

Policy Committee Meeting

Tuesday, October 4, 2022 9:00 AM

Remote Session

I. Call to Order, Verification of Quorum

II. Approval of Minutes

II.A. Approval of minutes from the September 6, 2022 Policy Committee Meeting.

III. Discussion of policies, regulations, and bylaws

III.A. Discussion of policy/regulation 5114:
Student Discipline

III.B. Discussion of policy/regulation 1250:
Visitors and Observations

III.C. Discussion of policy/regulation
5131.911: Bullying and Safe School Climate Plan

IV. Discussion of policies, regulations, and bylaws in future meetings

V. Adjournment

Policy Committee Meeting Template

Tuesday, September 6, 2022 9:15 AM
Remote Session

In Attendance:

Melissa Walker, Chair
Sharon Ferraro
Peter Gordon

Additional Attendees:

Lisa Barbiero, Superintendent and Committee Administrative Representative
Meghan Ward, Principal of Weston High School

- I. Call to Order, Verification of Quorum
A quorum has been met and the Policy Committee meeting can begin. The time is 9:28 AM. Unseconded with a motion by Walker, Melissa.

II. **Approval of Minutes**

A. **Approval of minutes from the June 7, 2022 Policy Committee Meeting.**

Move that the Policy Committee approve the June 7, 2022 meeting minutes. Carried with a motion by Ferraro, Sharon and a second by Gordon, Peter.

Sharon Ferraro: Yea, Peter Gordon: Yea, Melissa Walker: Yea

Yea: 3, Nay: 0

III. **Discussion regarding Policy Committee meeting schedule**

The policy committee meetings will start time at 9:00 am instead of 8:30 am.

Jodi Sacchetta will take a look at the Student Discipline policy, revise to include inclusive language and add to agenda for the October Policy Committee Meeting. Tracy Edwards will review the Bullying Policy and the Visitor/Observation Policy. We will try to add this to the October meeting agenda. We will also ask Tracy to prioritize any new or current policies she would like us to look at for the 2022-2023 school-year.

IV. **Discussion of policies, regulations, and bylaws**

A. **Discussion of new policy and regulation: Policy Addressing Enrollment In An Advanced Course Or Program And Challenging Curriculum and Administrative Regulation Addressing Enrollment In An Advanced Course or Program And Challenging Curriculum**

This policy was previously discussed at the June 2022 policy committee meeting at which time Tracy Edwards gave an overview of the policy/administrative regulation. It was agreed that we would bring this to the Board for a first read at the September 19

meeting.

B. Discussion of new policy: Policy for the Equitable Identification of Gifted And Talented Students

Meghan Ward, Principal of Weston High School, joined the policy committee meeting. Ms. Ward, along with Superintendent Barbiero, gave an overview of the new policy required by the State. The policy seeks to ensure all students have access to advanced classes, regardless of recommendations. Ms. Ward stated this new policy is very similar to the structure and practice that is already in place at Weston High School and codifies what we have already been doing. Students are recommended for advanced courses based on a number of factors. If a student wishes to take a course, and they were not recommended they submit a waiver. Many factors are reviewed and a determination is made. Ms. Barbiero indicated we feel good about our practices and how they support this new policy.

V. Adjournment

Move that the Policy Committee adjourn the September 6, 2022 meeting. Carried with a motion by Ferraro, Sharon and a second by Gordon, Peter.

The meeting was adjourned at 9:51 AM

Sharon Ferraro: Yea, Peter Gordon: Yea, Bernie Kingsley: Yea, Melissa Walker: Yea

Yea: 3, Nay: 0

Chairperson

Superintendent

STUDENT DISCIPLINE

I. Definitions

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

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

- O. **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.
- P. **Weapon** means any BB gun, any blackjack, any metal or brass knuckles, any police baton or nightstick, any dirk knife or switch knife, any knife having an automatic spring release device by which a blade is released from the handle, having a blade of over one and one-half inches in length, any stiletto, any knife the edged portion of the blade of which is four inches and over in length, any martial arts weapon or electronic defense weapon, or any other dangerous or deadly weapon or instrument, unless permitted by law under Section 29-38 of the Connecticut General Statutes.
- Q. 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.
- R. For purposes of this policy, references to “school”, “school grounds” and “classroom” shall include physical educational environments, as well as environments in which students are engaged in remote learning, which means instruction by means of one or more Internet-based software platforms as part of a remote learning model.

II. Scope of the Student Discipline Policy

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

B. *Conduct off School Grounds:*

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

C. *Seriously Disruptive of the Educational Process:*

In making a determination as to whether such conduct is seriously disruptive of the educational process, the Administration and the Board of Education may consider, but such consideration shall not be limited to, the following factors: (1) **whether the incident occurred within close proximity of a school;** (2) **whether other students from the school were involved or whether there was any gang involvement;** (3) **whether the conduct involved violence, threats of violence, or the unlawful use of a weapon,** as defined in Section 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.**

D. On and after January 1, 2022, a student shall not have greater discipline, punishment, or sanction for the use, sale, or possession of cannabis on school property than a student would face for the use, sale, or possession of alcohol on school property, except as otherwise required by applicable law.

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

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

1. Striking or assaulting a student, member of the school staff or other 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 classroom 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 respond to a staff member's request for the student to provide the student's name to a staff member when asked, misidentification of oneself to such person(s), lying to school officials or otherwise engaging in dishonest behavior.
8. Inappropriate displays of public affection of a sexual nature and/or sexual activity on school grounds, on school transportation, or at a school-sponsored activity.
9. A walk-out from or sit-in within a classroom or school building or school grounds.
10. Blackmailing, threatening or intimidating school staff or students (or acting in a manner that could be construed to constitute blackmail, a threat, or intimidation, regardless of whether intended as a joke).
11. Possession of any weapon, weapon facsimile, deadly weapon, martial arts weapon, electronic defense weapon, pistol, knife, blackjack, bludgeon, box cutter, metal knuckles, pellet gun, air pistol, explosive device, firearm, whether loaded or unloaded, whether functional or not, or any other dangerous object or instrument. The possession and/or use of any object or device that has been converted or modified for use as a weapon.
12. Possession of any ammunition for any weapon described above in Paragraph 11.
13. Unauthorized entrance into any school facility or portion of a school facility or aiding or abetting an unauthorized entrance.
14. Possession or ignition of any fireworks, combustible or other explosive materials, or ignition of any material causing a fire.

Possession of any materials designed to be used in the ignition of combustible materials, including matches and lighters.

15. Possession, sale, distribution, use, or consumption of tobacco, electronic nicotine delivery systems (e.g., e-cigarettes), electronic cannabis delivery system, or vapor products, or the unlawful possession, sale, distribution, use or consumption of drugs, narcotics or alcoholic beverages (or any facsimile of tobacco, drugs, narcotics or alcoholic beverages, or any item represented to be tobacco, drugs or alcoholic beverages), including being under the influence of any such substances or aiding in the procurement of any such substances. For the purposes of this Paragraph 15, the term “electronic nicotine delivery system” shall mean an electronic device used in the delivery of nicotine or other substances to a person inhaling from the device, and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device, including, but not limited to, electronic cigarette liquid. For purposes of Paragraph 15, the term “electronic cannabis delivery system” shall mean an electronic device that may be used to simulate smoking in the delivery of cannabis to a person inhaling the device and includes, but is not limited to, a vaporizer, electronic pipe, electronic hookah and any related device and any cartridge or other component of such device. For the purposes of Paragraph 15, the term “vapor product” shall mean any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not include nicotine and is inhaled by the user of such product. For the purposes of this Paragraph 15, the term "drugs" shall include, but shall not be limited to, any medicinal preparation (prescription and non-prescription) and any controlled substance whose possession, sale, distribution, use or consumption is illegal under state and/or federal law, including cannabis.
16. Sale, distribution, or consumption of substances contained in household items; including, but not limited to glue, paint, accelerants/propellants for aerosol canisters, and/or items such as the aerators for whipped cream; if sold, distributed or consumed for the purpose of inducing a stimulant, depressant, hallucinogenic or mind-altering effect.
17. Possession of paraphernalia used or designed to be used in the consumption, sale or distribution of drugs, alcohol or tobacco, as described in Paragraph 15 above. For purposes of this policy, drug paraphernalia includes any equipment, products and materials of

any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing controlled drugs or controlled substances into the human body, including but not limited to items such as "bongs," pipes, "roach clips," vials, tobacco rolling papers, and any object or container used, intended or designed for use in storing, concealing, possessing, distributing or selling controlled drugs or controlled substances, including cannabis.

18. The destruction of real, personal or school property, such as, cutting, defacing or otherwise damaging property in any way.
19. Accumulation of offenses such as school and class tardiness, class or study hall cutting, or failure to attend detention.
20. Trespassing on school grounds while on out-of-school suspension or expulsion.
21. Making false bomb threats or other threats to the safety of students, 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 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, portable audio player, CD player, blackberry, personal data assistant, walkie talkie, Smartphone, mobile or handheld device, or similar electronic device, on school grounds, on school transportation, or

at a school-sponsored activity in violation of Board policy and/or administrative regulations regulating the use of such devices.

28. Possession and/or use of a beeper or paging device on school grounds, on school transportation, or at a school-sponsored activity without the written permission of the principal or designee.
29. Unauthorized use of or tampering with 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 an act that is direct or indirect and severe, persistent or pervasive, which:
 - a. causes physical or emotional harm to an individual;
 - b. places an individual in reasonable fear of physical or emotional harm; or
 - c. infringes on the rights or opportunities of an individual at school; or

Bullying shall include, but need not be limited to, a written, oral or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity 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, remote 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, which occurs between two students who are currently in or who have recently been in a dating relationship.
40. Any action prohibited by any Federal or State law.
41. Any other violation of school rules or regulations or a series of violations which makes the presence of the student in school seriously disruptive of the educational process and/or a danger to persons or property.

IV. Discretionary and Mandatory Expulsions

- A. A principal may consider recommendation of expulsion of a student in **grades three to twelve, inclusive**, in a case where the principal has reason to believe the student has engaged in conduct described at Sections II.A. or II.B., 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, on school transportation, or at a school-sponsored activity of a deadly weapon, dangerous instrument, martial arts weapon, or firearm** as defined in 18 U.S.C. § 921 as amended from time to time; or
2. **off school grounds, possessed a firearm** as defined in 18 U.S.C. § 921, in violation of Conn. Gen. Stat. § 29-35, or **possessed and used a firearm** as defined in 18 U.S.C. § 921, a **deadly weapon, a dangerous instrument** or a **martial arts weapon** in the **commission of a crime** under chapter 952 of the Connecticut General Statutes; or
3. was engaged **on or off school grounds or school transportation in offering for sale or distribution a controlled substance** (as defined in Conn. Gen. Stat. § 21a-240(9)), whose manufacturing, distribution, sale, prescription, dispensing, transporting, or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under Conn. Gen. Stat. §§21a-277 and 21a-278.

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, on school transportation, or at a preschool program-sponsored event. The term “**firearm**” is defined above in Section I.
- D. Upon receipt of an expulsion recommendation, the Superintendent may conduct an inquiry concerning the expulsion recommendation.

If the Superintendent or designee determines that a student should or must be expelled, the Superintendent or designee shall forward such recommendation to the Board of Education so that the Board can consider and act upon this recommendation.

- E. In keeping with Conn. Gen. Stat. § 10-233d and the Gun-Free Schools Act, it shall be the policy of the Board to expel a student in grades

kindergarten to twelve, inclusive, for one (1) full calendar year for the conduct described in Section IV.B(1), (2) and (3) of this policy and to expel a student enrolled in a preschool program for one (1) calendar year for the conduct described in Section IV.C. For any mandatory expulsion offense, the Board may modify the term of expulsion on a case-by-case basis.

V. Procedures Governing Removal from Class

- A. A student may be removed from class by a teacher or administrator if the student deliberately causes a serious disruption of the educational process. When a student is removed, the teacher must send the student to a designated area and notify the principal or the principal's 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, (i) 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 should be excluded from school during the period of suspension; or (ii) the principal or designee determines that an out-of-school suspension is appropriate based on evidence of (A) the student's previous disciplinary problems that have led to suspensions or expulsion of such student, and (B) previous efforts by the Administration to address the student's disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies, or

- b. in grades preschool to two, inclusive, if the 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 or on school transportation 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 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 the student 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 or seriously disrupts the educational process 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 the student's parent(s) or guardian(s) at least five (5) business days before such hearing.
2. A copy of this Board policy on student discipline shall also be given to the student, and if the student is a minor, to the student's parent(s) or guardian(s), at the time the notice is sent that an expulsion hearing will be convened.
3. The written notice of the expulsion hearing shall inform the student of the following:
 - a. The date, time, place and nature of the hearing, including if the hearing will be held virtually, via video conference.
 - b. The legal authority and jurisdiction under which the hearing is to be held, including a reference to the particular sections of the legal statutes involved.
 - c. A short, plain description of the conduct alleged by the Administration.
 - 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 the student's choice at the student's expense or at the expense of the student's parent(s) or guardian(s).

- g. A student is entitled to the services of a translator or interpreter, to be provided by the Board of Education, whenever the student or the student's parent(s) or guardian(s) requires the services of an interpreter because they do not speak the English language or are disabled.
- h. The conditions under which the Board is not legally required to give the student an alternative educational opportunity (if applicable).
- i. Information concerning the parent's(s') or guardian's(s') and the student's legal rights and about free or reduced-rate legal services and how to access such services.
- j. The parent(s) or guardian(s) of the student have the right to have the expulsion hearing postponed for up to one week to allow time to obtain representation, except that if an emergency exists, such hearing shall be held as soon after the expulsion as possible.

D. ***Hearing Procedures:***

1. The hearing will be conducted by the Presiding Officer, who will call the meeting to order, introduce the parties, Board members and 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 designee.
7. Each witness for the Administration will be called and sworn. After a witness has finished testifying, the witness will be subject to cross-examination by the opposite party or the witness' 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 the student 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, the student 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 the student's 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 that have led to removal from a classroom, suspension or expulsion of a student being considered for expulsion may be considered only during the

second portion of the hearing, during which the Board 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, on School Transportation, and Participation in School-Sponsored Activities During Expulsion:***

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

F. ***Stipulated Agreements:***

In lieu of the procedures used in this Section, the Administration and the parent(s) or legal guardian(s) of a student facing expulsion may choose to enter into a Joint Stipulation of the Facts and a Joint Recommendation to the Board concerning the length and conditions of expulsion. Such Joint Stipulation and Recommendation shall include language indicating that the parent(s) or legal guardian(s) understand their right to have an expulsion hearing held pursuant to these procedures, and language indicating that the Board, in its discretion, has the right to accept or reject the Joint Stipulation of Facts and Recommendation. If the Board 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 the student's 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 the student requests it and if the student 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 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 the student was under sixteen (16) years of age for purposes of determining whether an alternative educational opportunity is required for such pupil when the student is between the ages of sixteen and eighteen.

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

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

D. Content of Alternative Educational Opportunity

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

2. The Superintendent, or 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 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.

F. ***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 by law or as described in this policy. In such cases, the Board, or if delegated by the Board, the Administration, shall determine the components, including nature, frequency and duration of such services, of any such alternative educational opportunity.

X. **Notice of Student Expulsion on Cumulative Record**

Notice of expulsion and the conduct for which the student was expelled shall be included on the student’s cumulative educational record. Such notice, except for notice of an expulsion of a student in grades nine through twelve, inclusive, based upon possession of a firearm or deadly weapon, shall be expunged from the cumulative educational record by the Board 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(16), 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 parents(s)/guardian(s) a copy of the special education procedural safeguards either by hand-delivery or by mail (unless other means of transmission have been arranged).

2. The 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 the student's disability.
3. If the student's PPT finds that the behavior was a manifestation of the student's disability, the Administration shall not proceed with the recommendation for expulsion or the suspension that constitutes a change in placement.
4. If the student's PPT finds that the behavior was not a manifestation of the student's disability, the Administration may proceed with the recommended expulsion or suspension that constitutes a change in placement.
5. During any period of expulsion, or suspension of greater than ten (10) days per school year, the Administration shall provide the student with an alternative education program in accordance with the provisions of the IDEA.
6. When determining whether to recommend an expulsion or a suspension that constitutes a change in placement, the building administrator (or designee) should consider the nature of the misconduct and any relevant educational records of the student.

C. *Removal of Special Education Students for Certain Offenses:*

1. School personnel may remove a student eligible for special education under the IDEA to an appropriate interim alternative educational setting for not more than forty-five (45) school days if the student:
 - a. Was in possession of a dangerous weapon, as defined in 18 U.S.C. 930(g)(2), as amended from time to time, on school grounds, on school transportation, or at a school-sponsored activity, or
 - b. Knowingly possessed or used illegal drugs or sold or solicited the sale of a controlled substance while at school,

on school transportation, or at a school-sponsored activity;
or

- c. Has inflicted serious bodily injury upon another person while at school, on school premises, on school transportation, or at a school function.

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

- a. **Dangerous weapon** means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2.5 inches in length.
- b. **Controlled substance** means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act, 21 U.S.C. 812(c).
- c. **Illegal drug** means a controlled substance but does not include a substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of federal law.
- d. **Serious bodily injury** means a bodily injury which involves: (A) a substantial risk of death; (B) extreme physical pain; (C) protracted and obvious disfigurement; or (D) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

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

- A. Except as provided in subsection B below, notwithstanding any provision to the contrary, if the Administration recommends for expulsion a student identified as eligible for educational accommodations under Section 504 who has violated any rule or code of conduct of the 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 the student's disability.

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

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

- A. Any student who commits an expellable offense and is subsequently placed in a juvenile detention center or any other residential placement for such offense may be expelled by the Board in accordance with the provisions of this section. The period of expulsion shall run concurrently with the period of placement in a juvenile detention center or other residential placement.
- B. If a student who committed an expellable offense seeks to return to 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 the intent to sell or dispense, offering, or administration is the subject to criminal penalties under Conn. Gen. Stat. §§ 21a-277 and 21a-278, the 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:

- § 10-16 Length of school year
- § 10-74j Alternative education
- §§ 4-176e through 4-180a and § 4-181a Uniform Administrative Procedures Act
- § 10-222d Safe school climate plans. Definitions. Safe school climate assessments
- §§ 10-233a through 10-233f Suspension and expulsion of students
- § 10-233l Expulsion and suspension of children in preschool programs

- § 10-253 School privileges for children in certain placements, nonresident children, children in temporary shelters, homeless children and children in juvenile detention facilities. Liaison to facilitate transitions between school districts and juvenile and criminal justice systems.
- § 19a-342a Use of electronic nicotine delivery system or vapor product prohibited. Exceptions. Signage required. Penalties
- § 21a-240 Definitions
- § 21a-277 Penalty for illegal manufacture, distribution, sale, prescription, dispensing
- § 21a-278 Penalty for illegal manufacture, distribution, sale, prescription, or administration by non-drug-dependent person
- §§ 21a-408a through 408p Palliative Use of Marijuana
- § 29-35 Carrying of pistol or revolver without permit prohibited. Exceptions
- § 29-38 Weapons in vehicles
- § 53a-3 Definitions
- § 53-206 Carrying of dangerous weapons prohibited
- § 53-344 Sale or delivery of cigarettes or tobacco products to persons under twenty-one.
- § 53-344b Sale and delivery of electronic nicotine delivery system or vapor products to persons under twenty-one years or age

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

Packer v. Board of Educ. of the Town of Thomaston, 717 A.2d 117 (Conn. 1998).
State v. Hardy, 896 A.2d 755 (Conn. 2006).
State v. Guzman, 955 A.2d 72 (Conn. App. Ct. 2008).

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

Federal law:

Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, as amended by the Individuals with Disabilities Education Improvement Act of 2004, Pub. L. 108-446.
 Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794(a).
 18 U.S.C. § 921 (definition of “firearm”)
 18 U.S.C. § 930(g)(2) (definition of “dangerous weapon”)
 18 U.S.C. § 1365(h)(3) (identifying “serious bodily injury”)
 21 U.S.C. § 812(c) (identifying “controlled substances”)

34 C.F.R. § 300.530 (defining “illegal drugs”)
Gun-Free Schools Act, 20 U.S.C. § 7961
Honig v. Doe, 484 U.S. 305 (1988)

ADOPTED: June 21, 1999
REVISED: October 20, 2008
April 18, 2016
May 20, 2019
February 22, 2021
_____, 2022

WESTON PUBLIC SCHOOLS
Weston, CT

**Regulation 5114
Students**

**ADMINISTRATIVE REGULATIONS REGARDING ALTERNATIVE
EDUCATIONAL OPPORTUNITIES FOR EXPELLED STUDENTS**

I. Applicability of these Administrative Regulations

These administrative regulations shall apply in cases when, pursuant to state law, a student in the ~~Weston~~ Public Schools (the “District”) is entitled to an alternative educational opportunity during a period of expulsion.

II. Responsible Personnel

The building principal of the school from which the student has been expelled, or designee(s), shall maintain responsibility for compliance with these administrative regulations relative to the individual student who is being provided with the alternative educational opportunity.

III. Student Placement Procedures

A. After a student has been expelled, and unless extraordinary circumstances exist, the building principal, or designee(s), will take the following steps:

1. Meet with the expelled student’s parent(s)/guardian(s) prior to the student’s placement in an alternative educational setting to provide information concerning the potentially appropriate alternative educational opportunities for the student and to inform the parent(s)/guardian(s) and student of the right to apply for early readmission to school in accordance with Conn. Gen. Stat. Section 10-233d(j).
2. Consult with relevant school personnel from the school from which the student was expelled, who are knowledgeable about the student, to obtain information regarding the student’s academic, social, and behavioral history that will help inform the decision concerning an appropriate alternative educational opportunity. Such information may be gathered by written reports.
3. After placement options have been shared with the parent(s)/guardian(s), convene a placement meeting at which all alternative educational opportunities are explored and a placement decision is made.

B. The educational programming and placement for expelled students who are eligible to receive special education and related services under the

Individuals with Disabilities Education Act (“IDEA”) shall be determined by the student’s Planning and Placement Team (“PPT”). In such case, Subsection A above shall not apply.

IV. Individualized Learning Plan

A. Development of the Individualized Learning Plan

After the student has been accepted into an alternative educational placement, the principal, or designee, will develop an Individualized Learning Plan (“ILP”) that will govern the programming for the student for the period of expulsion. To develop the ILP, the principal, or designee, will collaborate with school personnel from the school from which the student was expelled, the student and the parent/guardian, and will review all relevant student records.

B. Contents of the Individualized Learning Plan

1. The ILP will reference student records with information relevant to the provision of an alternative educational opportunity. These records may include:
 - a. Student success plan (for students who have a student success plan as mandated by state law, the student success plan may inform the ILP but does not replace the ILP);
 - b. Individualized education program (“IEP”);
 - c. Section 504 Plan;
 - d. Individualized health care plan or emergency care plan; and/or
 - e. Other relevant academic and behavioral data.
2. The ILP will address the following:
 - a. The student’s academic and behavioral needs and appropriate academic and behavioral goals and interventions, including the student’s core classes at the time of expulsion and the student’s current placement or progress in the curriculum for those classes so that the student has an opportunity to continue to progress in the Board’s academic program and earn graduation credits, if applicable;

- b. Benchmarks to measure progress towards the goals and ultimately, progress towards graduation;
- c. Provision for the timing and method for reviewing the student's progress in the alternative educational opportunity and for communicating that progress to the parent/guardian or student. For most students, monitoring and reviewing the student's progress will include monitoring the student's attendance, work completion and progress toward meeting the relevant academic standards for particular coursework, and thus progressing toward graduation, if applicable. The student's progress and grades will be communicated to the parents/guardians or student with the same frequency as similar progress for students in the regular school environment is reported and communicated to parents/guardians or students. The student's progress and grades will also be reported to the school from which the student was expelled;
- d. Provision for the timely transfer of the student's records both from the student's school to the alternative educational opportunity provider, and also from the alternative educational opportunity provider to the student's school; and
- e. The possibility of early readmission to the school from which the student was expelled and the early readmission criteria, if any, established by the Board of Education or Superintendent, as applicable.

V. Review of Student's Placement in Alternative Educational Opportunity and Individualized Learning Plan

- A. A review of the appropriateness of the placement must occur at least once per marking period.
- B. The placement review must include:
 - 1. Review of the ILP to (1) assess progress and make adjustments as necessary and (2) determine its alignment with the goals of the student's IEP, where applicable; and
 - 2. Consideration of opportunities for early readmission as set forth in the ILP, as established by the Board of Education or Superintendent, as applicable.

VI. Transition Plan for Readmission

- A. Before a student is readmitted to the school from which the student was expelled, relevant staff should provide an opportunity to meet with the parents/guardians and student to discuss the student's readmission. As part of the readmission process and the student's ILP, the principal, or designee, should consider:
1. Efforts to readmit the student at a semester starting point (at the high school level);
 2. A plan to transfer the student's credits and records back to the school from which the student was expelled:
 - a. The District will award an expelled high school student appropriate high school credit for work satisfactorily completed during the period the student participates in the alternative educational opportunity and will transfer relevant records back to the school from which the student was expelled;
 - b. The District will provide an expelled student transferring to a new school district a progress summary of all work completed during the course of the student's expulsion, and will indicate the course credit earned by the student for that work.
 3. The student's need for academic and other supports upon returning to school; and
 4. Efforts to connect the returning student with opportunities to participate in extracurricular activities.
- B. In the event the principal, or designee, determines that a student's alternative educational opportunity is no longer beneficial to the student, but it remains inappropriate to return the student to the school from which the student was expelled, a plan for a different alternative educational opportunity may be developed in accordance with the procedures outlines in these Administrative Regulations.

Legal References:

Connecticut General Statutes:

Conn. Gen. Stat. § 10-233d

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).

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

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_____, 2022

WESTON PUBLIC SCHOOLS
Weston, CT

11/10/2021

[BOE LETTERHEAD]

(Date)

CERTIFIED MAIL - RETURN RECEIPT REQUESTED & U.S. MAIL

*(Parent) (If the Student is aged 18 or older, this notice should be sent directly to the student, with copies to the parent(s)).
(Parent's/Student's Address)*

*(Non-custodial Parent, if applicable)
(Parent's Address)*

Re: Expulsion Hearing Concerning Student Name; D.O.B.; State-Assigned Student Identifier (SASID)

Dear *(Parent/Guardian)*:

In accordance with the *(name of district)* Board of Education Policy (*policy # & title*), I am writing to advise you that the ~~*(name of district)*~~ Weston Board of Education (the "Board") will hold a formal hearing concerning your child, *(name of student)* to consider the recommendation of *(name of administrator)* that your child be expelled from school. ***[In cases where the district uses a hearing officer, add the following: Please be advised that the Board has appointed Attorney [Name], to serve as an impartial hearing officer in this matter.]*** This hearing is being held pursuant to Section 10-233d ***[In cases where a preschool student is recommended for expulsion, add the following: and Section 10-233I]*** and Sections 4-176e to 4-180a, inclusive, and Section 4-181a of the Connecticut General Statutes and the *(name of district)* Board of Education Policy (*policy # & title*), a copy of which is enclosed. The Board (***OR the hearing officer***) intends to conduct the hearing in executive session, due to the confidential nature of this hearing.

The hearing will address the allegations that your child (***for on or off-campus conduct***: violated Board Policy ***cite Student Discipline Policy number and any other specific policy number on date*** and seriously disrupted the educational process) (***and/or, for on-campus conduct***: endangered persons or property) by engaging in the following conduct:

(The law governing these hearings requires a short, plain statement of the facts to be included within this notice letter, and should be inserted here.

Example: carrying a knife on the school bus on a specified date and brandishing it at other students on the bus).

(If the student has admitted to this conduct, note the admission here).

The hearing has been scheduled for ***(date, time, place [note: unless an emergency exists, the this notice must be given to the student/parent/guardian at least five (5) business days before the hearing]). (If a manifestation determination must be held prior to the expulsion hearing, add the following language: Prior to the expulsion hearing, your child's [planning and placement (PPT) team OR Section 504 team] will determine if your child's conduct constitutes a manifestation of the child's disability. The expulsion hearing will be canceled if the [PPT OR Section 504 team] determines that the conduct was a manifestation of your child's disability; otherwise, the hearing will proceed as scheduled.*** You and your child are asked to attend this hearing. Your child has the right to be represented by an attorney or other advocate at your expense, has the right to cross-examine administration witnesses, and may present relevant evidence, both documentary and testimonial, concerning the allegations. The hearing will be the parties' sole opportunity to present such evidence. The Board ***(OR the hearing officer)*** may also question witnesses. An opportunity will also be given for the administration and your child or your child's representatives to present argument concerning the evidence presented at the hearing. If you need the services of a translator or an interpreter for this hearing, please let me know as soon as possible.

Unless the administration has determined that an emergency exists, you have the right to have the expulsion hearing postponed for up to one week to allow time to obtain representation. If you would like to request a postponement, please let me know as soon as possible.

The administration may recommend expulsion from school for up to one calendar year. The Board ***(OR the hearing officer)*** has discretion to adopt any period of expulsion up to one calendar year.

As mentioned above, your child has a right to be represented, at your own expense, by an attorney or other advocate at the expulsion hearing. Obtaining an attorney or other advocate is the responsibility of the family. Very low income families may be able to obtain free or reduced rate advice or legal representation through Statewide Legal Services, Inc. ("SLS"). To apply for such assistance, those families should contact SLS immediately at 1-800-453-3320.

In the event your child is expelled as a result of the scheduled hearing, and your child is under sixteen (16) years of age, the Board will offer your child an alternative educational opportunity during any period of exclusion from school as determined by the Administration in accordance with applicable law and Board policy. If your child is between sixteen (16) and eighteen (18) and has not been expelled before, the Board shall also offer to your child an alternative educational opportunity if your child wishes to

continue their education. Please know however, that the Board is not required to offer an alternative educational opportunity to any student between sixteen (16) and eighteen (18) years of age who have previously been expelled or to students who are eighteen (18) years of age or older.

If you have any questions, please call my office at (*number*).

Sincerely,

(*Name of Superintendent*)

(*Name of District*) Weston Public Schools

Cc: (*Name of District*), Chairman, (*Name of District*) Weston Board of Education
(*Name of Special Education Director, where applicable*)
(*Name of Principal at school that student attends*)
(*Name of Board of Education Attorney, where applicable*)
(*Name of Administration's Attorney, where applicable*)

11/10/2021

AGREEMENT

NAME OF SUPERINTENDENT, (Superintendent of Schools for ~~NAME OF DISTRICT~~ Weston Board of Education, NAME OF STUDENT and NAME(S) OF PARENT(S)/GUARDIAN(S) (the parent(s)/guardian(s) of NAME OF STUDENT) agree as follows with respect to the Superintendent's request that NAME OF STUDENT be expelled from _____ School:

1. NAME OF STUDENT (D.O.B. _____; SASID _____) is currently enrolled as a _____ grade student at _____ School.
2. NAME OF STUDENT admits having engaged in the following conduct (*insert a short, plain statement of the conduct*) on or about _____, 20__.
3. NAME OF STUDENT's conduct, as described above, violates _____ Weston Board of Education Policy _____ (Student Discipline) (*Cite other policies here as appropriate*), and is considered by the district administration to be seriously disruptive of the educational process. (*For conduct that occurs on school grounds, on school transportation, or at a school-sponsored activity, you may alternatively or additionally state whether such conduct is considered to endanger persons or property*). (*If the student has admitted to this conduct, note the admission here*).
4. Students are notified of applicable Board policies regarding prohibited conduct by publication in the student handbook.
5. (*Optional Section for students with disabilities*): A manifestation determination was made on (*date*) concerning this conduct and it was determined that the conduct was not a manifestation of the student's disability.
6. Students are notified of applicable Board policies regarding prohibited conduct by publication in the student handbook.
7. Subject to the approval of the _____ Weston Board of Education (the "Board"), NAME OF STUDENT shall be expelled, effective _____, 20__ and continuing through _____, 20____, under the following conditions:
 - a) During the period of expulsion, the Board will provide NAME OF STUDENT with an alternative education opportunity deemed appropriate by the Administration in accordance with applicable law and Board policy.

(Optional alternative language if the parties agree to an alternative educational opportunity other than that required by the state standards:

The NAME OF PARENT(S) and NAME OF STUDENT understand and acknowledge that, pursuant to Section 10-233d of the Connecticut General Statutes, NAME OF STUDENT is entitled to an alternative educational opportunity during the Expulsion Period which shall be (1) alternative education, as defined by Section 10-74j of the Connecticut General Statutes, with an individualized learning plan, if the Board provides such alternative education, or (2) in accordance with the standards adopted by



the State Board of Education, pursuant to section 3 of public act 17-220 (a “Statutory Alternative Educational Opportunity”). The NAME OF PARENT(S) and NAME OF STUDENT hereby waive NAME OF STUDENT’s right to a Statutory Alternative Educational Opportunity and accordingly waive the application of the *Standards of Educational Opportunities for Students Who Have Been Expelled*, adopted by the Connecticut State Board of Education, and the Board’s Administrative Regulations concerning the implementation of said standards. In lieu of a Statutory Alternative Educational Opportunity, the NAME OF PARENT(S) and NAME OF STUDENT agree that during the Expulsion Period, the Board will provide NAME OF STUDENT with an alternative educational opportunity as follows:

[Describe alternative educational opportunity agreed to by parties.]

If NAME OF STUDENT becomes ineligible to attend the _____Weston Public Schools pursuant to Board Policy and/or if the Parents withdraw NAME OF STUDENT from enrollment as a student at [name of school], the Board will have no obligation to provide NAME OF STUDENT with the alternative educational opportunity described herein.

- b) During the period of expulsion, NAME OF STUDENT will not be permitted to be on school grounds or school transportation, and will not be permitted to attend or participate in any school-sponsored activities, except as authorized in writing in advance by the Superintendent of Schools.

(Optional Sections regarding early readmission):

- c) Prior to _____, the Superintendent will review NAME OF STUDENT’s conduct, attendance and effort level in the alternative educational opportunity [list other conditions as applicable], for the purpose of determining, in the Superintendent’s sole discretion, whether NAME OF STUDENT should be readmitted to school on or about _____.
- d) If the Superintendent determines that NAME OF STUDENT should be readmitted to school early in accordance with the preceding section, and if NAME OF STUDENT subsequently commits any offense that would warrant suspension and/or expulsion under the policies of the Board, the Superintendent may reinstate NAME OF STUDENT’s expulsion for the remainder of the expulsion period, through *(date)*, without the need for any further proceedings before the Board.

(Optional Section for expungement if the expulsion is the student’s first expulsion):

- e) Prior to *(date)*, the Superintendent will review NAME OF STUDENT’s conduct, attendance and effort level since the expulsion, for the purpose of determining, in the Superintendent’s sole discretion, whether the expulsion hearing record of NAME OF STUDENT should be expunged from NAME OF STUDENT’s educational record as of *(date)*.



8. All parties to this Agreement request that this Agreement be presented to the Board for the Board’s consideration, in lieu of the submission of any other evidence by the Superintendent and/or NAME OF STUDENT or NAME OF STUDENT’s parents, and they agree that this Agreement is sufficient for the Board to expel NAME OF STUDENT from school.

9. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) understand and acknowledge that, pursuant to Section 10-233d of the Connecticut General Statutes and Board Policy, NAME OF STUDENT is entitled to an expulsion hearing before the _____, Weston Board of Education to contest NAME OF STUDENT’s proposed expulsion from the _____ Weston Public Schools. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) further understands and acknowledges that at such hearing NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) would have the right to call witnesses and to introduce documentary evidence, to cross examine witnesses called by the Administration, and to be represented by an attorney or other advocate at their own expense. Accordingly, NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) waive NAME OF STUDENT’s right to an expulsion hearing pursuant to Section 10-233d of the Connecticut General Statutes.

10. The Superintendent, NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) understand that this Agreement is subject to the approval of the Board. In the event that the Board does not approve this Agreement, the Superintendent, NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) agree that the expulsion hearing concerning NAME OF STUDENT shall be rescheduled to a mutually agreeable date for the purposes of conducting an evidentiary hearing before the Board concerning the Superintendent’s expulsion request. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) agree that NAME OF STUDENT will remain out of school until the evidentiary hearing has been completed. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) also agree that the Board’s consideration of this proposed Agreement will not disqualify any member of the Board from serving as a Board member in the evidentiary hearing, and they hereby waive any right to make such a claim in any proceeding in any forum.

11. NAME OF STUDENT and NAME OF PARENT(S)/GUARDIAN(S) enter into this Agreement voluntarily and with a full understanding of the provisions of this Agreement.

 NAME OF SUPERINTENDENT
 Superintendent of Schools

Date: _____

 NAME OF STUDENT
 Student

Date: _____



NAME OF PARENT/GUARDIAN
OF STUDENT

Date: _____

NAME OF PARENT/GUARDIAN
OF STUDENT

Date: _____

11/10/2021



Records Distribution and Storage

Copies of the Individualized Learning Plan will be distributed to the following locations and/or individuals and stored in accordance with the District’s student records policy:

- Student’s cumulative file
- The Student’s receiving school or alternative educational placement
- Student’s parent/guardian

[Note: Districts should insert or delete locations where this record may be kept in accordance with their student records policies and practices]

Student’s Classes Prior to Expulsion

Core Class	Placement/Progress in Class at Time of Expulsion <i>(e.g. current grade, current unit, etc.)</i>

Note: If the student receives special education and related services, the alternative educational opportunity provider must also refer to the student’s IEP.

NEEDS

Academic Needs

- See IEP *(if applicable)*
- Other:

Behavioral Needs

- See IEP *(if applicable)*
- Other:



GOALS

Academic Goals		
<input type="checkbox"/> See IEP (if applicable)	<input type="checkbox"/> Satisfactory work completion	<input type="checkbox"/> Satisfactory progress in coursework and toward meeting relevant academic standards
<input type="checkbox"/> Other:		

Benchmarks to Measure Progress Toward Academic Goals		
<input type="checkbox"/> See IEP (if applicable)	<input type="checkbox"/> Passing grades on midterm progress reports	<input type="checkbox"/> Passing grades on report card
<input type="checkbox"/> Other:		
Progress monitoring mm/dd/yy:		

Behavioral Goals		
<input type="checkbox"/> See IEP (if applicable)	<input type="checkbox"/> Satisfactory attendance	<input type="checkbox"/> Satisfactory compliance with behavioral expectations and disciplinary policies
<input type="checkbox"/> Other:		

Benchmarks to Measure Progress Toward Behavioral Goals		
<input type="checkbox"/> See IEP (if applicable)	<input type="checkbox"/> Fewer than _____ teacher referrals to administration for disciplinary matters	<input type="checkbox"/> Fewer than _____ contacts to parents/guardians for disciplinary matters
<input type="checkbox"/> Attends alternative program _____% or more of scheduled days/sessions.	<input type="checkbox"/> Other:	
Progress monitoring mm/dd/yy:		



INTERVENTIONS

Academic Interventions

<input type="checkbox"/> See IEP (<i>if applicable</i>)	<input type="checkbox"/> See Section 504 Plan (<i>if applicable</i>)
<input type="checkbox"/> Tier 1 _____	<input type="checkbox"/> Tier 2 _____
<input type="checkbox"/> Tier 3 _____	
<input type="checkbox"/> Other:	

Behavioral Interventions

<input type="checkbox"/> See IEP (<i>if applicable</i>)	<input type="checkbox"/> See Section 504 Plan (<i>if applicable</i>)
<input type="checkbox"/> Tier 1 _____	<input type="checkbox"/> Tier 2 _____
<input type="checkbox"/> Tier 3 _____	
<input type="checkbox"/> Other:	



Review and Communication of Progress to Parents/Guardians or Student

Method of monitoring and review: *(for most students, monitoring and reviewing progress will include monitoring the student's attendance, work completion, and progress toward meeting the relevant academic standards for particular coursework, and thus progressing toward graduation, if applicable)*

- Monitoring attendance
- Monitoring work completion
- Monitor progress toward meeting relevant academic standards
- Review and monitor progress in accordance with IEP and/or BIP (if applicable)
- Other: _____

Timing for communication of progress to parents/guardians or student: *(Progress must be communicated to the parent/guardian or student with the same frequency as similar progress for students in the regular school environment is reported and communicated to parents/guardians or students)*

- Each marking period
- Other: _____

Early Readmission

The expulsion decision contains the following early readmission criteria:

- The student may apply to the Board of Education for early readmission and such readmission shall be at the discretion of the Board of Education.
 - The student applied to the Board of Education for early readmission on _____ and the Board of Education granted the request and has conditioned such early readmission on the following criteria:
 - The student applied to the Board of Education for early readmission on _____ and early readmission was not granted.



- The student may apply to the Superintendent for early readmission and such readmission shall be at the discretion of the Superintendent.
- The student applied to the Superintendent for early readmission on _____ and the Superintendent granted the request and has conditioned such early readmission on the following criteria:

- The student applied to the Superintendent for early readmission on _____ and early readmission was not granted.

Review of Placement and ILP:

A review of the appropriateness of the placement must occur at least once per marking period. Such review must include:

- Review of the ILP to (1) assess progress and make adjustments as necessary and (2) determine its alignment with the goals of the student’s IEP, where applicable.
- Consideration of opportunities for early readmission as set forth in the ILP (see Early Readmission section)

Transition Plan for Readmission:

The following has been considered and, where appropriate, addressed:

- Efforts to readmit the student at a semester starting point (at the high school level)
- A plan to transfer the student’s credits and record back to the student’s school
- The student’s need for academic and other supports upon returning to school
- Efforts to connect the student with opportunities to participate in extracurricular activities

11/10/2021

POLICY REGARDING VISITORS AND OBSERVATIONS IN SCHOOLS

The Weston Board of Education (the “Board”) encourages visits by citizens, taxpayers, and parents to all school buildings. In order to promote a safe and productive educational environment for all students and staff, the Board requires all visitors to receive prior approval from the school Principal or designee before being permitted to visit any school building. The Board, through the administration, reserves the right to limit visits in accordance with administrative regulations.

The Board further desires to work collaboratively with parents with an educational nexus with the district, its educational programs or the student being observed, to observe their students in their current classrooms or observe proposed educational placements in the Board’s schools. The Board, through the administration, reserves the right to limit observations of current and proposed educational placements in accordance with administrative regulations and the Board’s Guidelines for Independent Educational Evaluations.

Upon arrival, all visitors and observers must comply with any and all applicable building security procedures, including but not limited to utilizing security buzzers for access, complying with requests for photo identification, reporting directly to and signing in and out at the visitors’ reception area of the school office, prominently displaying visitors’ badges or other identification required for visitors to the school buildings, limiting access to those areas of the buildings and grounds for which the visitors/observers have authorized access, and complying with directives of school officials at all times. All visitors and observers permitted into school buildings or on school grounds must comply with all school health and safety protocols in place at the time, including but not limited to any health screening protocols.

Legal References:

“Guidelines Regarding Independent Educational Evaluations at Public Expense and In-School Observations,” Connecticut State Department of Education (Mar. 28, 2018).

Adopted: November 6, 1989

Revised: August 19, 2013

Revised: _____, 2022

WESTON PUBLIC SCHOOLS
Weston, Connecticut

**ADMINISTRATIVE REGULATIONS
REGARDING VISITORS AND OBSERVATIONS IN SCHOOLS**

1. Any person wishing to visit a school building, and/or observe any student program, must obtain prior approval from the building Principal or responsible administrator of the respective school building or program.
2. A visitor to any school building or program must be able to articulate a legitimate reason for the proposed visit and/or observation. Where the visitation involves direct contact with district students, or observation of an identified student or student program, the visitor must have a sufficient educational nexus with the district, its educational programs or the student to support such request.
3. All visits must be reasonable in length and conducted in a manner designed to minimize disruption to the district's educational programs.
4. When a parent/guardian makes a request to observe an identified student or student program, the request will be reviewed with the student's parent/guardian to determine the purpose of the observation, specific questions being addressed, the location(s) of the observation, and the date, time and length of the observation.
5. When determining whether to approve a request to visit and/or observe individual students or student programs, the building Principal or responsible administrator shall consider the following factors:
 - a. the frequency of visits;
 - b. the duration of the visit;
 - c. the number of visitors involved;
 - d. the effect of the visit on a particular class or activity;
 - e. the age of the students;
 - f. the nature of the class or program;
 - g. the potential for disclosure of confidential personally identifiable student information;

- h. whether the visitor/observer has a legitimate educational interest in visiting the school;
 - i. whether the visitor/observer has professional ethical obligations not to disclose any personally identifiable student information;
 - j. any safety risk to students and school staff; and
 - k. compliance with the Board's Guidelines for Independent Educational Evaluations, if applicable.
6. The building Principal or responsible administrator has the discretion to limit, or refuse, requests for visits and/or observations of student programs in light of the above criteria. When a requested observation is refused, the building Principal or responsible administrator will provide the parent/guardian with the reason for the decision and will work to develop alternative ways for the parent/guardian to obtain the information the parent/guardian seeks.
 7. If a building Principal or responsible administrator approves a request to visit a school building and/or observe a student program, arrangements must be made in advance to ensure that the visit will not disrupt educational programs. The length and scope of any visit shall be determined by the building Principal or responsible administrator in accordance with these regulations and accompanying Board policy. The building Principal or responsible administrator shall determine a reasonable amount of time for observations of individual students or student programs.
 8. Upon arrival, all visitors must comply with any and all applicable building security procedures, including but not limited to utilizing security buzzers for access, complying with requests for photo identification, reporting directly to and signing in and out at the visitors' reception area of the school office, prominently displaying visitors' badges or other identification required for visitors to the school buildings, limiting access to those areas of the buildings and grounds for which the visitors have authorized access, and complying with directives of school officials at all times.
 9. The district has an obligation to maintain the confidentiality of personally identifiable student information. All visitors and observers must restrict their visits and observations to the purpose identified in the request to visit or observe and are strictly prohibited from observing or collecting information on other students within the school. If the visitor/observer views, accesses or otherwise obtains personally identifiable student information concerning another student, the visitor/observer must notify the building Principal or responsible administrator as soon as possible.
 10. All visitors and observers permitted inside school buildings or on school grounds must comply with all school health and safety protocols in place at the time, including but not limited to any health screening protocols.

11. A refusal to comply with any of the Board’s policy provisions and/or regulations concerning visitors shall constitute grounds for denial of the visitor’s privileges, as determined appropriate by the building Principal or designee. Such refusal may also result in a referral to law enforcement personnel, as determined appropriate by the building Principal or designee.

Legal References:

“Guidelines Regarding Independent Educational Evaluations at Public Expense and In-School Observations,” Connecticut State Department of Education (Mar. 28, 2018).

Adopted: November 6, 1989

Revised: August 19, 2013

Revised: _____, 2022

WESTON PUBLIC SCHOOLS
Weston, Connecticut

Parent/Provider Request for Classroom Observation

The Weston Public School District welcomes visits to our schools and classrooms by parents/guardians, community members, and other interested educators. In addition, we encourage volunteers in our classrooms when opportunities are presented. However, to minimize disruptions to our students' experience in our schools, we have established procedures governing classroom observations.

Parents/guardians or providers will make a written request to the Principal at least five days in advance of a requested observation. An administrator or other school staff member (e.g., special educator, team leader, etc.) may accompany the observer for the duration of the observation. Unless there are special circumstances, observations will be limited to one person, one observation per child per month for a period of up to 60 minutes.

Date: ____/____/____

Person Making Request: _____

Student: _____

School: _____ Grade: _____

Requested Location and Date of Observation:

Location: _____

Date: ____/____/____

Reason for Observation (What specifically would you like to observe?)

For Outside Agency Providers Only:

Name of Agency:

Purpose of the Observation:

(Must provide proof of release of information signed by parent/guardian within past 12 months)

For School District Personnel:

Date of Pre-Conference: ____/____/____

Conference Facilitator: _____

Date of Scheduled Observation: ____/____/____

Observer Assigned: _____

Date of Post-Conference: ____/____/____

Conference Facilitator: _____

Concerns and/or main points discussed?

If disapproved, please state reason(s):

**Request to Access Classroom(s) or Personnel for Special Education
Evaluation and/or Observation Purposes**

Student: _____ DOB: ____/____/____

School: _____ Grade: _____

The following information must be completed by individuals requesting to access a school building, facility, and/or educational programs or to interview District personnel or the student named above for the purpose of assessing the student's special education needs. Please complete this form and return it to the Building Principal or Program Director where the student is enrolled. He or she will contact you to coordinate your visit:

Parent/Guardian

(complete this section if the person making the request is the parent/guardian)

Name: _____ Title: _____

Phone: _____

Address: _____

I am the parent/guardian of the above-named student and wish to observe my child in the following classroom/settings: _____

for the purpose of: _____

I am the parent/guardian of the above-named student and wish to observe the following classroom/settings which have been recommended for my child:

Parent's Independent Evaluator or Other Qualified Professional

(complete this section if the person making the request is not the parent/guardian)

Name: _____ Agency/Company: _____

Phone: _____ Email Address: _____

Address: _____

My professional training and/or licensure or certification, if applicable, is (check all that apply):

- Teacher, certified in the areas of: _____
Connecticut certified: Yes No
- | | |
|---|--|
| <input type="checkbox"/> Clinical Psychologist | <input type="checkbox"/> School Psychologist |
| <input type="checkbox"/> Licensed Clinical Social Worker | <input type="checkbox"/> Licensed Social Worker |
| <input type="checkbox"/> School Social Worker | <input type="checkbox"/> Occupational Therapist |
| <input type="checkbox"/> Physical Therapist | <input type="checkbox"/> Speech/Language Pathologist |
| <input type="checkbox"/> Audiologist | <input type="checkbox"/> Psychiatrist |
| <input type="checkbox"/> Registered Nurse | <input type="checkbox"/> Certified School Nurse |
| <input type="checkbox"/> Other qualified Professional (list credentials): _____ | |

I have been requested by the above named student's parent/guardian to conduct an evaluation of the student for the purpose of:

As part of this evaluation, I am requesting the following for the length of time noted (check all that apply):

- Observation of student in the following classroom(s)/setting(s): _____ Duration: _____
- Opportunity to interview the following personnel believed to work with the student: _____ Duration: _____
- Opportunity to interview the student.
- Student records, as noted in the attached, signed Authorization to Release Student Record Information.

Acknowledgement

(to be completed by the person making the access request)

I understand that the Weston School District will allow me reasonable access to the school, school facilities, or educational programs or individual(s) I have requested as related to the purpose of my visit. I have been provided with a copy of Policy #1250.1 and its

accompanying Administrative Regulation, and agree to comply with its terms and conditions. I further understand that during my visit, I must honor all students' confidentiality rights and refrain from any re-disclosure of such records.

X

Individual Requesting Access Signature

X

Name

Date: ____/____/____

Parent/Guardian Verification

(must be completed whenever an independent evaluator or other qualified professional requests access)

I, _____, am the parent/guardian of the above-named student, and I confirm that I have requested an evaluation of my child by the individual named herein, for the stated purpose(s). If requested above, I consent to my child being interviewed by the named evaluator as part of this visit understanding that the District has not conducted a background check on the evaluator. I have no reason to believe the evaluator poses a safety risk to my child or others. I further understand and agree that it is my responsibility to notify the Weston School District in writing if I end my working relationship with the named evaluator prior to the completion of the tasks outlined herein and that the School District otherwise will work with the evaluator to provide reasonable access to the school, school building, school facility, personnel, or my child at mutually agreed upon times and in a manner that is least disruptive to the school setting or my child's academic program.

X

Parent/Guardian Signature

X

Parent/Guardian Name

Date: ____/____/____

BULLYING PREVENTION AND INTERVENTION POLICY

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

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

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

For purposes of this policy, “**Bullying**” means an act that is direct or indirect and severe, persistent or pervasive, which:

- (1) causes physical or emotional harm to an individual;
- (2) places an individual in reasonable fear of physical or emotional harm; or
- (3) infringes on the rights or opportunities of an individual at school.

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

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

For purposes of this policy, “**Teen Dating Violence**” means 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.

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

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

investigation described in subdivision (4), above (A) of the results of such investigation, and (B) verbally or by electronic mail, if such parents' or guardians' electronic mail addresses are known, that such parents or guardians may refer to the plain language explanation of the rights and remedies available under Conn. Gen. Stat. Section 10-4a and 10-4b published on the Internet website of the Board;

- (9) require each school to invite the parents or guardians of a student against whom such act was directed to a meeting to communicate to such parents or guardians the measures being taken by the school to ensure the safety of the student against whom such act was directed and policies and procedures in place to prevent further acts of bullying;
- (10) require each school to invite the parents or guardians of a student who commits any verified act of bullying to a meeting, separate and distinct from the meeting required in subdivision (9) above, to discuss specific interventions undertaken by the school to prevent further acts of bullying;
- (11) establish a procedure for each school to document and maintain records relating to reports and investigations of bullying in such school and to maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection, and annually report such number to the Department of Education and in such manner as prescribed by the Commissioner of Education;
- (12) direct the development of case-by-case interventions for addressing repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline;
- (13) prohibit discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying;
- (14) direct the development of student safety support plans for students against whom an act of bullying was directed that address safety measures the school will take to protect such students against further acts of bullying;
- (15) require the principal of a school, or the principal's designee, to notify the appropriate local law enforcement agency when such principal, or the principal's designee, believes that any acts of bullying constitute criminal conduct;
- (16) prohibit bullying (A) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a local or regional board of education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board, and (B) outside of the school setting if such bullying (i) creates a hostile environment at school for the student

against whom such bullying was directed, or (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;

- (17) require, at the beginning of each school year, each school to provide all school employees with a written or electronic copy of the school district's safe school climate plan; and
- (18) require that all school employees annually complete the training described in Conn. Gen. Stat. §§ 10-220a or 10-222j related to the identification, prevention and response to bullying.

The notification required pursuant to subdivision (8) (above) and the invitation required pursuant to subdivisions (9) and (10) (above) shall include a description of the response of school employees to such acts and any consequences that may result from the commission of further acts of bullying. Any information provided under this policy or accompanying Safe School Climate Plan shall be provided in accordance with the confidentiality restrictions imposed under the Family Educational Rights Privacy Act ("FERPA") and the district's Confidentiality and Access to Student Information policy and regulations.

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

As required by state law, the Board, after consultation with the Connecticut Department of Education and the Connecticut Social and Emotional Learning and School Climate Advisory Collaborative, shall provide on the Board's website training materials to school administrators regarding the prevention of and intervention in discrimination against and targeted harassment of students based on such students' (1) 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 (2) association with individuals or groups who have or are perceived to have one or more of such characteristics.

As required by state law, the Board shall post on its website the plain language explanation of rights and remedies under Connecticut General Statutes §§ 10-4a and 10-4b, as developed and provided to the Board by the Connecticut Social and Emotional Learning and School Climate Advisory Collaborative.

Legal References:

Public Act 19-166

Public Act 21-95

Conn. Gen. Stat. § 10-145a
Conn. Gen. Stat. § 10-145o
Conn. Gen. Stat. § 10-220a
Conn. Gen. Stat. § 10-222d
Conn. Gen. Stat. § 10-222g
Conn. Gen. Stat. § 10-222h
Conn. Gen. Stat. § 10-222j
Conn. Gen. Stat. § 10-222k
Conn. Gen. Stat. § 10-222l
Conn. Gen. Stat. § 10-222q
Conn. Gen. Stat. § 10-222r
Conn. Gen. Stat. §§ 10-233a through 10-233f

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WESTON PUBLIC SCHOOLS
Weston, Connecticut

SAFE SCHOOL CLIMATE PLAN

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

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

I. Prohibition Against Bullying, Teen Dating Violence and Retaliation

- A. The Board expressly prohibits any form of bullying behavior and teen dating violence on school grounds; at a school-sponsored or school-related activity, function or program whether on or off school grounds; at a school bus stop; on a school bus or other vehicle owned, leased or used by a local or regional board of education; or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board.
- B. The Board also prohibits any form of bullying behavior outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school.
- C. The Board further prohibits any form of teen dating violence outside of the school setting if such violence substantially disrupts the educational process.
- D. In addition to prohibiting student acts that constitute bullying, the Board also prohibits discrimination and/or retaliation against an individual who reports or assists in the investigation of an act of bullying.
- E. Students who engage in bullying behavior or teen dating violence in violation of Board policy and the Safe School Climate Plan shall be subject to school

discipline, up to and including expulsion, in accordance with the Board's policies on student discipline, suspension and expulsion, and consistent with state and federal law.

II. Definition of Bullying

- A. **“Bullying”** means an act that is direct or indirect and severe, persistent or pervasive, which:
- (1) causes physical or emotional harm to an individual;
 - (2) places an individual in reasonable fear of physical or emotional harm; or
 - (3) infringes on the rights or opportunities of an individual at school.
- B. Bullying shall include, but need not be limited to, a written, oral or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

III. Other Definitions

- A. **“Cyberbullying”** means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.
- B. **“Electronic communication”** means any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic or photo-optical system.
- C. **“Emotional intelligence”** means the ability to (1) perceive, recognize and understand emotions in oneself or others, (2) use emotions to facilitate cognitive activities, including, but not limited to, reasoning, problem solving and interpersonal communications, (3) understand and identify emotions, and (4) manage emotions in oneself and others.
- D. **“Hostile environment”** means a situation in which bullying among students is sufficiently severe or pervasive to alter the conditions of the school climate.
- E. **“Mobile electronic device”** means any hand-held or other portable electronic equipment capable of providing data communication between two or more individuals, including, but not limited to, a text messaging device, a paging device, a personal digital assistant, a laptop computer, equipment that is capable

of playing a video game or a digital video disk, or equipment on which digital images are taken or transmitted.

- F. **“Outside of the school setting”** means at a location, activity or program that is not school related, or through the use of an electronic device or a mobile electronic device that is not owned, leased or used by the Board.
- G. **“Positive school climate”** means a school climate in which (1) the norms, values, expectations and beliefs that support feelings of social, emotional and physical safety are promoted, (2) students, parents, and guardians of students and school employees feel engaged and respected and work together to develop and contribute to a shared school vision, (3) educators model and nurture attitudes that emphasize the benefits and satisfaction gained from learning, and (4) each person feels comfortable contributing to the operation of the school and care of the physical environment of the school.
- H. **“Prevention and intervention strategy”** may include, but is not limited to,
- (1) implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying identified by the Department of Education,
 - (2) school rules prohibiting bullying, teen dating violence, harassment and intimidation and establishing appropriate consequences for those who engage in such acts,
 - (3) adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur,
 - (4) inclusion of grade-appropriate bullying and teen dating violence education and prevention curricula in kindergarten through high school,
 - (5) individual interventions with the bully, parents and school employees, and interventions with the bullied child, parents and school employees,
 - (6) school-wide training related to safe school climate,
 - (7) student peer training, education and support,
 - (8) promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions, and
 - (9) culturally competent school-based curriculum focusing on social-emotional learning, self-awareness and self-regulation.

- I. **“School climate”** means the quality and character of school life based on patterns of students’, parents’ and guardians’ and school employees’ experiences of school life, including but not limited to, norms, goals, values, interpersonal relationships, teaching and learning practices and organizational structures.
- J. **“School employee”** means
 - (1) 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
 - (2) any other individual who, in the performance of the individual’s 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.
- K. **“School-Sponsored Activity”** shall mean any activity conducted on or off school property (including school buses and other school-related vehicles) that is sponsored, recognized or authorized by the Board.
- L. **“Social and emotional learning”** means the process through which children and adults achieve emotional intelligence through the competencies of self-awareness, self-management, social awareness, relationship skills and responsible decision-making.
- M. **“Teen dating violence”** means 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.

IV. **Leadership and Administrative Responsibilities**

A. Safe School Climate Coordinator

The Superintendent shall appoint, from existing school district staff, a District Safe School Climate Coordinator (“Coordinator”). The Coordinator shall:

- (1) be responsible for implementing the district’s Safe School Climate Plan (“Plan”);
- (2) collaborate with Safe School Climate Specialists, the Board, and the Superintendent to prevent, identify and respond to bullying in district schools;
- (3) provide data and information, in collaboration with the Superintendent, to the Department of Education regarding bullying; and

- (4) meet with Safe School Climate Specialists at least twice during the school year to discuss issues relating to bullying in the school district and to make recommendations concerning amendments to the district's Plan.

B. Safe School Climate Specialist

The Principal of each school (or principal's designee) shall serve as the Safe School Climate Specialist. The Safe School Climate Specialist shall investigate or supervise the investigation of reported acts of bullying, collect and maintain records of reports and investigations of bullying in the school and act as the primary school official responsible for preventing, identifying and responding to reports of bullying in the school.

V. Development and Review of Safe School Climate Plan

A. The Principal of each school shall establish a committee or designate at least one existing committee ("Committee") in the school to be responsible for developing and fostering a safe school climate and addressing issues relating to bullying in the school. Such committee shall include:

- (1) at least one parent/guardian of a student enrolled in the school, as appointed by the school principal;
- (2) school personnel, including, but not limited to, at least one teacher selected by the exclusive bargaining representative for certified employees;
- (3) medical and mental health personnel assigned to such school; and
- (4) in the case of a committee for a high school, at least one student enrolled at such high school who is selected by the students of such school in a manner determined by the school principal.

B. The Committee shall:

- (1) receive copies of completed reports following bullying investigations;
- (2) identify and address patterns of bullying among students in the school;
- (3) implement the provisions of the school security and safety plan, regarding the collection, evaluation and reporting of information relating to instances of disturbing or threatening behavior that may not meet the definition of bullying,
- (4) review and amend school policies relating to bullying;

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

VI. Procedures for Reporting and Investigating Complaints of Bullying

- A. Students and parents (or guardians of students) may file written reports of bullying. Written reports of bullying shall be reasonably specific as to the basis for the report, including the time and place of the alleged conduct, the number of incidents, the target of the suspected bullying, and the names of potential witnesses. Such reports may be filed with any building administrator and/or the Safe School Climate Specialist (*i.e.*, building principal or designee), and all reports shall be forwarded to the Safe School Climate Specialist for review and actions consistent with this Plan.
- B. Students may make anonymous reports of bullying to any school employee. Students may also request anonymity when making a report, even if the student's identity is known to the school employee. In cases where a student requests anonymity, the Safe School Climate Specialist or designee shall meet with the student (if the student's identity is known) to review the request for anonymity and discuss the impact that maintaining the anonymity of the complainant may have on the investigation and on any possible remedial action. All anonymous reports shall be reviewed and reasonable action will be taken to address the situation, to the extent such action may be taken that does not disclose the source

of the report, and is consistent with the due process rights of the student(s) alleged to have committed acts of bullying. No disciplinary action shall be taken solely on the basis of an anonymous report.

- C. School employees who witness acts of bullying or receive reports of bullying shall orally notify the Safe School Climate Specialist, or another school administrator if the Safe School Climate Specialist is unavailable, not later than one (1) school day after such school employee witnesses or receives a report of bullying. The school employee shall then file a written report not later than two (2) school days after making such oral report.
- D. The Safe School Climate Specialist shall be responsible for reviewing any anonymous reports of bullying and shall investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports. The Safe School Climate Specialist shall also be responsible for promptly notifying the parents or guardians of the student alleged to have committed an act or acts of bullying, and the parents or guardians of the student against whom such alleged act or acts were directed, that an investigation has commenced. In order to allow the district to adequately investigate complaints filed by a student or parent/guardian, the parent of the student suspected of being bullied should be asked to provide consent to permit the release of that student's name in connection with the investigation process, unless the student and/or parent has requested anonymity.
- E. In investigating reports of bullying, the Safe School Climate Specialist or designee will consider all available information known, including the nature of the allegations and the ages of the students involved. The Safe School Climate Specialist will interview witnesses, as necessary, reminding the alleged perpetrator and other parties that retaliation is strictly prohibited and will result in disciplinary action.

VII. Responding to Verified Acts of Bullying

- A. Following investigation, if acts of bullying are verified, the Safe School Climate Specialist or designee shall notify the parents or guardians of the students against whom such acts were directed as well as the parents or guardians of the students who commit such acts of bullying of the finding **not later than forty-eight (48) hours** after the investigation is completed. This notification shall include a description of the school's response to the acts of bullying; the results of such investigation; and verbally or by electronic mail, if such parents' or guardians' electronic mail addresses are known, that such parents or guardians may refer to the plain language explanation of the rights and remedies available under Conn. Gen. Stat. Sections 10-4a and 10-4b once such explanation has been provided to the Board by the Connecticut Social and Emotional Learning and School Climate Advisory Collaborative and published on the Internet website of the Board. In providing such notification, however, [_____] Public Schools will take care to

respect the statutory privacy rights of other students, including the perpetrator of such bullying. The specific disciplinary consequences imposed on the perpetrator, or personally identifiable information about a student other than the parent/guardian's own child, may not be disclosed except as provided by law.

- B. In any instance in which bullying is verified, the Safe School Climate Specialist or designee shall invite the parents or guardians of the student against whom such act was directed to a meeting to communicate the measures being taken by the school to ensure the safety of the student/victim and policies and procedures in place to prevent further acts of bullying. The Safe School Climate Specialist or designee shall also invite the parents or guardians of a student who commits any verified act of bullying to a meeting, separate and distinct from the previously described meeting, to discuss specific interventions undertaken by the school to prevent further acts of bullying. The invitations may be made simultaneous with the notification described above in Section VII.A.
- C. If bullying is verified, the Safe School Climate Specialist or designee shall develop a student safety support plan for any student against whom an act of bullying was directed. Such support plan will include safety measures to protect against further acts of bullying.
- D. A specific written intervention plan shall be developed to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual. The written intervention plan may include counseling, discipline and other appropriate remedial actions as determined by the Safe School Climate Specialist or designee and may also incorporate a student safety support plan, as appropriate.
- E. Notice to Law Enforcement
If the Principal of a school (or designee) reasonably believes that any act of bullying constitutes a criminal offense, he/she shall notify appropriate law enforcement. Notice shall be consistent with the Board's obligations under state and federal law and Board policy regarding the disclosure of personally identifiable student information. In making this determination, the Principal or designee, may consult with the school resource officer, if any, and other individuals the Principal or designee deems appropriate.
- F. If a bullying complaint raises a concern about discrimination or harassment on the basis of a legally protected classification (such as race, religion, color, national origin, sex, sexual orientation, age, disability or gender identity or expression), the Safe School Climate Specialist or designee shall also coordinate any bullying investigation with other appropriate personnel within the district as appropriate (e.g. Title IX Coordinator, Section 504 Coordinator, etc.), so as to ensure that any such bullying investigation complies with the requirements of such policies regarding nondiscrimination.

VIII. Teen Dating Violence

- A. The school strictly prohibits, and takes very seriously any instances of, teen dating violence, as defined above. The school recognizes that teen dating violence may take many different forms and may also be considered bullying and/or sexual harassment.
- B. Students and parents (or guardians of students) may bring verbal or written complaints regarding teen dating violence to any building administrator. The building administrator shall review and address the complaint, which may include referral of the complaint to the Safe School Climate Specialist and/or Title IX Coordinator.
- C. Prevention and intervention strategies concerning teen dating violence shall be implemented in accordance with Section X below. Discipline, up to and including expulsion, may be imposed against the perpetrator of teen dating violence, whether such conduct occurs on or off campus, in accordance with Board policy and consistent with federal and state law.

IX. Documentation and Maintenance of Log

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

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

X. Other Prevention and Intervention Strategies

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

- (1) Non-disciplinary interventions

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

If a complaint arises out of conflict between students or groups of students, peer or other forms of mediation may be considered. Special care, however, is warranted in referring such cases to peer

mediation. A power imbalance may make the process intimidating for the victim and therefore inappropriate. In such cases, the victim should be given additional support. Alternatively, peer mediation may be deemed inappropriate to address the concern.

When an act or acts of teen dating violence are identified, the students involved may be counseled as to the seriousness of the conduct, the prohibition of teen dating violence, and their duty to avoid any such conduct. Students may also be subject to other forms of restorative discipline or remedial actions, appropriate to the age of the students and nature of the behavior.

(2) Disciplinary interventions

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

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

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

(3) Interventions for bullied students and victims of teen dating violence

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

- (a) Referral to a school counselor, psychologist or other appropriate social or mental health service;

- (b) Increased supervision and monitoring of student to observe and intervene in bullying situations or instances of teen dating violence;
- (c) Encouragement of student to seek help when victimized or witnessing victimization;
- (d) Peer mediation or other forms of mediation, where appropriate;
- (e) Student Safety Support plan;
- (f) Restitution and/or restorative interventions; and
- (g) Periodic follow-up by the Safe School Climate Specialist and/or Title IX Coordinator with the bullied student or victim of teen dating violence.

(4) General prevention and intervention strategies

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

- (a) School rules prohibiting bullying, teen dating violence, harassment and intimidation and establishing appropriate consequences for those who engage in such acts;
- (b) Adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying or teen dating violence are likely to occur;
- (c) Inclusion of grade-appropriate bullying and teen dating violence education and prevention curricula in kindergarten through high school, which may include instruction regarding building safe and positive school communities including developing healthy relationships and preventing dating violence as deemed appropriate for older students;

- (d) Individual interventions with the perpetrator, parents and school employees, and interventions with the bullied student, parents and school employees;
- (e) School-wide training related to safe school climate, which training may include Title IX sex discrimination/sexual harassment prevention training, Section 504/ADA training, cultural diversity/multicultural education or other training in federal and state civil rights legislation or other topics relevant to safe school climate;
- (f) Student peer training, education and support;
- (g) Promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions;
- (h) Implementation of a positive behavioral interventions and supports process or another evidence-based model approach for a safe school climate or for the prevention of bullying and teen dating violence, including any such program identified by the Department of Education;
- (i) Respectful responses to bullying and teen dating violence concerns raised by students, parents or staff;
- (j) Planned professional development programs addressing prevention and intervention strategies, which training may include school violence prevention, conflict resolution and prevention of bullying and teen dating violence, with a focus on evidence based practices concerning same;
- (k) Use of peers to help ameliorate the plight of victims and include them in group activities;
- (l) Avoidance of sex-role stereotyping;
- (m) Continuing awareness and involvement on the part of school employees and parents with regards to prevention and intervention strategies;
- (n) Modeling by teachers of positive, respectful, and supportive behavior toward students;

- (o) Creating a school atmosphere of team spirit and collaboration that promotes appropriate social behavior by students in support of others;
 - (p) Employing classroom strategies that instruct students how to work together in a collaborative and supportive atmosphere; and
 - (q) Culturally competent school-based curriculum focusing on social-emotional learning, self-awareness and self-regulation.
- D. In addition to prevention and intervention strategies, administrators, teachers and other professional employees may find opportunities to educate students about bullying and help eliminate bullying behavior through class discussions, counseling, and reinforcement of socially-appropriate behavior. Administrators, teachers and other professional employees should intervene promptly whenever they observe mean-spirited student conduct, even if such conduct does not meet the formal definition of “bullying.”
- E. Funding for the school-based bullying intervention and school climate improvement strategy may originate from public, private, federal or philanthropic sources.

XI. Improving School Climate

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

XII. Annual Notice and Training

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

- D. As required by state law, the Board, after consultation with the Department of Education and the Social and Emotional Learning and School Climate Advisory Collaborative, shall also provide on its website training materials to school administrators regarding the prevention of and intervention in discrimination against and targeted harassment of students based on such students' (1) 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 (2) association with individuals or groups who have or are perceived to have one or more of such characteristics.
- E. Any person appointed by the district to serve as district safe school climate coordinator shall complete mental health and first aid training offered by the Commissioner of Mental Health and Addiction Services.

XIII. School Climate Assessments

Biennially, the Board shall require each school in the district to complete an assessment using the school climate assessment instruments, including surveys, approved and disseminated by the Connecticut State Department of Education. The Board shall collect the school climate assessments for each school in the district and submit such assessments to the Connecticut State Department of Education.

Legal References:

Public Act 19-166

Public Act 21-95

Conn. Gen. Stat. § 10-222d

Conn. Gen. Stat. § 10-222g

Conn. Gen. Stat. § 10-222h

Conn. Gen. Stat. § 10-222j

Conn. Gen. Stat. § 10-222k

Conn. Gen. Stat. § 10-222l

Conn. Gen. Stat. § 10-222q

Conn. Gen. Stat. § 10-222r

Conn. Gen. Stat. §§ 10-233a through 10-233f

Connecticut State Department of Education Circular Letter C-8,
Series 2008-2009 (March 16, 2009)

Connecticut State Department of Education Circular Letter C-3,
Series 2011-2012 (September 12, 2011)

Connecticut State Department of Education Circular Letter C-2,
Series 2014-2015 (July 14, 2014)

Connecticut State Department of Education Circular Letter C-1,
Series 2018-2019 (July 12, 2018)

Connecticut State Department of Education Circular Letter C-1,
Series 2019-2020 (July 16, 2019)

Regulation Adopted: February 10, 2003

Regulation Revised: November 19, 2007

Regulation Revised: March 15, 2010

Regulation Revised: November 21, 2011

Regulation Revised _____, 2022

WESTON PUBLIC SCHOOLS

Weston, Connecticut

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

Name	Address	Telephone Number

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

If "yes", please describe the behavior of concern, or the violence that occurred; include the approximate date(s) and the location(s):

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

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

Was the report verbal or written?

Proposed Solution:

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

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

Signature of Reporter	Date Submitted	Received By	Date Received
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**WESTON PUBLIC SCHOOLS
REPORT OF BULLYING FORM/INVESTIGATION SUMMARY**

For Staff Use Only: _____

School _____ **Date** _____

Location(s) _____

Reporter Information:

Anonymous student report _____

Staff Member report _____ Name _____

Parent/Guardian report _____ Name _____

Student report _____ Name _____

Student Reported as Committing Act: _____

Student Reported as Victim: _____

Description of Alleged Act(s): _____

Time and Place: _____

Names of Potential Witnesses: _____

Action of Reporter: _____

Administrative Investigation Notes (use separate sheet if necessary):

Bullying Verified? Yes ____ No ____

Remedial Action(s) Taken: _____

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

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

If Bullying Verified, Have Invitations to Meetings Been Sent to Parents of Students Involved?

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

Date of Meetings:

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

Y N

(Attach bullying complaint and witness statements. If bullying is verified, attach: 1) notification to parents of students involved that includes a description of the school's response to the acts of bullying, the results of the investigation, and via e-mail if e-mail addresses are known, a statement that the parents may refer to the plain language explanation of rights and remedies available under Conn. Gen. Stat. §§ 10-4a and 10-4b once such explanation has been provided to the Board by the Connecticut Social and Emotional Learning and School Climate Advisory Collaborative and published on the District's website; 2) invitations to parent meetings; and 3) and records of parent meetings).

5/20/21

Weston Public Schools
Report of Bullying/Consent to Release Student Information

Date: _____

Name of Student: _____

School: _____

To Parent/Guardian:

A report of bullying has been made on behalf of your child alleging that he/she has been the victim of bullying. In order to facilitate a prompt and thorough investigation of the report, the [_____] Public Schools may wish to disclose the fact that this complaint has been filed in connection with investigation.

(Please check one):

_____ I hereby give permission for the [_____] Public Schools to disclose the fact that a complaint concerning my child has been filed as part of its investigation of that complaint.

_____ I do **NOT** give permission for the [_____] Public Schools to disclose the fact that a complaint concerning my child has been filed as part of its investigation of that complaint.

Signature of Parent/Guardian

Date

Name (Please print)

Weston Public Schools
Report of Teen Dating Violence/Consent to Release Student Information

Date: _____

Name of Student: _____

School: _____

To Parent/Guardian:

A report of teen dating violence has been made on behalf of your child alleging that he/she has been the victim of teen dating violence. In order to facilitate a prompt and thorough review of the report, the [_____] Public Schools may wish to disclose the fact that this complaint has been filed in connection with its review.

(Please check one):

_____ I hereby give permission for the [_____] Public Schools to disclose the fact that a complaint concerning my child has been filed as part of its review of that complaint.

_____ I do **NOT** give permission for the [_____] Public Schools to disclose the fact that a complaint concerning my child has been filed as part of its review of that complaint.

Signature of Parent/Guardian

Date

Name (Please print)