

## **Policy Committee Meeting**

Wednesday, May 28, 2025 6:00 PM

BOE - Room 36 and via Zoom Meeting Platform, 129 Church Street, Bristol, CT 06010

1. **Call to Order and Pledge of Allegiance**
2. **Approval of Minutes - April 23, 2025**
3. **Public Comment**
4. **Overview of Rotary Club's International Exchange Program presented by Dave Rackliffe.**
5. **Discussion/Possible Action Item: Policy 6145.6 Instruction, Travel and Exchange Programs, Foreign Exchange Students attending BPS.**
6. **Discussion and possible action on P5131.911(a) Connecticut School Climate Policy.**
7. **Policy 5114: CAFE Model Policy that consolidates several CAFE model policies related to student discipline and aligned to 5114 to the CT School Climate Policy.**
8. **Adjournment**

The minutes presented within this document are a summary of the discussion that took place at the Policy Committee Meeting. To view the meeting in its entirety please go to: [4/23/25 Policy Meeting Recording](#).



## Policy Committee Meeting Minutes April 23, 2025

A Bristol Board of Education Regular Policy Committee meeting was held on April 23, 2025, in the BoE Auditorium and via the Zoom meeting platform.

**PRESENT:** Committee members: Jill Fitzsimons-Bula, Maria Simmons, Lori Osenkowski

**ALSO, PRESENT** Acting Superintendent Iris White, Acting Deputy Mary Hawk

**1. Call to Order:**

The meeting was called to order at 6:00 P.M.

**2. Approval of Minutes:**

On a motion by Commissioner Simmons and seconded by Commissioner Fitzsimons-Bula, the March 26, 2025, minutes were approved. Commissioner Osenkoski abstained.

**3. Public Comment:**

There was no public comment this evening.

**4. Update on CABE policy audit and recommendations re: 10 mandated policies:**

4.1. P5145.44 (a) 4000.1, 4200.1 Students/Personnel - Certified/Non-Certified, Sexual Harassment/Title IX, Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

4.2. P6171.2 (a) Special Education, preschool special education  
Acting Deputy Hawk spoke to these items. BPS complies with both of these policies however, the policies haven't been adopted by BPS, and since these are two of the mandated policies from the CABE policy audit, it was essential to bring these to the committee.

4.1 On a motion by Commissioner Simmons and seconded by Commissioner Fitzsimons-Bula, Policy P5145.44 (a) 4000.1, 4200.1 Students/Personnel - Certified/Non-Certified, Sexual Harassment/Title IX, Prohibition of Sex Discrimination and Sexual Harassment in The Workplace was accepted and approved to move to the full board for approval.

The minutes presented within this document are a summary of the discussion that took place at the Policy Committee Meeting. To view the meeting in its entirety please go to: [4/23/25 Policy Meeting Recording](#).

4.2 On a motion by Commissioner Fitzsimons-Bula and seconded by Commissioner Simmons, Policy P6171.2 (a) Special Education, preschool special education was accepted and approved with changes - where Special Education is printed to be replaced with Pupil Personnel Services, to move to the full board for approval.

4.3 An additional mandated policy was discussed: P4113.12 Personnel Certified Minimum Duty-Free Lunch Periods for Teachers. The policy was rewritten to: The Bristol Board of Education, in compliance with P.A. 22-80, shall provide a minimum of 30-minute, duty-free, uninterrupted lunch period for professional employees certified by the State Board of Education who work directly with children. This proposed language will be presented to the unions for their input, and then presented at the next Policy meeting for final approval before moving it to the Full Board.

5. **Discussion regarding how the committee would like to prioritize updates on mandated policies:**

Acting Deputy Hawk spoke to this item, that she would like to group similar policies such as: Gifted/Talented, Student in Advanced, Policy for Challenging curriculum and Climate together and then another grouping would be the Nutritional Standards, Childhood Obesity, Healthy Foods and Nutrition and then focus on the Bus Driver Drug Testing. And also looking at the timeline as to when these policies need to be implemented.

6. **Review and possible action item: Policy 2151 Administration:**

On a motion by Commissioner Fitzsimons-Bula and seconded by Commissioner Simmons, this discussion item will be moved to next month's meeting agenda.

7. **Discussion: CAFE Model Policy 5114:**

On a motion by Commissioner Fitzsimons-Bula and seconded by Commissioner Simmons, this discussion item will be moved to next month's meeting agenda.

8. **Adjournment:**

Commissioner Fitzsimons-Bula adjourned the Policy Committee meeting at 7:00 p.m.

Submitted by:

***Michelle L. Crowley***

Recording Secretary

Bristol Board of Education

## **Instruction**

### **Travel and Exchange Programs**

#### **Foreign Exchange Students attending Bristol Schools**

It is the position of the Bristol Board of Education that international, non-resident students who wish to study in one of our high schools will make a request of the Superintendent. If the placement is approved, the student's family would be expected to pay the tuition rate established for the district, at the conclusion of the prior year. In addition, should the student require specialized services, a tuition assessment would be in addition to the regular education tuition rate.

The process of application shall include the following:

1. A letter stating that said student wants to attend a Bristol high school for one academic year sent by April 1 of the year prior to attendance.
2. A statement from a physician indicating the student is compliant with all immunization and physical requirements.
3. A transcript from the high school the student attended with verification that the student does not require English as a second language services.

The student will be notified in writing no later than one (1) month after the Superintendent receives the application materials.

#### **Bristol Students Participating in Foreign Exchange Programs**

Any Bristol student planning on going to a foreign country as an exchange student, shall, prior to leaving, request permission from the school principal to have course work completed in the foreign country applied to his/her Bristol High School educational record. The principal shall notify the Superintendent who in turn will notify the Board of Education of the decision.

If permission is granted, the following guidelines shall apply:

1. If a student attends school for a full year and instruction is not conducted in English, the student must present a transcript from the school upon his/her return, at which time a maximum of five (5) credits may be awarded for the total experience. Such programs will require the approval of the Superintendent prior to the student's departure. The application of these credits toward the specific area requirements for graduation shall be subject to the review of the high school principal whose decision in such cases shall be final.

2. If a student attends school in an English speaking country, the student must present a transcript from the school upon his/her return. The transcript will be evaluated in terms of credit to be granted by the Bristol High School principal. The decision of the high school principal in such cases shall be final.

(cf.[6146](#) - Graduation Requirements)

**Policy Adopted: April 5, 1995**

**Policy Revised: January 7, 1998**

**Policy Revised: September, 12, 2018**

BRISTOL BOARD OF EDUCATION

Bristol, Connecticut

## Students

### Bullying

The Bristol Board of Education promotes a secure environment, conducive to teaching and learning that is free from threat, harassment and any type of bullying behavior. Therefore it shall be the policy of the Board that bullying of a student by another student is prohibited.

Students who engage in any act of bullying while at school, at any school function, or in connection to or with any district sponsored activity or event are subject to appropriate discipline up to and including law enforcement officials.

Bullying is defined as:

(1) any targeting of a student based on the student's actual or perceived "differentiating" characteristics, such as race, gender, sexual orientation, or physical appearance and religion and disability

(2) actions taken through electronic communications or devices that otherwise qualify as bullying and are known collectively as "cyberbullying." written, oral, and electronic communications; physical acts; and gestures by a student or a group of students that are repeatedly directed against another student that

a) causes the student physical or emotional harm or damages his or her property,

b) puts the student in reasonable fear of harm or property damage,

c) creates a hostile school environment for the student,

d) infringes on the student's rights at school, or

e) substantially disrupts the education process or a school's orderly operation.

(3) an act that creates a hostile environment in which bullying among students is so severe or pervasive that it alters the school's climate.

(4) as any overt acts by a student or groups of students directed against another student with the intent to ridicule, harass, humiliate or intimidate the other student while on school grounds, at a school-sponsored activity, or on a school bus, which acts are committed more than once against any student during the school year.

(5) Bullying which occurs outside of the school setting must be addressed by school officials if it has a direct and negative impact on a student's academic performance or safety in school.

- a. creates a hostile school environment;
- b. infringes on the rights of the victim at school; and/or
- c. substantially disrupts the education process or orderly operation of the school.

To be considered bullying, communications, physical acts and gestures must be repeated and the student against whom the activity is directed must be attending school in the same district as the students engaged in the bullying activity.

### **Responsibilities of Employees**

The school principal is responsible for investigating or designating someone to investigate and address bullying whether it occurs in or out-of-school, if it affects the school or students in the school or school district. All school employees, not just teachers and administrators [substitute teachers, guidance counselors, psychologists, social workers, nurses, paraprofessionals, coaches, secretaries, or custodians] must report bullying incidents they see or that are reported to them to the principal or his or her designee.

A comprehensive program, involving everyone in the schools and the community, to address bullying at all school levels is essential to reducing incidences of bullying. Such a program must involve interventions at all levels, school-wide, classroom and individual.

The Board shall:

- (1) adopt a Safe Climate Plan by January 1, 2012 and submit such plan to the State Department of Education.
- (2) establish deadlines for reporting, investigating, and notifying parents and guardians about bullying incidents;
- (3) prohibit retaliation against those who report bullying; and
- (4) require school officials to notify police when they believe bullying conduct constitutes a crime.

The Superintendent shall develop rules and procedures, which carry out the provisions of this policy. This policy shall be included in all student and faculty handbooks and shall be disseminated to the public in a manner to be determined by the Superintendent.

In addition, the superintendent or his/her designee shall direct the development of case-by-case interventions for addressing repeated incidents of bullying against a single individual that may include both counseling and/or discipline.

School superintendents and principals will designate staff members and school committees to be responsible for school climate and responses to bullying in each school and district.

All staff will receive in-service training addressing the identification of and response to bullying.

Note: 5131.914(cf. [0521](#) - Nondiscrimination)

(cf. [5114](#) - Suspension and Expulsion/Due Process)

(cf. [5131](#) - Cyberbullying)

(cf. [5131.8](#) - Out-of-School Misconduct)

(cf. 5145.4 - Nondiscrimination)

(cf. [5145.5](#) - Sexual Harassment)

(cf. [6121](#) - Nondiscrimination in the Instructional Program)

(cf. 6121.1 - Equal Educational Opportunity)

Legal Reference: Connecticut General Statutes

[10-15b](#) Access of parent or guardian to student's records. Inspection and subpoena of school or student records.

[10-222d](#) Policy on bullying behavior as amended by PA 08-160.

PA 06-115 An Act Concerning Bullying Policies in Schools and Notices Sent to Parents or Legal Guardians.

P.A. 11-232: An Act Concerning the Strengthening of School Bullying Laws

Note statute

**Policy Adopted: January 3, 2003**

**Policy Revised: February 7, 2007**

**Policy Revised: December 3, 2008**

**Policy Revised: August 17, 2011**

**Policy Revised: July 11, 2018**

BRISTOL PUBLIC SCHOOLS

Bristol, Connecticut

**Regulation**

**Students**

## **Bullying**

A safe school climate is essential to maximize student learning. The Bristol Board of Education is committed to creating and maintaining a physically, emotionally, and intellectually safe educational environment free from bullying, harassment and discrimination. In order to foster an atmosphere conducive to learning, the Bristol Board of Education has developed the following regulations as well as a Safe School Climate policy, consistent with state law.

This Plan represents a comprehensive approach to addressing bullying and cyberbullying and sets forth the Bristol Board of Education's expectations for preventing, intervening, and responding to incidents of bullying.

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

### **I. Prohibition Against Bullying and Retaliation**

A. Bristol Board of Education 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 Bristol Board of Education.

B. Bristol Board of Education also prohibits any form of bullying behavior outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;

C. In addition to prohibiting student acts which constitute bullying, the Bristol Board of Education also prohibits discrimination and/or retaliation against an individual who reports or assists in the investigation of an act of bullying.

D. Students who engage in bullying behavior in violation of Bristol Board of Education Policy and the Safe School Climate Plan shall be subject to school discipline, up to and including expulsion, in accordance with Bristol Board of Education's policies on student discipline, suspension and expulsion, and consistent with state and federal law.

### **II. Definition of Bullying**

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

1. causes physical or emotional harm to such student or damage to such student's property;

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

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

### III. Other Definitions

C. "**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.

D. "**Electronic communication**" means any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system;

E. "**Hostile environment**" means a situation in which bullying among students is sufficiently severe or pervasive to alter the conditions of the school climate;

F. "**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;

G. "**Outside of the school setting**" means at a location, activity or program that is not school related, or through the use of an electronic device or a mobile electronic device that is not owned, leased or used by a local or regional board of education;

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, harassment and intimidation and establishing appropriate consequences for those who engage in such acts, (3) adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur, (4) inclusion of grade-appropriate bullying education and prevention curricula in kindergarten through high school, (5) individual interventions with the bully, parents and school employees, and interventions with the bullied child, parents and employees, (6) school-wide training related to safe school climate, (7) student peer training, education and support, and (8) promotion of parent involvement in

bullying prevention through individual or team participation in meetings, trainings and individual interventions.

I. **"School climate"** means the quality and character of school life that optimizes learning, with a particular focus on the quality of the relationships within the school community between and among students and adults.

J. **"School employee"** means (1) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by a local or regional board of education or working in a public elementary, middle or high school; or (2) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle or high school, pursuant to a contract with the local or regional board of education.

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 of Education.

#### **IV. Leadership and Administrative Responsibilities (see School Climate Policy 5131.914)**

##### **L. Safe School Climate Coordinator**

For the school year commencing July 1, 2012, and each school year thereafter, the Superintendent shall appoint, from existing school district staff, a District Safe School Climate Coordinator ("Coordinator"). The Coordinator shall, in addition to the responsibilities enumerated in Policy 5131.914:

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

##### **M. Safe School Climate Specialist**

For the school year commencing July 1, 2012, and each school year thereafter, the principal of each school (or principal's designee) shall serve as the Safe School Climate Specialist. In addition to the responsibilities enumerated under Bristol Board of Education Policy 5153.914, the Safe School Climate Specialist shall investigate or supervise the investigation of reported acts of bullying and act as the primary school official responsible for preventing, identifying and responding to reports of bullying in the school.

## **V. Development and Review of Safe School Climate Plan**

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

B. In addition to the responsibilities enumerated in Bristol Board of Education Policy 5131.914, The Committee shall:

## **V. Development and Review of Safe School Climate Plan**

- 1) receive copies of completed reports following bullying investigations;
- 2) identify and address patterns of bullying among students in the school;
- 3) review and amend school policies relating to bullying;
- 4) review and make recommendations to the Coordinator regarding the Safe School Climate Plan based on issues and experiences specific to the school;
- 5) educate students, school employees and parents/guardians on issues relating to bullying;
- 6) collaborate with the Coordinator in the collection of data regarding bullying; and
- 7) perform any other duties as determined by the Principal that are related to the prevention, identification and response to school bullying.

C. Any parent/guardian serving as a member of the Committee shall not participate in any activities which may compromise the confidentiality of any student, including, but not limited to receiving copies of investigation reports, or identifying or addressing patterns of bullying among students in the school.

## **VI. Procedures for Reporting and Investigating Complaints of Bullying**

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

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 a case where a student requests anonymity, the Safe School Climate Specialist or his/her designee shall meet with the student (if the student's identity is known) to review the request for anonymity and discuss the impact that maintaining the anonymity of the complainant may have on the investigation and on any possible remedial action. All anonymous 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 students(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 Specialist shall be responsible for reviewing any anonymous reports of bullying and shall investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports. In order to allow the district to adequately investigate complaints filed by a student or parent/guardian, the parent of the student suspected of being bullied should be asked to provide consent to permit the release of that student's name in connection with the investigation process, unless the student and/or parent has requested anonymity.

E. In investigating reports of bullying, the Safe School Climate Specialist or designee will consider all available information known, including the nature of the allegation 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.

F. Copies of all letters to the family of the bully and victim shall be sent to the District Safe School Climate Coordinator and utilized to complete annual reports to the State Department of Education.

## **VII. Responding to Verified Acts of Bullying**

A. Following investigation, if acts of bullying are verified, the Safe School Climate Specialist or designee shall notify the parents or guardians of the students against whom such acts were directed as well as the parents or guardians of the students who commit such acts of bullying of the finding **not later than forty-eight hours** after the investigation is completed. This notification shall include a description of the school's response to the acts of bullying. In providing such notification, however, care must be taken to respect the statutory privacy rights of other students, including the perpetrator of such bullying. The specific disciplinary consequences imposed on the perpetrator, or personally identifiable information about a student other than the parent/guardian's own child, may not be disclosed except as provided by law. A building administrator will contact the parent/guardian, of the alleged recipient of bullying, to explain that an investigation is taking place within 48 hours of a report of bullying.

B. In any instance in which bullying is verified, the Safe School Climate specialist or designee shall also invite the parents or guardians of the student who commits any verified

act of bullying and the parents or guardian of the student against whom such act was directed to a meeting to communicate the measures being taken by the school to ensure the safety of the student/victim and to prevent further acts of bullying. The invitation may be made simultaneous with the notification described above in Section VII.A. The purpose of the meeting is to communicate to parents/guardians the measures being taken by the school to ensure the safety of the student involved and to prevent further acts of bullying. Normally, separate meetings shall be held with the respective parents; however, at the discretion of the Safe School Climate Specialist and with written consent of the parents/guardians involved, the meeting(s) may be held jointly.

C. If bullying is verified, the Safe School Climate Specialist or designee shall develop a student 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 for the student who is found to have committed 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 support plan, as appropriate.

### **Notice to Law Enforcement**

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

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

### **VIII. Documentation and Maintenance of Log**

A. Each school shall maintain written reports of bullying, along with supporting documentation received and/or created as a result of bullying investigations, consistent with the Bristol Board of Education's obligations under state and federal law. Any educational record containing personally identifiable student information pertaining to an individual student shall be maintained in a confidential manner, and shall not be disclosed to third parties without written prior written consent of a parent, guardian or eligible student, except as permitted under Bristol Board of Education 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. This 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 each shall report the number of verified acts of bullying in the school annually to the Department of Education in such manner as prescribed by the Commissioner of Education.

## **IX. Other Prevention and Intervention Strategies**

A. Bullying behavior can take many forms and can vary dramatically in the nature of the offense and the impact the behavior may have on the victim and other students. Accordingly, there is no one prescribed response to verified acts of bullying. While conduct that rises to the level of "bullying", as defined above, will generally warrant traditional disciplinary action against the perpetrator of such bullying, whether and to what extent to impose disciplinary action (e.g., detention, in-school suspension, suspension or expulsion) is a matter for the professional discretion of the building principal (or responsible program administrator or his/her designee). No disciplinary action may be taken solely on the basis of an anonymous complaint. As discussed below, schools may also consider appropriate alternative to traditional disciplinary sanctions, including age-appropriate consequences and other restorative or remedial interventions.

B. A specific written intervention plan shall be developed to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual. This plan may include safety provisions, as described above, for students against whom acts of bullying have been verified and may include other interventions such as counseling, discipline, and other appropriate remedial or restorative actions as determined by the responsible administrator.

C. The following sets forth possible interventions which may also be utilized to enforce Bristol Board of Education's prohibition against bullying:

### **i. Non-disciplinary interventions**

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

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

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

In cases in which expulsion is being considered, a recommendation will be made to the Superintendent of Schools to expel a student in accordance with the Bristol Board of Education policy. This consequence shall normally be reserved for serious incidents of bullying and/or when past interventions have not been successful in eliminating bullying behavior.

### iii. Interventions for bullied students

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

- a. Counseling;
- b. Increased supervision and monitoring of student to observe and intervene in bullying situations;
- c. Encouragement of student to seek help when victimized or witnessing victimization;
- d. Peer mediation where appropriate in grades 6-12 or other forms of mediation;
- e. Student Support plan; and
- f. Restitution and/or restorative interventions.

### iv. General Prevention and Intervention Strategies

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

- a. school rules prohibiting bullying, harassment and intimidation and establishing appropriate consequences for those who engage in such acts;

- b. Adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur;
  - c. Inclusion of grade-appropriate bullying education and prevention curricula in kindergarten through high school which may include a school-wide Positive Behavioral Intervention and Supports [PBIS] program, intended to include specific learning objectives for building safe and positive school communities.
  - d. Individual interventions with the perpetrator, parents and school employees, and the interventions with the bullied student, parents and school employees;
  - e. School-wide training related to safe school climate, which training may include Title IX/Sexual harassment training, Section 504/ADA Training, cultural diversity/multicultural education or other training in federal and state civil rights legislation or other topics relevant to safe school climate;
  - f. Student peer training, education and support; and 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 safe school climate or for the prevention of bullying, including any such program identified by the Connecticut Department of Education;
  - i. Respectful responses to bullying concerns raised by students, parents or staff;
  - j. Planned professional development programs addressing prevention and intervention strategies, which training may include school violence prevention, conflict resolution and prevention of bullying, with a focus in evidence based practices concerning same;
  - k. Use of peers to help ameliorate the plight of victims and include them in group activities;
  - l. Avoidance of sex-role stereotyping;
  - m. Continuing awareness and involvement on the part of school employees and parents with regards to prevention and intervention strategies;
  - n. Modeling by teachers of positive, respectful, and supportive behavior toward students;
  - o. Creating a school atmosphere of team spirit and collaboration that promotes appropriate social behavior by students in support of others;
  - p. Employing classroom strategies that instruct students how to work together in a collaborative and supportive atmosphere.
- D. In addition to prevention and intervention strategies, administrators, teachers and other professional employees many 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."

## **X. 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. Bristol Board of Education 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.

(cf. [5114](#) - Suspension/Expulsion)

(cf. [5131](#)- Out-of-School Misconduct)

(cf. [5131.911](#)- Bullying/Cyberbullying)

### Legal References:

Public Act 11-232, An Act Concerning for Strengthening of School Bullying Laws Conn. Gen. Stat. § [10-222d](#)

Conn. Gen. Stat. §§ [10-233a](#) through [12-233f](#)

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

**Regulation Adopted: August 17, 2011**

**Regulation Revised: February 1, 2012**

**Regulation Revised: July 11, 2018**

BRISTOL PUBLIC SCHOOLS

Bristol, Connecticut

# Connecticut School Climate Policy

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This Connecticut School Climate Policy was developed by the Connecticut Association of Boards of Education (CABE) with technical and substantive guidance from the Commission on Women, Children, Seniors, Equity & Opportunity (CWCSEO) and other members of the statewide Social Emotional Learning and School Climate Collaborative.<sup>1</sup>

The policy was developed to provide districts guidance on recent revisions to Connecticut's school climate law, Public Act 23-167. In accordance with [Public Act 23-167, An Act Concerning Transparency in Education](#), for the school years commencing July 1, 2023, and July 1, 2024, each local and regional board of education **may adopt** and implement the Connecticut School Climate Policy, in lieu of implementing the provisions of sections 10-222d, 10-222g to 10-222i, inclusive, 10-222k and 10-222p of the general statutes.

For the school year commencing July 1, 2025, and each school year thereafter, **each local and regional board of education shall adopt** and implement the Connecticut School Climate Policy.

This policy **does not modify or eliminate** any rights or obligations under state and federal laws, including any constitutional and civil rights protections or any other applicable policies and procedures or collective bargaining agreements.

**December 2023**

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<sup>1</sup> Chapter 170 – Boards of Education (ct.gov)

*A mandated policy.*

## **Students**

### **Connecticut School Climate Policy**

#### **Policy Statement**

All schools must support and promote teaching and learning environments where all students thrive academically and socially, have a strong and meaningful voice, and are prepared for lifelong success.

Implementation of the following set of guiding principles and systemic strategies will promote a positive school climate, which is essential to achieving these goals.

This policy sets forth the framework for an effective and informed school climate improvement process, which includes a continuous cycle of (i) planning and preparation, (ii) evaluation, (iii) action planning, and (iv) implementation, and serves to actualize the Connecticut School Climate Standards, as detailed herein.

The Board recognizes that improving school climate is contextual. Each school needs to consider its history, strengths, needs, and goals. Furthermore, this policy will support and promote the development of restorative action plans that will create and sustain safe and equitable learning environments.

The \_\_\_\_\_ District Board of Education adopts this policy.

#### **Definitions**

1. **“School climate”** means the quality and character of the school life, with a particular focus on the quality of the relationships within the school community, and which is based on patterns of people's experiences of school life and that reflects the norms, goals, values, interpersonal relationships, teaching, learning, leadership practices and organizational structures within the school community.
2. **“Positive Sustained School Climate”** is the foundation for learning and positive youth development and includes:
  - a. Norms, values, and expectations that support people feeling socially, emotionally, culturally, racially, intellectually, and physically safe.
  - b. People who treat one another with dignity and are engaged, respected and solve problems restoratively.
  - c. A school community that works collaboratively together to develop, live, and contribute to a shared school vision.
  - d. Adults who model and nurture attitudes that emphasize the benefits and satisfaction gained from learning; and
  - e. A school community that contributes to the operations of the school and the care of the physical environment.

## Students

### Connecticut School Climate Policy

#### Definitions (continued)

3. **“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.
4. **“Emotional intelligence”** means the ability to (A) perceive, recognize, and understand emotions in oneself or others, (B) use emotions to facilitate cognitive activities, including, but not limited to, reasoning, problem solving and interpersonal communication, (C) understand and identify emotions, and (D) manage emotions in oneself and others.
5. **“Bullying”** means unwanted and aggressive behavior among children in grades kindergarten to twelve, inclusive, that involves a real or perceived power imbalance.
6. **“School environment”** means a school-sponsored or school-related activity, function or program, whether on or off school grounds, including at a school bus stop or on a school bus or other vehicle owned, leased or used by a local or regional board of education, and may include other activities, functions or programs that occur outside of a school-sponsored or school-related activity, function or program if bullying at or during such other activities, functions or programs negatively impacts the school environment.
7. **“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 other electronic communication.
8. **“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.
9. **“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.
10. **“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.

## Students

### Connecticut School Climate Policy

#### Definitions (continued)

11. **“School climate improvement plan”** means a building-specific plan developed by the school climate committee, in collaboration with the school climate specialist, using school climate survey data and any other relevant information, through a process that engages all members of the school community and involves such members in a series of overlapping systemic improvements, school-wide instructional practices and relational practices that prevent, identify and respond to challenging behavior, including, but not limited to alleged bullying and harassment in the school environment.
12. **“Restorative practices”** means evidence and research-based system-level practices that focus on (A) building high-quality, constructive relationships among the school community, (B) holding each student accountable for any challenging behavior, and (C) ensuring each such student has a role in repairing relationships and reintegrating into the school community.
13. **“School climate survey”** means a research-based, validated and developmentally appropriate survey administered to students, school employees and families of students, in the predominant languages of the members of the school community, that measures and identifies school climate needs and tracks progress through a school climate improvement plan.
14. **“Connecticut school climate policy”** means the school climate policy developed, updated and approved by an association in the state that represents boards of education and adopted by the Social and Emotional Learning and School Climate Advisory Collaborative, established pursuant to section 10-222q of the general statutes, as amended by this act, that provides a framework for an effective and democratically informed school climate improvement process that serves to implement Connecticut school climate standards, and includes a continuous cycle of (A) planning and preparation, (B) evaluation, (C) action planning, and (D) implementation.
15. **“School employee”** means (A) a teacher, substitute teacher, administrator, school superintendent, school counselor, school psychologist, social worker, school nurse, physician, paraeducator or coach employed by a local or regional board of education, or (B) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public school, pursuant to a contract with a local or regional board of education.
16. **“School community”** means any individuals, groups, businesses, public institutions and nonprofit organizations that are invested in the welfare and vitality of a public school system and the community in which it is located, including, but not limited to, students and their families, members of the local or regional board of education, volunteers at a school and school employees.

## Students

### Connecticut School Climate Policy

#### Definitions (continued)

17. **“Challenging behavior”** means behavior that negatively impacts school climate or interferes, or is at risk of interfering, with the learning or safety of a student or the safety of a school employee.
18. **“Evidence Based Practices”** in education refers to instructional and school-wide improvement practices that systematic empirical research has provided evidence of statistically significant effectiveness.
19. **“Effective School Climate Improvement”** is a restorative process that engages all stakeholders in the following six essential practices:
  - A. Promoting decision-making that is collaborative and actively involves all stakeholders (e.g., school personnel, students, families, community members) with varied and meaningful roles and perspectives where all voices are heard;
  - B. Utilizing psychometrically sound quantitative (e.g., school climate survey, discipline data) and qualitative (e.g., interviews, focus groups) data to drive action planning, preventive and intervention practices and implementation strategies that continuously improve all dimensions of school climate, including regularly collecting data to evaluate progress and inform the improvement process;
  - C. Tailoring improvement goals to the unique needs of the students, educators, and broader school community. These goals shall be integrated into overall school improvement efforts thereby leveraging school strengths to address evidence-based areas of need, while sustaining the improvement process over time;
  - D. Fostering adult learning in teams and/or professional learning communities to build capacity building among school personnel and develop common staff skills to educate the whole child;
  - E. Basing curriculum, instruction, student supports, and interventions on scientific research and grounding in cognitive, social-emotional, and psychological theories of youth development. Interventions include strength-based programs and practices that together represent a comprehensive continuum of approaches to promote healthy student development and positive learning environments as well as address individual student barriers to learning and adult barriers to teaching; and
  - F. Strengthening policies and procedures related to:
    - a. climate and restorative informed teaching and learning environments;
    - b. infrastructure to facilitate data collection, analysis, and effective planning;
    - c. implementation of school climate improvement plans with the goal of becoming restorative;
    - d. evaluation of the school climate improvement process; and
    - e. sustainability of school climate and restorative improvement efforts.

## **Students**

### **Connecticut School Climate Policy (continued)**

#### **School Climate Coordinator Roles and Responsibilities**

For the school year commencing July 1, 2025, and each school year thereafter, the superintendent of schools for each school district, or an administrator appointed by the superintendent, shall serve as the school climate coordinator for the school district.

The school climate coordinator shall be responsible for:

1. providing district-level leadership and support for the implementation of the school climate improvement plan for each school;
2. collaborating with the school climate specialist, for each school to (A) develop a continuum of strategies to prevent, identify and respond to challenging behavior, including, but not limited to, alleged bullying and harassment in the school environment, and (B) communicate such strategies to the school community, including, but not limited to, through publication in the district student handbook;
3. collecting and maintaining data regarding school climate improvement, including, but not limited to, school discipline records, school climate assessments, attendance rates, social and emotional learning assessments, academic growth data, types and numbers of alleged and verified bullying complaints submitted by members of the school community, types and numbers of challenging behaviors addressed using the restorative practices response policy, and data concerning the implementation and outcome of restorative practices; and
4. meeting with the school climate specialist for each school at least twice during the school year to (A) identify strategies to improve school climate, including, but not limited to, by responding to challenging behavior and implementing evidence and research-based interventions, such as restorative practices, (B) propose recommendations for revisions to the school climate improvement plan, and (C) assist with the completion of the school climate survey.

#### **School Climate Specialist**

For the school year commencing July 1, 2025, and each school year thereafter, the principal of each school, or a school employee who holds professional certification pursuant to section 10-145 of the general statutes, is trained in school climate improvement or restorative practices and is designated as the school climate specialist by the school principal, shall serve as the school climate specialist for the school.

The school climate specialist shall be responsible for:

1. leading in the prevention, identification, and response to challenging behavior, including, but not limited to, reports of alleged bullying and harassment;

## **Students**

### **Connecticut School Climate Policy**

#### **School Climate Specialist** (continued)

2. implementing evidence and research-based interventions, including, but not limited to, restorative practices;
3. scheduling meetings for and leading the school climate committee; and
4. leading the implementation of the school climate improvement plan.

#### **School Climate Committee**

For the school year commencing July 1, 2025, and each school year thereafter, each school climate specialist shall appoint members to the school climate committee who are diverse, including members who are racially, culturally, and linguistically representative of various roles in the school community.

The school climate committee shall consist of:

1. the school climate specialist;
2. a teacher selected by the exclusive bargaining representative for certified employees chosen pursuant to section 10-153b of the general statutes;
3. a demographically representative group of students enrolled at the school, as developmentally appropriate;
4. families of students enrolled at the school; and
5. at least two members of the school community, as determined by the school climate specialist.

Membership of the school climate committee shall be annually reviewed and approved by the school climate specialist, in coordination with the school climate coordinator.

The school climate committee shall be responsible for:

1. assisting in the development, annual scheduling, and administration of the school climate survey, and reviewing of the school climate survey data.
2. using the school climate survey data to identify strengths and challenges to improve school climate, and to create or propose revisions to the school climate improvement plan.

## **Students**

### **Connecticut School Climate Policy**

#### **School Climate Committee** (continued)

3. assisting in the implementation of the school climate improvement plan and recommending any improvements or revisions to the plan.
4. advising on strategies to improve school climate and implementing evidence and research-based interventions, including, but not limited to, restorative practices, in the school community.
5. annually providing notice of the uniform challenging behavior and/or bullying complaint form, or similar complaint form used by the school, to the school community.

#### **School Climate Survey**

For the school year commencing July 1, 2025, and biennially thereafter, the school climate committee, for each school, shall administer a school climate survey to students, school employees and families of students, provided the parent or guardian of each student shall receive prior written notice of the content and administration of such school climate survey and shall have a reasonable opportunity to opt such student out of such school climate survey.

#### **School Climate Improvement Plan**

For the school year commencing July 1, 2025, and each school year thereafter, the school climate specialist, for each school, in collaboration with the school climate coordinator, shall develop, and update as necessary, a school climate improvement plan. Such plan shall be based on the results of the school climate survey, any recommendations from the school climate committee, including the protocols, supports, and any other data the school climate specialist and school climate coordinator deem relevant. Such plan shall be submitted to the school climate coordinator for review and approval on or before December thirty-first of each school year. Upon approval of such plan, a written or electronic copy of such plan shall be made available to members of the school community and such plan shall be used in the prevention of, identification of and response to all challenging behavior.

Additionally, districts may place the school climate improvement plans into their district and school improvement plans.

#### **Training**

For the school year commencing July 1, 2024, and each school year thereafter, each local and regional Board of Education shall provide resources and training to school employees regarding:

1. social and emotional learning;
2. school climate and culture and evidence and research-based interventions; and
3. restorative practices.

## **Students**

### **Connecticut School Climate Policy**

#### **Training** (continued)

Such resources and training may be made available at each school under the jurisdiction of such board and include technical assistance in the implementation of a school climate improvement plan. Any school employee may participate in any such training offered by the board under this section. The school climate coordinator, shall select, and approve, the individuals or organizations that will provide such training.

#### **Funding**

The school district shall in its discretion allocate sufficient funding to satisfy the requirements of this policy for all schools in the district. Such funding shall be distributed accordingly, with Superintendent approval, for assessments and professional development, as well as for school community outreach, training, and technical assistance.

#### **Accountability**

The Board shall adopt and allocate adequate resources to support the Connecticut School Climate Policy and adhere to state regulations set forth in Public Act 23-167.

### **Connecticut School Climate Standards**

1. The school district community<sup>2</sup> has a shared vision and plan for promoting and sustaining a positive school climate<sup>3</sup> that focuses on prevention, identification, and response to all challenging behavior<sup>4</sup>.
2. The school district community adopts policies that promote:
  - a. a sound school environment that develops and sustains academic, social, emotional, ethical, civic, and intellectual skills; and
  - b. a restorative school environment focused on overcoming barriers to teaching and learning by building and supporting meaningful school-wide relationships, and intentionally re-engaging any disengaged students, educators, and families of students in the school community.

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<sup>2</sup> School Community means any individuals, groups or businesses, public institutions and nonprofit organizations invested in the welfare and vitality of a public school system and the community in which it is located, including, but not limited to, students and their families, members of the local or regional board of education, volunteers at a school and school employees.

<sup>3</sup> School climate means the quality and character of the school life, with a particular focus on the quality of relationships within the school community, and which is based on patterns of people's experiences of school life, and that reflects the norms, goals, values and interpersonal relationships, teaching, learning, leadership practices and organizational structures within the school community.

<sup>4</sup> Challenging behavior means behavior that negatively impacts school climate or interferes, or is at risk of interfering, with the learning or safety of a student or the safety of a school employee.

## **Students**

### **Connecticut School Climate Policy**

#### **Connecticut School Climate Standards** (continued)

3. The school community's practices are identified, prioritized, and supported to:
  - a. promote learning and the positive academic, social, emotional, ethical, and civic development of students;
  - b. enhance engagement in teaching, learning, and school-wide activities;
  - c. address barriers to teaching and learning; and
  - d. develop and sustain a restorative infrastructure that builds capacity, accountability, and sustainability.
4. The school community creates a school environment<sup>5</sup> where *everyone* is safe, welcomed, supported, and included in all school-based activities.
5. The school community creates a restorative system that cultivates a sense of belonging through norms and activities that promote social and civic responsibility, and a dedication to cultural responsiveness, diversity, equity, and inclusion.

Legal Reference: Connecticut General Statutes  
10-222d Policy on bullying behavior as amended by PA 08-160, P.A. 11-232, P.A. 14-172 and PA 18-15 and PA 19-166.  
10-222g Prevention and intervention strategy re bullying and teen dating violence  
10-222h Analysis of school districts' efforts re prevention of and response to bullying in schools. School climate assessment instruments  
10-222i State-wide safe school climate resource network. [*Repealed, Effective 7/1/2025 State-wide safe school climate resource network*]  
10-222k District safe school climate coordinator. Safe school climate specialist. Safe school climate committee (as amended by PA 21-95, Section 14)  
10-222p Review of safe school climate plans by Department of Education. Approval or rejection.  
PA 23-167 An Act Concerning Transparency in Education

Policy adopted:  
cps 11/23

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<sup>5</sup> School environment means a school-sponsored or school-related activity, function or program, whether on or off school grounds, including at a school bus stop or on a school bus or other vehicle owned, leased or used by a local or regional board of education, and may include other activities, functions or programs if bullying at or during such other activities, functions, or programs negatively impacts the school environment.

## Challenging Behavior Reporting Form

This form is not required by law or policy but serves as a model challenging behavior reporting form that local and regional boards of education may adapt and adopt.

### Instructions

This form is for **students, parents or guardians of students enrolled in the school, and school employees** to report any alleged challenging behavioral incidents. Challenging behavior is behavior that negatively impacts school climate or interferes, or is at risk with interfering, with the learning or safety of a student or the safety of a school employee. This form should also be used to report alleged bullying incidents, meaning: unwanted and aggressive behavior among children in grades kindergarten to twelve, inclusive, that involves a real or perceived power imbalance.

Complete this form electronically, or in writing, or go to your school climate specialist (principal, vice principal, or other certified administrator) who will assist you with completing this form. All completed reports require a response from the school climate specialist, and every student, parent or guardian, and school employee **who completed this form** will receive a copy of the "Response Process(es) Notification Form" describing the action steps taken, within three (3) school business days after an assessment has been completed.

The school climate specialist will assess the facts of a challenging behavior incident and complete the "Response Process(es) Notification Form" (located on page 5 of this document). A confirmation of receipt of the "challenging behavior reporting form" will be provided to the individual who completed this form within **three (3) school business days**, and the behavioral assessment will be finalized within a reasonable amount of time.

**If this is an emergency, and you feel that you or someone else is in imminent danger, please call 911, or your municipal police department.**

Name: First \_\_\_\_\_ Last \_\_\_\_\_ or check here  for any **student** who would like to submit anonymously.

I am a:  Student,  Parent and/or Guardian or  School Employee

Email: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Contact me by:  Phone  Email

Was this previously reported to any school employee prior to this report? If yes, identify to whom, when, and what was reported? \_\_\_\_\_

Where did the incident occur? \_\_\_\_\_

Check any boxes that apply.

- |  |  |
|--|--|
| <input type="checkbox"/> On school property                                    | <input type="checkbox"/> On a school bus           |
| <input type="checkbox"/> At a school-sponsored activity or off school property | <input type="checkbox"/> On the way to/from school |
| <input type="checkbox"/> Electronic communication, internet, and social media  | <input type="checkbox"/> Outside of school         |
|  | <input type="checkbox"/> Other _____               |

Approximate date of incident (if known): \_\_\_\_\_

This form does not modify or eliminate any rights or obligations under state and federal laws, including, any constitutional and civil rights protections, or any applicable policies and procedures or collective bargaining agreements. All students' private and personal information will remain confidential throughout this process, subject to any wavier rights or disclosure responsibilities as permitted or required by law.

Please note: when a student exhibits challenging behavior, our priority is to ensure the safety of the students and the school, and to work with the student(s) to prevent the recurrence of such behavior, including making amends for any challenging behaviors that occurred. Federal law protects the privacy of each student. Therefore, you cannot be provided with any specific information concerning the student alleged to have engaged in the challenging behavior.

Please describe what happened?

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Of the following statement(s) check any that may describe or include what happened:

- |  |   |
|--|---|
| <input type="checkbox"/> Teasing, name-calling, intimidating, or threatening, in person or through electronic communication            | <input type="checkbox"/> Making intimidating, and/or threatening gestures or remarks        |
| <input type="checkbox"/> Spreading rumors or gossip  | <input type="checkbox"/> Getting another person to do any of the behaviors listed above     |
| <input type="checkbox"/> Hitting, kicking, shoving, spitting, hair pulling, or throwing something or other acts of physical aggression | <input type="checkbox"/> Unwanted contact of a sexual nature (verbal, non-verbal, physical) |

Do you believe that the reported instance(s) of challenging behavior was in reference to a student's perceived or actual age, ancestry, color, learning disability, marital status, intellectual disability, national origin, physical disability, mental disability, race, religious creed, sex, gender identity or expression, sexual orientation, and status as a veteran? If so, why?

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If known, provide the name(s) of any witness(es) of the alleged incident: \_\_\_\_\_

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Date form submitted: \_\_\_\_\_

**\*For school climate specialist use only:**

Date received by school climate specialist: \_\_\_\_\_

Signature of receipt by school climate specialist: \_\_\_\_\_

This form does not modify or eliminate any rights or obligations under state and federal laws, including, any constitutional and civil rights protections, or any applicable policies and procedures or collective bargaining agreements. All students' private and personal information will remain confidential throughout this process, subject to any wavier rights or disclosure responsibilities as permitted or required by law.

Please note: when a student exhibits challenging behavior, our priority is to ensure the safety of the students and the school, and to work with the student(s) to prevent the recurrence of such behavior, including making amends for any challenging behaviors that occurred. Federal law protects the privacy of each student. Therefore, you cannot be provided with any specific information concerning the student alleged to have engaged in the challenging behavior.

## Investigation Form

The purpose of this form is to provide a streamlined process to assess reported instances of challenging behavior.

This form is to be completed by the school climate specialist within a reasonable amount of time. Pursuant to the Federal Education Confidentiality Law (FERPA), students, parents or guardians, and school employees that completed the challenging behavior reporting form **cannot** receive a copy of this "Investigation Form" but will be provided with a copy of the "Response Process(es) Notification Form" after an assessment is completed.

Date "Challenging Behavior Reporting Form" received: \_\_\_\_\_

Today's Date: \_\_\_\_\_

Name of school climate specialist who received the report: \_\_\_\_\_

Were these events already reported to any school employee? If yes, please identify to whom, when, and what was reported \_\_\_\_\_

Name of school community member who is reporting the incident: (student, parent or guardian, school or district employee, bystander, anonymous): \_\_\_\_\_

Name of student or students who were allegedly subjected to the challenging behavior: \_\_\_\_\_

Name of person or persons who allegedly engaged in the challenging behavior: \_\_\_\_\_

Where did the alleged incident occur? \_\_\_\_\_

Date and time alleged incident occurred: (if known): \_\_\_\_\_

Description of the alleged incident: \_\_\_\_\_

What investigative processes occurred? Answer all of the following questions below. A single incident may require an assessment into multiple areas. Please check all that apply.

Was this investigated as bullying? YES  NO

Was this a verified act of bullying? YES  NO

Was this investigated as cyberbullying? YES  NO

Was this a verified act of cyberbullying? YES  NO

Was this investigated as teen dating violence? YES  NO

Was this verified teen dating violence? YES  or NO

Was this investigated as an assault? YES  NO

Was this a verified assault? YES  or NO

Was this investigated as an act of physical violence?

YES  NO

Was this a verified act of physical violence?  
YES  or NO

Was this investigated as a protected class violation/  
harassment? YES  NO

Was this a verified protected class violation/harassment?  
YES  NO

Was this investigated as a Title IX violation? YES  NO

Was this a verified Title IX violation? YES  or NO

Was this a verified act of challenging behavior not listed  
above? YES  NO

This form does not modify or eliminate any rights or obligations under state and federal laws, including, any constitutional and civil rights protections, or any applicable policies and procedures or collective bargaining agreements. All students' private and personal information will remain confidential throughout this process, subject to any wavier rights or disclosure responsibilities as permitted or required by law.

Please note: when a student exhibits challenging behavior, our priority is to ensure the safety of the students and the school, and to work with the student(s) to prevent the recurrence of such behavior, including making amends for any challenging behaviors that occurred. Federal law protects the privacy of each student. Therefore, you cannot be provided with any specific information concerning the student alleged to have engaged in the challenging behavior.

What was the response by the school climate specialist? (E.g., utilization of restorative practices, school-based threat assessment, safety plan, student support services) Additionally, provide the date of each response.

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If applicable, please provide any additional notes, observations, or actions taken as a result of this incident:

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Signature or E-signature of responding school climate specialist: \_\_\_\_\_

Printed name: \_\_\_\_\_

Date of response: \_\_\_\_\_

This form does not modify or eliminate any rights or obligations under state and federal laws, including, any constitutional and civil rights protections, or any applicable policies and procedures or collective bargaining agreements. All students' private and personal information will remain confidential throughout this process, subject to any wavier rights or disclosure responsibilities as permitted or required by law.

Please note: when a student exhibits challenging behavior, our priority is to ensure the safety of the students and the school, and to work with the student(s) to prevent the recurrence of such behavior, including making amends for any challenging behaviors that occurred. Federal law protects the privacy of each student. Therefore, you cannot be provided with any specific information concerning the student alleged to have engaged in the challenging behavior.

## Response Process(es) Notification Form

The purpose of this form is to provide a template for transparency and accountability to a person(s) that submit(s) a report of challenging behavior.

The school climate specialist will complete and submit this form within three (3) school business days **after an assessment has been finalized** and submit it to the student(s), parent(s), or guardian(s), and/or school employee(s) who completed the "Challenging Behavior Reporting Form".

Describe the steps taken to address and prevent future instance(s) of challenging behavior(s). Responses may include:

- utilization of restorative practices;
- the completion of a school-based threat assessment;
- safety plan for student(s) involved in the instance of alleged challenging behavior;
- student support services;

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Signature or E-signature of school climate specialist: \_\_\_\_\_

Printed name: \_\_\_\_\_

Date completed: \_\_\_\_\_

## Definitions and Clarifying Terms

***Restorative Practices:*** Evidence and research-based system-level practices that focus on (A) building high-quality, constructive relationships among the school community, (B) holding each student accountable for any challenging behavior, and (C) ensuring each such student has a role in repairing relationships and reintegrating into the school community.

***School Based Threat Assessment:*** An evidence-based systematic evaluation process used to prevent violence, help troubled students, and avoid over-reactions to challenging behavior.

This form does not modify or eliminate any rights or obligations under state and federal laws, including, any constitutional and civil rights protections, or any applicable policies and procedures or collective bargaining agreements. All students' private and personal information will remain confidential throughout this process, subject to any wavier rights or disclosure responsibilities as permitted or required by law.

Please note: when a student exhibits challenging behavior, our priority is to ensure the safety of the students and the school, and to work with the student(s) to prevent the recurrence of such behavior, including making amends for any challenging behaviors that occurred. Federal law protects the privacy of each student. Therefore, you cannot be provided with any specific information concerning the student alleged to have engaged in the challenging behavior.

# Connecticut School Climate Policy

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This Connecticut School Climate Policy was developed by the Connecticut Association of Boards of Education (CABE) with technical and substantive guidance from the Commission on Women, Children, Seniors, Equity & Opportunity (CWCSEO) and other members of the statewide Social Emotional Learning and School Climate Collaborative.<sup>1</sup>

The policy was developed to provide districts guidance on recent revisions to Connecticut's school climate law, Public Act 23-167. In accordance with [Public Act 23-167, An Act Concerning Transparency in Education](#), for the school years commencing July 1, 2023, and July 1, 2024, each local and regional board of education **may adopt** and implement the Connecticut School Climate Policy, in lieu of implementing the provisions of sections 10-222d, 10-222g to 10-222i, inclusive, 10-222k and 10-222p of the general statutes.

For the school year commencing July 1, 2025, and each school year thereafter, **each local and regional board of education shall adopt** and implement the Connecticut School Climate Policy.

This policy **does not modify or eliminate** any rights or obligations under state and federal laws, including any constitutional and civil rights protections or any other applicable policies and procedures or collective bargaining agreements.

**December 2023**

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<sup>1</sup> Chapter 170 – Boards of Education (ct.gov)

*A mandated policy.*

## **Students**

### **Connecticut School Climate Policy**

#### **Policy Statement**

All schools must support and promote teaching and learning environments where all students thrive academically and socially, have a strong and meaningful voice, and are prepared for lifelong success.

Implementation of the following set of guiding principles and systemic strategies will promote a positive school climate, which is essential to achieving these goals.

This policy sets forth the framework for an effective and informed school climate improvement process, which includes a continuous cycle of (i) planning and preparation, (ii) evaluation, (iii) action planning, and (iv) implementation, and serves to actualize the Connecticut School Climate Standards, as detailed herein.

The Board recognizes that improving school climate is contextual. Each school needs to consider its history, strengths, needs, and goals. Furthermore, this policy will support and promote the development of restorative action plans that will create and sustain safe and equitable learning environments.

The \_\_\_\_\_ District Board of Education adopts this policy.

#### **Definitions**

1. **“School climate”** means the quality and character of the school life, with a particular focus on the quality of the relationships within the school community, and which is based on patterns of people's experiences of school life and that reflects the norms, goals, values, interpersonal relationships, teaching, learning, leadership practices and organizational structures within the school community.
2. **“Positive Sustained School Climate”** is the foundation for learning and positive youth development and includes:
  - a. Norms, values, and expectations that support people feeling socially, emotionally, culturally, racially, intellectually, and physically safe.
  - b. People who treat one another with dignity and are engaged, respected and solve problems restoratively.
  - c. A school community that works collaboratively together to develop, live, and contribute to a shared school vision.
  - d. Adults who model and nurture attitudes that emphasize the benefits and satisfaction gained from learning; and
  - e. A school community that contributes to the operations of the school and the care of the physical environment.

## Students

### Connecticut School Climate Policy

#### Definitions (continued)

3. **“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.
4. **“Emotional intelligence”** means the ability to (A) perceive, recognize, and understand emotions in oneself or others, (B) use emotions to facilitate cognitive activities, including, but not limited to, reasoning, problem solving and interpersonal communication, (C) understand and identify emotions, and (D) manage emotions in oneself and others.
5. **“Bullying”** means unwanted and aggressive behavior among children in grades kindergarten to twelve, inclusive, that involves a real or perceived power imbalance.
6. **“School environment”** means a school-sponsored or school-related activity, function or program, whether on or off school grounds, including at a school bus stop or on a school bus or other vehicle owned, leased or used by a local or regional board of education, and may include other activities, functions or programs that occur outside of a school-sponsored or school-related activity, function or program if bullying at or during such other activities, functions or programs negatively impacts the school environment.
7. **“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 other electronic communication.
8. **“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.
9. **“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.
10. **“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.

## Students

### Connecticut School Climate Policy

#### Definitions (continued)

11. **“School climate improvement plan”** means a building-specific plan developed by the school climate committee, in collaboration with the school climate specialist, using school climate survey data and any other relevant information, through a process that engages all members of the school community and involves such members in a series of overlapping systemic improvements, school-wide instructional practices and relational practices that prevent, identify and respond to challenging behavior, including, but not limited to alleged bullying and harassment in the school environment.
12. **“Restorative practices”** means evidence and research-based system-level practices that focus on (A) building high-quality, constructive relationships among the school community, (B) holding each student accountable for any challenging behavior, and (C) ensuring each such student has a role in repairing relationships and reintegrating into the school community.
13. **“School climate survey”** means a research-based, validated and developmentally appropriate survey administered to students, school employees and families of students, in the predominant languages of the members of the school community, that measures and identifies school climate needs and tracks progress through a school climate improvement plan.
14. **“Connecticut school climate policy”** means the school climate policy developed, updated and approved by an association in the state that represents boards of education and adopted by the Social and Emotional Learning and School Climate Advisory Collaborative, established pursuant to section 10-222q of the general statutes, as amended by this act, that provides a framework for an effective and democratically informed school climate improvement process that serves to implement Connecticut school climate standards, and includes a continuous cycle of (A) planning and preparation, (B) evaluation, (C) action planning, and (D) implementation.
15. **“School employee”** means (A) a teacher, substitute teacher, administrator, school superintendent, school counselor, school psychologist, social worker, school nurse, physician, paraeducator or coach employed by a local or regional board of education, or (B) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public school, pursuant to a contract with a local or regional board of education.
16. **“School community”** means any individuals, groups, businesses, public institutions and nonprofit organizations that are invested in the welfare and vitality of a public school system and the community in which it is located, including, but not limited to, students and their families, members of the local or regional board of education, volunteers at a school and school employees.

## Students

### Connecticut School Climate Policy

#### Definitions (continued)

17. **“Challenging behavior”** means behavior that negatively impacts school climate or interferes, or is at risk of interfering, with the learning or safety of a student or the safety of a school employee.
18. **“Evidence Based Practices”** in education refers to instructional and school-wide improvement practices that systematic empirical research has provided evidence of statistically significant effectiveness.
19. **“Effective School Climate Improvement”** is a restorative process that engages all stakeholders in the following six essential practices:
  - A. Promoting decision-making that is collaborative and actively involves all stakeholders (e.g., school personnel, students, families, community members) with varied and meaningful roles and perspectives where all voices are heard;
  - B. Utilizing psychometrically sound quantitative (e.g., school climate survey, discipline data) and qualitative (e.g., interviews, focus groups) data to drive action planning, preventive and intervention practices and implementation strategies that continuously improve all dimensions of school climate, including regularly collecting data to evaluate progress and inform the improvement process;
  - C. Tailoring improvement goals to the unique needs of the students, educators, and broader school community. These goals shall be integrated into overall school improvement efforts thereby leveraging school strengths to address evidence-based areas of need, while sustaining the improvement process over time;
  - D. Fostering adult learning in teams and/or professional learning communities to build capacity building among school personnel and develop common staff skills to educate the whole child;
  - E. Basing curriculum, instruction, student supports, and interventions on scientific research and grounding in cognitive, social-emotional, and psychological theories of youth development. Interventions include strength-based programs and practices that together represent a comprehensive continuum of approaches to promote healthy student development and positive learning environments as well as address individual student barriers to learning and adult barriers to teaching; and
  - F. Strengthening policies and procedures related to:
    - a. climate and restorative informed teaching and learning environments;
    - b. infrastructure to facilitate data collection, analysis, and effective planning;
    - c. implementation of school climate improvement plans with the goal of becoming restorative;
    - d. evaluation of the school climate improvement process; and
    - e. sustainability of school climate and restorative improvement efforts.

## **Students**

### **Connecticut School Climate Policy (continued)**

#### **School Climate Coordinator Roles and Responsibilities**

For the school year commencing July 1, 2025, and each school year thereafter, the superintendent of schools for each school district, or an administrator appointed by the superintendent, shall serve as the school climate coordinator for the school district.

The school climate coordinator shall be responsible for:

1. providing district-level leadership and support for the implementation of the school climate improvement plan for each school;
2. collaborating with the school climate specialist, for each school to (A) develop a continuum of strategies to prevent, identify and respond to challenging behavior, including, but not limited to, alleged bullying and harassment in the school environment, and (B) communicate such strategies to the school community, including, but not limited to, through publication in the district student handbook;
3. collecting and maintaining data regarding school climate improvement, including, but not limited to, school discipline records, school climate assessments, attendance rates, social and emotional learning assessments, academic growth data, types and numbers of alleged and verified bullying complaints submitted by members of the school community, types and numbers of challenging behaviors addressed using the restorative practices response policy, and data concerning the implementation and outcome of restorative practices; and
4. meeting with the school climate specialist for each school at least twice during the school year to (A) identify strategies to improve school climate, including, but not limited to, by responding to challenging behavior and implementing evidence and research-based interventions, such as restorative practices, (B) propose recommendations for revisions to the school climate improvement plan, and (C) assist with the completion of the school climate survey.

#### **School Climate Specialist**

For the school year commencing July 1, 2025, and each school year thereafter, the principal of each school, or a school employee who holds professional certification pursuant to section 10-145 of the general statutes, is trained in school climate improvement or restorative practices and is designated as the school climate specialist by the school principal, shall serve as the school climate specialist for the school.

The school climate specialist shall be responsible for:

1. leading in the prevention, identification, and response to challenging behavior, including, but not limited to, reports of alleged bullying and harassment;

## **Students**

### **Connecticut School Climate Policy**

#### **School Climate Specialist** (continued)

2. implementing evidence and research-based interventions, including, but not limited to, restorative practices;
3. scheduling meetings for and leading the school climate committee; and
4. leading the implementation of the school climate improvement plan.

#### **School Climate Committee**

For the school year commencing July 1, 2025, and each school year thereafter, each school climate specialist shall appoint members to the school climate committee who are diverse, including members who are racially, culturally, and linguistically representative of various roles in the school community.

The school climate committee shall consist of:

1. the school climate specialist;
2. a teacher selected by the exclusive bargaining representative for certified employees chosen pursuant to section 10-153b of the general statutes;
3. a demographically representative group of students enrolled at the school, as developmentally appropriate;
4. families of students enrolled at the school; and
5. at least two members of the school community, as determined by the school climate specialist.

Membership of the school climate committee shall be annually reviewed and approved by the school climate specialist, in coordination with the school climate coordinator.

The school climate committee shall be responsible for:

1. assisting in the development, annual scheduling, and administration of the school climate survey, and reviewing of the school climate survey data.
2. using the school climate survey data to identify strengths and challenges to improve school climate, and to create or propose revisions to the school climate improvement plan.

## **Students**

### **Connecticut School Climate Policy**

#### **School Climate Committee** (continued)

3. assisting in the implementation of the school climate improvement plan and recommending any improvements or revisions to the plan.
4. advising on strategies to improve school climate and implementing evidence and research-based interventions, including, but not limited to, restorative practices, in the school community.
5. annually providing notice of the uniform challenging behavior and/or bullying complaint form, or similar complaint form used by the school, to the school community.

#### **School Climate Survey**

For the school year commencing July 1, 2025, and biennially thereafter, the school climate committee, for each school, shall administer a school climate survey to students, school employees and families of students, provided the parent or guardian of each student shall receive prior written notice of the content and administration of such school climate survey and shall have a reasonable opportunity to opt such student out of such school climate survey.

#### **School Climate Improvement Plan**

For the school year commencing July 1, 2025, and each school year thereafter, the school climate specialist, for each school, in collaboration with the school climate coordinator, shall develop, and update as necessary, a school climate improvement plan. Such plan shall be based on the results of the school climate survey, any recommendations from the school climate committee, including the protocols, supports, and any other data the school climate specialist and school climate coordinator deem relevant. Such plan shall be submitted to the school climate coordinator for review and approval on or before December thirty-first of each school year. Upon approval of such plan, a written or electronic copy of such plan shall be made available to members of the school community and such plan shall be used in the prevention of, identification of and response to all challenging behavior.

Additionally, districts may place the school climate improvement plans into their district and school improvement plans.

#### **Training**

For the school year commencing July 1, 2024, and each school year thereafter, each local and regional Board of Education shall provide resources and training to school employees regarding:

1. social and emotional learning;
2. school climate and culture and evidence and research-based interventions; and
3. restorative practices.

## **Students**

### **Connecticut School Climate Policy**

#### **Training** (continued)

Such resources and training may be made available at each school under the jurisdiction of such board and include technical assistance in the implementation of a school climate improvement plan. Any school employee may participate in any such training offered by the board under this section. The school climate coordinator, shall select, and approve, the individuals or organizations that will provide such training.

#### **Funding**

The school district shall in its discretion allocate sufficient funding to satisfy the requirements of this policy for all schools in the district. Such funding shall be distributed accordingly, with Superintendent approval, for assessments and professional development, as well as for school community outreach, training, and technical assistance.

#### **Accountability**

The Board shall adopt and allocate adequate resources to support the Connecticut School Climate Policy and adhere to state regulations set forth in Public Act 23-167.

### **Connecticut School Climate Standards**

1. The school district community<sup>2</sup> has a shared vision and plan for promoting and sustaining a positive school climate<sup>3</sup> that focuses on prevention, identification, and response to all challenging behavior<sup>4</sup>.
2. The school district community adopts policies that promote:
  - a. a sound school environment that develops and sustains academic, social, emotional, ethical, civic, and intellectual skills; and
  - b. a restorative school environment focused on overcoming barriers to teaching and learning by building and supporting meaningful school-wide relationships, and intentionally re-engaging any disengaged students, educators, and families of students in the school community.

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<sup>2</sup> School Community means any individuals, groups or businesses, public institutions and nonprofit organizations invested in the welfare and vitality of a public school system and the community in which it is located, including, but not limited to, students and their families, members of the local or regional board of education, volunteers at a school and school employees.

<sup>3</sup> School climate means the quality and character of the school life, with a particular focus on the quality of relationships within the school community, and which is based on patterns of people's experiences of school life, and that reflects the norms, goals, values and interpersonal relationships, teaching, learning, leadership practices and organizational structures within the school community.

<sup>4</sup> Challenging behavior means behavior that negatively impacts school climate or interferes, or is at risk of interfering, with the learning or safety of a student or the safety of a school employee.

## **Students**

### **Connecticut School Climate Policy**

#### **Connecticut School Climate Standards** (continued)

3. The school community's practices are identified, prioritized, and supported to:
  - a. promote learning and the positive academic, social, emotional, ethical, and civic development of students;
  - b. enhance engagement in teaching, learning, and school-wide activities;
  - c. address barriers to teaching and learning; and
  - d. develop and sustain a restorative infrastructure that builds capacity, accountability, and sustainability.
4. The school community creates a school environment<sup>5</sup> where *everyone* is safe, welcomed, supported, and included in all school-based activities.
5. The school community creates a restorative system that cultivates a sense of belonging through norms and activities that promote social and civic responsibility, and a dedication to cultural responsiveness, diversity, equity, and inclusion.

Legal Reference: Connecticut General Statutes  
10-222d Policy on bullying behavior as amended by PA 08-160, P.A. 11-232, P.A. 14-172 and PA 18-15 and PA 19-166.  
10-222g Prevention and intervention strategy re bullying and teen dating violence  
10-222h Analysis of school districts' efforts re prevention of and response to bullying in schools. School climate assessment instruments  
10-222i State-wide safe school climate resource network. [*Repealed, Effective 7/1/2025 State-wide safe school climate resource network*]  
10-222k District safe school climate coordinator. Safe school climate specialist. Safe school climate committee (as amended by PA 21-95, Section 14)  
10-222p Review of safe school climate plans by Department of Education. Approval or rejection.  
PA 23-167 An Act Concerning Transparency in Education

Policy adopted:  
cps 11/23

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<sup>5</sup> School environment means a school-sponsored or school-related activity, function or program, whether on or off school grounds, including at a school bus stop or on a school bus or other vehicle owned, leased or used by a local or regional board of education, and may include other activities, functions or programs if bullying at or during such other activities, functions, or programs negatively impacts the school environment.

## Challenging Behavior Reporting Form

This form is not required by law or policy but serves as a model challenging behavior reporting form that local and regional boards of education may adapt and adopt.

### Instructions

This form is for **students, parents or guardians of students enrolled in the school, and school employees** to report any alleged challenging behavioral incidents. Challenging behavior is behavior that negatively impacts school climate or interferes, or is at risk with interfering, with the learning or safety of a student or the safety of a school employee. This form should also be used to report alleged bullying incidents, meaning: unwanted and aggressive behavior among children in grades kindergarten to twelve, inclusive, that involves a real or perceived power imbalance.

Complete this form electronically, or in writing, or go to your school climate specialist (principal, vice principal, or other certified administrator) who will assist you with completing this form. All completed reports require a response from the school climate specialist, and every student, parent or guardian, and school employee **who completed this form** will receive a copy of the "Response Process(es) Notification Form" describing the action steps taken, within three (3) school business days after an assessment has been completed.

The school climate specialist will assess the facts of a challenging behavior incident and complete the "Response Process(es) Notification Form" (located on page 5 of this document). A confirmation of receipt of the "challenging behavior reporting form" will be provided to the individual who completed this form within **three (3) school business days**, and the behavioral assessment will be finalized within a reasonable amount of time.

**If this is an emergency, and you feel that you or someone else is in imminent danger, please call 911, or your municipal police department.**

Name: First \_\_\_\_\_ Last \_\_\_\_\_ or check here  for any **student** who would like to submit anonymously.

I am a:  Student,  Parent and/or Guardian or  School Employee

Email: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Contact me by:  Phone  Email

Was this previously reported to any school employee prior to this report? If yes, identify to whom, when, and what was reported? \_\_\_\_\_

Where did the incident occur? \_\_\_\_\_

Check any boxes that apply.

- |  |  |
|--|--|
| <input type="checkbox"/> On school property                                    | <input type="checkbox"/> On a school bus           |
| <input type="checkbox"/> At a school-sponsored activity or off school property | <input type="checkbox"/> On the way to/from school |
| <input type="checkbox"/> Electronic communication, internet, and social media  | <input type="checkbox"/> Outside of school         |
|  | <input type="checkbox"/> Other _____               |

Approximate date of incident (if known): \_\_\_\_\_

This form does not modify or eliminate any rights or obligations under state and federal laws, including, any constitutional and civil rights protections, or any applicable policies and procedures or collective bargaining agreements. All students' private and personal information will remain confidential throughout this process, subject to any wavier rights or disclosure responsibilities as permitted or required by law.

Please note: when a student exhibits challenging behavior, our priority is to ensure the safety of the students and the school, and to work with the student(s) to prevent the recurrence of such behavior, including making amends for any challenging behaviors that occurred. Federal law protects the privacy of each student. Therefore, you cannot be provided with any specific information concerning the student alleged to have engaged in the challenging behavior.

Please describe what happened?

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Of the following statement(s) check any that may describe or include what happened:

- |  |   |
|--|---|
| <input type="checkbox"/> Teasing, name-calling, intimidating, or threatening, in person or through electronic communication            | <input type="checkbox"/> Making intimidating, and/or threatening gestures or remarks        |
| <input type="checkbox"/> Spreading rumors or gossip  | <input type="checkbox"/> Getting another person to do any of the behaviors listed above     |
| <input type="checkbox"/> Hitting, kicking, shoving, spitting, hair pulling, or throwing something or other acts of physical aggression | <input type="checkbox"/> Unwanted contact of a sexual nature (verbal, non-verbal, physical) |

Do you believe that the reported instance(s) of challenging behavior was in reference to a student's perceived or actual age, ancestry, color, learning disability, marital status, intellectual disability, national origin, physical disability, mental disability, race, religious creed, sex, gender identity or expression, sexual orientation, and status as a veteran? If so, why?

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If known, provide the name(s) of any witness(es) of the alleged incident: \_\_\_\_\_

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Date form submitted: \_\_\_\_\_

**\*For school climate specialist use only:**

Date received by school climate specialist: \_\_\_\_\_

Signature of receipt by school climate specialist: \_\_\_\_\_

This form does not modify or eliminate any rights or obligations under state and federal laws, including, any constitutional and civil rights protections, or any applicable policies and procedures or collective bargaining agreements. All students' private and personal information will remain confidential throughout this process, subject to any wavier rights or disclosure responsibilities as permitted or required by law.

Please note: when a student exhibits challenging behavior, our priority is to ensure the safety of the students and the school, and to work with the student(s) to prevent the recurrence of such behavior, including making amends for any challenging behaviors that occurred. Federal law protects the privacy of each student. Therefore, you cannot be provided with any specific information concerning the student alleged to have engaged in the challenging behavior.

## Investigation Form

The purpose of this form is to provide a streamlined process to assess reported instances of challenging behavior.

This form is to be completed by the school climate specialist within a reasonable amount of time. Pursuant to the Federal Education Confidentiality Law (FERPA), students, parents or guardians, and school employees that completed the challenging behavior reporting form **cannot** receive a copy of this "Investigation Form" but will be provided with a copy of the "Response Process(es) Notification Form" after an assessment is completed.

Date "Challenging Behavior Reporting Form" received: \_\_\_\_\_

Today's Date: \_\_\_\_\_

Name of school climate specialist who received the report: \_\_\_\_\_

Were these events already reported to any school employee? If yes, please identify to whom, when, and what was reported \_\_\_\_\_

Name of school community member who is reporting the incident: (student, parent or guardian, school or district employee, bystander, anonymous): \_\_\_\_\_

Name of student or students who were allegedly subjected to the challenging behavior: \_\_\_\_\_

Name of person or persons who allegedly engaged in the challenging behavior: \_\_\_\_\_

Where did the alleged incident occur? \_\_\_\_\_

Date and time alleged incident occurred: (if known): \_\_\_\_\_

Description of the alleged incident: \_\_\_\_\_

What investigative processes occurred? Answer all of the following questions below. A single incident may require an assessment into multiple areas. Please check all that apply.

Was this investigated as bullying? YES  NO

Was this a verified act of bullying? YES  NO

Was this investigated as cyberbullying? YES  NO

Was this a verified act of cyberbullying? YES  NO

Was this investigated as teen dating violence? YES  NO

Was this verified teen dating violence? YES  or NO

Was this investigated as an assault? YES  NO

Was this a verified assault? YES  or NO

Was this investigated as an act of physical violence?

YES  NO

Was this a verified act of physical violence?  
YES  or NO

Was this investigated as a protected class violation/  
harassment? YES  NO

Was this a verified protected class violation/harassment?  
YES  NO

Was this investigated as a Title IX violation? YES  NO

Was this a verified Title IX violation? YES  or NO

Was this a verified act of challenging behavior not listed  
above? YES  NO

This form does not modify or eliminate any rights or obligations under state and federal laws, including, any constitutional and civil rights protections, or any applicable policies and procedures or collective bargaining agreements. All students' private and personal information will remain confidential throughout this process, subject to any wavier rights or disclosure responsibilities as permitted or required by law.

Please note: when a student exhibits challenging behavior, our priority is to ensure the safety of the students and the school, and to work with the student(s) to prevent the recurrence of such behavior, including making amends for any challenging behaviors that occurred. Federal law protects the privacy of each student. Therefore, you cannot be provided with any specific information concerning the student alleged to have engaged in the challenging behavior.

What was the response by the school climate specialist? (E.g., utilization of restorative practices, school-based threat assessment, safety plan, student support services) Additionally, provide the date of each response.

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If applicable, please provide any additional notes, observations, or actions taken as a result of this incident:

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Signature or E-signature of responding school climate specialist: \_\_\_\_\_

Printed name: \_\_\_\_\_

Date of response: \_\_\_\_\_

This form does not modify or eliminate any rights or obligations under state and federal laws, including, any constitutional and civil rights protections, or any applicable policies and procedures or collective bargaining agreements. All students' private and personal information will remain confidential throughout this process, subject to any wavier rights or disclosure responsibilities as permitted or required by law.

Please note: when a student exhibits challenging behavior, our priority is to ensure the safety of the students and the school, and to work with the student(s) to prevent the recurrence of such behavior, including making amends for any challenging behaviors that occurred. Federal law protects the privacy of each student. Therefore, you cannot be provided with any specific information concerning the student alleged to have engaged in the challenging behavior.

## Response Process(es) Notification Form

The purpose of this form is to provide a template for transparency and accountability to a person(s) that submit(s) a report of challenging behavior.

The school climate specialist will complete and submit this form within three (3) school business days **after an assessment has been finalized** and submit it to the student(s), parent(s), or guardian(s), and/or school employee(s) who completed the "Challenging Behavior Reporting Form".

Describe the steps taken to address and prevent future instance(s) of challenging behavior(s). Responses may include:

- utilization of restorative practices;
- the completion of a school-based threat assessment;
- safety plan for student(s) involved in the instance of alleged challenging behavior;
- student support services;

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Signature or E-signature of school climate specialist: \_\_\_\_\_

Printed name: \_\_\_\_\_

Date completed: \_\_\_\_\_

## Definitions and Clarifying Terms

**Restorative Practices:** Evidence and research-based system-level practices that focus on (A) building high-quality, constructive relationships among the school community, (B) holding each student accountable for any challenging behavior, and (C) ensuring each such student has a role in repairing relationships and reintegrating into the school community.

**School Based Threat Assessment:** An evidence-based systematic evaluation process used to prevent violence, help troubled students, and avoid over-reactions to challenging behavior.

This form does not modify or eliminate any rights or obligations under state and federal laws, including, any constitutional and civil rights protections, or any applicable policies and procedures or collective bargaining agreements. All students' private and personal information will remain confidential throughout this process, subject to any wavier rights or disclosure responsibilities as permitted or required by law.

Please note: when a student exhibits challenging behavior, our priority is to ensure the safety of the students and the school, and to work with the student(s) to prevent the recurrence of such behavior, including making amends for any challenging behaviors that occurred. Federal law protects the privacy of each student. Therefore, you cannot be provided with any specific information concerning the student alleged to have engaged in the challenging behavior.

# **P.A. 24-45 An Act Concerning Education Mandate Relief, School Discipline and Disconnected Youth**

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## ***(Background Information for Policy Review Committee)***

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In summary, Public Act 24-45, Sections 13 and 14 reduces the maximum number of consecutive days for in-school suspensions from ten (10) to five (5). In addition, it changes the standard for out-of-school suspensions in preschool – 2<sup>nd</sup> grade and shortens the maximum out-of-school suspension for these grades from ten (10) to five (5) days.

Specifically, in Section 13, Subsections (c) and (d) of section 10-233a of the general statutes are repealed and replaced by the following language:

**“In-School Suspension”** means an exclusion from regular classroom activity for no more than five 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.

**“Suspension”** means an exclusion from school privileges or from transportation services only, provided such exclusion shall not extend beyond the end of the school year in which such suspension was imposed.

Section 14, subsection (g) of section 10-233c substitutes the following key points related to in-school and out-of-school suspensions:

- All suspensions shall be In-school suspensions, except the board may authorize the administration to impose an out-of-school suspension. When making such a determination, the administration must consider the following:
  - The student poses a danger to persons or property or such a disruption of the educational process that the student needs to be excluded from school during the period of suspension, or
  - The administration determines that an out-of-school suspension is appropriate based on evidence of previous disciplinary issues that have led to suspensions or expulsion of the student.
  - Efforts by the administration to address the concerning disciplinary issues through means other than out-of-school suspension or expulsion, including positive behavioral support strategies have been attempted.
  - For a student in preschool to second grade (preschool-grade 2), if as a result of a hearing the administration determines that an out-of-school suspension is appropriate for the student on evidence that the conduct on school grounds is behavior that causes physical harm.
  
- Such students are required to receive services that are trauma-informed and developmentally appropriate and align with any behavioral intervention plan, individualized education program or plan pursuant to Section 504 of the Rehabilitation Act of 1973, as amended, for such student’s return to school immediately following the out-of-school suspension.

- The administration must consider whether to convene a planning and placement team meeting for the purposes of conducting an evaluation to determine whether such student may require special education or related services.

# **P.A. 24-45 An Act Concerning Education Mandate Relief, School Discipline and Disconnected Youth**

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*(Background Information for Policy Review Committee)*

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- An out-of-school suspension for students in grades 3-12 shall not exceed ten days.
  - An out-school suspension imposed for children in Preschool to second grade shall not exceed five days.
  - An in-school suspension may be served in the school that the pupil attends or any school building under the board's jurisdiction.
- 

## **The following narrative related to 2015's Public Act 15-96 remains in place:**

The Act prohibits preschool program providers from imposing out-of-school suspensions for their preschool students and establishes expulsion hearing procedures.

Additionally, the Act requires school-based primary mental health programs administered by boards of education to include a component for systematic early detection and screening to identify children experiencing behavioral or disciplinary problems. (Existing law requires the identification of children experiencing early school adjustment problems only.) It also requires the (1) programs to include services to address those problems and (2) Education Commissioner to consider, as an additional factor when awarding school-based primary mental health program grants to boards of education, the number of children enrolled in grades kindergarten to two who experience behavioral, disciplinary, or early school adjustment problems.

## **Out-of-School Suspensions**

### **Kindergarten through Grade Two Expulsions**

The Act prohibits boards of education from expelling a student enrolled in kindergarten through grade two, unless the student:

1. possessed a firearm, deadly weapon, dangerous instrument, or martial arts weapon on school grounds or at a school-sponsored activity;
2. possessed such a firearm, instrument, or weapon in the commission of a crime off school grounds; or
3. offered on or off school grounds, a controlled substance for sale or distribution whose manufacture, distribution, sale, prescription, dispensing, transporting, or possessing with intent to sell, dispense, offer, or administer is subject to criminal penalties under state law.

As under existing law, such students are subject to expulsion for one calendar year, which the board may reduce on a case-by-case basis for specified reasons. Under current law, kindergarten through grade two students may be expelled for the same reasons as students in grades three through twelve.

### **Preschool Expulsions**

The Act conforms state law to federal law by requiring boards of education to expel preschool students for one calendar year when the school administration determines during a disciplinary hearing that there is reason to believe that the student possessed a firearm on or off school grounds or at a school-sponsored event. Existing law requires this for students in grades kindergarten through twelve. The new legislation also subjects preschool students enrolled in a state or local charter school or interdistrict magnet school preschool program to the same mandatory expulsion requirement.

# **P.A. 15-96 An Act Concerning Out of School Suspensions and Expulsions for Students in Preschool and Grades Kindergarten to Two.**

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## ***(Background Information for Policy Review Committee)***

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The Act allows boards of education, state or local charter schools, and interdistrict magnet schools that offer preschool programs to modify this mandatory expulsion period on a case-by-case basis. It does not establish criteria for modifying the one-year period.

### **Preschool Expulsion Hearing Procedures**

The Act requires preschool expulsion hearings for firearm possession to be conducted by the local or regional board of education, state or local charter school, or interdistrict magnet school providing the preschool program, except that it also allows hearings to be conducted by:

1. the local or regional board of education if a regional education service center or a state or local charter school is the program provider, and such providers have an agreement with the board to do so, or
2. an impartial hearing officer established by the local or regional board of education, state or local charter school, or interdistrict magnet school providing the preschool program.

The Act generally conforms preschool expulsion hearing requirements to the requirements in existing law for kindergarten through grade twelve expulsion hearings.

The Act prohibits preschool program provider employees from serving as members of impartial expulsion hearing officers but appears to permit local or regional board of education members to serve on an impartial preschool hearing expulsion board. Under existing law for kindergarten through grade twelve students, board of education members cannot be members of an impartial expulsion hearing officer.

Existing law also requires, for a kindergarten through grade twelve expulsion hearing conducted by a board of education, at least three affirmative votes for expulsion before a student can be expelled.

### **Firearms Requiring Expulsion**

The federal Gun Free Schools Act describes the following weapons as firearms that require one calendar year of mandatory expulsion:

1. any weapon that can expel a projectile by the action of an explosive;
2. a firearm frame, receiver, muffler, or silencer; or
3. any destructive device, which includes explosives, incendiaries, and poison gases (but not rifles intended for sporting, recreational, or cultural purposes or knives) (18 USC §921(a)(3)-(4)).

State law currently complies with this mandatory expulsion requirement for grades kindergarten through twelve (CGS §10-233d(a)(2)).

### **Conflicting Preschool Suspension Provisions**

The Act both (1) prohibits boards of education from authorizing any suspensions for preschool students other than in-school suspensions and (2) permits them to authorize out-of-school

suspensions when the school administration determines during a disciplinary hearing that there is evidence of conduct on school grounds of a violent or sexual nature that endangers others.

**P.A. 15-96 An Act Concerning Out of School Suspensions and Expulsions for Students in Preschool and Grades Kindergarten to Two.**

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*(Background Information for Policy Review Committee)*

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**Policy Implications**

Public Act 24-45 specifically reduces the maximum number of consecutive days for in-school and out-of-school suspension from ten (10) to five (5). Out-of-school suspensions must not exceed five consecutive school days for pre-school to second grade to ten for grades 3-12.

This legislation impacts Policy #5114 – Suspension and Expulsion/Due Process

State statute requires that boards of education adopt a policy pertaining to discipline.

**REVISED SDE STANDARDS FOR ALTERNATIVE EDUCATIONAL OPPORTUNITIES  
FOR EXPELLED STUDENTS  
(BACKGROUND INFORMATION FOR POLICY SERVICES)**

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Connecticut General Statute 10-233d requires boards of education (boards) to offer an alternative educational opportunity to (a) any student under 16 years old who has been expelled; and (b) any student between 16 and 18 years old who has been expelled for the first time, who wishes to continue with his/her education and complies with conditions set by the board. Pursuant to Public Act 17-220, *An Act Concerning Education Mandate Relief*, the State Board of Education was required to adopt standards for the provision of an adequate alternative educational opportunity. Public Act 17-220 notes that the standards must address, but need not be limited to, the kind of instruction and number of hours to be provided to a student enrolled in an alternative educational opportunity.

**C.G.S. 10-233d subsection d:**

(d) Any student under sixteen years of age who is expelled shall be offered an alternative educational opportunity, which shall be equivalent to alternative education, as defined by section 10-74j, with an individualized learning plan, during the period of expulsion, provided any parent or guardian of such student who does not choose to have his or her child enrolled in an alternative educational program shall not be subject to the provisions of section 10-184. Any student expelled for the first time who is between the ages of sixteen and eighteen and who wishes to continue his or her education shall be offered such an alternative educational opportunity if he or she complies with conditions established by his or her local or regional board of education. Such alternative educational opportunity may include, but shall not be limited to, the placement of a student who is at least seventeen years of age in an adult education program pursuant to section 10-69. Any student participating in an adult education program during a period of expulsion shall not be required to withdraw from school under section 10-184. A local or regional board of education shall count the expulsion of a student when he was under sixteen years of age for purposes of determining whether an alternative educational opportunity is required for such student when he is between the ages of sixteen and eighteen. A local or regional board of education may offer an alternative educational opportunity to a student for whom such alternative educational opportunity is not required pursuant to this section.

**Background**

In 2016, the Connecticut State Department of Education (CSDE) issued its *Guidelines for Alternative Education Settings*, as required by a 2015 law calling for the Connecticut State Board of Education to establish guidelines concerning alternative education programs in general. During the 2016 legislative session, the General Assembly passed a law expanding and more clearly defining the obligation of Local Education Agencies (LEAs) to provide alternative educational opportunities for students who have been expelled in particular. In articulating this obligation, the General Assembly relied on the definition of “alternative education” from the more general alternative education law passed in 2015. Thus, the CSDE reconvened the *Alternative Schools Committee* (ASC) – originally established to help the CSDE develop the *Guidelines for Alternative Education Settings* – to assist in developing guidelines specifically addressing alternative educational opportunities for students who have been expelled.

In 2017, after the reconvened ASC completed its work, the General Assembly further refined the law governing educational opportunities for students who have been expelled – including directing the CSDE to adopt standards for the provision of such alternative educational opportunities. In preparing the standards that follow, the CSDE considered the input provided by the ASC and incorporated the statutory changes resulting from the 2017 legislation.

# REVISED SDE STANDARDS FOR ALTERNATIVE EDUCATIONAL OPPORTUNITIES FOR EXPELLED STUDENTS

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## Overview of Legal Requirements

Connecticut law requires LEAs to offer an “alternative educational opportunity” to students who have been expelled in certain circumstances and further provides that LEAs may offer such an opportunity to any expelled student.

### A. When an Alternative Educational Opportunity is Required

Under Section 10-233d of the Connecticut General Statutes (C.G.S.), LEAs are required to offer an alternative educational opportunity to:

1. Any student under 16 years old who has been expelled (regardless of the reason); and
2. Any student between 16-18 years old who has been expelled for the first time and wishes to continue his or her education if the student complies with conditions established by the LEA.

### B. The Alternative Educational Opportunity Requirement

In preparing these standards, the CSDE recognized that many districts offer alternative education programs that may be appropriate for students who have been expelled. The CSDE also understands the recent legislation in this area to have confirmed the importance of making individualized assessments concerning the appropriate educational programming and setting for each student – as is expected with any placement of a student into an alternative education program. Thus, the standards require a determination concerning appropriate programming and the development of an individualized learning plan (ILP) for all students who have been expelled.

To ensure proper implementation of the laws concerning alternative education (C.G.S. Sections 10-74j and 10-74k) and expulsions (C.G.S. Section 10-233d, as amended by Public Act 17-220), the CSDE has concluded that an LEA has the following options when determining an appropriate alternative educational opportunity for a student who has been expelled:

1. The LEA may offer the student enrollment in an alternative education program operated by the LEA if the program is appropriate for the student under the standards set forth below;  
**OR**
2. The LEA may provide a different alternative educational opportunity in accordance with the standards set forth below (including through an alternative education program offered by another LEA or operator).

The CSDE expects that, in most cases, LEAs will determine that enrollment in an alternative education program (operated by the LEA or by another provider) is the appropriate alternative educational opportunity for a student who has been expelled. However, the CSDE recognizes that there may be unusual cases in which placement in such a setting would not be suitable or in which such a setting may not be available. LEAs should use the following standards in making an individualized determination of the appropriate alternative educational opportunity for each

student who has been expelled and is entitled to an alternative educational opportunity under C.G.S. Section 10-233d.

# REVISED SDE STANDARDS FOR ALTERNATIVE EDUCATIONAL OPPORTUNITIES FOR EXPELLED STUDENTS

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While LEAs must offer an alternative educational opportunity to eligible students who have been expelled, parents/guardians are not required to enroll their child in such an opportunity. Thus, if a parent or guardian of a child who has been expelled chooses not to enroll his or her child in an alternative educational opportunity, the parent/guardian is not subject to the provisions of C.G.S. Section 10-184 concerning compulsory school attendance.

## **Standards for Alternative Educational Opportunities** (Adopted by State Board of Education – January 3, 2018)

### **Guiding Principles**

Consistent with the *Guidelines for Alternative Education Settings*, these standards are grounded in the conviction that alternative educational opportunities for students who have been expelled should exhibit the following characteristics:

- whole student approach that addresses the personal, social, emotional, intellectual, work skills, safety, and security needs of all students in addition to academic content (including the Connecticut Core Standards);
- full time, comprehensive experience, where the learning is comparable to what the student would experience in a regular school environment;
- instruction that is based on a curriculum aligned to the Connecticut Core Standards unless modified as indicated by goals and objectives of an Individualized Education Program (IEP);
- high expectations that are consistent with LEA goals and Connecticut state standards including the belief that all students are capable and can be successful regardless of their discipline history; and
- research/evidence-based practices with student success in mind including the engagement of parents/guardians and families as well as community partners, as appropriate.

These principles are unlikely to be satisfied by assignment to homebound instruction.

### **Student Placement**

If a decision to expel occurs, it is expected that the LEA will then take the following steps:

- Meet with the student's parent(s)/guardian(s) prior to placement to provide information concerning the potentially appropriate alternative educational opportunities for the student.
- The educational programming and placement during the period of expulsion for students who receive special education and related services under the Individuals with Disabilities Education Act (IDEA), should be determined by the students' Planning and Placement Team (PPT) in accordance with IDEA.



## REVISED SDE STANDARDS FOR ALTERNATIVE EDUCATIONAL OPPORTUNITIES FOR EXPELLED STUDENTS

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- Consult with relevant school personnel 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. The input shared by school personnel may be gathered via written reports.
- After parents/guardians have been informed and the appropriate school personnel have shared information regarding the student, all alternative educational opportunities are explored at a placement meeting. The placement decision should be made at this meeting.
- At the time of expulsion, parents/students should be informed of the right to apply for early readmission, which can be granted at the discretion of the Board of Education (BOE) or Superintendent (if the BOE delegates this authority to the Superintendent) under C.G.S. Section 10-233d(j). Any criteria for early readmission to the school from which the student has been expelled should be recorded in the individualized learning plan (ILP) defined below.

### **Individualized Learning Plan (ILP)**

Once the student is admitted to an alternative education placement due to expulsion, an ILP must be developed to govern the programming for the student for the period of the expulsion. Through collaboration among school personnel, the student and the parent/guardian, an ILP will be developed to inform and direct the student's learning goals and activities for the duration of the expulsion.

The ILP will reference student records with information relevant to the provision of an alternative educational opportunity, such as student success plan, Individualized Education Program (IEP) under special education, Section 504 Plan, Individualized Health Plan, and/or other academic and behavioral data. 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. The ILP must address the following:

- The student's academic and behavioral needs and appropriate academic and behavioral goals and interventions. Include the student's core classes at the time of expulsion and the student's current placement or progress in the curriculum of those classes so that the student has an opportunity to continue to progress in the LEA's academic program and earn graduation credits, if applicable;
- Benchmarks to measure progress towards the goals and ultimately, progress towards graduation;
- Timing and method for reviewing the student's progress 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. Such 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;

## REVISED SDE STANDARDS FOR ALTERNATIVE EDUCATIONAL OPPORTUNITIES FOR EXPELLED STUDENTS

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- 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
- The possibility of early readmission to the school from which the student was expelled and the early readmission criteria.

### **Review of Student Placement**

To ensure that the student is receiving the necessary supports and that continued placement in the alternative educational opportunity is appropriate during the expulsion period, LEAs must have a clear process that is written in policy regarding monitoring the student's progress.

### **Progress Monitoring of Student Performance and Placement**

A review of the appropriateness of placement occurs at least once per marking period. The following issues are to be considered:

- A review of the student's ILP to assess progress and to make adjustments as necessary;
- Opportunities for early readmission to the school from which the student was expelled shall be reviewed as indicated by the readmission goal outlined in the ILP; and
- A review of the student's ILP and alignment to the goals of his/her IEP, where applicable.

### **Process for Transition Planning**

It is expected that, in most cases, students are best served in regular school environments with their peers and thus should be able to be readmitted to the school from which the students were expelled, as soon as possible. The LEA must adopt procedures to address students' transition from the alternative educational opportunity back to their regular school environments. As a part of the readmission process and the student's ILP, the following should be considered:

- Efforts to readmit students at semester start points at the high school level to facilitate reentry;
- A plan to transfer the student's credits and record back to the school from which the student was expelled;
- The student's needs for academic and other supports upon return to the home school environment; and
- Efforts to connect returning students with opportunities to participate in extracurricular activities to support student engagement and general health and development.

If there is a determination that placement in the current alternative educational opportunity is no longer beneficial to a student who has been expelled but it is also inappropriate to have the student

return to the school from which the student was expelled, a plan for different alternative educational opportunities should be developed, following the procedure outlined in the Student Placement section (subsections: Expulsion Placement and Process for Placement).

# REVISED SDE STANDARDS FOR ALTERNATIVE EDUCATIONAL OPPORTUNITIES FOR EXPELLED STUDENTS

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## Policy Implications

~~The new standards pertaining to the providing of an alternative educational opportunity for expelled students mark significant changes from that which was previously considered the norm. In a report presented to the Connecticut State Board of Education in December 2017 it was indicated that 46 percent of expelled students get homework assignments and nothing else while on expulsion. Another 14 percent get tutoring and 23 percent are put into an alternative education setting. The report indicated that nearly one in ten gets nothing. This report was based on information provided by districts.~~

As previously described in this narrative, school districts, utilizing one of two options, must provide an alternative educational opportunity that complies with the required 900 hours/180 days of instruction that applies to alternative education programs per C.G.S. 10-74j or, under the newly adopted Standards, the alternative education experience opportunity must be a “full time, comprehensive experience, where the learning is comparable to what the student would experience in a regular school environment.” ~~The traditional ten hours of tutoring per week for an expelled student will no longer be sufficient. Therefore, the specificity of the new Standards pose potentially costly and time consuming requirements for school districts.~~ The new requirement for an Individualized Learning Plan (ILP) are reminiscent of the IEP requirements for a special education student in terms of placement information, progress reports, meetings etc.

An important clarification, however, is that the determination of the appropriate alternative educational opportunity is not the responsibility of the board of education. The Standard requires the school staff to meet with parents/guardians of the expelled student after an expulsion to review the alternative education opportunity options and to establish the student’s alternative educational opportunity, in concert with the amended statute and the Standards.

CABE’s model policy #5114 contains the following language:

“--and a statement that students under sixteen years old who are expelled and students between sixteen and eighteen who have been expelled for the first time and who comply with conditions set forth by the Board of Education, must be offered an alternative educational opportunity.”

The statutorily required adopted Standards by the State Board of Education contain detailed language which enumerate the requirements to be fulfilled by local school districts when meeting the obligation to provide an alternative educational opportunity for an expelled student. It is believed that such content does not need to be made a part of the board’s policy pertaining to expulsion. The language listed above is believed sufficient.

The Standard’s requirements can be enumerated in an appendix to the district’s policy.

A detailed appendix pertaining to the actions required on this issue has been developed and follows for your consideration.

**April 2018**



# **P.A. 16-147: An Act Concerning the Recommendations of the Juvenile Justice Policy and Oversight Committee**

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*(Background Information for Policy Sub-Committee)*

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This Act made several changes affecting juvenile detention and other juvenile justice matters, children returning to school after a juvenile justice placement and other school disciplinary and related matters.

The Act made various changes affecting public schools, such as:

1. requiring schools to offer an alternative educational opportunity to a larger category of expelled students;
2. eliminating a child's truancy as permissible grounds for a family with service needs complaint;
3. requiring schools with a disproportionately high truancy rate to implement an approved intervention model; and
4. requiring the State Department of Education (SDE), in collaboration with other agencies, to develop plans on certain matters, such as school-based diversion initiatives and addressing educational deficiencies among children in the juvenile justice system.

The Act also includes provisions on, among other matters, police training, a recidivism reduction framework, and training on and monitoring of de-escalation efforts.

A review of the portions of the Act pertaining to schools follows.

## **§§7-9 – Truancy**

### ***Family with Service Needs***

The Act eliminates, from the permissible grounds for a family with service needs (FWSN) complaint, a child being a truant, habitual truant, or continuously and overtly defying school rules and regulations. It makes corresponding changes by *eliminating requirements that*:

1. school notices on unexcused absences for K-8 students contain a warning that a specified number of such absences may lead to a FWSN complaint; and
2. superintendents file a FWSN complaint within 15 calendar days after a parent or other person with control of a child (a) fails to attend a meeting with school officials to discuss the child's truancy or (b) otherwise fails to cooperate in addressing the child's school absences.

(Under existing law, a student is a truant if he or she has four unexcused absences in a month or 10 unexcused absences in a school year.)

**The effective date of this portion of the Act was August 15, 2017.**

# **P.A. 16-147: An Act Concerning the Recommendations of the Juvenile Justice Policy and Oversight Committee**

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## ***Effective Truancy Intervention Models***

The Act required SDE to identify effective truancy intervention models for school boards to implement as set forth below. By August 15, 2017, SDE was required to make available a list of the models it approved.

Existing law requires school boards to adopt and implement policies and procedures on truancy. The Act required the policies and procedures to include, **by August 15, 2018**, implementing an approved truancy intervention model at any school with a disproportionately high truancy rate. The Commissioner of Education must determine which schools have such a truancy rate.

## **§12 – School Expulsion**

The Act made various changes concerning school expulsion. By law, an “expulsion” is the exclusion from school privileges for between 11 days and one year.

### ***Notice of Hearing and Right to an Attorney or Advocate***

By law, except in emergencies, a school board must hold a formal hearing before expelling a student. If the student is a minor, the school board must give the parent or guardian notice of the hearing.

The Act requires school boards to provide the notice to the student’s parent or guardian at least five business days before the hearing. It requires the notice to include information on the parent’s or guardian’s and student’s legal rights. The law already requires the notice to include information on free or low-cost legal services and how to obtain them.

The Act specifies that an attorney or advocate may represent any student subject to expulsion proceedings. It allows the parent or guardian to postpone the hearing for up to one week to provide time to find representation, except in emergencies.

Under existing law and the Act, in an emergency, the hearing must be held as soon after expulsion as possible. An emergency is when the student’s continued presence poses such a danger or disruption as to require a pre-hearing exclusion from school, with the hearing held as soon as possible after the exclusion.

### ***Alternative Education for Expelled Students***

Existing law requires school boards to offer an alternative educational opportunity to expelled students under age 16. Generally, students between ages 16 and 18 who are expelled for the first time must also be offered this opportunity, if they comply with conditions set by the school board.

The Act applies an existing definition of “alternative education” to these provisions. Under this definition, an alternative education is a school or program maintained and operated by a school board that is offered to students in a nontraditional setting and addresses their social, emotional, behavioral, and academic needs. Such program must conform to SBE guidelines and be provided in accordance with C.G.S. 10-15 and 10-16 (180 days/900 hours).

# **P.A. 16-147: An Act Concerning the Recommendations of the Juvenile Justice Policy and Oversight Committee**

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Under the Act, school boards must offer an individualized learning plan as part of the alternative education for expelled students under age 16. (The statute does not define “individualized learning plan.”)

The Act also expanded the category of expelled students who must be offered an alternative educational opportunity. It does so by repealing a provision that allows school boards to deny this opportunity to a student between ages 16 and 18 who is expelled for conduct that endangered others and involved the following, on school grounds or at a school-sponsored event:

Therefore, students between the ages of 16-18 who are expelled for (1) possession of a firearm, deadly weapon, dangerous instrument, or martial arts weapon; or (2) offering an illegal drug for sale or distribution. must be offered an alternative educational opportunity if it is the students first expulsion.

## ***Reports to Police***

Under current law, if a student is expelled for possessing a firearm or deadly weapon, the school board must report the violation to the local police, or the State Police if the student was enrolled in a technical high school. The Act specifies that this reporting requirement also applies to expulsions for possessing dangerous instruments or martial arts weapons. (Generally, “dangerous instruments” are those that can be used to cause death or serious physical injury.)

## ***Returning to School After Placement in the Juvenile Justice System***

Under the Act, if a student who committed an expellable offense was not expelled and is seeking to return to school after participating in a diversionary program, the school district must (1) allow the student to re-enroll and (2) not expel the student for additional time for the offense. This already applies to such students seeking to re-enroll after placement in a juvenile detention center, the Connecticut Juvenile Training School, or any other residential placement.

**The effective date of these changes pertaining to expulsions was August 15, 2017.**

## **Policy Implications**

The policies impacted by the portions of this legislation pertaining to schools are:

1. Policy #5113 - Attendance/Excuses/Dismissal\*
2. Policy #5113.2 - Unexcused Absences /Truancy\*
3. Policy #5114 - Suspension and Expulsion/Due Process\*\*

\*Districts are mandated to have a policy pertaining to truancy, which can be fulfilled by either #5113 or #5113.2, depending on the language contained within the policy.

\*\*Districts are mandated to have a policy pertaining to student discipline.

**Revised November 2016**

**Revised July 2024**

*CABE's newest version of this policy.*

## **Students**

### **Suspension and Expulsion/Due Process**

The \_\_\_\_\_ Board of Education is committed to creating a safe, orderly, and supportive learning environment for all students, staff, and visitors. This policy aims to balance the necessity of maintaining safety and order within our schools while adhering to progressive discipline and restorative practices, which seeks to address and correct inappropriate behavior while promoting accountability, personal growth, and the repair of harm.

Students are expected to comply with school rules and Board policies and may be disciplined for conduct on school grounds or at any school-sponsored activity that endangers persons or property, is seriously disruptive of the educational process, or that violates a publicized policy of the Board. Students may be disciplined for conduct off school grounds if such conduct is seriously disruptive to the educational process and violates Board policy.

### **Policy Objectives**

1. **Ensure Safety and Order:** Maintain a secure and disciplined school environment conducive to learning and free from violence, threats, and disruptive behaviors.
2. **Promote Equity and Fairness:** Apply disciplinary measures in an equitable, consistent, and unbiased manner, ensuring that all students are treated with dignity and respect.
3. **Support Progressive Discipline:** Implement a progressive discipline model that focuses on intervention and prevention strategies to address and correct student behavior before it escalates.
4. **Implement Restorative Practices:** Incorporate restorative practices that emphasize accountability, reparation of harm, and the restoration of relationships within the school community.
5. **Encourage Personal Responsibility:** Foster a sense of personal responsibility and self-discipline in students, helping them to understand the consequences of their actions and to make better choices in the future.
6. **Engage Families and Communities:** Involve parents, guardians, and community members in the disciplinary process to support students in their behavioral and academic growth.

### **Policy Guidelines**

1. **Clear Expectations and Communication:**

- Establish and communicate clear behavioral expectations and the consequences of violating them.
- Ensure that all students, staff, and parents/guardians are aware of the discipline policy and procedures.

## **Students**

### **Suspension and Expulsion/Due Process**

#### **Policy Guidelines (continued)**

##### **2. Progressive Discipline Framework:**

- Utilize a tiered approach to discipline that escalates in response to the severity and frequency of the behavior.
- Implement early intervention strategies such as counseling, mentoring, and behavior modification plans to address minor infractions.

##### **3. Restorative Practices:**

- Employ restorative practices such as mediation, peer counseling, and restorative circles to address conflicts and repair harm.
- Encourage students to take responsibility for their actions and to actively participate in the resolution process.

##### **4. Consistent and Fair Application:**

- Ensure that disciplinary measures are applied consistently and fairly across all student populations.
- Monitor and address any disparities in the application of disciplinary actions to prevent discrimination or bias.

##### **5. Supportive Interventions:**

- Provide support services such as counseling, social work, and mental health resources to help students address underlying issues contributing to behavioral problems.
- Develop individualized behavior plans for students with recurring or severe behavioral issues.

##### **6. Engagement and Collaboration:**

- Engage families in the disciplinary process through regular communication and involvement in restorative practices.
- Collaborate with community organizations and resources to support students and families in addressing behavioral and social-emotional needs.

##### **7. Training and Professional Development:**

- Provide ongoing training for staff on progressive discipline, restorative practices, and culturally responsive approaches to student behavior.
- Encourage staff to develop skills in conflict resolution, de-escalation techniques, and positive behavior support.

## Students

### Suspension and Expulsion/Due Process

#### Policy Guidelines (continued)

#### Review and Accountability

The \_\_\_\_\_ Board of Education will regularly review the effectiveness of its discipline policy, incorporating feedback from students, staff, parents, and the community. Data on disciplinary actions and their outcomes will be collected and analyzed to ensure continuous improvement and the achievement of policy objectives.

By adopting this balanced approach to discipline, the \_\_\_\_\_ Public School District aims to create a school environment where all students can learn, grow, and succeed while feeling safe and supported.

#### A. Definitions

1. **“Exclusion”** shall be defined as any denial of public school privileges to a student for disciplinary purposes.
2. **“Removal”** shall be defined as an exclusion from a classroom for all or a part of single class period, provided such exclusion shall not extend beyond ninety (90) minutes.
3. **“In-School Suspension”** means an exclusion from regular classroom activity for no more than five consecutive 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. Such suspensions shall be served in any school building under the jurisdiction of the Board of Education.
4. **“Suspension”** means an exclusion from school privileges or from transportation services, provided such exclusion shall not extend beyond the end of the school year in which suspension was imposed. An out-of-school suspension for students in grades 3-12 shall not exceed ten days. An out-of-school suspension imposed for children in preschool to second grade shall not exceed five days.

All suspensions shall be in-school unless the administration determines for any student in grades three through twelve that (1) the student being suspended poses such a danger to persons or property or such a disruption of the educational process that the student (grades three to twelve) shall be excluded from school during the

period of the suspension, or (2) that an out-of-school suspension is appropriate based on evidence of previous disciplinary issues that have led to suspensions or expulsion of the student and efforts by the administration to address such disciplinary issues through means other than out-of-school suspension or expulsion, including positive support strategies.

## Students

### Suspension and Expulsion/Due Process

#### A. Definitions (continued)

##### 4. Suspension (continued)

A student in grades preschool to two, inclusive, may be given an out-of-school suspension if it is determined by the administration that such suspension is appropriate based on evidence that the student's conduct on school grounds is of a violent or sexual nature that endangers persons. In addition, a person's duty as a mandated reporter to report suspected child abuse or neglect is not limited by this provision.

5. **“Expulsion”** shall be defined as an exclusion from school privileges for any student in grades three to twelve, inclusive, for more than ten (10) consecutive school days and shall be deemed to include but not be limited to, exclusion from the school to which such student was assigned at the time such disciplinary action was taken, provided that assignment to a regular classroom program in a different school in the district shall not constitute a suspension or an expulsion. Such period of exclusion may extend to the school year following the school year in which the exclusion was imposed, up to one calendar year. To be expelled, the student's conduct must be found to be both violative of a Board policy and either seriously disruptive of the educational process or endangering persons or property.

Unless an emergency exists, no student shall be expelled without a formal hearing provided whenever such student is a minor, the notice shall also be given to the parents or guardians of the student at least five business days before such hearing, not including the day of such hearing. If an emergency exists, such hearing shall be held as soon after the expulsion as possible. The notice shall include information concerning the parent's or guardian's and the student's legal rights and concerning legal services provided free of charge or at a reduced rate that are available locally and how to access such services. An attorney or other advocate may represent any student subject to expulsion proceedings. The parent or guardian of the student shall 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.

6. **“Emergency”** shall be defined as a situation under which the continued presence of the student in the school imposes 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.

7. **“Days”** is defined as days when school is in session.
8. **“School-sponsored activity”** is defined as any activity sponsored, recognized or authorized by the Board of Education and includes activities conducted on or off school property.
9. **“Possess”** means to have physical possession or otherwise to exercise dominion or control over tangible property.

## Students

### Suspension and Expulsion/Due Process

#### A. Definitions (continued)

10. **“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 airsoft pistol may constitute a deadly weapon if such weapon is designed for violence and is capable of inflicting death or serious bodily harm.
11. **“Firearm”** as defined in 18 U.S.C. §921, means 1) any weapon (including a starter gun) which will or is designed to or readily be converted to expel a projectile by the action of an explosive; 2) the frame or receiver of any such weapon; 3) any firearm muffler or firearm silencer; or 4) any destructive device. Firearm does not include any antique firearm. For purposes of this definition “destructive device” means any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than 4 ounces, missile having an explosive or incendiary charge of more than ¼ ounce, mine, or device similar to any of the weapons described herein. 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.
12. **“Vehicle”** means a **“motor vehicle”** as defined in Section 14-1 of the Connecticut General Statutes, snow mobile, any aircraft, or any vessel equipped for propulsion by mechanical means or sail.
13. **“Martial arts weapon”** means a nunchaku kama, Kesari-fundo, octagon sai, tonfa, or Chinese star.
14. **“Dangerous Drugs and Narcotics”** is defined as any controlled drug in accordance with Connecticut General Statutes §219-240.
15. **“Alternate education”** means a school or program maintained and operated by the Board of Education that is offered to students in a nontraditional setting and addresses their social, emotional, behavioral and academic needs. Such program must conform to SBE guidelines and conform to C.G.S. 10-15 and 16 (180 days/900 hours).
16. **“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.

17. **“Seriously disruptive of the educational process”** means, as applied to off-campus conduct, any conduct that markedly interrupts or severely impedes the day-to-day operation of a school.

## Students

### Suspension and Expulsion/Due Process (continued)

#### B. Removal from Class

1. All teachers are hereby authorized to remove a student from class when such student causes a serious disruption of the educational process within the classroom.
2. Such teacher shall send the student to a designated area and shall immediately inform the building Principal or his/her designee as to the name of the student and the reason for removal.
3. No student shall be removed from class more than six (6) times in any year nor more than twice in one week, unless such student is referred to the Building Principal or his/her designee and granted an informal hearing in accordance with the provisions of this policy, as stated in G(3).
4. A school principal or other school administrator shall notify a parent or guardian of a student whose behavior has caused a serious disruption to the instruction of other students, caused self-harm or caused physical harm to a teacher, another student or other school employee not later than twenty-four hours after such behavior occurs. Such notice shall include, but not be limited to, informing such parent or guardian that the teacher of record in the classroom in which such behavior occurred may request a behavior intervention meeting.

Any teacher of record in a classroom may request a behavior intervention meeting with the crisis intervention team for the school, for any student whose behavior has caused a serious disruption to the instruction of other students, or caused self-harm or physical harm to such teacher or another student or staff member in such teacher's classroom. The crisis intervention team shall, upon the request of such teacher and notifying such student's parent or guardian, convene a behavior intervention meeting regarding such student. The participants of such behavior intervention meeting shall identify resources and support to address such student's social, emotional and instructional needs. Not later than seven days after the behavior intervention meeting, the crisis intervention team shall submit to the parent or guardian of such student, in the dominant language of such parent or guardian, a written summary of such meeting, including, but not limited to, the resources and supports identified.

#### C. Exclusion from Co-Curricular and Extra-Curricular Activities

Participation in co-curricular and extra-curricular activities is a privilege and not an entitlement. Students involved in such programs are expected to follow all school rules and demonstrate good citizenship. Failure to do so may result in partial or complete exclusion from said activities and programs. Activities include, but are not limited to,

athletic programs, musical or drama productions, clubs, field trips, and school trips out-of-state and abroad.

## **Students**

### **Suspension and Expulsion/Due Process**

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

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

1. Striking or assaulting a student, members of the school staff or other persons.
2. Theft.
3. The use of obscene or profane language or gestures, the possession and/or display of obscenity or pornographic images or the unauthorized or inappropriate possession and/or display of images, pictures or photographs depicting nudity.
4. Violation of smoking, dress, transportation regulations, or other regulations and/or policies governing student conduct.
5. Refusal to obey a member of the school staff, law enforcement authorities, or school volunteers, or disruptive classroom behavior.
6. Any act of harassment based on an individual's sex, sexual orientation, race, color, religion, disability, national origin or ancestry.
7. Refusal by a student to identify himself/herself to a staff member when asked, misidentification of oneself to such person(s), lying to school officials or otherwise engaging in dishonest behavior.
8. Inappropriate displays of public affection of a sexual nature and/or sexual activity on school grounds or at a school-sponsored activity.
9. A walk-out from or sit-in within a classroom or school building or school grounds.
10. Blackmailing, threatening or intimidating school staff or students (or acting in a manner that could be construed to constitute blackmail, a threat, or intimidation, regardless of whether intended as a joke).
11. Possession of any weapon, weapon facsimile, deadly weapon, martial arts weapon, electronic defense weapon, pistol, knife, blackjack, bludgeon, box cutter, metal knuckles, pellet gun, air pistol, explosive device, firearm, whether loaded or unloaded, whether functional or not, or any other dangerous object or instrument. The possession and/or use of any object or device that has been converted or modified for use as a weapon.
12. Possession of any ammunition for any weapon described above in paragraph 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.

## Students

### Suspension and Expulsion/Due Process

#### **D. Actions Leading to Disciplinary Action, including Removal from Class, Suspension and/or Expulsion (continued)**

15. Unlawful possession, sale, distribution, use, or consumption of tobacco, electronic nicotine delivery systems (e.g. e-cigarettes), vapor products, drugs, narcotics or alcoholic beverages (or any facsimile of tobacco, drugs, narcotics or alcoholic beverages), including being under the influence of any such substances or aiding in the procurement of any such substances. For the purposes of this Paragraph 15, the term “electronic nicotine delivery system” shall mean an electronic device that may be used to simulate smoking in the delivery of nicotine or other substance to a person inhaling from the device and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device. For the purposes of Paragraph 15, the term “vapor product” shall mean any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not include nicotine that is inhaled by the user of such product. For the purposes of this Paragraph 15, the term “drugs” shall include, but shall not be limited to, any medicinal preparation (prescription and non-prescription) and any controlled substance whose possession, sale, distribution, use or consumption is illegal under state and/or federal law.
16. Sale, distribution, or consumption of substances contained in household items; including, but not limited to glue, paint, accelerants/propellants for aerosol canisters, and/or items such as the aerators for whipped cream; if sold, distributed or consumed for the purpose of inducing a stimulant, depressant, hallucinogenic or mind-altering effect.
17. Unlawful possession of paraphernalia used or designed to be used in the consumption, sale or distribution of drugs, alcohol or tobacco, as described in subparagraph (15) above. For purposes of this policy, drug paraphernalia includes any equipment, products and materials of any kind which are used, intended for use or designed for use in growing, harvesting, manufacturing, producing, preparing, packaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing controlled drugs or controlled substances into the human body, including but not limited to items such as “bongs,” pipes, “roach clips,” vials, tobacco rolling papers, and any object or container used, intended or designed for use in storing, concealing, possessing, distributing or selling controlled drugs or controlled substances.

18. The destruction of real, personal or school property, such as, cutting, defacing or otherwise damaging property in any way.
19. Accumulation of offenses such as school and class tardiness, class or study hall cutting, or failure to attend detention.

## Students

### Suspension and Expulsion/Due Process

#### **D. Actions Leading to Disciplinary Action, including Removal from Class, Suspension and/or Expulsion (continued)**

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, walkman, CD player, blackberry, personal data assistant, walkie talkie, Smartphone, mobile or handheld device, or similar electronic device, on school grounds or at a school-sponsored activity in violation of Board policy and/or administrative regulations regulating the use of such devices.
28. Possession and/or use of a beeper or paging device on school grounds or at a school-sponsored activity without the written permission of the principal or his/her designee.
29. Unauthorized use of any school computer, computer system, computer software, Internet connection or similar school property or system, or the use of such property or system for inappropriate purposes.
30. Possession and/or use of a laser pointer, unless the student possesses the laser pointer temporarily for an educational purpose while under the direct supervision of a responsible adult.

31. Hazing.

## Students

### Suspension and Expulsion/Due Process

#### **D. Actions Leading to Disciplinary Action, including Removal from Class, Suspension and/or Expulsion (continued)**

32. Bullying, defined as the repeated use by one or more students of a written, oral or electronic communication, such as cyberbullying directed at another student attending school in the same district, or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same school district, which:
- a) causes physical or emotional harm to such student or damage to such student's property;
  - b) places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;
  - c) creates a hostile environment at school for such student;
  - d) infringes on the rights of such student at school; or
  - e) substantially disrupts the education process or the orderly operation of a school.

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

33. Cyberbullying, defined as any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.
34. Acting in any manner that creates a health and/or safety hazard for staff members, students, or the public, regardless of whether the conduct is intended as a joke.
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, 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.

## Students

### Suspension and Expulsion/Due Process (continued)

#### E. Scope of the Student Discipline Policy

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

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

##### b. Conduct off School Grounds

1. Students may be disciplined for conduct off school grounds if such conduct is seriously disruptive of the educational process and violative of a publicized policy of the Board. In determining whether such conduct is seriously disruptive of the educational process, the Administration and the Board of Education may consider, but such consideration shall not be limited to, the following factors: (1) whether the incident occurred within close proximity of a school; (2) whether other students from the school were involved or whether there was any gang involvement; (3) whether the conduct involved violence, threats of violence, or the unlawful use of a weapon, as defined in section Conn. Gen. Stat. § 29-38, and whether any injuries occurred; and (4) whether the conduct involved the use of alcohol.

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

#### F. Mandatory Expulsion

It shall be the policy of the Board to expel a student, grades preschool, and kindergarten to twelve, inclusive, for one full calendar year if:

1. The student, on grounds or at a school-sponsored activity, was in possession of a firearm, as defined in 18 U.S.C. 921\*, as amended from time to time, or deadly weapon, dangerous instrument or martial arts weapon, as defined in C.G.S. 53A-3; or the student, off school grounds, did possess such firearm in violation of C.G.S. 29-35 or did possess and use such a firearm, instrument or weapon in the commission of a crime; or the student, on or off school grounds offered for sale or distribution a controlled substance, as defined in subdivision (9) of C.G.S. 21a-240, whose manufacture, distribution, sale, prescription, dispensing, transporting or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under C.G.S. 21-277 and 21a-278.
2. Such a student shall be expelled for one calendar year if the Board of Education or

impartial hearing officer finds that the student did so possess or so possess and use, as appropriate, such a weapon or firearm, instrument or weapon or did so offer for sale or distribution such a controlled substance.

3. The Board may modify the period of a mandatory expulsion on a case-by-case basis.

## Students

### Suspension and Expulsion/Due Process

#### F. Mandatory Expulsion (continued)

4. A firearm, as defined by C.G.S. 53a-3 includes any sawed-off shotgun, machine gun, rifle, shotgun, pistol, revolver, or other weapon, whether loaded or unloaded from which a shot may be discharged, or a switchblade knife, a gravity knife, billy, black jack, bludgeon or metal knuckles.
5. A student enrolled in a preschool program provided by the Board of Education, state or local charter school or interdistrict magnet school shall not be expelled from such school except that a student shall be expelled for one calendar year from such preschool program pursuant to the mandatory expulsion requirement in compliance with the Gun-Free School Act, as described in this section.

#### G. Suspension Procedure (as modified in Public Act 24-45, Sections 13 and 14)

All suspensions shall be in-school suspensions, except the Board of Education may authorize the administration of schools under its direction to impose an out-of-school suspension on any student in:

1. Grades three to twelve, inclusive, if, resulting from a due process hearing:
  - a. The administration determines that the student being suspended poses such a danger to persons or property or such a disruption of the educational process that the student shall be excluded from school during the period of suspension;
  - b. The administration determines that an out-of-school suspension is appropriate for such student based on evidence of:
    - i. Previous disciplinary problems that have led to suspensions or expulsion of such student, and
    - ii. Efforts by the administration to address such disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies; **or for grades preschool to two if during the due process hearing:**
2. The administration determines that an out-of-school suspension is appropriate for such student based on evidence that such student's conduct on school grounds is behavior that causes physical harm;
3. Requires that such student receives services that are trauma-informed and developmentally appropriate and align with any behavioral intervention plan, individualized education program, or plan pursuant to Section 504 of the Rehabilitation Act of 1973, as amended from time to time, for such student upon such student's return to school immediately following the out-of-school

suspension; and

*\*A firearm; currently defined by 18 U.S.C. 921, is any weapon that can expel a projectile by an explosive action and includes explosive devices, incendiaries, poison gases, and firearm frames, receivers, mufflers or silencers.*

## Students

### Suspension and Expulsion/Due Process

#### G. Suspension Procedure (as modified in Public Act 24-45, Sections 13 and 14 (continued))

4. Considers whether to convene a planning and placement team meeting for the purposes of conducting an evaluation to determine whether such student may require special education or related services.

An out-of-school suspension shall not exceed ten school days for students in grades 3-12.

An out-of-school suspension shall not exceed five school days for children in preschool through 2 grade.

An in-school suspension may be served in the student's school or any school building under the jurisdiction of the local or regional board of education, as determined by such board.

The administration shall also have the authority to suspend a student from transportation services whose conduct while awaiting or receiving transportation violates the standards set forth in paragraph D, above. The administration shall have the authority to immediately suspend from school any student when an emergency exists as that term is defined in paragraph A, above.

If an emergency situation exists, the hearing outlined in paragraph G (3) shall be held as soon as possible after the exclusion of the student.

5. In the case of suspension, the administration shall notify the student's parents and the Superintendent of Schools not later than twenty-four (24) hours of the suspension as to the name of the student who has been suspended and the reason therefore. Any student who is suspended shall be given an opportunity to complete any class work including, but not limited to, examinations which such student missed during the period of his/her suspension.
6. Except in the case of an emergency, as defined in paragraph A, above, a student shall be afforded the opportunity to meet with the administration and to respond to the stated charges prior to the effectuation of any period of suspension or in-school suspension. If, at such a meeting the student denies the stated charges, he/she may at that time present his/her version of the incident(s) upon which the proposed suspension is based. The administration shall then determine whether or not suspension or in-school suspension is warranted. In determining the length of a suspension period, the administration may receive and consider evidence of past disciplinary problems which have led to removal from a classroom, in-school suspension, or expulsion.
7. For any student who is suspended for the first time and who has never been expelled, the school administration may shorten the length of or waive the

suspension period if the student successfully completes an administration-specified program and meets any other administration-required conditions. Such program shall be at no expense to the student or his/her parents/guardians.

## Students

### Suspension and Expulsion/Due Process (continued)

#### G. Suspension Procedure (as modified in Public Act 24-45, Sections 13 and 14 (continued))

8. No student shall be suspended more than ten times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless a hearing as provided in paragraph H(5) is first granted.
9. No student shall be placed on in-school suspension more than fifteen times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless a hearing as provided in paragraph H(5) is first granted.

#### H. Expulsion Procedures

1. The Board of Education may, upon recommendation of the Superintendent of Schools, expel any student for one or more of the reasons stated in this policy if in the judgment of the Board of Education, such disciplinary action is in the best interest of the school system.
2. Upon receipt of a recommendation for expulsion from the Superintendent of Schools the Board shall, after giving written notice, at least five (5) business days before such hearing, to the student and his parents or guardian, if said student is less than 18 years of age, conduct a hearing prior to taking any action on the expulsion of said student, provided however, that in the event of an emergency as defined in this policy, the student may be expelled prior to the hearing but in such case even a hearing shall be held as soon after the expulsion as possible. The notice shall include information concerning the student's and his/her parent's/guardian's legal rights and concerning legal services that are provided free of charge or at a reduced rate that are available locally (CT Legal Service a source of such services) and how to access such services. An attorney or other advocate may represent any student subject to expulsion proceedings. The parent/guardian of the student has 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.
3. 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.

Alternatively, the Board may appoint an impartial hearing officer 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.

4. A special education student's handicapping conditions shall be considered before making a decision to expel. A Planning and Placement Team (PPT) meeting must be held to determine whether the behavior or student actions violative of Board of

Education standards set forth in policy governing suspension and expulsion are the result of the student's handicapping condition.

## **Students**

### **Suspension and Expulsion/Due Process**

#### **H. Expulsion Procedures (continued)**

5. The procedure for any hearing conducted under this paragraph shall at least include the right to:
  - a. Notice prior to the date of the proposed hearing which shall include a statement of the time, place and nature of the hearing and a statement of the legal jurisdiction under which the hearing is to be held and a statement that students under sixteen years old who are expelled and students between sixteen and eighteen who have been expelled for the first time and who comply with conditions set by the Board of Education, must be offered an alternative educational opportunity;
  - b. A short and plain statement of the matters asserted, if such matters have not already been provided in a statement of reasons requested by the student;
  - c. The opportunity to be heard in the student's own defense;
  - d. The opportunity to present witnesses and evidence in the student's defense;
  - e. The opportunity to cross-examine adverse witnesses;
  - f. The opportunity to be represented by counsel at the parents'/student's own expense; and
  - g. Information concerning legal services provided free of charge or at a reduced rate that are available locally and how to access such services;
  - h. The opportunity to have the services of a translator, to be provided by the Board of Education whenever the student or his/her parent or legal guardian do not speak the English language;
  - i. The prompt notification of the decision of the Board of Education, which decision shall be in writing if adverse to the student concerned.
6. The record of the hearing held in any expulsion case shall include the following:
  - a. All evidence received and considered by the Board of Education;
  - b. Questions and offers of proof, objections and ruling on such objections;
  - c. The decision of the Board of Education rendered after such hearing; and
  - d. A copy of the initial letter of notice of proposed expulsion, a copy of any statement of reasons provided upon request, a statement of the notice of hearing and the official transcript, if any or if not transcribed, any recording or stenographic record of the hearing.



## Students

### Suspension and Expulsion/Due Process

#### H. Expulsion Procedures (continued)

7. Rules of evidence at expulsion hearings shall assure fairness, but shall not be controlled by the formal rules of evidence, and shall include the following:
  - a. Any oral or documentary evidence may be received by the Board of Education but, as a matter of policy, irrelevant, immaterial or unduly repetitious evidence may be excluded. In addition, other evidence of past disciplinary problems which have led to removal from a classroom, in-school suspension, suspension, or expulsion may be received for considering the length of an expulsion and the nature of the alternative educational opportunity, if any, to be offered;
  - b. The Board of Education shall give effect to the rules of privilege by law;
  - c. In order to expedite a hearing, evidence may be received in written form, provided the interest of any party is not substantially prejudiced thereby;
  - d. Documentary evidence may be received in the form of copies or excerpts;
  - e. A party to an expulsion hearing may conduct cross-examination of witnesses where examination is required for a full and accurate disclosure of the facts;
  - f. The Board of Education may take notice of judicially cognizable facts in addition to facts within the Board's specialized knowledge provided, however, the parties shall be notified either before or during the hearing of the material noticed, including any staff memoranda or data, and an opportunity shall be afforded to any party to contest the material so noticed;
  - g. A stenographic record or tape-recording of any oral proceedings before the Board of Education at an expulsion hearing shall be made provided, however, that a transcript of such proceedings shall be furnished upon request of a party with the cost of such transcript to be paid by the requesting party. Findings of fact made by the Board after an expulsion hearing shall be based exclusively upon the evidence adduced at the hearing.
  - h. Decisions shall be in writing if adverse to the student, and shall include findings of fact and conclusions necessary for the decision. Findings of fact made by the Board after an expulsion hearing shall be based exclusively upon the evidence adduced at the hearing.
8. For any student expelled for the first time and who has never been suspended, except for a student who has been expelled based on possession of a firearm or

deadly weapon, the Board of Education may shorten the length of or waive the expulsion period if the student successfully completes a Board specified program and meets any other conditions required by the Board. Such a Board specified program shall not require the student or the parent/guardian of such student to pay for participation in the program.

## **Students**

### **Suspension and Expulsion/Due Process (continued)**

#### **I. Notification**

1. All students and parents within the jurisdiction of the Board of Education shall be informed, annually, of Board Policy governing student conduct by the delivery to each said student of a written copy of said Board Policy.
2. The parents or guardian of any minor student either expelled or suspended shall be given notice of such disciplinary action no later than 24 hours of the time of the institution of the period of expulsion or suspension.
3. The notice of an expulsion hearing shall be given at least five (5) business days before such hearing to the student and his/her parents or guardians, if said student is less than 18 years of age shall include information concerning the parent's/guardian's and the student's legal rights and concerning legal services that are provided free of charge or at a reduced rate that are available and how to access such services. The notification shall reference the maximum number of suspension days before the expulsion days proceed. 5 consecutive days for students in pre-school to second grade, 10 consecutive days for students in grades 3-12, a statement that an attorney or other advocate may represent any student subject to expulsion proceedings. The parent/guardian of the student shall be notified of 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.

#### **J. Stipulated Agreements**

In lieu of the procedures used in this section, the Administration and the parents (or legal guardians) of a student facing expulsion may choose to enter into a Joint Stipulation of the Facts and a Joint Recommendation to the Board concerning the length and conditions of expulsion. Such Joint Stipulation and Recommendation shall include language indicating that the parents (or legal guardians) understand their right to have an expulsion hearing held pursuant to these procedures, and language indicating that the Board, in its discretion, has the right to accept or reject the Joint Stipulation of Facts and Recommendation.

If the Board rejects either the Joint Stipulation of Facts or the Recommendation, an expulsion hearing shall be held pursuant to the procedures outlined herein. If the Student is eighteen years of age or older, the student shall have the authority to enter into a Joint Stipulation and Recommendation on his or her own behalf.

If the parties agree on the facts, but not on the disciplinary recommendation, the Administration and the parents (or legal guardians) of a student facing expulsion may also choose to enter into a Joint Stipulation of the Facts and submit only the Stipulation of the Facts to the Board in lieu of holding the first part of the hearing, as described above. Such Joint Stipulation shall include language indicating that the parents understand their right to

have a hearing to determine whether the student engaged in the alleged misconduct and that the Board, in its discretion, has the right to accept or reject the Joint Stipulation of Facts. If the Board rejects the Joint Stipulation of Facts, a full expulsion hearing shall be held pursuant to the procedures outlined herein.

## Students

### Suspension and Expulsion/Due Process (continued)

**K. Students identified as eligible for services under the Individuals with Disabilities Education Act (“IDEA”)**

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.

**L. 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 placement:

1. The parents of the student must be notified of the decision to recommend for expulsion (or to suspend if a change in placement) 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 recommend for expulsion (or to suspend if a change in placement) was made.

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.

## Students

### Suspension and Expulsion/Due Process

#### L. Procedures Governing Suspension and Expulsion of Students Identified as Eligible for Services under the Individuals with Disabilities Education Act (“IDEA”) (continued)

##### B. Expulsion and Suspensions that Constitute Changes in Placement for IDEA Students (continued)

The student’s PPT shall consider the relationship between the student’s disability and the behavior that led to the recommendation for expulsion or the suspension which constitutes a change in placement, in order to determine whether the student’s behavior was a manifestation of his/her disability.

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

##### C. Transfer of IDEA Students for Certain Offenses:

School personnel may transfer an IDEA student to an appropriate interim alternative educational setting for not more than forty-five (45) school days if the student:

1. Was in possession of a dangerous weapon, as defined in 18 U.S.C. 930(g)(2), as amended from time to time, on school grounds or at a school-sponsored activity, or
2. Knowingly possessed or used illegal drugs or sold or solicited the sale of a controlled substance while at school or at a school-sponsored activity; or

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

## Students

### Suspension and Expulsion/Due Process

#### L. **Procedures Governing Suspension and Expulsion of Students Identified as Eligible for Services under the Individuals with Disabilities Education Act (“IDEA”)** (continued)

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

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

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

- A. Except as provided in subsection B below, notwithstanding any provision to the contrary, if the Administration recommends for expulsion a student identified as eligible for educational accommodations under Section 504 who has violated any rule or code of conduct of the school district that applies to all students, the following procedures shall apply:
  1. The parents of the student must be notified of the decision to recommend the student for expulsion.
  2. The district shall immediately convene the student’s Section 504 team (“504 team”) for the purpose of reviewing the relationship between the student’s disability and the behavior that led to the recommendation for expulsion. The 504 team will determine whether the student’s behavior was a manifestation of his/her disability.

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

## Students

### Suspension and Expulsion/Due Process

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

- 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.

#### **N. Procedures Governing Expulsions for Students Committed to a Juvenile Detention Center**

- A. Any student who commits an expellable offense and is subsequently committed to a juvenile detention center, the Connecticut Juvenile Training School 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 commitment to a juvenile detention center, the Connecticut Juvenile Training School or any 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 detained in a juvenile detention center, the Connecticut Juvenile Training School 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.

#### **O. Alternative Educational Opportunity**

The Board of Education recognizes its obligation to offer any student under the age of sixteen (16) who is expelled, an alternative educational opportunity which shall be equivalent to alternative education, as defined, by C.G.S. 10-74j with an individualized learning plan, (1) if the Board provides such alternative education, or (2) in accordance with the standards adopted by the State Board of Education (by 8/15/17), which includes the kind of instruction to be provided and the number of hours to be provided, during the period of expulsion.

Any parent or guardian of such student who does not choose to have his or her child enrolled in an alternative educational opportunity shall not be subject to the provision of Section 10-184 of the Connecticut General Statutes. Any expelled student who is between the ages of sixteen (16) and eighteen (18) not previously expelled and who wishes to continue his or her education shall be offered such an alternative educational opportunity

if he or she complies with conditions established by the Board of Education. other than the one from which the student has been excluded.

## Students

### Suspension and Expulsion/Due Process

#### **O. Alternative Educational Opportunity** (continued)

Such alternative educational opportunity may include, but shall not be limited to, the assignment of a student (who is seventeen (17) years of age or older) to any such adult education program or placement of such student in a regular classroom program of a school

Any student participating in an adult education program during a period of expulsion shall not be required to withdraw from school under C.G.S. 10-184. In determining the nature of the alternative education opportunity to be offered under this Section, the Board of Education may receive and consider evidence of past disciplinary issues which have led to removal from a classroom, suspension, or expulsion.

The Board of Education is not obligated to provide such alternative educational opportunity to any student eighteen years of age or older. The Board of Education is also required to offer such alternative educational opportunity, as defined, to any student between the ages of sixteen and eighteen who is expelled because of conduct which endangers persons, and involved the following, on school grounds or at a school-sponsored event:

1. Possession of a firearm, deadly weapon, dangerous instrument or martial arts weapon, or
2. Offering an illegal drug for sale or distribution.

If the Board expels a student for the sale or distribution of a controlled substance, the Board shall refer the student to an appropriate state or local agency for rehabilitation, intervention or job training, or any combination thereof, and inform the agency of its action. If a student is expelled for possession of a firearm, deadly weapon, dangerous instruments (those that can be used to cause death or serious injury) or martial arts weapons the Board shall report the violation to the local police department.

This provision shall not apply to students requiring special education who are described in subdivision (1) of sub-section (e) of C.G.S. 10-76a. The alternative educational opportunity for any such student shall be established by the IEP team (PPT) in accordance with the procedures described above.

#### **P. Other Considerations**

1. If a student is expelled, notice of the expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such notice, except for the notice of an expulsion of a student in grades nine through twelve, inclusive, based on possession of a firearm or deadly weapon, shall be expunged from the cumulative educational record by the Board if the Board determines that the student's conduct and behavior in the years following such expulsion warrants an expungement or if the student graduates from high school.

## Students

### Suspension and Expulsion/Due Process

#### P. Other Considerations (continued)

2. If a student's expulsion is shortened or the expulsion period waived based upon the fact that the student was expelled for the first time, had never been suspended, and successfully completed a Board specified program and/or met other conditions required by the Board, the notice of expulsion shall be expunged from the cumulative educational record if the student graduates from high school or, if the Board so chooses, at the time the student completes the Board specified program and meets any other conditions required by the Board.
3. If a student in grades preschool to eight, is expelled based on possession of a firearm or deadly weapon, the Board may expunge from the students' cumulative education record the notice of the expulsion and the conduct for which the student was expelled if the Board determines that the conduct and behavior of the student in the years following such expulsion warrants an expungement.
4. The Board may adopt the decision of a student expulsion hearing conducted by another school district provided such Board of Education held a hearing pursuant to C.G.S.10-233d(a). Adoption of such a decision shall be limited to a determination of whether the conduct which was the basis for the expulsion would also warrant expulsion under the policies of this Board. The student shall be excluded from school pending such hearing. The excluded student shall be offered an alternative education opportunity in accordance with item K above.
5. Whenever a student against whom an expulsion hearing is pending withdraws from school and after notification of such hearing but before the hearing is completed and a decision rendered, (1) notice of the pending expulsion hearing shall be included on the student's cumulative educational record and (2) the Board shall complete the expulsion hearing and render a decision.
6. A student expelled for possession of a firearm, deadly weapon, dangerous instrument or martial arts weapon shall have the violation reported to the local police department.
7. The period of expulsion shall not extend beyond a period of one calendar year. A period of exclusion may extend into the next school year.
8. An expelled student may apply for early readmission to school. Such readmission shall be at the discretion of the Board of Education/Superintendent of Schools (choose which). Readmission decisions shall not be subject to appeal to Superior Court. The Board or Superintendent, as appropriate, may condition such readmission on specified criteria.
9. Any student who commits an expellable offense and is subsequently committed to a juvenile detention center, The Connecticut Juvenile Training School or any other residential placement for such offense may be expelled by the local Board of Education. The period of expulsion shall run concurrently with the period of commitment to a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement.

## Students

### Suspension and Expulsion/Due Process (continued)

#### Q. Change of Residence During Expulsion Proceedings (continued)

##### 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.

#### R. 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, 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 deadly weapon or firearm, as defined in Conn. Gen. Stat. §53a-3, the violation shall be reported to the local police.

## Students

### Suspension and Expulsion/Due Process (continued)

#### Readmission of Student from a Residential Placement

A District student who has committed an expellable offense who seeks to return to a District school, after participating in a diversionary program or having been detained in a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement, for one year or more, in lieu of expulsion from the District, shall be permitted to return to the appropriate school setting within the District. Further, the District shall not expel the student for any additional time for the offense(s).

Students and parents shall be notified of this policy annually.

Legal Reference: Connecticut General Statutes

- 4-176e through 4-180a. Contested Cases. Notice. Record, as amended
- 10-74j Alternative education (PA 15-133)
- 10-222d Safe school climate plans. Definitions. Safe school climate assessments.
- 10-233a through 10-233f Suspension, removal and expulsion of students, as amended by PA 95-304, PA 96-244, PA 98-139, PA 07-66, PA 07-122, PA 08-160, PA 09-82, PA 09-6 (September Special Session), PA 10-111, PA 11-126, PA 14-229, PA 15-96, PA 16-147 and PA 17-220, and PA 19-91.
- 10-233i Expulsion and suspension of children in preschool programs
- 19a-342a Use of electronic nicotine delivery system or vapor product prohibited.
- 29-38 Weapons in vehicles
- 53a-3 Definitions.
- 53a-217b Possession of Firearms and Deadly Weapons on School Grounds.
- 53-344b Sale and delivery of electronic nicotine delivery system or vapor products to minors.
- 53-206 Carrying of dangerous weapons prohibited.
- PA 15-96 An Act Prohibiting Out-of-School Suspensions and Expulsions for Students in Preschool and Grades Kindergarten to Two.
- GOALS 2000: Educate America Act, Pub. L. 103-227.
- Title III - Amendments to the Individuals with Disabilities Education Act. Sec. 314 (Local Control Over Violence)

## Students

### Suspension and Expulsion/Due Process (continued)

Legal Reference: (continued)

Elementary and Secondary Act of 1965 as amended by the Gun Free Schools Act of 1994

P.L. 105-17 The Individuals with Disabilities Act, Amendments of 1997.

*Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education.*

P.L. 108-446 The Individuals with Disabilities Education Improvement Act of 2004, 20 U.S.C. 1400 et seq.

18 U.S.C. §921 – Definitions of “firearms”

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”

Public Act 24-45 An Act Concerning Education Mandate Relief, School Discipline and Disconnected Youth, Sections 13-14

Public Act 24-93 An Act Concerning Various and Assorted Revisions to the Education Statutes, Section 11 and Section 12

Policy adopted:

rev 7/19

rev 7/24

## **Provision of an Alternative Educational Opportunity for Eligible Expelled Students**

The following procedures shall be followed, in concert with policy #5114 by District personnel pertaining to the required provision of an alternative educational opportunity for expelled students eligible for such program.

### **Options for Alternative Educational Opportunity**

The District shall provide an alternative educational opportunity for eligible expelled students by exercising one of the following two permissible options.

1. Enroll the student in an alternative education program which is compliant with requirements for such programs, including the length of school year and number of hours, with an individualized learning plan IF the district provides such alternative education, (*use of this option requires the alternative education program to comply with C.G.S. 10-74j which requires adherence to C.G.S. 10-15 and 10-6 requiring a minimum of 180 days and 900 hours of actual school work per year*) and the program is appropriate for the student.  
**OR**
2. Provide the student with an alternative educational opportunity in accordance with the State Board of Education (SBOE) adopted standards, including through an alternative education program offered by another school district or operator. (*A standard program for its alternative educational opportunity providing such program meets the other requirements of the Standards, including the individualized learning plan.*)

### **State Department of Education (SDE) Positions to Consider**

1. In order to properly implement the provision of an alternative educational opportunity to expelled students, whether the District implements option #1 or #2 above, the District must comply with the SBOE adopted (1/3/18) Standards.
2. SDE “expects that, in most cases, school districts will determine that enrollment in an alternative education program...is the appropriate alternative educational opportunity” for an expelled student. Such an alternative education program could be operated by the local district or another provider.
3. There may be “unusual cases” where placement in an alternative education program may not be appropriate or available.
4. The alternative educational opportunity must be “full-time” and “comprehensive,” and such opportunity for learning is comparable to a regular school setting. (*This provides the district that does not provide placement for the expelled student in alternative educational program some flexibility in developing an alternative educational opportunity that provides comparable learning opportunities for the expelled student without dictating a*

*certain number of minimum instructional hours, but, per the Standards, must be “full-time” and “comprehensive.”)*

5. Assignment to homebound instruction will not satisfy the “Guiding Principles” of the Standards.

## **Requirements of Standards for Alternative Educational Opportunities for Students Who Have Been Expelled**

### **Guiding Principles**

Consistent with the *Guidelines for Alternative Education Settings*, these standards are grounded in the conviction that alternative educational opportunities for students who have been expelled should exhibit the following characteristics:

- whole student approach that addresses the personal, social, emotional, intellectual, work skills, safety, and security needs of all students in addition to academic content (including the Connecticut Core Standards);
- full time, comprehensive experience, where the learning is comparable to what the student would experience in a regular school environment;
- instruction that is based on a curriculum aligned to the Connecticut Core Standards unless modified as indicated by goals and objectives of an Individualized Education Program (IEP);
- high expectations that are consistent with LEA goals and Connecticut state standards including the belief that all students are capable and can be successful regardless of their discipline history; and
- research/evidence-based practices with student success in mind including the engagement of parents/guardians and families as well as community partners, as appropriate.

These principles are unlikely to be satisfied by assignment to homebound instruction.

## **Requirements of Standards for Alternative Educational Opportunities for Students Who Have Been Expelled**

The SBOE adopted Standards for Alternative Educational Opportunities require the District to:

1. Provide a full time, comprehensive alternative educational opportunity, with a focus on an opportunity for learning that is comparable to those in a regular school setting.
2. Notify parents/students at the time of expulsion of the right to apply for early readmission, which can be granted at the discretion of the Board of Education or the Superintendent, if the Board delegates this authority to the Superintendent (C.G.S. 10-233(j)). *(The criteria for early readmission should be recorded in the individualized learning plan (ILP)).*
3. Meet with parents/guardians prior to placement to provide information about potential alternative educational opportunities and a placement meeting to finalize such placement. *(Such meeting can take place directly after the expulsion hearing.)*

4. Consult with relevant school personnel knowledgeable about the student's academic, social and behavioral history to help in the determination of an appropriate alternative educational opportunity.

5. Involve the PPT for expelled special education students who are determined to have educational programming and placement during the period of expulsion in accordance with the Individuals with Disabilities Act (IDEA).
6. Develop an Individualized Learning Plan (ILP) to address:
  - Information pertaining to the student’s academic and behavioral needs and appropriate academic and behavioral goals and interventions including the core classes and current placement or progress in the curriculum of those classes at the time of expulsion.
  - Benchmarks to measure progress towards the goals and progress towards graduation. *(This will include monitoring attendance, work completion, and progress toward meeting the coursework’s academic standards.)*
  - Reviewing the student’s progress and communicating that progress to parent/guardian or student. *(What would be done for students generally.)*
  - Transfer of records to/from the alternative educational provider and the school from which the student was expelled.
  - Language pertaining to the possibility of early readmission to the school from which the student was expelled.
7. Monitor progress of student performance and placement. *(This must be done and documented at least once per marking period, review of the student’s ILP and make any needed adjustments.)*
8. Adopt procedures to address a student’s transition from an alternate educational opportunity to the student’s regular school. *(The criterion for readmission is the completion of the expulsion period.)*

**Procedural Steps to be taken by District following the Expulsion of a Student to Provide the Required Alternative Educational Opportunity**

The Superintendent or his/her designee is responsible for the fulfillment of the following:

1. Determine the eligibility of the expelled student for an alternative education opportunity.
  - a. The student is under the age of sixteen (16) and must be offered an alternative educational opportunity.
  - b. The student is between the ages of sixteen (16) and eighteen (18) and has not been previously expelled and wishes to continue his or her education shall be offered such an alternative educational opportunity. *(The District is not obligated to provide an alternative educational opportunity to students in this age bracket who have been*

*previously expelled, even if the prior expulsion occurred before the student was sixteen years of age.)*

- c. The student is eighteen years of age or older and the Board of Education is not obligated to provide an alternative educational opportunity.

- d. Other considerations:
  - i. Any parent/guardian of an expelled student who does not choose to have his or her child enrolled in an alternative educational opportunity shall not be subject to the provision of Section 10-184 of the Connecticut General Statutes regarding school attendance.
  - ii. A student seventeen (17) years of age or older may be assigned to an adult education program and not be required to withdraw from school per C.G.S. 10-184.
  - iii. The student may be placed in a regular classroom program of a school other than the one from which the student has been excluded.
  - iv. A student expelled for the sale or distribution of a controlled substance, shall be referred to an appropriate state or local agency for rehabilitation, intervention or job training, or any combination thereof.
  - v. A student expelled for possession of a firearm, deadly weapon, dangerous instruments (those that can be used to cause death or serious injury) or martial arts weapons shall be reported to the local police department.
  - vi. An expelled special education student's alternative educational opportunity shall be established by the IEP team (PPT).
2. Determine the appropriate option for the alternative educational opportunity option to be offered to the expelled student.
  - a. Enroll the student in an alternative education program operated by the District which is compliant with requirements for such programs, (hours, length of school year and number of hours) with an individualized learning plan IF the district provides such alternative education.
  - b. Provide the student with an alternative educational opportunity in accordance with the SBOE adopted standards, including through an alternative education program offered by another school district or operator. (A standard program for its alternative educational opportunity providing such program meets the other requirements of the Standards, including the individualized learning plan.)
3. Consult with relevant school personnel 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. The input shared by school personnel may be gathered via written reports.
4. Meet with the student's parent(s)/guardian(s) prior to placement to provide information concerning the potentially appropriate alternative educational opportunities for the student.

5. Hold a placement meeting after parents/guardians have been informed and the appropriate school personnel have shared information regarding the student.
  - a. Explore all alternative educational opportunities at this meeting.
  - b. The placement decision should be made at this meeting.
  - c. Other considerations:
    - i. Parents/students, at the time of expulsion, should be informed of the right to apply for early readmission, which can be granted at the discretion of the Board of Education or Superintendent (*if the BOE delegates this authority to the Superintendent under C.G.S. Section 10-233d(j)*).
    - ii. Any criteria for early readmission to the school from which the student has been expelled should be recorded in the Individualized Learning Plan (ILP).
6. Development of an Individualized Learning Plan (ILP) to inform and direct the student's learning goals and activities for the duration of the expulsion.
  - a. After placement in the alternative education opportunity, an ILP must be developed to govern the student's programming during period of the expulsion.
  - b. Develop the ILP through collaboration among school personnel, the student and the parent/guardian.
  - c. Reference student records with information relevant to the alternative educational opportunity. (*student success plan, Individualized Education Program (IEP) under special education, Section 504 Plan, Individualized Health Plan, and/or other academic and behavioral data.*)
  - d. The student's ILP is to contain:
    - i. The student's academic and behavioral needs and appropriate academic and behavioral goals and interventions;
    - ii. The student's core classes at the time of expulsion;
    - iii. The student's current placement or progress in the curriculum of those classes so that the student has an opportunity to continue to progress in the LEA's academic program and earn graduation credits, if applicable;
    - iv. Benchmarks to measure progress towards the goals and ultimately, progress towards graduation;
    - v. Timing and method for reviewing the student's progress 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 progress monitoring of student performance and placement must be done and documented at least once per marking period, including a review of the ILP and the making of any necessary adjustments.

- vi. Such progress to be communicated to the parent/guardian and/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;
- vii. 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
- viii. The possibility of early readmission to the school from which the student was expelled and the early readmission criteria.
- ix. A process for transition planning based upon the following considerations:
  - Efforts to readmit students at semester start points at the high school level to facilitate re-entry;
  - A plan to transfer the student's credits and record back to the school from which the student was expelled;
  - The student's needs for academic and other supports upon return to the home school environment; and
  - Efforts to connect returning students with opportunities to participate in extracurricular activities to support student engagement and general health and development.
7. If a determination is made that placement in the current alternative educational opportunity is no longer beneficial to an expelled student but it is also inappropriate to have the student return to the school from which the student was expelled, a plan for different alternative educational opportunities should be developed, following the procedure outlined above.
8. Students who have a student success plan as mandated by state law, such plan may inform the ILP but does not replace the ILP.

## **Procedures for Alternative Educational Opportunities for Expelled Students**

### **Applicability of these Administrative Regulations**

These procedures apply in cases when, pursuant to state law, a District student school is entitled to an alternative educational opportunity during an expulsion.

### **Responsible Personnel**

The building principal or his/her designee of the school from which the student has been expelled, is responsible for compliance with these procedures relative to the student who is being provided with the alternative educational opportunity.

### **Student Placement Procedures**

- A. After a student has been expelled, and unless extraordinary circumstances exist, the building principal, or his/her designee(s), will take the following steps:
  - a. 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).
  - b. 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.
  - c. After placement options have been shared with the parent(s)/guardian(s), a placement meeting is to be convened to explore all alternative educational opportunities 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, the above procedural steps (Section "A" shall not apply.)

## **Individualized Learning Plan**

### **A. Development of the Individualized Learning Plan**

After student placement into an alternative educational placement, the principal, or his/her 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 his/her designee, will collaborate with school personnel from the student’s school, the student and the parent/guardian, and all relevant student records will be reviewed.

### **B. Contents of the Individualized Learning Plan**

- a. The ILP will reference student records with information relevant to the provision of an alternative educational opportunity. These records may include:
  - i. 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);
  - ii. Individualized education program (“IEP”);
  - iii. Section 504 Plan;
  - iv. Individualized health care plan or emergency care plan; and/or
  - v. Other relevant academic and behavioral data.
- b. The ILP will address the following:
  - i. 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;
  - ii. Benchmarks to measure progress towards the goals and ultimately, progress towards graduation;
  - iii. 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;

- iv. 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
- v. 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.

**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:
  - a. 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
  - b. Consideration of opportunities for early readmission as set forth in the ILP, as established by the Board of Education or Superintendent, as applicable.

**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 his/her designee, should consider:
  - a. Efforts to readmit the student at a semester starting point (at the high school level);
  - b. A plan to transfer the student's credits and records back to the school from which the student was expelled:
    - i. 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;
    - ii. 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.
  - c. The student's need for academic and other supports upon returning to his/her school; and
  - d. Efforts to connect the returning student with opportunities to participate in extracurricular activities.

- B. In the event the principal, or his/her 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 these procedures.

Legal References:      Connecticut General Statutes:  
   10-233d Expulsion of students

   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).

[BOE LETTERHEAD]

(Date)

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

(Parent)<sup>1</sup>

(Parent's Address)

(Non-custodial Parent, if applicable)

(Parent's Address)

**Re: Expulsion Hearing Concerning Student Name; d.o.b.**

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*) 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 (*he/she*) 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], Shipman & Goodwin LLP, to serve as an impartial hearing officer in this matter.*] This hearing is being held pursuant to Section 10-233d 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*) violated Board Policy (*cite Student Discipline Policy number and any other specific policy number on date*), 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).*

*(State whether you considered such conduct to endanger persons or to be seriously disruptive of the educational process).*

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<sup>1</sup> If the student is aged 18 or older, this notice should be sent directly to the student, with copies to the parent(s).

5114  
APPENDIX A  
LETTER  
(continued)

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

The hearing has been scheduled for *(date, time, place)*. (this notice must be given to the students/parents/guardian at least five (5) business days before the hearing.) You and your *(son/daughter)* 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 his/her 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.

(If a manifest determination must be held prior to the expulsion hearing, add the following language: "Prior to the expulsion hearing, your son's/daughter's PPT team or Section 504 Team will determine if your child's conduct constitutes a manifestation of his/her disability." The expulsion hearing will be cancelled if the PPT or Section 504 Team determines that the conduct was a manifestation of your child's disability, otherwise, the hearings will proceed as scheduled.

You have the right to have the 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.

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 legal counsel or other advocate at the expulsion hearing, has the right to cross-examine administration witnesses and may present relevant evidence, both documentary and testimonial, concerning the allegations. Obtaining an attorney or other representative is the responsibility of the family. Very low income families may be able to obtain free 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 between the ages of sixteen (16) and eighteen (18) and has not been expelled before, the Board shall offer to your *(child)* an alternative educational opportunity if she/he wishes to continue her/his education. Please be aware that the Board is not required to offer an alternate educational opportunity to any student between sixteen (16) and eighteen (18) years of age who have been previously expelled or to students 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)* Public Schools

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

**5114**  
**Appendix B**  
**AGREEMENT**

**AGREEMENT**

NAME OF SUPERINTENDENT, (Superintendent of Schools for NAME OF DISTRICT), NAME OF STUDENT and NAME(S) OF PARENTS (the parents 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. \_\_\_\_\_) is currently enrolled as a \_\_\_\_\_ grade student at \_\_\_\_\_ School.
2. NAME OF STUDENT admits that he/she engaged in the following conduct on or about \_\_\_\_\_, 20\_\_:
3. NAME OF STUDENT's conduct, as described above, violates \_\_\_\_\_ Board of Education Policy \_\_\_\_\_ (Student Discipline). (Cite other policies as appropriate. State whether such conduct is considered to endanger persons or be seriously disruptive of the educational process.) (If the student has admitted to this conduct, note the admissions here.)
4. Students are notified of applicable Board policies regarding prohibited conduct by publication in the student handbook.
5. 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. (optional for student with disabilities)
6. Subject to the approval of the \_\_\_\_\_ Board of Education (the "Board"), NAME OF STUDENT shall be expelled from school, 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 program deemed appropriate by the Administration, in accordance with the standards adopted by the State Board of Education. The student and his/her parent(s)/guardian(s) acknowledge that C.G.S. 10-233d provides that the District will provide, during the expulsion period, an alternative education, defined in C.G.S. 10-74j, with an individualized learning plan, if the District provides such alternative education,

**OR**

In lieu of a statutory alternative educational opportunity, the student and his/her parent(s)/guardian(s) agree that the District will provide said student with an alternative educational opportunity as follows. (Describe the alternative educational opportunity agreed to by the parties.)

**Appendix B**  
**AGREEMENT**  
(continued)

- b. During the period of expulsion, NAME OF STUDENT will not be permitted to be on school grounds and will not be permitted to attend or participate in any school-sponsored activities, with the sole exception of his participation in the alternative education program.
- c. Prior to \_\_\_\_\_, the Superintendent will review NAME OF STUDENT's conduct, as well as his/her attendance and effort level in the alternative educational program, 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 \_\_\_\_\_, without the need for any further proceedings before the Board.
- (optional section for expungement if this is the student's first expulsion):***
- e. Prior to, \_\_\_\_\_, the Superintendent will review NAME OF STUDENT's conduct, attendance, and effort level since the expulsion, in order to determine, in the Superintendent's sole discretion, whether the record of the expulsion hearing should be expunged from the student's educational record as of \_\_\_\_\_.
7. 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 his/her parents, and they agree that this Agreement is sufficient for the Board to expel NAME OF STUDENT from school.
8. NAME OF STUDENT and HOME OF PARENT(S)/GUARDIAN(S) understand and acknowledge that, pursuant to C.G.S. 10-233d and Board policy, NAME OF STUDENT, is entitled to an expulsion hearing before the \_\_\_\_\_ Board of Education to contest said student's proposed expulsion. The student and his/her parent(s)/guardian(s) understands and acknowledge that at such hearing the student and his/her parent(s)/guardian(s) would have the right to call witnesses, to introduce

documentary evidence, to cross examine Administration witnesses 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 said student's right to an expulsion hearing pursuant to (C.G.S. 10-233(d)).

**5114**  
**Appendix B**  
**AGREEMENT**  
(continued)

9. The Superintendent, NAME OF STUDENT and NAME OF PARENT 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 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 agree that NAME OF STUDENT will remain out of school until the evidentiary hearing has been completed. NAME OF STUDENT and NAME OF PARENT 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.
10. NAME OF STUDENT and NAME OF PARENT 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 MOTHER and/or  
NAME OF FATHER  
Parents of NAME OF STUDENT

Date: \_\_\_\_\_

*Suggested sample regulation.*

## **Students**

### **Suspension and Expulsion/Due Process**

#### **Suspension**

When the Principal or designee has determined that there is cause for suspension of a student, the following procedures shall be observed:

1. The student shall be given a hearing before the Principal or designee, at which time the charges against the student will be stated and the student will be given an opportunity to respond to the charge. This hearing must be granted except when an emergency situation exists, in which case the hearing must be held as soon after the suspension as possible. Nothing in the informal hearing shall be taken to prevent a more formal hearing from being held if the circumstances warrant. An out-of-school suspension shall not exceed ten days for students in grades 3-12 and not exceed five days for children in pre-school to 2<sup>nd</sup> grade.
2. The Principal or designee may receive and consider evidence of past disciplinary problems which have led to removal from a classroom, suspension or expulsion of the student.
3. The Principal or designee shall make every possible attempt to reach the parent or guardian of the student stating the charges against the student and the terms and conditions of the suspension.
4. Whether the telephone contact is made or not the Principal or designee shall forward a letter to the parent or guardian at the last known address according to school records (unless a newer address is determined) not later than twenty-four hours of the suspension, and offering the parent or guardian the opportunity for a conference to discuss the suspension.
5. Notice of the suspension shall be transmitted by the Principal to the Superintendent of Schools by the close of the school day following the commencement of the suspension, but no later than twenty-four hours of the commencement of the suspension.
6. Following a conference with the Principal or designee the parent or guardian may request the Superintendent to review the Principal's decision. Such review shall be completed and a written report issued to the student and parent or guardian, and to the Board of Education, within three (3) days of the receipt of such request. In examining the Principal's decision to suspend, the Superintendent shall obtain oral or written statements from the Principal or designee, the student, and the person(s) who witnessed and reported the incident(s) which

resulted in the suspension. The Superintendent may call all concerned parties together for a conference, and take whatever other action is needed to determine the true facts of the matter.

7. If a student is eighteen or older, any notice required by Board policy and this regulation shall be given to the student.

## Students

### Suspension and Expulsion/Due Process (continued)

#### Suspension (continued)

8. Textbooks and homework are to be provided each student for the duration of the suspension period and the student shall be allowed to complete any classwork, including examinations, without penalty, which was missed during suspension.
9. The Superintendent shall report any unusually serious cases of student suspension to the Board of Education at the first meeting following such action.
10. Notice of a suspension for conduct endangering persons or property or seriously disruptive of the educational process and a description of the conduct leading to such suspension shall be included on the student's cumulative educational record. Such notice shall be expunged from the cumulative record by the Board if the student graduates from high school, except if such notice of expulsion is based on possession of a firearm or deadly weapon.
11. All suspensions shall be in-school suspensions unless the administration (1) determines that the student, in grades three through twelve, inclusive, being suspended poses such a danger to persons or property or such a disruption of the educational process that the student shall be excluded from school during the period of suspension or (2) that an out-of-school suspension is appropriate based on evidence of previous disciplinary problems that have led to suspensions or expulsion of the student and efforts by the administration to address such disciplinary problems through means other than out-of-school suspension or expulsion, including positive support strategies.

A student in grades preschool through grade two, inclusive, may be given an out-of-school suspension if it is determined by the administration that such suspension is appropriate based on evidence that the student's conduct on school grounds is of a violent or sexual nature that endangers persons.

12. The administration will use the guidelines developed and promulgated by the Commissioner of Education to help determine whether a student should receive an in-school or out-of-school suspension.
13. In-school suspension will be served in the school attended by the student. (or: In-school suspensions will be served by assigning the suspended student to one of the following schools: \_\_\_\_\_.)

14. For any student who is suspended for the first time and who has never been expelled, the school administration may shorten the length of or waive the suspension period if the student successfully completes an administration-specified program and meets any other administration-required conditions. Such program shall be at no expense to the student or his/her parents/guardians.

**R5114(c)**

## **Students**

### **Suspension and Expulsion/Due Process (continued)**

#### **Suspension (continued)**

The foregoing procedure will be followed unless the student has had a total of ten (10) suspensions during the current school year, or has been suspended for a total of fifty (50) days during the current school year. If the student's proposed suspension would exceed either figure the suspension shall not take effect until so ordered by the Board of Education after a formal hearing such as that required for expulsion. If the Principal has reason to believe that the student's conduct endangers persons or property, is seriously disruptive of the educational process or is in violation of a Board policy, expulsion may be recommended.

#### **Expulsion**

The Board of Education or an impartial hearing officer, as defined in C.G.S. 10-233d, may expel any student in grades three through twelve, inclusive, whose conduct on school grounds or at a school sponsored activity has been found to be both violative of a Board policy and either seriously disruptive of the educational process or endangers persons or property.

In making a determination as to whether conduct is “seriously disruptive of the educational process,” the administration, Board of Education or impartial hearing officer may consider, but such consideration shall not be limited to; (1) whether the incident occurred within close proximity of a school; (2) whether other students from the school were involved or whether there was any gang involvement; (3) whether the conduct involved violence, threats of violence or the unlawful use of a weapon as defined in Section 29-38 and whether any injuries occurred, and (4) whether the conduct involved the use of alcohol.

The procedures leading to expulsion are as follows:

1. Requests for expulsion are to be directed to the Board of Education through the Superintendent of Schools.

2. Upon receipt of an expulsion request the Superintendent will conduct an inquiry within two (2) school days.
3. If after the inquiry the Superintendent or designee determines the student should be expelled, the Superintendent shall forward such request to the Board of Education within five days, (for pre-school – grade 2), after receipt of the request to expel.
4. Except in an emergency situation requiring the student's immediate removal, the Board shall conduct a hearing to be governed by the following procedures:
  - A. The student and parent or legal guardian must be given notice at least five business days prior to the date of the hearing.

## Students

### Suspension and Expulsion/Due Process (continued)

#### Expulsion (continued)

- B. The notice shall contain:

The date, time and place of the scheduled hearing.

The details of the grounds for the expulsion, including a narrative of the events leading to the expulsion, the names of any witnesses against the student, copies of any statements or affidavits of those witnesses, a detailed summary of any other information to be used in support of expulsion, including any record of past offenses or misbehavior, and whether any prior warnings or suspensions have been given, and the proposed penalty.

A statement of the student's, parent's/guardian's rights.

A statement that the Board is not required to offer an alternative educational opportunity to any student between 16 and 18 who was previously expelled. A student between the ages of 16 and 18 who is expelled for the first time and who complies with conditions set by the Board will be offered an alternative educational opportunity that is equivalent to "Alternative Education" as defined in Section 10-74, with an individualized learning plan.

- C. At the hearing the student shall have the right to testify and produce witnesses and other evidence in his/her defense and shall have the right to demand that any witnesses against him/her appear in person to answer questions.

In exceptional circumstances the Board or the impartial hearing panel may refuse to allow a witness against the accused student to appear, when the Board or panel believes that fear on the part of the witness would prevent the giving of accurate testimony. In such cases a verbatim statement of the witness's testimony must be given to the student.

A witness's unsubstantiated desire to remain anonymous is not such an exceptional circumstance as to justify dispensing with confrontation and questioning by the student.

- D. A student may be represented by any third party of his/her choice, including an attorney. The parent/guardian 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.
- E. A student is entitled to the services of a translator, to be provided by the Board of

Education, whenever the student or his/her parent or legal guardian do not speak the English language.

## Students

### Suspension and Expulsion/Due Process (continued)

#### Expulsion (continued)

- F. The Board or impartial hearing officer shall keep verbatim record of the hearing and the student or his/her parent or legal guardian shall be entitled to a copy of that record at his/her own expense.
  - G. The Board or impartial hearing officer shall report its final decision in writing to the student, stating the reasons on which the decision is based, and the penalty to be imposed. Said decision shall be based on evidence produced and derived at the hearing.
  - H. Except under unusual circumstances the parent or a minor student shall be notified of the Board action within twenty-four hours.
  - I. Whenever an emergency exists, the hearing provided for the above procedure shall be held as soon as possible after the expulsion.
5. Whenever the Board of Education or impartial hearing officer expels a student it shall offer an alternative education opportunity to students under the age of sixteen which shall be (1) alternative education\* as defined by C.G.S. 10-74j with an individualized learning plan if the Board provides such alternative education or in accordance with State Board of Education standards indicating the kind of instruction and number of hours to be provided by a student enrolled in an alternative educational opportunity. The parent or guardian of such student has the legal right to reject such a program without being subject to the truancy law. The Board of Education shall make provisions for an alternative educational opportunity to expelled students between the ages of sixteen and eighteen, conditional upon the desire of the student to continue his/her education and compliance with conditions established by the Board. A student age 17 or older may be placed in an adult education program as an alternative educational opportunity. Any student participating in an adult education program during a period of expulsion shall not be required to withdraw from school under C.G.S. 10-184. Any special education student expelled for a misconduct not caused by the student's disability must be offered an alternative educational opportunity consistent with the student's needs during the period of expulsion.
6. If the Board expels a student for the sale or distribution of a controlled substance, the Board shall refer the student to an appropriate state or local agency for rehabilitation, intervention or job training, or any combination thereof, and shall inform the agency of its action.

*\*Alternative education is a school or program maintained and operated by a school board that is offered to students in a non-traditional setting and addresses their social, emotional, and behavioral and academic needs. (C.G.S. 10-74j)*

**Students****Suspension and Expulsion/Due Process (continued)****Expulsion (continued)**

7. Notice of the expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such notice, except for the notices of an expulsion of a student in grades nine through 12, inclusive, based on possession of a firearm or deadly weapon, shall be expunged from the cumulative educational record by the Board if the Board determines that the student's conduct or behavior in the years following such expulsion warrant an expungement or if the student graduates from high school.
8. If a student in grades kindergarten to eight, is expelled based on possession of a firearm or deadly weapon, the Board may expunge from the students' cumulative education record the notice of the expulsion and the conduct for which the student was expelled if the Board determines that the conduct and behavior of the student in the years following such expulsion warrants an expungement.
9. The Board may adopt the decision of a student expulsion hearing conducted by another school district provided such Board of Education held a hearing pursuant to C.G.S. 10-233d(a). Adoption of such a decision shall be limited to a determination of whether the conduct which was the basis for the expulsion would also warrant expulsion under the policies of this Board. The student shall be excluded from school pending such hearing. The excluded student shall be offered an alternative education opportunity in accordance with the provisions of 5 and 6 above.
10. Whenever a student against whom an expulsion hearing is pending withdraws from school and after notification of such hearing but before the hearing is completed and a decision rendered, (1) notice of the pending expulsion hearing shall be included on the student's cumulative educational record and (2) the Board shall complete the expulsion hearing and render a decision.
11. The Superintendent shall recommend an expulsion hearing if there is reason to believe a student possessed a firearm or other dangerous instrument in or on real property, comprising any public school or at any school activity as defined in C.G.S. 10-233a or in conduct displayed off school grounds.
12. If a student enrolled in grades preschool through grade twelve, inclusive, is found to have possessed a firearm, dangerous instrument, dangerous weapon or martial arts weapon in or on the real property or a school or at any school function as defined in Section 10-233a, or

on or off school property offered for sale of distribution a dangerous drug, he or she must be expelled for one calendar year. The expulsion period may be modified on a case by case basis by the Board of Education or hearing officer.

13. A student expelled for possession of a firearm, deadly weapon, dangerous instrument or martial arts weapon shall have the violation reported to the local police department or State Police if the student is enrolled in a regional vocational-technical school.

## Students

### Suspension and Expulsion/Due Process (continued)

#### Expulsion (continued)

14. The Board will report annually to the Commission of Education, as prescribed, information pertaining to expulsions for weapons and/or dangerous instruments.
15. An expelled student may apply for early readmission to school. Such readmission shall be at the discretion of the Board of Education (*alternative language - "at the discretion of the Superintendent of Schools"*) Readmission decisions shall not be subject to appeal to Superior Court. The Board or Superintendent, as appropriate, may condition such readmission on specified criteria.
16. For any student expelled for the first time and who has never been suspended, the Board of Education may shorten the length of or waive the expulsion period if the student successfully completes a Board specified program and meets any other conditions required by the Board. Such a Board specified program shall not require the student or the parent/guardian of such student to pay for participation in the program.
17. If a student's expulsion is shortened or the expulsion period waived based upon the fact that the student was expelled for the first time, had never been suspended, and successfully completed a Board specified program and/or met other conditions required by the Board, the notice of expulsion shall be expunged from the cumulative educational record if the student graduates from high school or, if the Board so chooses, at the time the student completes the Board specified program and meets any other conditions required by the Board.
18. The record of a student, grades 9 to 12 inclusive, expelled for possession of a firearm or deadly weapon, shall not be expunged.
19. The Board may expunge an expulsion in the years following the expulsion if the student has demonstrated conduct warranting an expungement.
20. A student in grades K-8 inclusive, shall have any expulsion, including for possession of a firearm or deadly weapon expunged from the record upon graduation.

#### Prior Notice

The Superintendent shall provide for an effective means of informing all students and their parents or guardians of the Board's policy and this regulation at the beginning of each school year, or when

the student enrolls or transfers during the school year.

## Students

### Suspension and Expulsion/Due Process

Legal Reference: Connecticut General Statutes

4-176e through 4-185 Uniform Administrative Procedure Act, as amended.

10-74j Alternative education (PA 15-133)

10-233a through 10-233f Suspension, removal and expulsion of students, as amended by PA 95-304, PA 96-244, PA 98-139, PA 07-66, PA 07-122, PA 08-160, PA 09-82, PA 09-6 (September Special Session), PA 10-111, PA 11-126, PA 14-229, PA 15-96n, PA 16-147, PA 17-220 and PA 19-91.

53a-3 Firearm and deadly weapons

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

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

PA 15-96 An Act Concerning Out-of-School Suspensions and Expulsions for Students in Preschool and Grades Kindergarten to Two

GOALS 2000: Educate America Act Pub. L. 103-227.

18 U.S.C. 921 Definitions.

Title III - Amendments to the Individuals with Disabilities Education Act Sec. 314 (Local Control Over Violence)

Elementary and Secondary, Education Act of 1965 as amended by the Gun Free Schools Act of 1994.

*Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education.*

Public Act 24-45 An Act Concerning Education Mandate Relief, School Discipline and Disconnected Youth, (Sections 13-14)

Regulation approved:

rev 7/19

rev 7/24

## EXPULSION HEARING CHECK LIST

Student Name \_\_\_\_\_ Parent/Guardian Name \_\_\_\_\_ Home Phone \_\_\_\_\_  
 School \_\_\_\_\_ Id # \_\_\_\_\_ Grade \_\_\_\_\_ Parent Work Phone \_\_\_\_\_

- \_\_\_\_\_ 1) Obtain Student Discipline Incident Report and other relevant documentation  
 \_\_\_\_\_ 2) Is the student a Special Education student? Was he/she ever in Special Education?  
 \_\_\_\_\_ 3) Set up the file  
 \_\_\_\_\_ 4) Call Hearing Officer or BOE Members to set a hearing date \_\_\_\_\_  
 \_\_\_\_\_ 5) Get an attorney to represent the BOE (if BOE members conducting hearing) \_\_\_\_\_  
 \_\_\_\_\_ 6) Get 4 Board members to participate in hearing (if not Hearing Officer) \_\_\_\_\_  
 \_\_\_\_\_ 7) Get an attorney to represent Central Office Administration \_\_\_\_\_  
 \_\_\_\_\_ 8) Notify the Town Clerk in writing and then e-mail notice to all Board of Education members, Superintendent, and two Assistant Superintendents  
 \_\_\_\_\_ 9) Line up witnesses (i.e. principal/assistant principal, security officer, police officer).  
 \_\_\_\_\_ 10) Hand deliver & send via regular mail initial letter to parent/guardian at least five business days before the scheduled expulsion proceedings, (& copy to student) which includes copies of Board of Education Suspension/Expulsion Policy & Regulations and the student's disciplinary record. Deliver or mail copies of letter and all documentation to both attorneys.  
 \_\_\_\_\_ 11) Prepare Proof of hand-delivery & mailing of documents to parent/guardian and have courier sign.  
 \_\_\_\_\_ 12) Prepare Superintendent's recommendation  
 \_\_\_\_\_ 13) Prepare sets of copies (five (5) if hearing officer / nine (9) if BOE members)

a) _____ BOE Policy & Regulations	g) _____ Student academic record
b) _____ Student Handbook	h) _____ Student attendance record
c) _____ Letter/attachments to parent/guardian	i) _____ Posted Meeting Notice
d) _____ Proof of Delivery receipt	j) _____ Arrest report if applicable
e) _____ Incident Report	Other: _____
f) _____ Student disciplinary record	

- \_\_\_\_\_ 14) Arrange for any evidence (weapon, etc.) to be brought to hearing and/or make copies of photo(s).  
 \_\_\_\_\_ 15) Manifestation Letter (PPT) (if applicable)  
 \_\_\_\_\_ 16) Prepare DRAFT of Minutes for hearing officer or Board Secretary  
 \_\_\_\_\_ 17) Set up room (tape recorder, pads/pencils, coffee, etc.)  
 \_\_\_\_\_ 18) Keep small conference room free for breakout meetings

**AFTER HEARING:**

- \_\_\_\_\_ 19) Obtain hearing minutes from Hearing Officer OR finalize Board Secretary's minutes  
 \_\_\_\_\_ 20) Prepare outcome letter from Superintendent to parent/guardian outlining disposition  
 \_\_\_\_\_ 21) If Board presided, prepare outcome letter from Board Chair to parent/guardian. If Hearing Officer presided, obtain copy of Hearing Officer's outcome letter to parent/guardian for file.  
 \_\_\_\_\_ 22) If tutoring and/or counseling to be provided, prepare memo to Asst. Superintendent for Curriculum/Instruction requesting services to be arranged for student.



## **Expulsion Hearings - Order of Copies**

**If presided over by Hearing Officer make five (5) sets**

**If presided over by Board Members nine (9) sets**

### **PHASE I**

Initial letter to Parent(s), Proof of delivery of initial letter to Parent(s), and Posted Meeting Notice (stapled together in this order)

Policy and Regulations (Policy/Regs #5114)

Student Handbook (one original and 5 or 9 copies depending on who is presiding)

Incident Report (redacted)

Statements (redacted)

Photo of weapon/instrument (and actual weapon/instrument) (if applicable)

### **PHASE II**

Discipline Records (current year first followed by previous years)

Attendance Records (current year first followed by previous years)

Transcript (Report Card) (current year first followed by previous years)