~~Hurlbutt Elementary School Coordinator~~  
~~Kimberly Kus~~

Assistant Principal  
Hurlbutt Elementary School  
9 School Road  
Weston, CT 06883  
(203) 221-6304  
[kimkus@westonps.org](mailto:kimkus@westonps.org)

Any individual may also make a report of sexual harassment and/or sex discrimination to the U.S. Department of Education: Office for Civil Rights, Boston Office, U.S. Department of Education, 8<sup>th</sup> Floor, 5 Post Office Square, Boston, MA 02109-3921 (Telephone: 617-289-0111).

Employees may also make a report of sexual harassment and/or sex discrimination to the Connecticut Commission on Human Rights and Opportunities, 450 Columbus Boulevard, Hartford, CT 06103-1835 (Telephone: 860-514-3400).

Legal References:

Civil Rights Act of 1964, Title VII, 42 U.S.C. § 2000e-2(a).

Equal Employment Opportunity Commission Policy Guidance on Current Issues of Sexual Harassment (N-915.050), March 19, 1990.

Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, et seq.

Title IX of the Education Amendments of 1972, 34 CFR § 106, et seq.

Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)

Conn. Gen. Stat. § 46a-54 - Commission powers Connecticut

Conn. Gen. Stat. § 46a-60 - Discriminatory employment practices prohibited.

Conn. Gen. Stat. § 46a-81c - Sexual orientation discrimination:  
Employment

Conn. Gen. Stat. § 10-153 - Discrimination on the basis of sex, gender identity or expression or marital status prohibited

Conn. Agencies Regs. §§ 46a-54-200 through § 46a-54-207

Policy References: Non-Discrimination, 4118.11-4218.11

Policy Adopted: October 19, 2020  
Policy Revised:

WESTON PUBLIC SCHOOLS  
Weston, Connecticut  
R 4118.12  
R 4218.12

## PERSONNEL

### Sex Discrimination and Sexual Harassment Complaint Procedure

It is the policy of the Weston Board of Education (the “Board”) for the Weston Public Schools that any form of sex discrimination or sexual harassment is prohibited in the Board’s education programs and activities, whether by students, Board employees or third parties subject to substantial control by the Board. Students, District employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of students, District employees, and third parties. It is the policy of the Board to maintain a working environment free from harassment, insults or intimidation on the basis of an employee's sex and free from discrimination based on sex. Verbal or physical conduct by a supervisor or co-worker relating to an employee's sex that has the effect of creating an intimidating, hostile or offensive work environment, unreasonably interfering with the employee's work performance, or adversely affecting the employee's employment opportunities is prohibited.

Any employee or student who engages in conduct prohibited by the Board’s Policy regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel) shall be subject to disciplinary action. Any third party who engages in conduct prohibited by the Board’s Policy regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel) shall be subject to remedial measures, which may include exclusion from school property.

**Sex discrimination** occurs when a person, because of the person’s sex, is denied participation in or the benefits of any education program or activity receiving federal financial assistance.

**Sexual harassment [under Title IX](#)** means conduct on the basis of sex that satisfies one or more of the following:

- (1) An employee of the Board conditioning the provision of an aid, benefit, or service of the Board on an individual’s participation in unwelcome sexual conduct (i.e., *quid pro quo*);

- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education programs or activities; or
- (3) "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30). These definitions can be found in Appendix A of these Administrative Regulations.

**Sexual harassment under Title VII and Connecticut law means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:**

- (1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- (2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- (3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Although not an exhaustive list, the following are other examples of conduct prohibited by the Board's Policy regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel):

1. Unwelcome sexual advances from a co-worker or supervisor, such as unwanted hugs, touches, or kisses;
2. Unwelcome attention of a sexual nature, such as degrading, suggestive or lewd remarks or noises;
3. Dirty jokes, derogatory or pornographic posters, cartoons or drawings;
4. The threat or suggestion that continued employment advancement, assignment or earnings depend on whether or not the employee will submit to or tolerate harassment;
5. Circulating, showing, or exchanging emails, text messages, digital images or websites of a sexual nature;
6. Using computer systems, including email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by the Board's Policy regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel).

## **NOTICE OF THE TITLE IX COORDINATOR**

The District's Title IX Coordinator is the Director of Pupil Personnel Services. Any individual may make a report of sex discrimination and/or sexual harassment directly to the Title IX Coordinator using any one, or multiple, of the following points of contact:

District Coordinator

Tracy Edwards  
Director of Pupil Personnel Services  
24 School Road  
Weston, CT 06883  
(203) 221-6558  
tracyedwards@westonps.org

<del><u>Weston High School Coordinator</u></del>	<del><u>Weston High School Coordinator</u></del>
<del>Matthew Filip</del>	<del>Juliane Givoni</del>
<del>Assistant Principal</del>	<del>Assistant Principal</del>
<del>Weston High School</del>	<del>Weston High School</del>
<del>115 School Road</del>	<del>115 School Road</del>
<del>Weston, CT 06883</del>	<del>Weston, CT 06883</del>
<del>(203) 221-6505</del>	<del>(203) 221-6504</del>
<del>matthewfilip@westonps.org</del>	<del>julianegivoni@westonps.org</del>

<del><u>Weston Middle School Coordinator</u></del>	<del><u>Weston Intermediate School Coordinator</u></del>
<del>Dru Walters</del>	<del>Nicole Wilhelm</del>
<del>Assistant Principal</del>	<del>Assistant Principal</del>
<del>Weston Middle School</del>	<del>Weston Intermediate School</del>
<del>135 School Road</del>	<del>95 School Road</del>
<del>Weston, CT 06883</del>	<del>Weston, CT 06883</del>
<del>(203) 221-6364</del>	<del>(203) 221-6334</del>
<del>druwalters@westonps.org</del>	<del>nicolewilhelm@westonps.org</del>

~~Hurlbutt Elementary School Coordinator~~  
~~Kimberly Kus~~  
~~Assistant Principal~~  
~~Hurlbutt Elementary School~~  
~~9 School Road~~  
~~Weston, CT 06883~~  
~~(203) 221-6304~~  
~~kimkus@westonps.org~~

The Title IX Coordinator manages the District's compliance with Title IX, [Title VII and Connecticut law with respect to sexual harassment and/or sex discrimination](#) and is an available resource to anyone seeking information or wishing to file a formal complaint [of same](#). When a student, District employee, or other participant in the District's programs and activities feels that such person has been subjected to discrimination on the basis of sex in any District program or activity, including without limitation being subjected to sexual harassment, such person may

contact the Title IX Coordinator or utilize the Title IX, [Title VII and Connecticut law](#) grievance systems set forth herein to bring concerns forward for the purpose of obtaining a prompt and equitable resolution.

## **EXPLANATION OF COMPLAINT PROCESS AND PROCEDURE**

The federal regulations implementing Title IX require the adoption and publication of two separate grievance systems: a grievance process for complaints of sex discrimination involving allegations of sexual harassment and grievance procedures for complaints of sex discrimination that are not sexual harassment. Accordingly, the Administration will process any complaints of sex discrimination involving allegations of sexual harassment, as defined above, pursuant to the **grievance process** set forth in Section I of these regulations. The Administration will process any complaints of sex discrimination that are not sexual harassment pursuant to the **grievance procedures** set forth in Section II of these regulations.

The District will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), or as required by law, or to carry out the purposes of these Administrative Regulations, including the conduct of any investigation, hearing, or judicial proceeding arising from these Administrative Regulations.

The obligation to comply with Title IX is not obviated or alleviated by the FERPA.

## **SECTION I. GRIEVANCE PROCESS FOR COMPLAINTS OF SEXUAL HARASSMENT**

### **A. Definitions**

- **Bias** occurs when it is proven that the Title IX Coordinator, investigator(s), and/or decision-maker(s) demonstrate actual bias, rather than the appearance of bias. Actual bias includes, but is not limited to, demonstrated personal animus against the respondent or the complainant and/or prejudgment of the facts at issue in the investigation.
- **Complainant** means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.
- A **conflict of interest** occurs when it is proven that the Title IX Coordinator, investigator(s), and/or decision-maker(s) have personal, financial and/or familial interests that affected the outcome of the investigation.
- For purposes of investigations and complaints of sexual harassment, **education program or activity** includes locations, events, or circumstances over which the Board exercises substantial control over both the respondent and the context in which the sexual harassment occurs.

- **Employee** means (A) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, school counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by the Board or working in a public elementary, middle or high school; or (B) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle or high school, pursuant to a contract with the Board.
- **Formal complaint** means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the Administration investigate the allegation of sexual harassment. A “document filed by a complainant” means a document or electronic submission that contains the complainant’s physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.
- **Respondent** means an individual who has been alleged to be the perpetrator of conduct that could constitute sexual harassment.
- **Supportive measures** means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the District’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District’s educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual restrictions on contact between the parties, increased security and monitoring, and other similar measures.

## B. Reporting Sexual Harassment

1. It is the express policy of the Board to encourage victims of sexual harassment to report such claims. Any person may report sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator. If the District receives notice of sexual harassment or alleged sexual harassment against a person in the District’s education program or activity, the Title IX Coordinator or designee will promptly contact the complainant to discuss the availability of supportive measures, whether or not the complainant has filed a formal complaint, and will consider the complainant’s wishes with respect to such measures. If the complainant has yet to file a formal complaint, the Title IX Coordinator or designee will explain to the complainant the process for doing so.
2. The District will treat complainants and respondents equitably. A respondent is presumed not responsible for the alleged conduct and a determination regarding responsibility will be made at the conclusion of the grievance process if a formal complaint is filed. Nothing in ~~this Regulation~~ [these Administrative Regulations shall](#)

preclude the District from placing an employee respondent on administrative leave during the pendency of the grievance process. Further, nothing in these Administrative Regulations shall limit or preclude the District from removing a respondent from the District's education program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. If a respondent is removed on an emergency basis, the District shall provide the respondent with notice and an opportunity to challenge the decision immediately following the removal.

### C. Formal Complaint and Grievance Process

1. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information listed for the Title IX Coordinator. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the District's education programs or activity. A formal complaint may be signed by the Title IX Coordinator. If the complaint being filed is against the Title IX Coordinator, the formal complaint should be filed with the Superintendent. If the formal complaint being filed is against the Superintendent, the formal complaint should be filed with the Board Chair, who will then retain an independent investigator to investigate the matter.
2. The District may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. If possible, formal complaints should be filed within ten (10) school days of the alleged occurrence in order to facilitate the prompt and equitable resolution of such claims. The District will attempt to complete the formal grievance process within ninety (90) school days of receiving a complaint. This timeframe may be temporarily delayed or extended in accordance with Subsection G of this Section.
3. Upon receipt of a formal complaint, if the Title IX Coordinator or designee has not already discussed the availability of supportive measures with the complainant, the Title IX Coordinator or designee will promptly contact the complainant ~~and respondent separately~~ to discuss the availability of such measures and consider the complainant's wishes with respect to them. The Title IX Coordinator or designee may also contact the respondent, separately from the complainant, to discuss the availability of supportive measures for the respondent. The District will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the District to provide supportive measures.

4. Within ten (10) school days of receiving a formal complaint, the District will provide the known parties with written notice of the allegations potentially constituting sexual harassment and a copy of this grievance process. The written notice must also include the following:
  - i. The identities of the parties involved in the incident, if known;
  - ii. The conduct allegedly constituting sexual harassment as defined above;
  - iii. The date and the location of the alleged incident, if known;
  - iv. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
  - v. A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence; and
  - vi. A statement of any provision in the District's policies that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the District decides to investigate allegations about the complainant or respondent that are not included in the written notice, the District must provide notice of the additional allegations to the parties whose identities are known.

5. The parties may have an advisor of their choice accompany them during any grievance proceeding at which the party's attendance is required. The District may, in its discretion, establish certain restrictions regarding the extent to which an advisor may participate in the proceedings. If any such restrictions are established, they will be applied equally to all parties.
6. The Title IX Coordinator will, as applicable, promptly commence an investigation of the formal complaint, designate a school administrator to promptly investigate the formal complaint, or dismiss the formal complaint in accordance with Subsection F of this Section. The standard of evidence to be used to determine responsibility is the preponderance of the evidence standard (i.e., more likely than not). The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the District and not on the parties.
7. The parties will be given an equal opportunity to discuss the allegations under investigation with the investigator(s) and are permitted to gather and present relevant evidence. This opportunity includes presenting witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness. The District will provide to a party whose participation is invited or expected (including a witness) written notice of the date, time, location, participants, and purpose of all hearings (if applicable), investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.

8. Both parties will be given an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. Prior to completion of the investigative report, the District will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have ten (10) school days to submit a written response, which the investigator(s) will consider prior to completion of the investigative report, as described in Paragraph 9 of this section.
9. The investigator(s) will create an investigative report that fairly summarizes relevant evidence. The investigator(s) will send the investigative report, in an electronic format or hard copy, to each party and to each party's advisor for their review and written response at least ten (10) school days prior to the time a determination regarding responsibility is made.
10. The Superintendent will appoint a decision-maker(s), who shall be a District employee or third-party contractor and who shall be someone other than the Title IX Coordinator or investigator(s). If the complaint filed is against the Superintendent, the Board Chair shall appoint the decision-maker, who shall be someone other than the Title IX Coordinator or investigator(s). The investigator(s) and the decision-maker(s) shall not discuss the investigation's facts and/or determination while the complaint is pending. The decision-maker(s) will afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) will explain to the party proposing the questions any decisions to exclude a question as not relevant.
11. The decision-maker(s) will issue a written determination regarding responsibility. The written determination will include: (1) identification of the allegations potentially constituting sexual harassment; (2) a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held; (3) findings of fact supporting the determination; (4) conclusions regarding the application of the District's code of conduct to the facts; (5) a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the District will impose on the

respondent, and whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the District to the complainant; and (6) the District's procedures and permissible bases for the complainant and respondent to appeal. If the respondent is found responsible for violating the Board's Policy regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel), the written determination shall indicate whether the respondent engaged in sexual harassment as defined by the Board's Policy and these Administrative Regulations. The written determination will be provided to both parties simultaneously.

12. Student respondents found responsible for violating the Board's Policy regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel) may be subject to discipline up to and including expulsion. Employee respondents found responsible for violating the Board's Policy regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel) may be subject to discipline up to and including termination of employment. Other respondents may be subject to exclusion from the District's programs, activities and/or property. In appropriate circumstances, the District may make a criminal referral. Remedies will be designed to restore or preserve equal access to the District's education programs or activities.
13. After receiving notification of the decision-maker(s)' decision, or after receiving notification that the District dismissed a formal complaint or any allegation therein, both complainant and respondent may avail themselves of the appeal process set forth in Section E of this Regulation.

#### D. Informal Resolution

At any time prior to reaching a determination regarding responsibility, but only after the filing of a formal complaint, the District may suggest to the parties the possibility of facilitating an informal resolution process, such as mediation, to resolve the formal complaint without the need for a full investigation and adjudication. If it is determined that an informal resolution may be appropriate, the Title IX Coordinator or designee will consult with the parties.

Prior to facilitating an informal resolution to a formal complaint, the Title IX Coordinator or designee will provide the parties with written notice disclosing the sexual harassment allegations, the requirements of an informal resolution process, and any consequences from participating in the informal resolution process. Upon receipt of this document, complainants and respondents have five (5) school days to determine whether they consent to participation in the informal resolution. The District must obtain voluntary, written consent to the informal resolution process from both parties.

Prior to agreeing to any resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint. If a satisfactory resolution is reached through this informal process, the matter will be considered resolved. If these efforts are unsuccessful, the formal grievance process will continue.

Nothing in this section precludes an employee from filing a complaint of retaliation for matters related to an informal resolution, nor does it preclude either party from filing complaints based on conduct that is alleged to occur following the District's facilitation of the informal resolution.

An informal resolution is not permitted to resolve allegations that an employee sexually harassed a student.

#### E. Appeal Process

After receiving notification of the decision-maker(s)' decision, or after receiving notification that the District dismissed a formal complaint or any allegation therein, both complainant and respondent have five (5) school days to submit a formal letter of appeal to the Title IX Coordinator specifying the grounds upon which the appeal is based.

Appeals will be appropriate only in the following circumstances:

- new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- procedural irregularity that affected the outcome of the matter;
- the Title IX Coordinator, investigator(s), and/or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter. A conflict of interest or bias does not exist solely because the Title IX Coordinator, investigators(s), and/or decision-maker(s) previously worked with or disciplined the complainant or respondent.

The District will provide the other party with written notice of such appeal. Both parties will then have an opportunity to submit a written statement in support of, or challenging, the outcome. Such written statement must be submitted ten (10) school days after receiving written notice of the appeal. Upon receipt of an appeal, the Superintendent shall appoint a decision-maker(s) for the appeal, who shall be someone other than the Title IX Coordinator, investigator(s), or initial decision-maker(s). The decision-maker(s) for the appeal, in their discretion, will determine the appropriate procedure for the appeal. After considering the parties' written statements, the decision-maker(s) for the appeal will provide a written decision. If it is found that one of the bases for appeal exists, the decision-maker(s) for the appeal will issue an appropriate remedy.

Supportive measures for either or both parties may be continued throughout the appeal process.

#### F. Dismissal of a Formal Complaint

The Title IX Coordinator shall dismiss any formal complaint that, [under Title IX](#), 1) would not constitute sexual harassment as defined ~~in these Administrative Regulations~~ [under Title IX](#) even if proved, 2) did not occur in the District's education program or activity, or 3) did not occur against a person in the United States. Such dismissal does not preclude action under another Board policy.

The District may dismiss a formal complaint or any allegations therein, if at any time during the investigation or hearing a complainant notifies the Title IX Coordinator in writing that 1) the

complainant would like to withdraw the formal complaint or any allegations therein; 2) the respondent is no longer enrolled or employed in the District; or 3) specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon a dismissal, the District will promptly and simultaneously send written notice of the dismissal and reason(s) therefor to each party. Either party can appeal from the District's dismissal of a formal complaint or any allegations therein using the appeals procedure.

[In the event a formal complaint is dismissed prior to the issuance of a decision under Title IX, the Title IX Coordinator shall determine if the allegations of sexual harassment shall proceed through the grievance procedures identified in Section II of these Administrative Regulations for claims of sex discrimination for consideration as to whether the allegations constitute sexual harassment under Title VII or Connecticut law.](#)

A dismissal pursuant to this section does not preclude action by the District under the Student Discipline policy, Code of Conduct for students/or and employees, or any other applicable rule, policy, and/or collective bargaining agreement.

#### G. Miscellaneous

1. Any timeframe set forth in these Administrative Regulations may be temporarily delayed or extended for good cause. Good cause may include, but is not limited to, considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; concurrent activity by the Department of Children and Families; or the need for language assistance or accommodation of disabilities. If any timeframe is altered on a showing of good cause, written notice will be provided to each party with the reasons for the action.
2. If a sexual harassment complaint raises a concern about discrimination or harassment on the basis of any other legally protected classification (such as race, religion, color, national origin, age, or disability), the Title IX Coordinator or designee shall make a referral to other appropriate personnel within the District (e.g. Section 504 Coordinator, etc.), so as to ensure that any such investigation complies with the requirements of policies regarding nondiscrimination.
3. If the sexual harassment complaint results in reasonable cause to suspect or believe that a child has been abused or neglected, has had a nonaccidental physical injury, or injury which is at variance with the history given of such injury, is placed at imminent risk of serious harm, or that a student has been sexually assaulted by a school employee, then, the person to whom the complaint is given or who receives such information shall report such matters in accordance with the Board's policy on the Reports of Suspected Child Abuse or Neglect of Children.
4. Retaliation against any individual who complains pursuant to the Board's Policy regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel) and

these Administrative Regulations is strictly prohibited. The District will take actions designed to prevent retaliation as a result of filing a complaint. Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination described herein.

5. The District will maintain for a period of seven (7) years records of:
  - i. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the Board's education program or activity;
  - ii. Any appeal and the result therefrom;
  - iii. Any informal resolution and the result therefrom; and
  - iv. All material used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The Board will make these training materials publicly available on its website.

If the District has actual knowledge of sexual harassment in an education program or activity of the Board, and for any report or formal complaint of sexual harassment, the District will create and maintain for a period of seven (7) years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. The District will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the Board's education program or activity. If the District does not provide a complainant with supportive measures, then the District will document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

## **SECTION II. GRIEVANCE PROCEDURES FOR CLAIMS OF SEX DISCRIMINATION (OTHER THAN SEXUAL HARASSMENT UNDER TITLE IX)**

### A. Definitions

- **Complainant** means an individual who is alleged to be the victim of conduct that could constitute sex discrimination.
- **Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sex discrimination.

### B. Reporting Sex Discrimination Other than Sexual Harassment under Title IX

It is the express policy of the Board to encourage victims of sex discrimination to report such claims. Any person may report sex discrimination (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator. If the District receives notice of sex discrimination or alleged sex discrimination against a person in the District's education

program or activity, the Title IX Coordinator or designee will promptly notify the complainant of the grievance process. The District will treat complainants and respondents equitably during the grievance process. Sexual harassment is a form of sex discrimination, and any incident of sexual harassment under Title IX, as defined above, ~~should~~shall be handled pursuant to Section I of these Administrative Regulations. Any allegations of sexual harassment under Title VII or Connecticut law, as defined above, shall be handled pursuant to this Section II of these Administrative Regulations.

### C. Grievance Procedures

1. As soon as an employee feels that he or she has been subjected to sex discrimination other than sexual harassment as defined under Title IX (including, without limitation, sexual harassment under Title VII or Connecticut law), he/she should make a written complaint to the Title IX Coordinator or to the building principal, or his/her designee. The employee will be provided a copy of the Board's policy and Administrative Regulations and made aware of his or her rights. Preferably, complaints should be filed within ten (10) school days of the alleged occurrence. Timely reporting of complaints facilitates the investigation and resolution of such complaints.
2. The complaint should state the:
  - i. Name of the complainant;
  - ii. Date of the complaint;
  - iii. Date(s) of the alleged discrimination;
  - iv. Name(s) of the discriminator(s);
  - v. Location where such discrimination occurred;
  - vi. Names of any witness(es) to the discrimination;
  - vii. DETAILED STATEMENT OF THE CIRCUMSTANCES CONSTITUTING THE ALLEGED DISCRIMINATION; AND
  - viii. REMEDY REQUESTED.
3. Any employee who makes an oral complaint of sex discrimination to any of the above-mentioned personnel will be provided a copy of these Administrative Regulations and will be requested to make a written complaint pursuant to the above procedure.
4. All complaints are to be forwarded immediately to the building principal or designee unless that individual is the subject of the complaint, in which case the complaint should be forwarded directly to the Superintendent of Schools or his/her designee. In addition, a copy of any complaint filed under this ~~policy~~Policy shall be forwarded to the Title IX Coordinator. If the complaint being filed is against the Title IX Coordinator, the complaint should be filed with the Superintendent. If the complaint being filed is against the Superintendent, the complaint should be filed with the Board Chair, who will then retain an independent investigator to investigate the matter.
5. The Title IX Coordinator or designee shall investigate all complaints of ~~sexual~~sex discrimination against an employee, regardless of whether the conduct occurred on or off-school grounds. Complaints will be investigated promptly within the timeframes

identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information, and other extenuating circumstances. The investigation shall be conducted discreetly, maintaining confidentiality insofar as possible while still conducting an effective and thorough investigation.

6. Any employee who makes a complaint shall be notified of the District's intent to investigate the complaint. In the event the employee requests confidentiality or that an investigation not be conducted, the District will take reasonable steps to investigate and respond to the complaint to the extent possible, given the request for confidentiality or that the District not investigate the complaint. If the employee insists that his/her information not be shared with the alleged discriminator(s), the employee will be informed that the District's ability to investigate and/or take corrective action may be limited.
7. Upon receipt of a sex discrimination complaint, the Title IX Coordinator shall either promptly commence an investigation of the complaint, or shall designate a school administrator to promptly investigate the complaint. The Title IX Coordinator or designee shall:
  - i. offer to meet with the complainant and respondent (if applicable) separately within ten (10) school days to discuss the nature of the complaint, identify individuals the complainant and respondent (if applicable) believe have relevant information, and obtain any relevant documents the complainant and respondent may have;
  - ii. provide the complainant and respondent (if applicable) with a copy of the Board's sex discrimination policy and accompanying regulations;
  - iii. consider whether any interim measures may be appropriate to protect the complainant or respondent (if applicable), pending the outcome of the investigation;
  - iv. conduct an investigation that is adequate, reliable, and impartial. Investigate the factual basis of the complaint, including, as applicable, conducting interviews with individuals deemed relevant to the complaint;
  - v. consider whether alleged sex discrimination has created a hostile work environment, including consideration of the effects of off-campus conduct on the school;
  - vi. communicate the outcome of the investigation in writing to the complainant, to the respondent, and to any individual properly identified as a party to the complaint (to the extent permitted by state and federal confidentiality requirements), within ninety (90) school days from the date the complaint was received by the Superintendent's office. The investigator may extend this deadline for no more than fifteen (15) additional school days if needed to complete the investigation. The complainant and respondent (if applicable)

shall be notified of such extension. The written notice shall include a finding whether the complaint was substantiated and if so, shall identify, to the extent possible, how the District will remedy the discrimination, adhering to the requirements of state and federal law; and

- vii. when sex discrimination has been found, take steps that are reasonably calculated to end the discrimination, take corrective and/or disciplinary action aimed at preventing the recurrence of the discrimination, as deemed appropriate by the Superintendent or his/her designee, and take steps to remedy the effects of the sex discrimination.
8. If a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of staff and/or other individuals who may have information relevant to the complaint. If fixed timeframes cannot be met, the complainant and respondent will receive notice and interim measures may be implemented as necessary.
9. If the complainant or respondent (if applicable) is dissatisfied with the findings of the investigation, he or she may file a written appeal within five (5) school days to the Title IX Coordinator, or, if he/she conducted the investigation, to the Superintendent of Schools, who shall review the Title IX Coordinator or designee's written report, the information collected by the Title IX Coordinator or designee together with the recommended disposition of the complaint to determine whether the alleged conduct constitutes sex discrimination. The Title IX Coordinator or Superintendent of Schools may determine if further action and/or investigation is warranted. After completing this review, the Title IX Coordinator or Superintendent of Schools shall respond to the complainant and respondent (if applicable), in writing, within fifteen (15) school days following the receipt of the written request for review.

#### D. Miscellaneous

1. If a ~~sexual~~sex discrimination complaint raises a concern about discrimination or harassment on the basis of any other legally protected classification (such as race, religion, color, national origin, age, or disability), the Title IX Coordinator or designee shall make a referral to other appropriate personnel within the District (e.g. Section 504 Coordinator, etc.), so as to ensure that any such investigation complies with the requirements of policies regarding nondiscrimination.
2. If the ~~sexual~~sex discrimination complaint results in reasonable cause to suspect or believe that a child has been abused or neglected, has had a nonaccidental physical injury, or injury which is at variance with the history given of such injury, is placed at imminent risk of serious harm, or that a student has been sexually assaulted by a school employee, then, the person to whom the complaint is given or who receives such information shall report such matters in accordance with the Board's policy on the Reports of Suspected Child Abuse or Neglect of Children.

1. Retaliation against any individual who complains pursuant to the Board's Policy regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel) and these Administrative Regulations is strictly prohibited. The District will take actions designed to prevent retaliation as a result of filing a complaint. Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination described herein.

### **Section III. Further Reporting**

At any time, a complainant alleging sex discrimination or sexual harassment may also file a formal complaint with the Office for Civil Rights, Boston Office, U.S. Department of Education, 8<sup>th</sup> Floor, 5 Post Office Square, Boston, MA 02109-3921 (Telephone (617) 289-0111).

Employees may also make a report of sexual harassment and/or sex discrimination to the Connecticut Commission on Human Rights and Opportunities, 450 Columbus Boulevard, Hartford, CT 06103-1835 (Telephone: 860-514-3400).

Copies of these Administrative Regulations will be distributed to all employees.

## Appendix A

**Sexual Assault:** An offense classified as forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

Rape—(Except Statutory Rape) The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of the person's age or because of the person's temporary or permanent mental or physical incapacity.

Sodomy—Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of the person's age or because of the person's temporary or permanent mental or physical incapacity.

Sexual Assault With An Object—To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of the person's age or because of the person's temporary or permanent mental or physical incapacity.

Fondling—The touching of the private body parts of another person for the purpose of sexual gratification without the consent of the victim, including instances where the victim is incapable of giving consent because of the person's age or because of the person's temporary or permanent mental or physical incapacity.

Incest—Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape—Nonforcible sexual intercourse with a person who is under the statutory age of consent.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

**Domestic Violence:** Includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress.

**Affirmative Consent** means an active, clear and voluntary agreement by a person to engage in sexual activity with another person.

For the purposes of an investigation conducted pursuant to these Administrative Regulations, the following principles shall be applied in determining whether consent for sexual activity was given and/or sustained:

- A. Affirmative consent is the standard used in determining whether consent to engage in sexual activity was given by all persons who engaged in the sexual activity.
- B. Affirmative consent may be revoked at any time during the sexual activity by any person engaged in the sexual activity.
- C. It is the responsibility of each person to ensure that he or she has the affirmative consent of all persons engaged in the sexual activity to engage in the sexual activity and that the affirmative consent is sustained throughout the sexual activity.
- D. It shall not be a valid excuse to an alleged lack of affirmative consent that the respondent to the alleged violation believed that the complainant consented to the sexual activity:
  - (i) because the respondent was intoxicated or reckless or failed to take reasonable steps to ascertain whether the complainant affirmatively consented, or
  - (ii) if the respondent knew or should have known that the complainant was unable to consent because such individual was unconscious, asleep, unable to communicate due to a mental or physical condition, unable to consent due to the age of the individual or the age difference between the individual and the respondent, or incapacitated due to the influence of drugs, alcohol or medication.
- E. The existence of a past or current dating or sexual relationship between the complainant and the respondent, in and of itself, shall not be determinative of a finding of affirmative consent.

**COMPLAINT FORM REGARDING SEXUAL HARASSMENT UNDER TITLE IX  
(PERSONNEL)**

*This complaint form should be used for complaints of sexual harassment as defined on page 1 of the Board's Administrative Regulations regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel)*

Name of the complainant \_\_\_\_\_

Date of the complaint \_\_\_\_\_

Date of the alleged sexual harassment \_\_\_\_\_

Name or names of the sexual harasser(s) \_\_\_\_\_

\_\_\_\_\_

Location where such sexual harassment occurred \_\_\_\_\_

\_\_\_\_\_

Name(s) of any witness(es) to the sexual harassment \_\_\_\_\_

\_\_\_\_\_

Detailed statement of the circumstances constituting the alleged sexual harassment

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Remedy requested \_\_\_\_\_

Signature of Complainant or Title IX Coordinator: \_\_\_\_\_

**COMPLAINT FORM REGARDING SEX DISCRIMINATION (OTHER THAN SEXUAL HARASSMENT UNDER TITLE IX) (PERSONNEL)**

*This complaint form should be used for complaints of sex discrimination as defined on page 1 of the Board's Administrative Regulations regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel)*

Name of the complainant \_\_\_\_\_

Date of the complaint \_\_\_\_\_

Date of the alleged sex discrimination \_\_\_\_\_

Name or names of the sex discriminator(s) \_\_\_\_\_

\_\_\_\_\_

Location where such sex discrimination occurred \_\_\_\_\_

\_\_\_\_\_

Name(s) of any witness(es) to the sex discrimination \_\_\_\_\_

\_\_\_\_\_

Detailed statement of the circumstances constituting the alleged sex discrimination

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Remedy requested \_\_\_\_\_

Signature: \_\_\_\_\_

*SAMPLE WRITTEN NOTICE FOR FORMAL COMPLAINTS OF SEXUAL HARASSMENT*

[LETTERHEAD]

NOTICE OF SEXUAL HARASSMENT ALLEGATIONS [UNDER TITLE IX](#)

In accordance with the Board's Policy and Administrative Regulations regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel), a formal complaint of sexual harassment has been filed with the Title IX Coordinator.

Identities of the parties involved, if known:

\_\_\_\_\_ (Complainant(s))  
\_\_\_\_\_ (Respondent(s))

The conduct allegedly constituting sexual harassment: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The date and the location of the alleged incident, if known: \_\_\_\_\_  
\_\_\_\_\_

The Title IX Coordinator or designee will contact the parties regarding the next step in the grievance process. Questions can be directed to the Title IX Coordinator:

***Central Office, 24 School Road, Weston Connecticut 06883  
tracyedwards@westonps.org  
203-221-6558***

The respondent is presumed not responsible for the alleged conduct. A determination regarding responsibility is made at the conclusion of the grievance process.

All parties involved may have an advisor of their choice who may be, but it not required to be, an attorney. This advisor may inspect and review evidence as permitted by the Board's Administrative Regulations regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel).

Any employee who knowingly makes false statements or knowing submits false information during this grievance process is subject to discipline, up to and including termination.

**A copy of the Board's Policy and Administrative Regulations regarding the Prohibition of Sex Discrimination and Sexual Harassment (Personnel) is included with this notice.**



## STUDENTS

## SEX DISCRIMINATION AND SEXUAL HARASSMENT

It is the policy of the Weston Board of Education (the “Board”) for the Weston Public Schools that any form of sex discrimination or sexual harassment is prohibited in the Board’s education programs and activities, whether by students, Board employees or third parties subject to substantial control by the Board. The Board does not discriminate on the basis of sex in the education programs or activities that it operates and the Board is required by Title IX of the Education Amendments of 1972 and its implementing regulations (“Title IX”) [and Connecticut law](#) not to discriminate in such a manner. Students, Board employees and third parties are required to adhere to a standard of conduct that is respectful of the rights of students, employees and third parties. Any student or employee who engages in conduct prohibited by this ~~policy~~[Policy](#) shall be subject to disciplinary action, up to and including expulsion or termination, respectively.

For conduct to violate ~~this Policy~~[Title IX](#), the conduct must have occurred in an education program or activity of the Board; the conduct must have occurred within the United States of America; and the complainant must be participating in or attempting to participate in the education program or activity of the Board. Conduct that does not meet these requirements still may constitute a violation of [Connecticut law or](#) another Board policy.

The Superintendent of Schools shall develop Administrative Regulations implementing this Policy and in accordance with Title IX [and Connecticut law](#) (the “Administrative Regulations”).

**Sex discrimination** occurs when a person, because of the person’s sex, is denied participation in or the benefits of any education program or activity receiving federal financial assistance.

**Sexual harassment [under Title IX](#)** means conduct on the basis of sex that satisfies one or more of the following:

- (1) An employee of the Board conditioning the provision of an aid, benefit, or service of the Board on an individual’s participation in unwelcome sexual conduct (*i.e., quid pro quo*);
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Board’s education programs or activities; or
- (3) “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30).

**[Sexual harassment under Connecticut law](#)** means conduct in a school setting that 1) is sexual in nature; 2) is unwelcome; and 3) denies or limits a student’s ability to participate in or benefit

[from a school's educational program. Sexual harassment can be verbal, nonverbal or physical. Sexual violence is a form of sexual harassment.](#)

### Reporting Sex Discrimination or Sexual Harassment

It is the express policy of the Board to encourage victims of sex discrimination and/or sexual harassment to report such claims. Students are encouraged to report complaints of sex discrimination and/or sexual harassment promptly in accordance with the appropriate process set forth in the Administrative Regulations. The Board directs its employees to respond to such complaints in a prompt and equitable manner. The Board further directs its employees to maintain confidentiality to the extent appropriate and not tolerate any reprisals or retaliation that occur as a result of the good faith reporting of charges of sex discrimination and/or sexual harassment. Any such reprisals or retaliation will result in disciplinary action against the retaliator, up to and including expulsion or termination as appropriate.

Any Board employee with notice of sex discrimination and/or sexual harassment allegations shall immediately report such information to the building principal and/or the Title IX Coordinator, or if the employee does not work in a school building, to the Title IX Coordinator.

The Weston Public Schools administration (the "Administration") shall provide training to Title IX Coordinator(s), investigators, decision-makers, and any person who facilitates an informal resolution process (as set forth in the Administrative Regulations) ~~on~~, which training shall include but need not be limited to, the definitions of sex discrimination and sexual harassment, the scope of the Board's education program and activity, how to conduct an investigation and grievance process, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. The Administration shall make the training materials used to provide these trainings publicly available on the Board's website. The Administration shall also periodically provide training to all Board employees on the topic of sex discrimination and sexual harassment under Title IX and Connecticut law, which shall include but not be limited to when reports of sex discrimination and/or sexual harassment must be made. The Administration shall distribute this Policy and the Administrative Regulations to staff, students and parents and legal guardians and make the Policy and the Administrative Regulations available on the Board's website to promote an environment free of sex discrimination and sexual harassment.

The Board's Title IX Coordinator is the Director of Pupil Personnel Services. Any individual may make a report of sex discrimination and/or sexual harassment directly to the Title IX Coordinator using any one, or multiple, of the following points of contact

#### District Coordinator

Tracy Edwards  
Director of Pupil Personnel Services  
24 School Road  
Weston, CT 06883  
(203) 221-6558  
tracyedwards@westonps.org

~~Weston High School Coordinator~~      ~~Weston High School Coordinator~~  
~~Matthew Filip~~      ~~Juliane Givoni~~  
~~Assistant Principal~~      ~~Assistant Principal~~  
~~Weston High School~~      ~~Weston High School~~  
~~115 School Road~~      ~~115 School Road~~  
~~Weston, CT 06883~~      ~~Weston, CT 06883~~  
~~(203) 221-6505~~      ~~(203) 221-6504~~  
~~matthewfilip@westonps.org~~      ~~julianegivoni@westonps.org~~

~~Weston Middle School Coordinator~~      ~~Weston Intermediate School Coordinator~~  
~~Dru Walters~~      ~~Nicole Wilhelm~~  
~~Assistant Principal~~      ~~Assistant Principal~~  
~~Weston Middle School~~      ~~Weston Intermediate School~~  
~~135 School Road~~      ~~95 School Road~~  
~~Weston, CT 06883~~      ~~Weston, CT 06883~~  
~~(203) 221-6364~~      ~~(203) 221-6334~~  
~~druwalters@westonps.org~~      ~~nicolewilhelm@westonps.org~~

~~Hurlbutt Elementary School Coordinator~~  
~~Kimberly Kus~~  
~~Assistant Principal~~  
~~Hurlbutt Elementary School~~  
~~9 School Road~~  
~~Weston, CT 06883~~  
~~(203) 221-6304~~  
~~kimkus@westonps.org~~

Any individual may also make a report of sexual harassment and/or sex discrimination to the U.S. Department of Education: Office for Civil Rights, Boston Office, U.S. Department of Education, 8<sup>th</sup> Floor, 5 Post Office Square, Boston, MA 02109-3921 (Telephone (617) 289-0111).

Legal References:      Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, et seq.  
  
                                 Title IX of the Education Amendments of 1972, 34 C.F.R § 106.1, et seq.  
  
                                 Gebser v. Lago Vista Independent School District, 524 U.S. 274 (1998)  
  
                                 Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)  
  
                                 [Conn. Gen. Stat. § 10-15c - Discrimination in public schools prohibited.](#)

Policy Adopted: October 19, 2020  
Policy Revised:

WESTON PUBLIC SCHOOLS  
Weston, Connecticut

Students

### ADMINISTRATIVE REGULATIONS REGARDING SEX DISCRIMINATION AND SEXUAL HARASSMENT (STUDENTS)

It is the policy of the Weston Board of Education (the “Board”) for the Weston Public Schools (“the District”) that any form of sex discrimination or sexual harassment is prohibited, whether by students, District employees or third parties subject to substantial control by the Board. Students, District employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of students, District employees, and third parties. Any student or employee who engages in conduct prohibited by the Board’s Policy regarding Title IX of the Education Amendments of 1972-Prohibition of Sex Discrimination and Sexual Harassment (Students) shall be subject to disciplinary action. Any third party who engages in conduct prohibited by the Board’s Policy regarding Title IX of the Education Amendments of 1972-Prohibition of Sex Discrimination and Sexual Harassment (Students) shall be subject to remedial measures, which may include exclusion from school property.

**Sex discrimination** occurs when a person, because of the person’s sex, is denied participation in or the benefits of any education program or activity receiving federal financial assistance.

**Sexual harassment [under Title IX](#)** means conduct on the basis of sex that satisfies one or more of the following:

- (1) An employee of the Board conditioning the provision of an aid, benefit, or service of the Board on an individual’s participation in unwelcome sexual conduct (i.e., *quid pro quo*);
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District’s education programs or activities; or
- (3) “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30). These definitions can be found in Appendix A of these Administrative Regulations.

**[Sexual harassment under Connecticut law means conduct in a school setting that 1\) is sexual in nature; 2\) is unwelcome; and 3\) denies or limits a student’s ability to participate in or benefit from a school’s educational program. Sexual harassment can be verbal, nonverbal or physical. Sexual violence is a form of sexual harassment.](#)**

Although not an exhaustive list, the following are other examples of conduct prohibited by the Board’s Policy regarding Title IX of the Education Amendments of 1972-Prohibition of Sex Discrimination and Sexual Harassment (Students):

1. Statements or other conduct indicating that a student’s submission to, or rejection of, sexual overtures or advances will affect the student’s grades and/or other academic progress.
2. Unwelcome attention and/or advances of a sexual nature, including verbal comments, sexual invitations, leering and physical touching.
3. Display of sexually suggestive objects, or use of sexually suggestive or obscene remarks, invitations, letters, emails, text messages, notes, slurs, jokes, pictures, cartoons, epithets or gestures.
4. Touching of a sexual nature or telling sexual or dirty jokes.
5. Transmitting or displaying emails or websites of a sexual nature.
6. Using computer systems, including email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by the Board’s Policy regarding Title IX of the Education Amendments of 1972-Prohibition of Sex Discrimination and Sexual Harassment (Students).

**NOTICE OF THE TITLE IX COORDINATOR**

The District’s Title IX Coordinator is the Director of Pupil Personnel Services. Any individual may make a report of sex discrimination and/or sexual harassment directly to the Title IX Coordinator using any one, or multiple, of the following points of contact:

District Coordinator

Tracy Edwards  
 Director of Pupil Personnel Services  
 24 School Road  
 Weston, CT 06883  
 (203) 221-6558  
 tracyedwards@westonps.org

<del>Weston High School Coordinator</del>	<del>Weston High School Coordinator</del>
<del>Matthew Filip</del>	<del>Juliane Givoni</del>
<del>Assistant Principal</del>	<del>Assistant Principal</del>
<del>Weston High School</del>	<del>Weston High School</del>
<del>115 School Road</del>	<del>115 School Road</del>
<del>Weston, CT 06883</del>	<del>Weston, CT 06883</del>
<del>(203) 221-6505</del>	<del>(203) 221-6504</del>
<del>matthewfilip@westonps.org</del>	<del>julianegivoni@westonps.org</del>

~~Weston Middle School Coordinator~~                      ~~Weston Intermediate School Coordinator~~  
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~~9 School Road~~  
~~Weston, CT 06883~~  
~~(203) 221-6304~~  
~~kimkus@westonps.org~~

The Title IX Coordinator manages the District’s compliance with Title IX and [Connecticut law regarding sexual harassment and sex discrimination](#) and is an available resource to anyone seeking information or wishing to file a formal complaint [of same](#). When a student, District employee, or other participant in the District’s programs and activities feels that such person has been subjected to discrimination on the basis of sex in any District program or activity, including without limitation being subjected to sexual harassment, such person may contact the Title IX Coordinator or utilize the Title IX grievance systems set forth herein to bring concerns forward for the purpose of obtaining a prompt and equitable resolution.

**EXPLANATION OF COMPLAINT PROCESS AND PROCEDURE**

The federal regulations implementing Title IX require the adoption and publication of two separate grievance systems: a grievance process for complaints of sex discrimination involving allegations of sexual harassment and grievance procedures for complaints of sex discrimination that are not sexual harassment. Accordingly, the Administration will process any complaints of sex discrimination involving allegations of sexual harassment, as defined above, pursuant to the **grievance process** set forth in Section I of these regulations. The Administration will process any complaints of sex discrimination that are not sexual harassment pursuant to the **grievance procedures** set forth in Section II of these regulations.

The District will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), or as required by law, or to carry out the purposes of these Administrative Regulations, including the conduct of any investigation, hearing, or judicial proceeding arising from these Administrative Regulations.

The obligation to comply with Title IX is not obviated or alleviated by the FERPA.

## **SECTION I. GRIEVANCE PROCESS FOR COMPLAINTS OF SEXUAL HARASSMENT**

### **A. Definitions**

- **Bias** occurs when it is proven that the Title IX Coordinator, investigator(s), and/or decision-maker(s) demonstrate actual bias, rather than the appearance of bias. Actual bias includes, but is not limited to, demonstrated personal animus against the respondent or the complainant and/or prejudgment of the facts at issue in the investigation.
- **Complainant** means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.
- A **conflict of interest** occurs when it is proven that the Title IX Coordinator, investigator(s), and/or decision-maker(s) have personal, financial and/or familial interests that affected the outcome of the investigation.
- For purposes of investigations and complaints of sexual harassment, **education program or activity** includes locations, events, or circumstances over which the Board exercises substantial control over both the respondent and the context in which the sexual harassment occurs.
- **Employee** means (A) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, school counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by the Board or working in a public elementary, middle or high school; or (B) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle or high school, pursuant to a contract with the Board.
- **Formal complaint** means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the Administration investigate the allegation of sexual harassment. A “document filed by a complainant” means a document or electronic submission that contains the complainant’s physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.
- **Respondent** means an individual who has been alleged to be the perpetrator of conduct that could constitute sexual harassment.
- **Supportive measures** means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the District’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the

District's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual restrictions on contact between the parties, increased security and monitoring, and other similar measures.

## B. Reporting Sexual Harassment

1. It is the express policy of the Board to encourage victims of sexual harassment to report such claims. Any person may report sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator. If the District receives notice of sexual harassment or alleged sexual harassment against a student in the District's education program or activity, the Title IX Coordinator or designee will promptly contact the complainant to discuss the availability of supportive measures, whether or not the complainant has filed a formal complaint, and will consider the complainant's wishes with respect to such measures. If the complainant has yet to file a formal complaint, the Title IX Coordinator or designee will explain to the complainant the process for doing so.
2. The District will treat complainants and respondents equitably. A respondent is presumed not responsible for the alleged conduct and a determination regarding responsibility will be made at the conclusion of the grievance process if a formal complaint is filed. Nothing in this Regulation shall limit or preclude the District from removing a respondent from the District's education program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. If a respondent is removed on an emergency basis, the District shall provide the respondent with notice and an opportunity to challenge the decision immediately following the removal.

## C. Formal Complaint and Grievance Process

1. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information listed for the Title IX Coordinator. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the District's education programs or activity. A formal complaint may be signed by the Title IX Coordinator. If the complaint being filed is against the Title IX Coordinator, the formal complaint should be filed with the Superintendent. If the formal complaint being filed is against the Superintendent, the formal complaint should be filed with the Board Chair, who will then retain an independent investigator to investigate the matter.
2. The District may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of

sexual harassment arise out of the same facts or circumstances. If possible, formal complaints should be filed within ten (10) school days of the alleged occurrence in order to facilitate the prompt and equitable resolution of such claims. The District will attempt to complete the formal grievance process within ninety (90) school days of receiving a complaint. This timeframe may be temporarily delayed or extended in accordance with Subsection G of this Section.

3. Upon receipt of a formal complaint, if the Title IX Coordinator or designee has not already discussed the availability of supportive measures with the complainant, the Title IX Coordinator or designee will promptly contact the complainant ~~and respondent separately~~ to discuss the availability of such measures and consider the complainant's wishes with respect to them. The Title IX Coordinator or designee may also contact the respondent, separately from the complainant, to discuss the availability of supportive measures for the respondent. The District will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the District to provide supportive measures.
4. Within ten (10) school days of receiving a formal complaint, the District will provide the known parties with written notice of the allegations potentially constituting sexual harassment and a copy of this grievance process. The written notice must also include the following:
  - i. The identities of the parties involved in the incident, if known;
  - ii. The conduct allegedly constituting sexual harassment as defined above;
  - iii. The date and the location of the alleged incident, if known;
  - iv. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
  - v. A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence; and
  - vi. A statement of any provision in the District's Student Discipline Policy or any other policy that prohibits knowingly making false statements of knowingly submitting false information during the grievance process.

If, in the course of an investigation, the District decides to investigate allegations about the complainant or respondent that are not included in the written notice, the District must provide notice of the additional allegations to the parties whose identities are known.

5. The parties may have an advisor of their choice accompany them during any grievance proceeding at which the party's attendance is required. The District may, in its discretion, establish certain restrictions regarding the extent to which an advisor may participate in the proceedings. If any such restrictions are established, they will be applied equally to all parties.

6. The Title IX Coordinator will, as applicable, promptly commence an investigation of the formal complaint, designate a school administrator to promptly investigate the formal complaint, or dismiss the formal complaint in accordance with Subsection F of this Section. The standard of evidence to be used to determine responsibility is the preponderance of the evidence standard (i.e., more likely than not). The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the District and not on the parties.
7. The parties will be given an equal opportunity to discuss the allegations under investigation with the investigator(s) and are permitted to gather and present relevant evidence. This opportunity includes presenting witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness. The District will provide to a party whose participation is invited or expected (including a witness), written notice of the date, time, location, participants, and purpose of all hearings (if applicable), investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
8. Both parties will be given an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. Prior to completion of the investigative report, the District will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have ten (10) school days to submit a written response, which the investigator(s) will consider prior to completion of the investigative report, as described in Paragraph 9 of this section.
9. The investigator(s) will create an investigative report that fairly summarizes relevant evidence. The investigator(s) will send the investigative report, in an electronic format or hard copy, to each party and to each party's advisor for their review and written response at least ten (10) school days prior to the time a determination regarding responsibility is made.
10. The Superintendent will appoint a decision-maker(s), who shall be a District employee or third-party contractor and who shall be someone other than the Title IX Coordinator or investigator(s). If the complaint filed is against the Superintendent, the Board Chair shall appoint the decision-maker, who shall be a District employee or third-party contractor and who shall be someone other than the Title IX Coordinator or investigator(s). The investigator(s) and the decision-maker(s) shall not discuss the investigation's facts and/or determination while the complaint is pending. The decision-maker(s) will afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited

follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) will explain to the party proposing the questions any decisions to exclude a question as not relevant.

1. The decision-maker(s) will issue a written determination regarding responsibility. The written determination will include: (1) identification of the allegations potentially constituting sexual harassment; (2) a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held; (3) findings of fact supporting the determination; (4) conclusions regarding the application of the District's code of conduct to the facts; (5) a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the District will impose on the respondent, and whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the District to the complainant; and (6) the District's procedures and permissible bases for the complainant and respondent to appeal. [If the respondent is found responsible for violating the Board's Policy regarding the Prohibition of Sex Discrimination and Sexual Harassment \(Students\), the written determination shall indicate whether the respondent engaged in sexual harassment as defined by the Board's Policy and these Administrative Regulations.](#) The written determination will be provided to both parties simultaneously.
11. Student respondents found responsible for violating the Board's Policy regarding Title IX of the Education Amendments of 1972-Prohibition of Sex Discrimination and Sexual Harassment (Students) may be subject to discipline up to and including expulsion. Employee respondents found responsible for violating the Board's Policy regarding Title IX of the Education Amendments of 1972-Prohibition of Sex Discrimination and Sexual Harassment (Students) may be subject to discipline up to and including termination of employment. Other respondents may be subject to exclusion from the District's programs, activities and/or property. In appropriate circumstances, the District may make a criminal referral. Remedies will be designed to restore or preserve equal access to the District's education programs or activities.
12. After receiving notification of the decision-maker(s)' decision, or after receiving notification that the District dismissed a formal complaint or any allegation therein, both complainant and respondent may avail themselves of the appeal process set forth in Section V of this Regulation.

#### D. Informal Resolution

At any time prior to reaching a determination regarding responsibility, [but only after the filing of a formal complaint](#), the District may suggest to the parties the possibility of facilitating an informal resolution process, such as mediation, to resolve the formal complaint without the need for a full investigation and adjudication. If it is determined that an informal resolution may be appropriate, the Title IX Coordinator or designee will consult with the parties.

Prior to facilitating an informal resolution to a formal complaint, the Title IX Coordinator or designee will provide the parties with written notice disclosing the sexual harassment allegations, the requirements of an informal resolution process, and any consequences from participating in the informal resolution process. Upon receipt of this document, complainants and respondents have five (5) school days to determine whether they consent to participation in the informal resolution. The District must obtain voluntary, written consent to the informal resolution process from both parties.

Prior to agreeing to any resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint. If a satisfactory resolution is reached through this informal process, the matter will be considered resolved. If these efforts are unsuccessful, the formal grievance process will continue.

Nothing in this section precludes a student from filing a complaint of retaliation for matters related to an informal resolution, nor does it preclude either party from filing complaints based on conduct that is alleged to occur following the District's facilitation of the informal resolution.

An informal resolution is not permitted to resolve allegations that an employee sexually harassed a student.

#### E. Appeal Process

After receiving notification of the decision-maker(s)' decision, or after receiving notification that the District dismissed a formal complaint or any allegation therein, both complainant and respondent have five (5) school days to submit a formal letter of appeal to the Title IX Coordinator specifying the grounds upon which the appeal is based.

Appeals will be appropriate only in the following circumstances:

- new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- procedural irregularity that affected the outcome of the matter;
- the Title IX Coordinator, investigator(s), and/or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter. A conflict of interest or bias does not exist solely because the Title IX Coordinator, investigator(s), and/or decision-maker(s) previously worked with or disciplined the complainant or respondent.

The District will provide the other party with written notice of such appeal. Both parties will then have an opportunity to submit a written statement in support of, or challenging, the outcome. Such written statement must be submitted ten (10) school days after receiving written notice of

the appeal. Upon receipt of an appeal, the Superintendent shall appoint a decision-maker(s) for the appeal, who shall be someone other than the Title IX Coordinator, investigator(s), or initial decision-maker(s). The decision-maker(s) for the appeal, in their discretion, will determine the appropriate procedure for the appeal. After considering the parties' written statements, the decision-maker(s) for the appeal will provide a written decision. If it is found that one of the bases for appeal exists, the decision-maker(s) for the appeal will issue an appropriate remedy.

Supportive measures for either or both parties may be continued throughout the appeal process.

#### F. Dismissal of a Formal Complaint

The Title IX Coordinator shall dismiss any formal complaint that, [under Title IX](#) 1) would not constitute sexual harassment as defined ~~in these Administrative Regulations~~ [under Title IX](#) even if proved, 2) did not occur in the District's education program or activity, or 3) did not occur against a person in the United States. Such dismissal does not preclude action under another Board policy.

The District may dismiss a formal complaint or any allegations therein, if at any time during the investigation or hearing a complainant notifies the Title IX Coordinator in writing that 1) the complainant would like to withdraw the formal complaint or any allegations therein; 2) the respondent is no longer enrolled or employed in the District; or 3) specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon a dismissal, the District will promptly and simultaneously send written notice of the dismissal and reason(s) therefor to each party. Either party can appeal from the District's dismissal of a formal complaint or any allegations therein using the appeals procedure.

[In the event a formal complaint is dismissed prior to the issuance of a decision under Title IX, the Title IX Coordinator shall determine if the allegations of sexual harassment shall proceed through the grievance procedures identified in Section II of these Administrative Regulations for claims of sex discrimination for consideration as to whether the allegations constitute sexual harassment under Connecticut law.](#)

A dismissal pursuant to this section does not preclude action by the District under the Student Discipline policy, Code of Conduct for students/or and employees, or any other applicable rule, policy, and/or collective bargaining agreement.

#### G. Miscellaneous

1. Any timeframe set forth in these Administrative Regulations may be temporarily delayed or extended for good cause. Good cause may include, but is not limited to, considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; concurrent activity by the Department of Children and Families; or the need for language assistance or accommodation of disabilities. If any timeframe is altered on a showing of good cause, written notice will be provided to each party with the reasons for the action.

2. If a sexual harassment complaint raises a concern about bullying behavior, the Title IX Coordinator or designee shall notify the Safe School Climate Specialist or designee who shall coordinate any bullying investigation with the Title IX Coordinator, to promote the alignment of any such bullying investigation with the requirements of applicable Board policies and state law. Additionally, if a sexual harassment complaint raises a concern about discrimination or harassment on the basis of any other legally protected classification (such as race, religion, color, national origin, age, or disability), the Title IX Coordinator or designee shall make a referral to other appropriate personnel within the District (e.g. Section 504 Coordinator, etc.), so as to ensure that any such investigation complies with the requirements of policies regarding nondiscrimination.
3. If the sexual harassment complaint results in reasonable cause to suspect or believe that a child has been abused or neglected, has had a nonaccidental physical injury, or injury which is at variance with the history given of such injury, is placed at imminent risk of serious harm, or that a student has been sexually assaulted by a school employee, then, the person to whom the complaint is given or who receives such information shall report such matters in accordance with the Board's policy on the Reports of Suspected Child Abuse or Neglect of Children.
4. Retaliation against any individual who complains pursuant to the Board's Policy regarding Title IX of the Education Amendments of 1972-Prohibition of Sex Discrimination and Sexual Harassment (Students) and these Administrative Regulations is strictly prohibited. The District will take actions designed to prevent retaliation as a result of filing a complaint. Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination described herein.
5. The District will maintain for a period of seven (7) years records of:
  - i. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the Board's education program or activity;
  - ii. Any appeal and the result therefrom;
  - iii. Any informal resolution and the result therefrom; and
  - iv. All material used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The Board will make these training materials publicly available on its website.

If the District has actual knowledge of sexual harassment in an education program or activity of the Board, and for any report or formal complaint of sexual harassment, the District will create and maintain for a period of seven (7) years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. The District will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the Board's education program or activity. If the District does not provide a complainant with supportive measures, then the District

will document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

## **SECTION II. GRIEVANCE PROCEDURES FOR CLAIMS OF SEX DISCRIMINATION (OTHER THAN SEXUAL HARASSMENT [UNDER TITLE IX](#))**

### A. Definitions

- **Complainant** means an individual who is alleged to be the victim of conduct that could constitute sex discrimination.
- **Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sex discrimination.

### B. Reporting Sex Discrimination Other than Sexual Harassment [UNDER TITLE IX](#)

It is the express policy of the Board to encourage victims of sex discrimination to report such claims. Any person may report sex discrimination (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator. If the District receives notice of sex discrimination or alleged sex discrimination against a student in the District's education program or activity, the Title IX Coordinator or designee will promptly notify the complainant of the grievance process. The District will treat complainants and respondents equitably during the grievance process. Sexual harassment is a form of sex discrimination, and any incident of sexual harassment [under Title IX](#), as defined above, ~~should~~[shall](#) be handled pursuant to Section I of these Administrative Regulations. [Any allegations of sexual harassment under Connecticut law, as defined above, shall be handled pursuant to this Section II of these Administrative Regulations.](#)

### A. Grievance Procedures

1. As soon as a student feels that he or she has been subjected to sex discrimination other than sexual harassment [as defined under Title IX \(including, without limitation, sexual harassment under Connecticut law\)](#), he/she or his/her parent/legal guardian should make a written complaint to the Title IX Coordinator or to the building principal, or his/her designee. The student will be provided a copy of the Board's policy and Administrative Regulations and made aware of his or her rights. Preferably, complaints should be filed within ten (10) school days of the alleged occurrence. Timely reporting of complaints facilitates the investigation and resolution of such complaints.
2. The complaint should state the:
  - i. Name of the complainant;
  - ii. Date of the complaint;
  - iii. Date(s) of the alleged discrimination;

- iv. Name(s) of the discriminator(s);
  - v. Location where such discrimination occurred;
  - vi. Names of any witness(es) to the discrimination;
  - vii. Detailed statement of the circumstances constituting the alleged discrimination; and
  - viii. Remedy requested.
3. Any student who makes an oral complaint of sex discrimination to any of the above-mentioned personnel will be provided a copy of these Administrative Regulations and will be requested to make a written complaint pursuant to the above procedure. In appropriate circumstances, such as due to the age of the student making the complaint, a parent or school administrator may be permitted to fill out the form on the student's behalf.
4. All complaints are to be forwarded immediately to the building principal or designee unless that individual is the subject of the complaint, in which case the complaint should be forwarded directly to the Superintendent of Schools or his/her designee. In addition, a copy of any complaint filed under this ~~policy~~ [Policy](#) shall be forwarded to the Title IX Coordinator. If the complaint being filed is against the Title IX Coordinator, the complaint should be filed with the Superintendent. If the complaint being filed is against the Superintendent, the complaint should be filed with the Board Chair, who will then retain an independent investigator to investigate the matter.
5. The Title IX Coordinator or designee shall investigate all complaints of ~~sexual~~ [sex](#) discrimination against a student, regardless of whether the conduct occurred on or off-school grounds. Complaints will be investigated promptly within the timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information, and other extenuating circumstances. The investigation shall be conducted discreetly, maintaining confidentiality insofar as possible while still conducting an effective and thorough investigation.
6. The Title IX Coordinator or designee shall investigate all complaints of sexual discrimination against a student, regardless of whether the conduct occurred on or off-school grounds. Complaints will be investigated promptly within the timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information, and other extenuating circumstances. The investigation shall be conducted discreetly, maintaining confidentiality insofar as possible while still conducting an effective and thorough investigation.
7. Any student who makes a complaint shall be notified of the District's intent to investigate the complaint. In the event the student requests confidentiality or that an investigation not be conducted, the District will take reasonable steps to investigate and respond to the complaint to the extent possible, given the request for confidentiality or that the District not investigate the complaint. If the student insists that his/her personally identifiable information not be shared with the alleged discriminator(s), the student will be informed that the District's ability to investigate and/or take corrective action may be limited.

8. Upon receipt of a sex discrimination complaint, the Title IX Coordinator shall either promptly commence an investigation of the complaint, or shall designate a school administrator to promptly investigate the complaint. The Title IX Coordinator or designee shall:
  - i. offer to meet with the complainant and respondent (if applicable) separately within ten (10) school days to discuss the nature of the complaint, identify individuals the complainant and respondent (if applicable) believe have relevant information, and obtain any relevant documents the complainant and respondent may have;
  - ii. provide the complainant and respondent (if applicable) with a copy of the Board's sex discrimination policy and accompanying regulations;
  - iii. consider whether any interim measures may be appropriate to protect the complainant or respondent (if applicable), pending the outcome of the investigation;
  - iv. conduct an investigation that is adequate, reliable, and impartial. Investigate the factual basis of the complaint, including, as applicable, conducting interviews with individuals deemed relevant to the complaint;
  - v. consider whether alleged sex discrimination has created a hostile school environment, including consideration of the effects of off-campus conduct on the school;
  - vi. communicate the outcome of the investigation in writing to the complainant, to the respondent, and to any individual properly identified as a party to the complaint (to the extent permitted by state and federal confidentiality requirements), within ninety (90) school days from the date the complaint was received by the Superintendent's office. The investigator may extend this deadline for no more than fifteen (15) additional school days if needed to complete the investigation. The complainant and respondent (if applicable) shall be notified of such extension. The written notice shall include a finding whether the complaint was substantiated and if so, shall identify, to the extent possible, how the District will remedy the discrimination, adhering to the requirements of state and federal law; and
  - vii. when sex discrimination has been found, take steps that are reasonably calculated to end the discrimination, take corrective and/or disciplinary action aimed at preventing the recurrence of the discrimination, as deemed appropriate by the Superintendent or his/her designee, and take steps to remedy the effects of the sex discrimination.
9. If a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of staff and/or other individuals who may have information relevant to the complaint. If fixed timeframes cannot be met,

the complainant and respondent will receive notice and interim measures may be implemented as necessary.

10. If the complainant or respondent (if applicable) is dissatisfied with the findings of the investigation, he or she may file a written appeal within five (5) school days to the Title IX Coordinator, or, if he/she conducted the investigation, to the Superintendent of Schools, who shall review the Title IX Coordinator or designee's written report, the information collected by the Title IX Coordinator or designee together with the recommended disposition of the complaint to determine whether the alleged conduct constitutes sex discrimination. The Title IX Coordinator or Superintendent of Schools may determine if further action and/or investigation is warranted. After completing this review, the Title IX Coordinator or Superintendent of Schools shall respond to the complainant and respondent (if applicable), in writing, within fifteen (15) school days following the receipt of the written request for review.

#### D. Miscellaneous

1. If a ~~sexual~~sex discrimination complaint raises a concern about bullying behavior, the Title IX Coordinator shall notify the Safe School Climate Specialist or designee who shall coordinate any bullying investigation with the Title IX Coordinator, to promote the alignment of any such bullying investigation with the requirements of applicable Board policies and state law. Additionally, if a ~~sexual~~sex discrimination complaint raises a concern about discrimination or harassment on the basis of any other legally protected classification (such as race, religion, color, national origin, age, or disability), the Title IX Coordinator or designee shall make a referral to other appropriate personnel within the District (e.g. Section 504 Coordinator, etc.), so as to ensure that any such investigation complies with the requirements of policies regarding nondiscrimination.
2. If the ~~sexual~~sex discrimination complaint results in reasonable cause to suspect or believe that a child has been abused or neglected, has had a nonaccidental physical injury, or injury which is at variance with the history given of such injury, is placed at imminent risk of serious harm, or that a student has been sexually assaulted by a school employee, then, the person to whom the complaint is given or who receives such information shall report such matters in accordance with the Board's policy on the Reports of Suspected Child Abuse or Neglect of Children.
1. Retaliation against any individual who complains pursuant to the Board's Policy regarding Title IX of the Education Amendments of 1972-Prohibition of Sex Discrimination and Sexual Harassment (Students) and these Administrative Regulations is strictly prohibited. The District will take actions designed to prevent retaliation as a result of filing a complaint. Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination described herein.

### **Section III. Further Reporting**

At any time, a complainant alleging sex discrimination or sexual harassment may also file a formal complaint with the Office for Civil Rights, Boston Office, U.S. Department of Education, 8<sup>th</sup> Floor, 5 Post Office Square, Boston, MA 02109-3921 (Telephone (617) 289-0111).

[Students may also make a report of sexual harassment and/or sex discrimination to the Connecticut Commission on Human Rights and Opportunities, 450 Columbus Boulevard, Hartford, CT 06103-1835 \(Telephone: 860-514-3400\).](#)

Copies of these Administrative Regulations will be distributed to all students.

## Appendix A

**Sexual Assault:** An offense classified as forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

Rape—(Except Statutory Rape) The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of the person's age or because of the person's temporary or permanent mental or physical incapacity.

Sodomy—Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of the person's age or because of the person's temporary or permanent mental or physical incapacity.

Sexual Assault With An Object—To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of the person's age or because of the person's temporary or permanent mental or physical incapacity.

Fondling—The touching of the private body parts of another person for the purpose of sexual gratification without the consent of the victim, including instances where the victim is incapable of giving consent because of the person's age or because of the person's temporary or permanent mental or physical incapacity.

Incest—Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape—Nonforcible sexual intercourse with a person who is under the statutory age of consent.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

**Domestic Violence:** Includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress.

**Affirmative Consent** means an active, clear and voluntary agreement by a person to engage in sexual activity with another person.

For the purposes of an investigation conducted pursuant to these Administrative Regulations, the following principles shall be applied in determining whether consent for sexual activity was given and/or sustained:

- A. Affirmative consent is the standard used in determining whether consent to engage in sexual activity was given by all persons who engaged in the sexual activity.
- B. Affirmative consent may be revoked at any time during the sexual activity by any person engaged in the sexual activity.
- C. It is the responsibility of each person to ensure that he or she has the affirmative consent of all persons engaged in the sexual activity to engage in the sexual activity and that the affirmative consent is sustained throughout the sexual activity.
- D. It shall not be a valid excuse to an alleged lack of affirmative consent that the respondent to the alleged violation believed that the complainant consented to the sexual activity:
  - (i) because the respondent was intoxicated or reckless or failed to take reasonable steps to ascertain whether the complainant affirmatively consented, or
  - (ii) if the respondent knew or should have known that the complainant was unable to consent because such individual was unconscious, asleep, unable to communicate due to a mental or physical condition, unable to consent due to the age of the individual or the age difference between the individual and the respondent, or incapacitated due to the influence of drugs, alcohol or medication.
- E. The existence of a past or current dating or sexual relationship between the complainant and the respondent, in and of itself, shall not be determinative of a finding of affirmative consent.

WESTON PUBLIC SCHOOLS  
Weston, Connecticut

**COMPLAINT FORM REGARDING SEXUAL HARASSMENT UNDER TITLE IX  
(STUDENTS)**

*This complaint form should be used for complaints of sexual harassment as defined on page 1 of the Board's Administrative Regulations Regarding Title IX of the Education Amendments of 1972 - Prohibition of Sex Discrimination and Sexual Harassment (Students)*

Name of the complainant \_\_\_\_\_

Date of the complaint \_\_\_\_\_

Date of the alleged sexual harassment \_\_\_\_\_

Name or names of the sexual harasser(s) \_\_\_\_\_

\_\_\_\_\_

Location where such sexual harassment occurred \_\_\_\_\_

\_\_\_\_\_

Name(s) of any witness(es) to the sexual harassment

\_\_\_\_\_

\_\_\_\_\_

Detailed statement of the circumstances constituting the alleged sexual harassment

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Remedy requested \_\_\_\_\_

Signature of Complainant or Title IX Coordinator: \_\_\_\_\_

Series 5000  
Students

**COMPLAINT FORM REGARDING SEX DISCRIMINATION (OTHER THAN SEXUAL HARASSMENT UNDER TITLE IX) (STUDENTS)**

*This complaint form should be used for complaints of sex discrimination as defined on page 1 of the Board's Administrative Regulations Regarding Title IX of the Education Amendments of 1972 - Prohibition of Sex Discrimination and Sexual Harassment (Students)*

Name of the complainant \_\_\_\_\_

Date of the complaint \_\_\_\_\_

Date of the alleged sex discrimination \_\_\_\_\_

Name or names of the sex discriminator(s) \_\_\_\_\_

\_\_\_\_\_

Location where such sex discrimination occurred \_\_\_\_\_

\_\_\_\_\_

Name(s) of any witness(es) to the sex discrimination \_\_\_\_\_

\_\_\_\_\_

Detailed statement of the circumstances constituting the alleged sex discrimination

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Remedy requested \_\_\_\_\_

Signature: \_\_\_\_\_

*SAMPLE WRITTEN NOTICE FOR FORMAL COMPLAINTS OF SEXUAL HARASSMENT*

[LETTERHEAD]

NOTICE OF SEXUAL HARASSMENT ALLEGATIONS **UNDER TITLE IX**

In accordance with the Board’s Policy and Administrative Regulations Regarding Title IX of the Education Amendments of 1972 - Prohibition of Sex Discrimination and Sexual Harassment (Students), a formal complaint of sexual harassment has been filed with the Title IX Coordinator.

Identities of the parties involved, if known:

\_\_\_\_\_ (Complainant(s))  
\_\_\_\_\_ (Respondent(s))

The conduct allegedly constituting sexual harassment:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The date and the location of the alleged incident, if known: \_\_\_\_\_

The Title IX Coordinator or designee will contact the parties regarding the next step in the grievance process. Questions can be directed to the Title IX Coordinator:

***Central Office, 24 School Road, Weston Connecticut 06883  
tracyedwards@westonps.org  
203-221-6558***

The respondent is presumed not responsible for the alleged conduct. A determination regarding responsibility is made at the conclusion of the grievance process.

All parties involved may have an advisor of their choice who may be, but it not required to be, an attorney. This advisor may inspect and review evidence as permitted by the Board’s Administrative Regulations Regarding Title IX of the Education Amendments of 1972 - Prohibition of Sex Discrimination and Sexual Harassment (Students).

It is a violation of the Board’s Student Discipline Policy to lie to school officials or otherwise engage in dishonest behavior, which includes knowingly making false statements or knowingly submitting false information during the grievance process. Any student who knowingly makes false statements or knowingly submits false information during this grievance process will be subject to sanctions pursuant to the Board’s Student Discipline Policy. Any employee who knowingly makes false statements or knowing submits false information during this grievance process is subject to discipline, up to and including termination.

**A copy of the Board's Policy and Administrative Regulations Regarding Title IX of the Education Amendments of 1972 - Prohibition of Sex Discrimination and Sexual Harassment (Students) is included with this notice.**



**WESTON BOARD OF EDUCATION**

**Weston, CT**

**Meeting Date:** January 19, 2021

**Information Only**

**Action Requested**

**Agenda Item Subject:** First Reading – of Policy and Regulation 5114, Student Discipline, Policy and Regulation 6541, Transportation, and elimination of Policy 5131.1, Bus Conduct.

**Submitted by:** William McKersie

**Document Summary/Purpose and/or Recommended Action:** Student Discipline now incorporates Bus Conduct (thus the elimination of 5131.1) and all other updates were recommended by Shipman and Goodwin, or was updated to reflect Student Discipline.

For more Board of Education Meeting and Committee Meeting Information, visit:  
<https://meeting.cabe.org/public/Agency.aspx?PublicAgencyID=47&AgencyTypeID=1>

## Non-Instructional Operations

### Transportation

It is the aim of the Weston Board of Education (hereafter, the "Board of Education" or the "Administration") to provide the Weston Public Schools with a safe transportation system, one which will enable all qualified children of school age to attend public school by school bus wherever transportation is reasonable and desirable. The transportation system shall be planned and operated in compliance with the General Statutes of the State of Connecticut and all regulations of the State Department of Education and the State Department of Motor Vehicles governing the operation of school buses. The Board of Education shall further attempt to maintain transportation schedules which shall provide equal opportunity for all qualified students consistent with efficient and economic operations.

(Legal Reference: Ct. General Statutes: 10-220; 10-220(c); 10-221(c); 10-186; 10-76d; 10-97; 10-273a; 10-280a; 10-281; 14-275a; 14-275b; 14-275c; 14-280; and

P.A. 90-112}-(~~See STUDENTS, Student Behavior on School Buses, 5310~~)-See Student Discipline 5114)

#### Key Provisions of the Policy

School	Elementary/Intermediate	Middle/High
Grade Level	K-5	6-12
Eligibility for Transportation (Minimum Distance to School)	0.25 miles	0.50 miles
Maximum Walking Distance to Bus Stop	0.25 miles	0.50 miles
Lengths of Cul-de-sac for Bus to enter	>0.25 miles	>0.50 miles

Policy adopted: February 5, 1990

Policy Revised: May 18, 2009

Weston Public Schools

Weston, CT

**Rules and Regulations:**  
**Eligibility for Transportation**

It is the policy of the Weston Board of Education to consider eligible for transportation to from school:

All pupils in grades K-5 who live more than 0.25 miles from the school to which they attend.

All pupils in grades 6-12 who live more than 0.50 miles from the school to which they attend.

Distance measurements will be based on the most direct route from the pupil's home beginning at a point at the curb or edge of a public road or highway nearest the home to the edge of the school property or bus pickup areas.

Exceptions: The Superintendent of Schools, or his/her designee, may waive the distance requirements for the following reasons:

- for children who for physical conditions or health reasons certified by a physician, are unable to walk to school; or
- if it is deemed that "hazardous conditions" exist (as defined in this document).

Students living within the stated distance limits will receive transportation when, in the opinion of the Board, it is in the best interests of the district to provide transportation.

All exceptions are subject to annual review for continuation.

#### Vocational Schools

The Board of Education shall perform the following services for any student under twenty-one years of age who resides with his/her parents or guardian in Weston, and who attends a state or state-approved vocational school as a regular, all-day student or as a high school cooperative student:

- The Board of Education shall provide reasonable and necessary transportation.
- If the student attends any such school in a town other than Weston, provided that the cost of such transportation out of town would exceed the sum specified in the General Statutes, the Board of Education may elect to maintain such student in the town where they attend such vocational school.
- In no case shall the Board of Education be required to expend for transportation or maintenance of any student more than the amount specified by General Statutes in any one school year.

## **Special Education Students**

*When a student eligible for special education services under the Individuals with Disabilities Education Act requires specialized transportation and/or transportation to public or private special education schools located out of town, appropriate transportation shall be provided.*

Special Education pupils and pupils eligible for accommodations under Section 504 of the Rehabilitation Act shall be judged on an individual basis, and appropriate transportation provided.

### **Hazardous Conditions**

1. A street or road having an adjacent or parallel sidewalk or raised walk area shall be deemed hazardous when the following conditions exist:
  - a. For all pupils, any street, road, or highway with speed limits in excess of forty miles per hour which does not have pedestrian crossing lights or crossing guards or other safety provisions at points where pupils must cross or walk when going to or from school or the bus stop.
  - b. The usual or frequent presence or any nuisance, such as open manholes, construction sites, loading zones and commercial entrances, which are dangerous and/or attractive to children.
  - c. For students in grades K-5, any location where three or more streets intersect, which does not have pedestrian crossing lights or crossing guards or other safety provisions at points where pupils must cross or walk when going to or from school or the bus stop.
  - d. For students in grades K-5, street crossings where there are no stop signs or crossing guards and the traffic count during the time those pupils are walking to or from school exceed sixty (60) vehicles per hour at the intersection.
  - e. For students in grades 6-12, any location where three or more streets intersect, which has an average traffic count which exceeds ninety (90) vehicles per hour, which does not have pedestrian crossing lights or crossing guards or other safety provisions at points where pupils must cross or walk when going to or from school or the bus stop.
2. Any street, road, or highway which has no sidewalks or raised walk areas shall be deemed hazardous when the line-of-sight visibility together with posted speed limits do not permit vehicular braking/stopping in accordance with the Connecticut Drivers' Manual or the Connecticut Department of Transportation, Highway Design Manual.
3. Any street, road, walkway, sidewalk, or path designated as a walking route for pupils that pass through an area with a history of aggressive acts ~~of molestation~~ resulting in actual or threatened physical harm ~~or moral degradation~~ during the hours when pupils ordinarily walk to or from school shall be deemed hazardous.

4. Walking to or from school or the bus stop at any time prior to one-half hour before sunrise or any time one-half hour after sunset shall be deemed hazardous for pupils in grades K-5.
5. A lake, pond, stream, river, waterway or bridge, shall be deemed a hazard in the absence of a fence or other suitable barrier fixed between the pupil and the water for pupils grades K through 5.
6. Any area adjacent to a roadway, walkway, sidewalk or bridge having a drop of three more feet per four feet of travel length on either side of the established lanes, the absence of a fence or other suitable barrier shall be deemed hazardous for pupils in grades K through 4-5.
7. Any street, road, or highway which has no sidewalks or raised walk areas shall be deemed hazardous if any one of the following conditions exists:
  - For pupils enrolled in grades K-5, any street, road, or highway possessing a speed limit of 30 miles per hour or higher.
  - For pupils enrolled in grades 6-12, any street, road, or highway possessing a speed limit of thirty-five miles per hour or higher.
  - For all pupils, any arterial or collector type roadway available to vehicles that does not have a minimum width of twenty-two feet along the path for which a pupil is expected to walk and/or when plowed free of snow accumulations, does not have a minimum width of twenty feet along the path for which a pupil is expected to walk.
  - For all pupils, any local type roadway that does not have a minimum width of eighteen feet along the path for which a pupil is expected to walk.
  - The usual or frequent presence of any nuisance, such as open manholes, construction sites, loading zones and commercial entrances/exits, which are dangerous and/or attractive to children.

The Administration of Weston Public Schools as designated by the Superintendent of Schools may grant an exception to any provision of the rules and regulations of this policy wherein a peculiar condition or combination of conditions renders such condition(s) a hazard based upon the reasonable judgment of the Administration, after consultation with the Weston Police Department and/or the bus company Safety Officer. All exceptions are subject to annual review for continuation.

#### Covered under Policy 3541.5 Transportation Complaints Appeals on Rulings

~~Initial identification of hazardous conditions and the need for special transportation shall be the responsibility of the Administration of Weston Public Schools as designated by the Superintendent of Schools. All complaints concerning school transportation safety shall be made in writing to the responsible administration of the Weston Public Schools as designated by the Superintendent of Schools. The administrative designee shall maintain a written record of all such complaints, and shall conduct appropriate investigations of the allegations in a timely manner.~~

**MOVED** -A request for reconsideration of a transportation decision and/or a hearing appeal any administrative ruling on school transportation may be made by any parent, guardian, emancipated minor or adult student as follows:

- Submit a Bus Transportation Change Request form to the Director of Finance and Operations for Weston Public Schools, or his/her designee, who will consult with the parent, guardian, emancipated minor, or adult student. The Weston Police Department and the bus company Safety Officer and render a decision.
- ~~If no resolution is reached under section 1 above, discuss the matter with the Superintendent of Schools for Weston Public Schools.~~
- ~~If no resolution is reached under section 2 above, the Superintendent shall inform parent or guardian, or an emancipated minor or a pupil eighteen years of age or older, of his or her right to request a hearing regarding the complaint and shall provide the parent/guardian or adult pupil a copy of Section 10-186 of the Connecticut General Statutes, and this regulation.~~
- ~~The parent, guardian, emancipated minor or adult student who wishes to request a hearing under Section 10-186 of the Connecticut General Statutes and this regulation shall petition the Weston Board of Education in writing. The petition should contain a request for a hearing, a description of the transportation issue (ex., substantiation of a claim of a hazardous condition or variance from the Board policy), and an explanation of the requested transportation change.~~

~~After the Board of Education receives the petition, the following steps shall occur:~~

- ~~The Board of Education may immediately grant the relief sought in the petition.~~
- ~~If the petition is not immediately approved, the Board of Education shall grant a hearing within ten days, unless an extension of time is requested by the parent, guardian, emancipated minor or adult student. Such a hearing shall be held in accordance with the provisions of the Connecticut General Statutes, Sections 4-177 to 4-180, inclusive, of the Uniform Administrative Procedure Act, and Section 10-186 of the Connecticut General Statutes, as it may be amended from time to time.~~
- ~~The Board of Education shall make a stenographic record or tape recording of such hearing.~~
- ~~The Board of Education shall make a finding within ten days after such hearing.~~

~~Any parent, guardian, emancipated minor, or student 18 years of age or older, aggrieved by the finding of the Board of Education shall, upon request, be provided with a transcript of the hearing within thirty days of such request, and may take appeal to the State Board of Education.~~

~~The findings of the Board of Education shall be upheld by the State Board of Education unless it is determined that such finding was illegal, arbitrary, capricious or unreasonable.~~

## **Requirements for Bus Operations**

The Weston Board of Education places safety as its primary concern in the operation of its school buses. While efficiency in service and punctuality in the operation of buses are important and expected from the contractor and bus operators, the safety of school children must always take precedence.

**State Roadways:** For bus stops on minor arterial type roadways such as state roads #53 and #57 buses will stop only at locations where the bus stop is on the right side of the bus in the direction that the bus is traveling. Students will not be expected nor permitted to cross these state roads.

**Heavy Traffic Area Crossings:** For bus stops on collectors and local roadways, the Board of Education may exercise its discretion to authorize buses to stop only at locations where the bus stop is on the right side of the bus in the direction that the bus is traveling. Students will not be expected nor permitted to cross these roadways.

**Crossing Roadways:** When children cross a roadway, the bus must remain stationary with its stop lights flashing until the children safely reach the opposite side of the road. Children must cross the road in front of the bus.

**Maximum speed:** Weston school buses shall be operated at a safe rate of speed consistent with the volume of traffic, intersections, curbs and any other condition requiring special caution. The maximum speed when carrying passengers shall not exceed speed limits for the roads traveled.

**Passengers:** No passengers or other persons other than pupils, teachers and school administrators, supervisory personnel, emergency service personnel, drivers in training, or individuals granted written permission of the Superintendent of Schools or his/her designee are allowed to board the bus during periods when pupils are present.

### **Cul-de-sac roadways:**

1. School buses will not enter a cul-de-sac that is shorter than 0.25 miles for Grades K-5 and .50 miles for Grades 6-12, as measured from the closest point of intersection with the main road from which the bus must turn into the cul-de-sac to the furthest point at the turning area of the cul-de-sac, unless one of the following conditions exists:
  - a. The bus stop or roadway on which the student must walk to the bus stop or school has been deemed a hazardous condition as defined by this policy; and
    - i. there is sufficient turning room to permit the bus to safely navigate the cul-de-sac and make a U-turn and head in the opposite direction; and
    - ii. the bus can safely enter and exit the cul-de-sac roadway.
  - b. Entering the cul-de-sac is necessary for the bus to make a direction change and proceed in the opposite direction from which it approached the cul-de-sac.
  - c. There are 10 or more students who would be assigned to the bus stop at the intersection of the cul-de-sac and the main road.

- d. The walking distance from a roadway extending off of the cul-de-sac turning area creates walking distances for students in excess of the maximum walking distance to a bus stop.
2. Where a cul-de-sac is not entered, the bus stop will be on the main road at the safest location closest to the point of intersection of the cul-de-sac with the main road.
3. For a cul-de-sac to be entered there must be sufficient turning room to permit the bus to safely navigate the cul-de-sac and make a U-turn and head in the opposite direction.
4. Where a bus enters a cul-de-sac shorter than 0.50 miles, the bus will stop only twice. The first stop will be at the last safe area prior to or within the turning area of the cul-de-sac. The second stop will be after completing the turn at the last safe area prior to exiting the straight portion of the cul-de-sac as the bus turns back onto the main road. A third stop may be added in certain circumstances if road and walking conditions make it reasonably necessary. Students must be waiting outside dwellings and in full view of the bus driver as the bus approaches the end of the cul-de-sac. Student pick up on AM routes shall occur prior to entering the cul-de-sac U-turn. Student drop off on PM routes shall occur after the cul-de-sac.
5. Where a cul-de-sac is longer than 0.50 miles, the bus will typically stop three times. The first stop will be at the last safe area prior to or within the turning area of the cul-de-sac. The second stop will be after completing the turn at a point approximately one-half the distance from the main road to the turning point of the cul-de-sac. The final stop will be at the last safe area prior to exiting the straight portion of the cul-de-sac as the bus turns back onto the main road. A fourth stop may be added in certain circumstances if road and walking conditions make it reasonably necessary. Students must be waiting outside dwellings and in full view of the bus driver as the bus approaches the end of the cul-de-sac.
6. Where a cul-de-sac is scheduled to be entered, bus drivers will have the sole discretion not to enter when there is an obstruction or, when inclement weather prevents a safe entry/turnaround of the bus. Drivers will notify the bus dispatcher of their decision and the dispatcher shall call the parents of the children affected by the decision.

**Private Roadways:** Weston school bus shall not travel into a private road except under the following conditions:

1. To pick up and/or discharge student(s) whose Individualized Education Plan ( IEP) requires such transportation, subject to the conditions below concerning standards for road construction and maintenance;
2. To pick up and/or discharge students residing on private roads, subject to the following criteria:
  - a. The road must meet the conditions set forth in Connecticut General Statutes, Section 10-220c, i.e. such road must be constructed and maintained in accordance with the standards for construction and maintenance of similar roads of the Town of Weston, as determined by the First Selectman, and

- b. All owners of the road on which the Weston Public Schools vehicle(s) will travel must execute a waiver releasing the Weston Public Schools from any liability for damages to property that is not caused by the negligent acts of the Weston Public Schools and/or its agents;
- c. The road must provide sufficient space to permit a standard size bus to pass oncoming vehicles and to circumnavigate the route without having to back up;
- d. The road must be clear of snow and ice; and
- e. The distance the student would otherwise have to walk exceeds the maximum walking distances set forth in this document.

**No Travel Roadways:** Based on periodic studies conducted by the transportation function of the Administration, certain roadways in Weston may be deemed unsuitable for bus travel. A listing, which is subject to change, will be made available in the Business Office of the Board of Education.

### **Bus Stops and Schedules**

A request for reconsideration of a transportation decision and/or a hearing appeal any administrative ruling on school transportation may be made by any parent, guardian, emancipated minor or adult student as follows:

- Submit a Bus Transportation Change Request form to the Director of Finance and Operations for Weston Public Schools, or his/her designee, who will consult with the parent, guardian, emancipated minor, or adult student. The Weston Police Department and the bus company Safety Officer and render a decision.

### **Establishing Stop Locations and Route Schedules**

A. The establishment of bus stops will be the responsibility of the Weston Public Schools. Bus operators must adhere to the schedules and to the designated bus stops established.

B. In developing designated stop locations, the transportation function is to consider various factors. These include but are not limited to; the safety of a stop location and/or the route along which the student must walk to and from the bus stop, including sight distance afforded the student or oncoming vehicles; the number, speed and stopping distance of such vehicles; the topography of the area including the availability of a shoulder area along the roadway; the existence and type of foliage along the pathway; the proximity of water; the existence of steep slopes.

C. adjacent to the pathway, the possible requirement or limitation for the student to cross a road, and the age or special needs of each student.

D. In developing designated route schedules, the transportation function is to consider various factors. These include but are not limited to: the time available for routes, stop and load times, bus capacity, geographic location of residences, anticipated speed of travel, distances between

stops, equity of ride times for all riders, efficient use of equipment, and risk management practices.

E. Bus stop locations and route schedules shall be created in accordance with the following guidelines:

1. The goal of the school district is to plan bus routes in which students shall be in transit on their bus shall not typically exceed ~~40~~ 45 minutes. However, there may be exceptions due to unique circumstances.
2. The goal of the school district is to have buses arrive at school approximately 10-15 minutes prior to the school start time for middle school and high school and approximately 5-10 minutes prior to the school start time for intermediate and elementary school.
3. The goal of the school district is to have no single bus stop or set of bus stops in a particular residential area scheduled so that the students assigned therein shall be in transit for the longest length of time on both the AM and PM bus trips.
4. The goal of the school district is to have, in most instances, the PM bus trips identical to the AM bus trips, thus reversing the length of time each student is in transit on the bus. However, if it makes reasonable sense based on the direction of travel for a particular bus trip, without sacrificing student safety, the sequence of a single bus stop or set of bus stops in a particular residential area may be changed on the PM bus trip.
5. A door-to-door stop may be assigned to a student when the roadway on which the student must walk to any other bus stop has been deemed a hazardous condition as defined by this policy.
6. A joint stop may be assigned to several students where no hazardous conditions exist from a student's home to the assigned pool stop. The exact location of a joint stop shall be determined by considering (a) the relative safety of the stop and (b) the respective grades of the students assigned to the stop.

**Pick-Up Time:** AM pick-up times are expected to be within 15 minutes of established schedules. Within this window period, bus drivers are not required nor expected to wait for students assigned to the stop.

**High traffic area stops:** The operator shall not stop his/her bus on the main traveled portion of the roadway when existing shoulders or adequate roadway width is available or when curbs, bus stops or special facilities exist. When a bus is traveling on a minor arterial or collector type roadway and by its several stops causes a line of traffic to form behind it, in a safe place the operator should drive his or her bus to the side of the road and stop until the line of traffic has passed. Doors should be kept closed and lights should not be flashing during this time.

**Children Seated:** The bus operator shall not put his/her bus in motion until the door of the bus has been closed and all children have been seated.

### **Requirement for Compliance**

Motor vehicles used to transport school children eligible for Board of Education transportation services shall comply with all regulations established by the State of Connecticut and/or the United States Department of Transportation and all other legal requirements as may apply.

Drivers used by the contractor to provide transportation services to Weston Public Schools must meet all the specifications required by the Connecticut DOT/DMV and be in accordance with the regulations of the Connecticut State Board of Education concerning the transportation of public school children.

Drivers used by the contractor to provide transportation services to Weston Public Schools shall be subject to limited criminal background checks by the Weston Police Department and are required to have their fingerprints on record with the State of Connecticut and the Federal Bureau of Investigation as required by Commercial Drivers License regulations and the Connecticut Department of Motor Vehicles.

Drivers used by the contractor to provide transportation services to Weston Public Schools shall be subject to periodic drug and/or alcohol screening as mandated by State and/or Federal regulations. Identified legal, illegal or prescribed substance abuse incidents shall be immediately reported in writing to the bus company, who shall immediately report such incident to the Administration. A cause and determination hearing may be called to determine a bus company employees suitability as a school bus driver for the Weston School System when it is determined that such persons actions has already or may in the future, substantially affect the safety of the students. Any driver arrested, whether on or off duty, for operating a motor vehicle while under the influence of an intoxicating liquor and or drug, who is an employee of the bus company and holds a public service operators license, and in the course or their employment transports Weston school children, shall immediately notify the Bus company in writing, of such arrest as well as any conditions set by a State of local authority restricting the operation of their public service vehicle. The bus company shall immediately report such incident to the Administration.

**Maintenance:** The transportation bus contractor is responsible for maintaining vehicles used to transport students in full compliance with all applicable requirements, including but not limited to DOT and DMV requirements. The Superintendent of Schools and/or his/her designee may require the contractor to provide a written record of maintenance efforts and inspections performed to verify compliance. The school district also has the right to conduct, or to require the contractor to conduct, inspections of the contractor's equipment and to require changes, repairs or additions to the equipment as necessary to comply with all applicable requirements to ensure the safe transportation of students.

**Bus Lists:** The contractor will, upon request, submit an updated list of buses to be used for Weston Public School transportation. The list of buses shall include the name of the manufacturer, the date of manufacture and the pupil seating capacity.

**Accidents:** The contractor shall make the trips on the time schedule required by the Board of Education and should a bus accident breakdown or other delay occur, it shall provide a substitute bus for the immediate transportation of the pupils, to the end that as little time as possible be lost, and safety assured. The Superintendent of Schools or his/her designee shall be notified of all accidents and all delays which prevent the buses from operating on schedule. The notification is to be given as soon as possible after the accident; breakdown or other delay is known.

**Driver Conduct:** A driver, in the course of his/her duties as a representative of Weston Public Schools, is required to act with the highest level of personal, moral and ethical integrity and must exhibit a personal concern for the welfare of the children and families serviced by the organization. Weston Public Schools expects drivers and related personnel to conduct themselves in a manner that exemplifies leadership and that protects the interests and safety of children, parents, employees and the Weston Public Schools organization.

**Student conduct:** Transportation of students is considered an extension of the school day. Pupils riding the buses are to demonstrate behavior consistent with that expected during the school day. This includes, but is not limited to, being thoughtful of others, acting in a manner that supports safe operation of the vehicle, and contributes to the safe transport of those on the bus or those in the area in which the bus is operating. Please refer to the Weston Board of Education policy concerning Student Conduct for a more detailed description of expectations, and the consequences for violating such expectations, regarding student conduct on buses.

**Parental expectations:** Parents/Guardians should be familiar with bus rules intended to support the safe transportation of students. Parents/Guardians are encouraged to review these rules with their children and reinforce their expectation that children should act accordingly. This includes behavior during AM and PM travel between the home and the bus stop, any waiting time for the bus to arrive in the morning as well as time spent on the bus. [Parents and/or guardians are responsible for ensuring the safety of their children up until the point when students board the school bus or other school provided transportation, and after students get off the bus after school. This responsibility includes the selection of walking routes to/from any bus stop and/or the school building and the provision of supervision that is appropriate to the student's age, maturity and conditions along walking route and/or bus stop at all times. Given that bus pick up times may vary, the Board expects that parents and/or guardians will ensure that their children arrive at the bus stop in advance of any scheduled pick up time.](#)

Parents, guardians of Kindergarten students, or another person aged fourteen or above and designated in advance by the parent/guardian, **MUST** accompany each Kindergarten student to his/her designated bus stop in the morning and **MUST** meet each at his/her designated bus stop on return trips home. Bus drivers will not pick up or drop off a Kindergarten student unless that student is accompanied by such a person as described above.

**Information confidentiality:** Individuals may learn of or be entrusted with sensitive information of a confidential nature during the course of conducting Weston Public Schools business. Individuals shall not, at any time during or after his/her service to Weston Public Schools disclose, disseminate, convey, utilize, or otherwise profit from the use or sharing of confidential information.

Compliance with Connecticut General Statutes: The contractor will work with the Administration on compliance with Connecticut General Statute section 10-221 (c) *“Development of policy for reporting complaints re school transportation safety. Reporting accidents at school bus stops.”*

## Glossary of Terms

Definitions listed below are words or terms as they are used in the context of the transportation policy:

"Grade K" or "K" means kindergarten pupils, or a school program appropriate to a beginning pupil.

"Grades K-2" or "K-2" means pupils attending Hurlbutt Elementary School.

"Grades K-5" or "K-5" refers to pupils attending Hurlbutt Elementary School or Weston Intermediate School.

"Grades 6-12" or "6-12" refers to pupils attending Weston Middle School or Weston High School.

"Hazard" means a thing or condition, as prescribed in this policy, affecting the safety of pupils walking to and from school, or to and from a designated bus pickup area.

"0.25 miles" means a reasonable measurement of a route to be traverse extending from the point of measurement 1,320 feet.

"0.50 miles" means a reasonable measurement of a route to be traversed extending from the point of measurement 2,640 feet.

"Pupil" or "Student" means any individual of school age enrolled in a public or private school located within the school district or contiguous school district as the case may be.

"Raised walk area or sidewalk" means a portion of the landscaped right of way at least three feet wide, usually parallel to the traffic lanes which may be paved or unpaved, distinguished by some elevation above the street pavement level and marked by curbing, drainage ditch, grass area, fencing, apart from and independent of any white line safety markings along the street pavement.

"School Transportation" means the procedure, program, or fully effective and implemented plan by which a pupil is conveyed to and/or from school from his/her residence or the bus stop at public expense, whether by use of publicly-owned equipment or by contract.

## **Types of Roadways**

"Minor Arterials" mean a type of roadway in rural areas that provide a mix of interstate and interregional travel service. Minor Arterials provide lower travel speeds than Principle Arterials accommodate shorter trips and distances and lower traffic volumes but provide more access to properties. State roads in Weston are considered minor arterials.

"Collectors" mean a type of roadway characterized by a roughly even distribution of their access and mobility functions. Traffic volumes and speeds will typically be somewhat lower than those of arterials. For school transportation purposes, most two-way through roads in Weston are to be considered collector type roadways.

"Local Roads" mean roadways not classified as arterials or collectors and are characterized by their many points of direct access to adjacent properties and their relatively minor value in accommodating mobility. On these residential roads, speeds and volumes are usually low and trip distances are short. Through traffic is often discouraged. Residential dead-end roads including all cul-de-sacs are considered local roads.

"Walking distance" means the linear measure of a prescribed or authorized pedestrian route between the pupil's residence and his school from a point at the curb or edge of a public road nearest the pupil's residence to a point at the entrance of the school, or a safe entrance to the school grounds located within one hundred feet of the school building entrance or the bus pick-up area, or the route from the point on the public thoroughfare nearest the residence to the school bus or vehicle embarkation point established by the Board of Education.

Regulation adopted: February 5, 1990

Regulation revised: May 18, 2009

Regulation revised:

WESTON PUBLIC SCHOOLS

Weston, Connecticut

**Students****Bus Conduct**

School transportation privileges are extended to students conditional upon their satisfactory behavior on the bus.

Students will be advised that they may be suspended from transportation services for unsatisfactory conduct while awaiting or receiving transportation to and from school which endangers persons or property or violates a Board policy or administrative regulation.

(cf. 5114/5114.1 – *Student Discipline*)

Legal Reference: Connecticut General Statutes

10-186 Duties of Local and Regional Board of Education re:  
School Attendance

10-220 Duties of Boards of Education

10-221 Boards of Education to Prescribe Rules

10-233c Suspension of Pupils

Policy Adopted: October 1, 1990

Policy Revised: January 20, 2009

WESTON PUBLIC SCHOOLS  
Weston, Connecticut

## Color Code Key

Light Blue – changes from BOE in regards to Transportation

Dark Blue Underlined – new changes from S&G

*Brown Italicized* – difference in S&G from BOE

5114

### Students

#### Student Discipline

##### I. Definitions

- A. **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.
- B. **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., g. spring v. CO2 cartridge) and potential for serious bodily harm or death.
- C. **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.
- D. **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.
- E. **Exclusion** means any denial of public school privileges to a student for disciplinary purposes.

- F. **Expulsion** means the exclusion of a student from school privileges for more than ten (10) consecutive school days. The expulsion period may not extend beyond one (1) calendar year.
- G. **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 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 or any device 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. **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.
- I. **Martial Arts Weapon** means a nunchaku, kama, kasari-fundo, octagon sai, tonfa or chinese star.
- J. **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.
- K. **School Days** shall mean days when school is in session for students.
- L. **School-Sponsored Activity** means any activity sponsored, recognized or authorized by the Board [of Education \(the "Board"\)](#) and includes activities conducted on or off school property.

- M. **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.
- N. **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.
- O. **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 devise 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.
- P. 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.
- Q. [For purposes of this policy, references to “school” and “classroom” shall include physical educational environments, as well as virtual educational environments, whether synchronous or asynchronous, which occur on Internet-based platforms that allow students to engage in remote learning.](#)

## II. Scope of the Student Discipline Policy

### A. ***Conduct on School Grounds or at a School-Sponsored Activity:***

Students may be disciplined for conduct on school grounds or at any school-sponsored activity that endangers persons or property, is seriously disruptive of the educational process, or that violates a publicized policy of the Board.

1. ***Suspension. Students may be **suspended** for conduct on school grounds 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 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:**

1. Students may be disciplined for conduct off school grounds if such conduct is seriously disruptive of the educational process and violative of a publicized policy of the Board. 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.

In making a determination as to whether such conduct is seriously disruptive of the educational process, the Administration and/or the Board of Education may also consider whether such off-campus conduct involved the illegal use of drugs.

*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. Conduct on the School Bus**

1. Students may be disciplined for unsatisfactory conduct while waiting for or receiving transportation that endangers persons or property or that violates a publicized policy of the Board, including but not limited to, the suspension of transportation services.

**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, 29-38~~ of the Connecticut General Statutes, 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.*

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

Conduct which may lead to disciplinary action (including, but not limited to, removal from class, suspension and/or expulsion in accordance with this policy) includes conduct on school grounds or at a school-sponsored activity (including on a school bus), and conduct off school grounds, as set forth above. Such conduct includes, but is not limited to, the following:

1. Striking or assaulting a student, ~~members~~member of the school staff or other ~~persons~~person(s).
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 behavior in the classroom or on the school bus ~~behavior~~.
6. Any act of harassment based on an individual's sex, sexual orientation, race, color, religion, disability, national origin, alienage, ancestry, gender identity or expression, marital status, age, pregnancy, veteran status or any other characteristic protected by law.
7. Refusal by a student to identify himself/herself to a staff member when asked, misidentification of oneself to such person(s), lying to school officials or otherwise engaging in dishonest behavior.

8. Inappropriate displays of public affection of a sexual nature and/or sexual activity. ~~on school grounds 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).
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~~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. Unlawful possession, sale, distribution, use, or consumption of tobacco, electronic nicotine delivery systems (e.g. e-cigarettes), vapor products, 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 that may be used to simulate smoking in the delivery of nicotine or other substance 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. 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, that 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.

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 ~~paragraph~~[Paragraph](#) 11. 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 growing, harvesting, manufacturing, producing, preparing, packaging, 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.
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, staff members, and/or other persons.

22. Defiance of school rules and the valid authority of teachers, supervisors, administrators, other staff members and/or law enforcement authorities.
23. Throwing or spitting items such as, food, paper, snowballs, rocks, sticks and/or similar objects, except as specifically authorized by school staff.
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; or any other form of academic dishonesty, cheating or plagiarism.
27. Possession and/or use of a cellular telephone, radio, walkman, CD player, blackberry, personal data assistant, walkie talkie, Smartphone, mobile or handheld device, or similar electronic device, on school grounds or at a school-sponsored activity, or while waiting for or receiving transportation services in violation of Board policy and/or administrative regulations regulating the use of such devices.
28. Possession and/or use of a beeper or paging device on school grounds or at a school-sponsored activity, or while waiting for or receiving transportation services without the written permission of the principal or his/her designee.
29. Unauthorized use of any school computer, computer system, computer software, Internet connection or similar school property or system, or the use of such property or system for inappropriate purposes.
30. Possession and/or use of a laser pointer, unless the student possesses the laser pointer temporarily for an educational purpose while under the direct supervision of a responsible adult.
31. Hazing.
32. Bullying, defined as the repeated use by one or more students of a written, oral or electronic communication, such as cyberbullying, directed at another student attending school in the same district, or a physical act or gesture by one or more students repeatedly

directed at another student attending school in the same school district, which:

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

Bullying includes, but is not limited to, repeated written, oral or electronic communications or physical acts or gestures based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

- 33. Cyberbullying, defined as any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.
- 34. Acting in any manner that creates a health and/or safety hazard for staff members, students, or the public, regardless of whether the conduct is intended as a joke, [including but not limited to violating school or district health and safety protocols.](#)
- 35. Engaging in a plan to stage or create a violent situation for the purposes of recording it by electronic means; or recording by electronic means acts of violence for purposes of later publication.
- 36. Engaging in a plan to stage sexual activity for the purposes of recording it by electronic means; or recording by electronic means sexual acts for purposes of later publication.

37. Using computer systems, including email, [distance learning platforms](#), instant messaging, text messaging, blogging or the use of social networking websites, 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 staff member.
39. Engaging in teen dating violence, defined as any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, that 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. A principal may consider recommendation of expulsion of a student in grades three to twelve, inclusive, in a case where he/she has reason to believe the student has engaged in conduct described at Sections II.A., ~~and~~ II.B., ~~and~~ II.C. above.
- B. A principal must recommend expulsion proceedings in all cases against any student in grades kindergarten to twelve, inclusive, whom the Administration has reason to believe:
  1. was in possession on school grounds 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 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.

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 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 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 his/her designee determines that a student should or must be expelled, he or she shall forward his/her 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 he/she deliberately causes a serious disruption of the educational process. When a student is removed, the teacher must send him/her to a designated area and notify the principal or his/her designee at once.

- B. 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 building principal or 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. 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 principal of a school, or designee on the administrative staff of the school, 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) consecutive 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 principal or 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 principal or designee may impose an out-of-school suspension on any pupil:
    - (a) in grades three to twelve, inclusive, if, during the informal hearing, (a) the principal or designee determines that the student poses such a danger to persons or property or such a disruption of the educational process that he or she should be excluded from school during the period of suspension; or (b) the principal or designee determines that an out-of-school suspension is appropriate based on evidence of (i) the student's previous disciplinary problems that have led to suspensions or expulsion of such student, and (ii) 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 principal or designee determines that an out-of-school suspension is

appropriate for such pupil based on evidence that such pupil's conduct on school grounds is of a violent or sexual nature that endangers persons.

3. 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 principal or designee, but only considered in the determination of the length of suspensions.
4. By telephone, the principal or 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.
5. Whether or not telephone contact is made with the parent or guardian of such minor student, the principal or 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 principal or designee), offering the parent or guardian an opportunity for a conference to discuss same.
6. 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.
7. Not later than twenty-four (24) hours after the commencement of the suspension, the principal or designee shall also notify the Superintendent or his/her designee of the name of the student being suspended and the reason for the suspension.
8. The student shall be allowed to complete any classwork, including examinations, without penalty, which he or she missed while under suspension.
9. 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.
10. 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.

11. 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.
  12. The decision of the principal or designee with regard to disciplinary actions up to and including suspensions shall be final.
  13. 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 principal 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 principal or 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 principal or designee may impose in-school suspension in cases where a student's conduct endangers persons or property, violates school policy, seriously disrupts the educational process or in other appropriate circumstances as determined by the principal or designee.
- B. In-school suspension may not be imposed on a student without an informal hearing by the building principal or designee.

- C. In-school suspension may be served in the school 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:

1. 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.
2. 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 his/her 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 his/her 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.
  - 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.
  - f. The student may be represented by an attorney or other advocate of his/her choice at his/her expense or at the expense of his/her 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 his/her parent(s) or guardian(s) requires the services of an interpreter because he/she/they 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 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 counsel, briefly explain the hearing procedures, and swear in any witnesses called by the Administration or the student.
2. The hearing will be conducted in executive session. A verbatim record of the hearing will be made, either by tape 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 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 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 or irrelevant.
5. The hearing will be conducted in two (2) parts. In the first part of the hearing, the 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 his/her designee.
7. Each witness for the 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.
8. The student shall not be compelled to testify at the hearing.
9. After the Administration has presented its case, the student will be asked if he/she has 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 Presiding Officer and/or by the Board. The student may also choose to make a statement at this time. If the student chooses to make a statement, he or she will be sworn and subject to cross examination and questioning by the Presiding Officer and/or by the Board. Concluding statements will be made by the Administration and then by the student and/or his or her representative.

10. In cases where the student has denied the allegation, the Board must determine whether the student committed the offense(s) as charged by the Superintendent.
11. If the Board determines that the student has committed the conduct as alleged, then the Board shall proceed with the second portion of the hearing, during which the 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 may review the student's attendance, academic and past disciplinary records. The Board may not review notices of prior expulsions or suspensions which have been expunged from the student's cumulative record, except as so provided in Section VI.A (9), (10), (11), above, and Section X, below. The Board may ask the Superintendent for a recommendation as to the discipline to be imposed.
13. Evidence of past disciplinary problems which 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 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, such administrative staff shall not be present during the deliberations of the Board either on questions of evidence or on the final discipline to be imposed. The Superintendent may, after reviewing the incident with administrators, and reviewing the student's records, make a recommendation to the Board as to the appropriate discipline to be applied.
15. The 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 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. 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 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, in the event school buildings are closed to students or individuals are provided limited access to school buildings due to a serious health emergency. Any virtual hearing must provide the student the due process rights identified in this Subsection D.

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

During the period of expulsion, 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, except for the student's participation in any alternative educational opportunity provided by the district in accordance with this policy, unless the Superintendent specifically authorizes the student to enter school property 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 Administration and the parents (or legal guardians) 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 parents (or legal guardians) 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 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 and Recommendation on his or her own behalf.

If the parties agree on the facts, but not on the disciplinary recommendation, the Administration 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 in lieu of holding the first part of the hearing, as described above. Such Joint Stipulation shall include language indicating that the parents 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 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 he/she requests it and if he/she agrees to the conditions set by the Board of Education. Such alternative educational opportunity may include, but shall not be limited to, the placement of a pupil who is at least seventeen years of age in an adult education program. Any pupil participating in an adult education program during a period of expulsion shall not be required to withdraw from school as a condition to his/her 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 pupil when he/she was under sixteen years of age for purposes of determining whether an alternative educational opportunity is required for such pupil when he/she 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 Expelled*, adopted by the State Board of Education.
2. The Superintendent, or his/her designee, shall develop administrative regulations concerning alternative educational opportunities, which administrative regulations shall be in compliance with the standards adopted by the State Board of Education. Such administrative regulations shall include, but are not be limited to, provisions to address student placement in alternative education; individualized learning plans; monitoring of students' 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*.

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

The Board of Education may offer an alternative educational opportunity to a pupil for whom such alternative educational opportunity is not required 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 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(1416), 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.

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.

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 school district:*

1. If a student enrolls in the district while an expulsion hearing is pending in another 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.

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 shall make its determination based upon a hearing held by the 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.

B. *Student moving out of the school 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 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 school district that applies to all students, the following procedures shall apply:

1. The Administration 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 school district is not required to provide any educational services to the IDEA student beyond that which is provided to all students suspended by the school 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 school 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 parent(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 school 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 his/her 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 building administrator (or his or her 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:*

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

1. 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 or at a school-sponsored activity, or
2. Knowingly possessed or used illegal drugs or sold or solicited the sale of a controlled substance while at school or at a school-sponsored activity; or
3. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function.

The following definitions shall be used for this subsection XII.C.:

1. **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.
2. **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).
3. **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.

4. **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 school 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 his/her 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 Committed to 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 a school 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 Board of Education 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 Board of Education shall include on all disciplinary reports the individual student's state-assigned student identifier (SASID).
- B. The Board of Education 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 intent to sell or dispense, offering, or administration is subject to criminal penalties under Conn. Gen. Stat. §§ 21a-277 and 21a-

278, the Board 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 Board shall report the violation to the local police.

Legal References:

Connecticut General Statutes:

~~Public Act 19-91, "An Act Concerning Various Revisions and Additions to the Education Statutes."~~

~~Public Act 19-13, "An Act Prohibiting the Sale of Cigarettes, Tobacco Products, Electronic Nicotine Delivery Systems and Vapor Products to Persons Under Age Twenty-One."~~

§ 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.

~~§ 21a-240~~ ~~Definitions~~

§ 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 ~~minors~~persons under twenty-one years or age
- ~~§ 53-206 Carrying of dangerous weapons prohibited.~~

*Packer v. Board of Educ. of the Town of Thomaston*, ~~246-717~~ A.2d 117 (Conn. ~~89~~ (1998)).

*State v. Hardy*, 896 A.2d ~~755, 278-755~~ (Conn. ~~113~~ (2006)).

*State v. Guzman*, 955 A.2d ~~72, 2008-72~~ (Conn. App. ~~LEXIS 445~~ (Sept. 16, 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)

ADOPTED: June 21, 1999

REVISED: October 20, 2008

April 18, 2016

May 20, 2019

WESTON PUBLIC SCHOOLS  
Weston, Connecticut

## **Curriculum Committee Meeting**

December 9, 2020 9:00 a.m.

Via Zoom

### **1. Call to Order**

The meeting was called to order at 9:00 am

#### Present Committee Members:

Taffy Miller (Chairperson), Hillary Koyner, Gina Albert

#### Present Administration:

William McKersie, Ph.D., Superintendent; Kenneth Crow, Ed.D., Assistant Superintendent; Lisa Wolak, WHS Principal; Dan Doak, WMS Principal; Pattie Falber, WIS Principal; Laura Kaddis, HES Principal; Carolyn Vinton, CIL K-5 Math & Science; Alex Bluestein, CIL K-5 ELA & Social Studies; Andrea Noble; CIL K-5 ELA & Social Studies; Mercedes Fernandes, CIL K-12 World Language; Sydney Girardi, K-12 Visual Arts; Nicholas Torres, CIL 6-8 Social Studies; Christine Cincotta, CIL 6-8 English Language Arts

#### Members of the Public:

Anthony Pesco, Ruby Hedge, Kristana Esslinger

### **2. Presentation and discussion of K-5 programs**

#### Discussion:

Carolyn Vinton presented on the K-5 Math in Focus renewal program.

- The roll out of the program is over a three year period. In this school year, (2020-21) grade 5 Math in Focus six-year online and print renewal was implemented; in 2021-22, grades 3 and 4 will be implemented; and in 2022-23 grades K-2.
- The renewals include six years of the digital platform for both teachers and students as well as yearly print consumables at no extra cost. Although the six-year cost is upfront, it is a significant savings for the district over time.
- Committee discussed whether the assessments that are built into the platform could be used in place of NWEA. The cost of NWEA is based on the number of students whether it is used for reading, math, science, etc.

Mrs. Vinton also discussed the K-5 Science program.

- The science program has been modified due to the unique 2020-21 school year; however, the NGSS curriculum is being fully implemented.
- Instructional time has been modified to give priority to math and literacy while providing as much science experience as possible.
- Hands-on experiences have also been modified due to safety protocols. Teachers and paras are working creatively to provide these experiences.

Andrea Noble and Alex Bluestein discussed the K-5 Literacy program.

- Ms. Noble outlined the components of Weston's comprehensive K-5 Literacy program, which includes instruction in phonological and phonemic awareness, phonics instruction (Foundations), reading comprehension instruction and oral reading fluency.

- The professional learning partnership with Teachers College is ongoing and provides a multitude of resources for teaching. In-person consulting with Teachers College has been suspended for this year for safety reasons and will resume next year.
- The literacy program assessments provide the means to personalize and differentiate instruction. The Fountas & Pinnell system provides benchmark assessment, but interim assessments are just as important. The department will look to purchase additional leveled books for the interim assessments over the next few years.

Mercedes Fernandes presented on the K-5 Spanish program.

- K-2 Spanish instruction was suspended this year for budgetary reasons. The District may suspend the program for one more year in order to focus on core subjects.
- Committee members discussed the merits of early foreign language immersion and would prefer to reinstate the program. The budgetary implications will be brought forward when the FY 2022 budget is presented to the full board.

### **3. Presentation and discussion of WHS new course proposals**

Discussion:

- All three courses presented are budget and FTE neutral.

Nick Torres presented on new social studies course, *The American Tapestry: Multiculturalism in the United States*.

- Proposed course is one semester (.5 credits) and is focused on the most contemporary and pervasive issues related to racial, ethnic and gender identity issues. The course will give students a forum to study these issues academically.
- Rather than textbooks, the resources chosen are paperback books. These books are focused on young people as change makers.

Christine Cincotta presented on a new English course, *Voices from the Edge*.

- The proposed course is an elective one-semester course that encourages students to study diverse voices through texts that “mirror” and reflect on their own identity, as well as “window” texts that allow them to gain insight into the identities of others.

Sydney Girardi presented on a new visual arts course, *3D Art & Design*.

- The proposed new course combines current 3D course offerings in order to better serve the student population.
- The course will be an exploratory course in the foundations of 3D design. Students will learn a variety of 3D building techniques such as ceramics, subtractive sculpture and jewelry techniques, pottery wheel, and bas tile relief.

### **4. Follow up regarding WHS Statistical Report**

Discussion:

- Dr. Craw gave an overview of the District assessments framework.
- A more in depth discussion will take place at the January Curriculum Committee meeting regarding the SAT, ACT and AP scores.

### **5. Approval of November 2020 Minutes**

**Motion Passed:** With a motion by Hillary Koyner and second by Taffy Miller, the November 2020 minutes were approved.

**3 Yeas - 0 Nays.**

**6. Other curricular issues**

Discussion:

Ms. Miller made a note to discuss VDL Survey results at the January meeting.

No other items were put forth for discussion. Meeting was adjourned at 11:04 a.m.

Respectfully submitted,

June Curiano

## **Special Curriculum Committee Meeting**

December 18, 2020 9:00 a.m.

Via Zoom

### **1. Call to Order**

The meeting was called to order at 9:00 am

#### Present Committee Members:

Taffy Miller (Chairperson), Hillary Koyner, Gina Albert

#### Present Administration:

William McKersie, Ph.D., Superintendent; Kenneth Craw, Ed.D., Assistant Superintendent; Tracy Edwards, Director of PPS; Lisa Wolak, WHS Principal; Meredith Starzyk, WHS Director of Counseling; Christine Cincotta, 6-8 English Language Arts CIL

#### Members of the Public:

Anthony Pesco, Ruby Hedge

### **2. Presentation and discussion of WHS Alternative Pathways**

#### Discussion:

Administrators presented the Alternative Pathways program to the Committee.

- The program is designed to replace the Effective School Solutions program currently in place at WHS. The administration was concerned that ESS students were struggling academically and were failing to meet the minimum credit requirements to graduate on time.
- Alternative Pathways provides an opportunity to integrate the program into the fabric of WHS by providing a constellation of services to support students with complex social emotional and behavioral needs.
- Schedules are built to integrate students on an individual basis and support the four core academic areas.
- An Alternative Pathways social worker will be the coordinator of the program; CILs will provide the academic support, which will be part of their instructional time.
- The counseling and academic support will not be at the expense of the student body.
- The next steps are to map out the structure of the program and map out the transition from ESS.

### **3. Other curricular issues**

No other items were put forth for discussion. Meeting was adjourned at 9:58 a.m.

Respectfully submitted,

June Curiano

**Minutes  
Facilities Committee  
January 12, 2021**

Present:

Tony Pesco, Committee Chair  
Ruby Hedge, Committee Member  
Victor Escandon, Committee Member  
Phil Cross, Director of Finance and Operations  
Mike DelMastro, Director of Facilities

Absent:

Dr. William McKersie, Superintendent of Schools

Guests:

Richard Wolf, Weston Building Committee

The meeting was called to order by Mr. Pesco at 9:04 a.m.

The Committee discussed the following items regarding and update of facilities and grounds maintenance:

- Mr. DelMastro reported that with students being on temporary remote learning over the past two weeks, the facilities department was able to accomplish a lot of work that normally would have been done in the spring. All of the HVAC systems have been disinfected and cleaned, and new filters have been installed. All the diffusers have been cleaned, and the stairwells at the intermediate school have been painted. Glycol has also been added to the intermediate school chillers.

The Committee discussed the following items regarding the capital budget:

- Mr. DelMastro informed the Committee that he was in District the previous Saturday meeting with the Building Committee to review the intermediate school window sill project and the high school old gym air handler, windows and lights replacement projects. Mr. DelMastro reported that the window sill project may not be as costly as first thought, as they may just need to be repaired, and not replaced, but he'll have a better sense once the sills are pulled out. He should have a price quote by the end of the month.

- Regarding the high school façade project, Mr. Wolf reported that the only item remaining is the application of a coating on the areas that were repaired. A maintenance schedule will be provided to the District once that is completed.

- Mr. DelMastro reported that some changes have been made to the new gym floor replacement project at the high school. The contractor that completed a walk-thru for the project is recommending different repair methods rather than a complete replacement of the floor. Mr. DelMastro is waiting for additional information on this new solution. Regarding the high school old gym air handler, windows and lights project, Mr. DelMastro informed the Committee that he is awaiting some revised information from the contractor, and should have a price quote by the end of the month.

- Mr. Wolf was in agreement with these capital project list, but added that the Board of Selectmen usually recommends which projects the Building Committee will be involved in.

The Committee discussed the following items regarding deferred middle school capital projects:

- Mr. Pesco inquired into what middle school projects absolutely need to be accomplished over the next couple of years. While the Town of Weston Facilities Optimization Committee is currently reviewing all Town facilities, including BOE buildings, with the possibility of closing down a school, given how long the process will take, there is concern that parts of the middle school will start failing before a decision is made. Mr. Pesco suggested that Mr. DelMastro include major middle school items on the capital list. Mr. DelMastro will prioritize the projects based on which affects the most people, and will start getting pricing.

The Committee discussed the following items regarding approval of the December minutes:

- The Committee approved the December minutes.

The Committee discussed the following items regarding other business:

- Mr. DelMastro reported that he has begun work on an accountability sheet which will keep track of what preventative maintenance projects have been completed.

- Mr. Cross reported that regarding the Zenon plant, Veolia is still working on getting costs for new pumps, but that an estimated cost has been included in the FY22 budget request.

- The Committee agreed to have the Asst. Superintendent attend the February meeting and present the programmatic updates that he provided to the Town of Weston Facilities Optimization Committee

There being no further business to discuss, the Committee adjourned at 9:48 a.m.

Respectfully submitted,

Andrew Galli

Administrative Assistant to the Director of Finance and Operations

DRAFT

## **Policy Committee Meeting**

December 2, 2020 - Via Zoom

### Members Present:

Melissa Walker  
Hillary Koyner  
Taffy Miller

### **1. Call to Order**

Melissa Walker called the meeting to order at 10:07am. In attendance, William McKersie, Ph.D., Superintendent of Schools, Matt Filip, Assistant Principal of Weston High School, and Jen Ryan, HR Manager

### **2. Approval of Minutes**

#### Discussion:

October and November minutes were approved.

### **3. Discussion of policies, regulations, and bylaws**

Due to Matt Filip being present to discuss the Sustainability Committee, the discussion items were re-ordered from the posted agenda.

#### 3.C. Sustainability - (New)

Discussion: After a discussion of how the Weston Sustainability committee came about and goals, it was decided that the policy should provide the framework for the initiative to empower the committee. The future steps are:

- Members of the Sustainability committee will be asked to attend the January Policy Meeting.
- Research if other local districts have a template policy already
- Add a budget line and add to the Five Year Plan
- Add to Sustainability dashboard to website
- Create stipend for a lead staff member
- Continue to have student involvement

#### 3.A. COVID-19 - relevant policies to consider

Discussion: No new policies to consider

#### 3.B. Transportation - Policy 3541

Discussion: The Transportation policy was brought forward again to discuss where student discipline issues that occur on buses should be listed. It was decided to add bus issues to the current Student Discipline policy and regulation and bring back to the committee in January.

### **Discussion of policies, regulations, and bylaws in future meetings**

#### Discussion:

- o New Directives from the State (TBD)

### **5. Adjourn 9:32am**