

Policy Committee Meeting

Wednesday, April 8, 2026 7:00 PM

BOE Auditorium and via Zoom Meeting Platform, 129 Church Street, Bristol, CT 06010

1. Call to Order and Pledge of Allegiance

2. Approval of Minutes

2.1. Regular Policy Meeting Minutes - February 11, 2026

3. Public Comment

4. Review and Possible Action on the Following Policies :

4.1. Bylaw - 9132.8-School Board Liaison to Local School

4.2. Bylaw - 9133- Special Committee

4.3. Policy 5090.9 Use of Private Technology Devices by Students with accompanying Regulation 5090.9

4.4. Policy 5131.81 - Use of Private Technology Devices by Students

4.5. Policy 6141.328 - Instruction, Bring Your Own Device (BYOD) and Protocol for the Use of Personal Technology in the Schools

4.6. Policy 6141.329 - One-to-One Device Program

4.7. Policy 5113 Attendance/Excuses/Dismissal

4.8. Policy 5113.2 Truancy

4.9. Policy 5114 Suspension and Expulsion/Due Process

4.10. Policy 0521 - Equal Opportunity - Nondiscrimination

4.11. Policy 6161.14/1312.5 Library Display and Program

4.12. 6161.13 / 1312.4 -Library Collection Development and Maintenance

4.13. Policy 6161.12 / 1312.3 -Library Material Review and Reconsideration

5. NEW BUSINESS

5.1. CABE Policy Update #1

5.2. CABE Policy Update #2

6. Adjournment

The minutes presented within this document summarize the discussion of the Policy Committee meeting. To view the meeting in its entirety and hear full reports, please click the following link: [2/11/2026-Regular Policy Meeting](#)



Regular Policy Committee Meeting Minutes
February 11, 2026

A Bristol Board of Education Regular Policy Committee Meeting was held on February 11, 2026 at 7:00 P.M. in the BoE Auditorium and via the Zoom meeting platform.

Present: Chair Shelby Pons , Commissioners: Lorianne Osenkowski, Jill Fitzsimons-Bula and Maria Simmons

Also Present: Superintendent Iris White, Deputy Superintendent Mary Hawk (6:05 p.m.) ,Chief of Talent Management Joseph Grabowski and Commissioners: Kristen Giantonio and Kara Ledger

1. Call to Order/ Pledge of Allegiance

The meeting was called to order at 7:10 P.M.

2. Approval of Minutes

2.1 01/28/2026- Regular Policy Committee Meeting Minutes

Commissioner Fitzsimons-Bula called for a motion to approve the 01/28/2026-Regular Policy Committee Meeting minutes. The motion was made by Lorianne Osenkowski and seconded by Maria Simmons.

The Policy Committee voted 3-1 with (1) abstention from Commissioner Simmons to approve the January 28, 2026, regular meeting minutes as written.

3. Public Comment

No public comment.

4. Review And Possible Action On The Following Policies :

4.1 Policy 4117.4: Nonrenewal/Suspension of Certified Staff

Chair Fitzsimons-Bula provided background information on the policies presented to the committee, noting that the Board of Education had been asked to review them to ensure compliance with findings from the previous year's audit. She invited Joseph Grabowski, Chief of Talent, to provide feedback regarding the draft Policy 4117.4. Multiple CABA policy examples for the proposed Policy 4117.4 and its accompanying regulation were shared with the committee. Mr. Grabowski recommended that the Board adopt Example #2 as written.

Committee members engaged in questions and discussion regarding the revisions and differences among the CABA examples for Policy 4117.4.

Chair Jill Fitzsimons-Bula recommended adoption of the drafted Policy 4117.4: Nonrenewal/Suspension of Certified Staff and Regulation 4117.4 without revisions.

A motion was made by Maria Simmons and seconded by Lorianne Osenkowski to forward Policy 4117.4, with the accompanying regulation on Nonrenewal/Suspension of Certified Staff, to the full Board for approval.

4.2 Policy 6141.328 Instruction, Bring Your Own Device (BYOD) and Protocol for the Use of Personal Technology in the Schools

Chair Jill Fitzsimons-Bula provided the committee with several district policy examples, including samples from CABA, related to Policy 6141.328 – Instruction: Bring Your Own Device (BYOD) and Protocol for the Use of Personal Technology in the Schools.

Committee members asked questions and engaged in discussion regarding the distinctions between Policy 6141.328 and the examples that were provided. The Policy Committee also reviewed language from Policy 6141.329, noting that language approved in 2020 may contain provisions related to device use that could conflict with the BYOD policy. During the discussion, it was clarified that Policy 6141.329 pertains to devices provided by Bristol Public Schools rather than privately owned devices.

Chair Fitzsimons-Bula recommended that the committee consider rescinding the current Policy 6141.328 and instead adopt the Madison Public Schools Policy 5090.9 – Use of Private Technology Devices by Students, along with the accompanying regulation, as Bristol Public Schools Policy 5090.9 – Use of Private Technology Devices by Students and its corresponding regulation.

A motion was made by Maria Simmons and seconded by Lorianne Osenkowski to forward Policy 6141.328 Instruction, Bring Your Own Device (BYOD) and Protocol for the Use of Personal Technology in the Schools to the full Board to be rescinded.

The Policy Committee voted unanimously to forward Policy 6141.328 Instruction, Bring Your Own Device (BYOD) and Protocol for the Use of Personal Technology in the Schools to the full Board to be rescinded.

A motion was made by Maria Simmons and seconded by Lorianne Osenkowski to forward Policy 5090.9 Use of Private Technology Devices by Students and accompanying regulation to the full Board for approval

The Policy Committee voted unanimously to forward Policy 5090.9 Use of Private Technology Devices by Students and accompanying regulation to the full Board for approval.

6. Adjournment

Commissioner Fitzsimons- Bula adjourned the Regular Policy Committee Meeting at 8:14 P.M.

Respectfully Submitted,



Recording Secretary
Bristol Board of Education

A bylaw to consider.

Bylaws of the Board

School Board Liaison to Local School

I. Statement of Policy's Purpose

The Board of Education believes it can become better informed and capable of making sound educational decisions when establishing effective regular communication with its schools. This policy aims to strengthen this by assigning each Board member to liaise with a designated school. This liaison role aims to foster improved relationships among the Board, staff, students, and community, while supporting informed and responsible governance.

II. Policy Statement

The Chair of the _____ Board of Education shall assign each member to serve as a liaison to one or more district schools. The school liaison role is intended to facilitate communication, promote Board visibility, and support the schools in a non-administrative, non-evaluative capacity.

III. Guidelines

1. Assignment of Liaisons

- a. At the annual organizational meeting or as needed, the Board Chair assigns each member to one or more schools for the purpose of ensuring balanced representation across the district.
- b. Consideration shall be given to Board members' interests, geographic proximity, and prior school relationships to avoid conflicts of interest.

2. Scope of Liaison Responsibilities

- a. Serve as a communication bridge between the school and the Board, providing updates and relaying major concerns and information.
- b. Attend school events, open houses, and special programs when feasible.
- c. Meet periodically with the school principal to discuss general school climate.
- d. Share relevant information from the school with the Board while respecting confidentiality and avoiding involvement in day-to-day operations.

3. Limitations

- a. Liaisons shall not interfere with administrative decisions or personnel matters.
- b. Liaisons do not officially represent the Board unless authorized by the Board Chair.
- c. Liaisons are not evaluators or supervisors of school staff and shall avoid any action that may be perceived as such.

4. Communication and Reporting

- a. Liaisons are encouraged to provide informal, periodic updates to the Board on school visits or notable events.
- b. Any matters requiring Board action or administrative follow-up shall be directed to the Superintendent by the Board Chair.

Bylaws of the Board

School Board Liaison to Local School (continued)

5. Training and Orientation

- a. New Board members shall receive orientation on liaison responsibilities.
- b. The Board may offer annual refreshers or share best practices among members.

The Board shall periodically review this policy and the effectiveness of the liaison program as part of its self-evaluation process or upon recommendation of the Board Chair or Superintendent.

Legal References: Connecticut General Statutes
 10-220 Duties of boards of education
 Connecticut Freedom of Information Act (FOIA)

Bylaw adopted by the Board:
cps 5/25

Bylaw of the Board

Liaisons/Representatives

The Chairperson of the Bristol Board of Education shall, from its members, appoint liaisons to each of the Bristol schools. School liaisons provide a personal link to the Board of Education for Bristol Board of Education employees and school families.

The Chairperson of the Bristol Board of Education shall, from its members, appoint representatives from the Board to liaison committees such as, but not limited to, the Capital Region Education Council [CREC] and the Connecticut Association of Boards of Education [CABE].

Liaisons and representatives may bring information to the full Board for consideration.

Bylaw Adopted: July 7, 2004

Bylaw Revised: June 1, 2016

Students

Use of Private Technology Devices by Students

Introduction

Students may possess privately-owned technological devices on school property and/or during school-sponsored activities, in accordance with the mandates of this policy and any applicable administrative regulations as may be developed by the Superintendent of Schools.

Definitions

Board Technology Resources

For the purposes of this policy, “Board technology resources” refers to the Madison Board of Education’s (the “Board’s”) computers and instructional technologies; communications and data management systems; informational technologies and the Internet; and any other technology resources owned and/or used by the school district and accessible by students.

Privately-owned Technological Devices

For the purposes of this policy, “privately-owned technological devices” refers to, but is not limited to, privately-owned desktop computers, personal computing devices, cellular phones, Smartphones, network access devices, radios, personal audio players, , tablets, walkie-talkies, personal gaming systems, Bluetooth speakers, personal data assistants, and other electronic signaling devices.

Use of Privately-Owned Technological Devices

Privately-owned technological devices may not be used during instructional time, except as specifically permitted by instructional staff or unless necessary for a student to access the district’s digital learning platform or otherwise engage in remote learning if remote learning has been authorized in accordance with applicable law.

On school property, at a school-sponsored activity, while in use for a remote learning activity if remote learning has been authorized in accordance with applicable law, or while being used to access or utilize Board technology resources, the use of any such device for an improper purpose is prohibited. Improper purposes include, but are not limited to:

- Sending any form of a harassing, threatening, or intimidating message, at any time, to any person (such communications may also be a crime);
- Gaining or seeking to gain unauthorized access to Board technology resources;
- Damaging Board technology resources;
- Accessing or attempting to access any material that is obscene, obscene as to minors, or contains pornography;
- Cyberbullying;
- Using such device to violate any school rule, including the unauthorized recording (photographic, video, or audio) of another individual without the permission of the individual or a school staff member; or
- Taking any action prohibited by any Federal or State law

Students

Use of Private Technology Devices by Students (continued)

Definitions (continued)

Search of Privately-Owned Technological Devices A student's privately-owned technological device may be searched if the device is on Board property or in a student's possession at a school-sponsored activity and if there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school. Any such search shall be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

Responsibility for Privately-owned Technological Devices

Students are responsible for the safety and use of their privately-owned technological devices. If a privately-owned technological device is stolen, lost, or damaged while the device is on school property or during a school-sponsored activity, a report should be made to the building principal, who will investigate the loss in a manner consistent with procedures for stolen or damaged personal property. Students and parents should be aware that the Board is not liable for any privately-owned technological device that is stolen, lost, or damaged while at school or during a school-sponsored activity. For that reason, students are advised not to share or loan their privately-owned technological devices with other students.

Disciplinary Action

Misuse of the Board's technology resources and/or the use of privately-owned technological devices to access or utilize the Board's technology resources in an inappropriate manner or the use of such devices in any manner inconsistent with this policy will not be tolerated and will result in disciplinary action. For students, a violation of this policy may result in loss of access privileges, a prohibition on the use and/or possession of privately-owned technological devices on school property or at school-sponsored activities, and/or suspension or expulsion in accordance with the Board's policies related to student discipline.

Access to Board Technology Resources

The Board may permit students, using their privately-owned technological devices, to access the Board's computers and instructional technologies; communications and data management systems; informational technologies and the Internet; and any other technology resources used by the school district and accessible by students. Students using privately-owned technological devices will agree to access the District's technology resources only through the designated Wi-Fi network. Additionally, it is the expectation of the Board that students who access these resources while using privately-owned technology devices will act at all times appropriately in ways that are fully in accord with applicable policies concerning technology use as well as all local, state, and federal laws.

Through the publication and dissemination of this policy statement and others related to use of the Board's computer systems, as well as other instructional means, the Board educates students about the Board's expectations for technology users.

Students

Use of Private Technology Devices by Students (continued)

Definitions (continued)

Access to Board Technology Resources (continued)

The Board's technology resources shall only be used to access educational information and to promote learning activities both at home and at school. Students are expected to act at all times appropriately in ways that are fully in accord with applicable policies concerning technology use as well as all local, state, and federal laws when using the Board technology resources. Failure to do so will result in the consequences outlined herein and in other applicable policies (including, but not limited to, the Safe School Climate Plan, the Student Discipline Policy and the Use of Computers Policy).

Students must abide by the procedures outlined in this policy and all policies and applicable regulations outlined in the Board's computer use and other applicable policies. Students will be given specific information for log-on and access procedures for using school accounts. No user may deviate from these log-on/access procedures. Students are advised that the Board's network administrators have the capability to identify users and to monitor all privately-owned technological devices while they are logged on to the network. Students must understand that the Board has reserved the right to conduct monitoring of Board technology resources and can do so *despite* the assignment to individual users of passwords for system security. Any password systems implemented by the Board are designed solely to provide system security from unauthorized users, not to provide privacy to the individual system user. The system's security aspects, message delete function and personal passwords can be bypassed for monitoring purposes. Therefore, students should be aware that they should not have any expectation of personal privacy in the use of privately-owned technological devices to access Board technology resources. This provision applies to any and all uses of the Board's technology resources and any privately-owned technological devices that access the same.

Harm to Board Technology Resources

Any act by a student using a privately-owned technological device that harms the Board technology resources or otherwise interferes with or compromises the integrity of Board technology resources will be considered vandalism and will be subject to discipline and/or appropriate criminal or civil action.

Closed Forum

This policy shall not be construed to establish a public forum or a limited open forum.

Legal Reference: Conn. Gen. Stat. § 10-233j
Conn. Gen. Stat. § 31-48d
Conn. Gen. Stat. §§ 53a-182; 53a-183; 53a-250, et seq.
Electronic Communication Privacy Act of 1986, Public Law 99-508,
codified at 28 U.S.C. §§ 2510 through 2520

Policy adopted:

BRISTOL PUBLIC SCHOOLS
Bristol, Connecticut

Students

Use of Private Technology Devices by Students

Cellular Phones

The use of privately-owned technological devices at school is considered a privilege, not a right. Therefore, students may possess cellular phones and other wireless communication devices on school property and school-sponsored transportation, providing students adhere to the restrictions contained within this regulation and specific school building restrictions outlined in the student handbook.

High School: Students are permitted to bring cellular phones and other wireless communication devices to school. Such devices should remain on silent throughout the school day. Device use, including earbuds, is not permitted, bell to bell, during class time. A teacher may allow use of such devices for course-specific educational purposes. Students may use cellular phones and other wireless communication devices during non-class times in areas designated by the school administration.

Middle School: Students are permitted to bring cellular phones and other wireless communication devices to school. Devices must be placed, on silent, in lockers prior to the start of the academic school day and can be collected at the end of the academic day. Students may use cellular phones and other wireless communication devices before and after the academic day in areas designated by the school administration.

PreK-5: Students are discouraged from bringing cellular phones and other wireless communication devices to school. If a parent/guardian sends their student to school with a device, the device must remain on silent for the entire day and remain out of sight and in a student's bag for the entirety of the school day and while on school-sponsored transportation.

Other Acceptable Uses

Cellular phones and other wireless communication devices are permissible in the following circumstances:

a. IEP, 504, or Health Care/Medical Plan.

Students may use cellular phones, wireless communication devices and other electronic devices during class time when authorized pursuant to an Individual Education Plan (IEP), a Section 504 Accommodation Plan, or a Health Care/Medical Plan with supportive documentation from the student's physician.

b. Other Reasons.

Other reasons determined appropriate by a school administrator or school administrator's designee.

Students

Electronic Devices

Use of Private Technology Devices by Students

Students may possess privately owned technological devices on school property and/or during school sponsored activities, in accordance with the mandates of this policy and any applicable administrative regulations as may be developed by the Superintendent of Schools. The Bristol Board of Education ("Board") considers allowing students to bring to school such devices to be a privilege and not a right. The Board reserves the right to revoke this privilege if a student fails to adhere to the following guidelines and/or the Board's acceptable use and student discipline policies.

Definitions

Board Technology Resources

For the purposes of this policy, "Board Technology Resources" refers to the Board's computers and instructional technologies; communications and data management systems; informational technologies and the Internet; and any other technology resources used by the school district and accessible by students.

Privately Owned Technological Devices

For the purposes of this policy, "Privately Owned Technological Devices" refers to privately owned wireless and/or portable electronic hand-held equipment that can be used for word processing, wireless Internet access, image capture and recording, sound recording, information transmitting and/or receiving, storing, etc. These devices may include, but are not limited to, personal laptops, smart phones, Chromebooks, Kindles, Nooks, cellular telephones, radios, and walkie-talkies, personal data assistants, I-Phones and other electronic signaling devices.

Use of Privately Owned Technological Devices

Privately owned technological devices may not be used during instructional time, except as specifically permitted by Policy # 6141.328 Bring Your Own Device and Protocol for the use of Personal Technology in the Schools. Cellular telephones may not be turned on during the school day. Use of the device shall be limited to the period before classes begin in the morning and after the student's last class in the afternoon. Such devices shall not be used during instructional time or in the passing between classes unless there is a bona fide health or safety emergency.

Use of any such device for an improper purpose is prohibited. Improper purposes include, but are not limited to:

- Sending any form of harassing, threatening, or intimidating message, at any time, to any person (such communications may also be a crime);
- Gaining or seeking to gain unauthorized access to Board technology resources;
- Damaging Board technology resources;
- Accessing or attempting to access any material that is obscene or contains pornography;
- Cyberbullying;
- Taking pictures without the specific permission of the subject of the picture;
- Using a privately owned technological device to violate any school rules, including the unauthorized recording (photographic or audio) of another individual without the permission of the individual or a school staff member; or
- Taking any action prohibited by any Federal or State law.

Search of Privately Owned Technological Devices

A student's privately owned technological device may be searched if there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school. Any such search shall be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

Responsibility for Privately Owned Technological Devices

Students are responsible for the safety and use of their privately owned technological devices. If a privately owned technological device is stolen, lost, or damaged, a report should be made to the building principal, who will investigate the loss in a manner consistent with procedures for stolen or damaged personal property. Students and parents should be aware that the Board is not liable for any privately owned technological device that is stolen, lost, or damaged while at school. Furthermore, the Board shall not be liable for any data plan charges or any other costs associated with the use of private technological devices. For that reason, students are advised not to share or loan their privately owned technological devices with other students.

Students shall take full responsibility for their device and shall keep it safely stored when not in use. Classroom teachers will determine the best storage location for such devices. Students are required to take home their privately owned technological devices at the end of each school day.

Disciplinary Action

Misuse of the Board's technology resources and/or the use of privately owned technological devices to access or utilize the Board's technology resources in an inappropriate manner or in a manner inconsistent with this policy will not be tolerated and will result in disciplinary action. For students, a violation of this policy may result in loss of access privileges, a prohibition on the use and/or possession of privately owned technological devices on school property, and/or suspension or expulsion in accordance with the Board's policies related to student discipline.

Access to Board Technology Resources

It is the policy of the Bristol Board of Education to permit students, using their privately owned technology devices, to access the Board's computers and instructional technologies; communications and data management systems; informational technologies and the Internet; and any other technology resources used by the school district and accessible by students. Additionally, it is the expectation of the Board of Education that students who access these resources while using privately owned technology devices will act at all times appropriately in ways which are fully in accord with applicable policies concerning technology use as well as all local, state, and federal laws.

Through the publication and dissemination of this policy statement and others related to use of the Board's computer systems, as well as other instructional means, the Board educates students about the Board's expectations for technology users.

The Board technology resources shall only be used to access educational information and to promote learning activities both at home and at school. The Board considers access to its technology resources to be a privilege and not a right. Students are expected to act at all times appropriately in ways which are fully in accord with applicable policies concerning technology use as well as all local, state, and federal laws when using the Board technology resources. Failure to do so will result in the consequences outlined herein and in other applicable policies (including, but not limited to, the Safe School Climate Plan, the Student Discipline Policy and the Use of Computers Policy).

Students must abide by the procedures outlined in this policy and all policies and applicable regulations outlined in the Board's computer use and other applicable policies. Students will be given specific information for log-on and access procedures using school accounts. No user may deviate from these log-on/access procedures. Students are advised that the Board's network administrators have the capability to identify users and to monitor all privately owned technological devices while they are logged on to the network. Students must understand that the Board has reserved the right to conduct monitoring of Board technology resources and can do so despite the assignment to individual users of passwords for system security. Any password systems implemented by the Board are designed solely to provide system security from unauthorized users, not to provide privacy to the individual system user. The system's security aspects, message delete function and personal passwords can be bypassed for monitoring purposes. Therefore, students should be aware that they should not have any expectation of personal privacy in the use of privately owned technological devices to access Board technology resources. This provision applies to any and all uses of the Board's technology resources and that any privately owned technological devices access same.

Harm to Board Technology Resources

Any act by a student using a privately owned technological device that harms the Board's technology resources or otherwise interferes with or compromises the integrity of Board technology resources will be considered vandalism and will be subject to discipline and/or appropriate criminal or civil action.

Closed Forum

This policy shall not be construed to establish a public forum or a limited open forum.

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

(cf. [5131](#) - Conduct at School and Activities)

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

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

(cf. [5131.913](#) - Cyberbullying)

(cf. [5143](#). - Academic Integrity/Cheating)

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

Legal References: Connecticut General Statutes

[10-233j](#) Student possession and use of telecommunications devices

[31-48d](#) Employees engaged in electronic monitoring required to give prior notice to employees.

[53a-182](#) Obstructing free passage: Class C misdemeanor.

[53a-183](#) Harassment in the second degree: Class C misdemeanor.

[53a-250](#) Definitions.

Electronic Communication Privacy Act, 28 U.S.C. §§2510 through 2520.

Eisner v. Stamford Board of Education, 440 F. 2d 803 (2nd Cir 1971)

Trachtman v. Anker, 563 F. 2d 512 (2nd Cir. 1977) cert. denied, 435 U.S. 925 (1978)

Hazelwood School District v. Ruhlmeir, 484 U.S. 260, 108 S Ct 562 (1988)

Bethel School District v. Fraser, 478 US 675 (1986)

Tinker v. Des Moines Independent Community Dist., 393 US 503, (1969)

Policy Adopted: August 17, 2005

Policy Revised: July 1, 2015

BRISTOL PUBLIC SCHOOLS

Bristol, Connecticut

Instruction

Bring Your Own Device (BYOD) and Protocol for the Use of Personal Technology in the Schools

The Bristol Board of Education is committed to aiding students and staff in creating a modern and contemporary learning environment. Therefore students and staff will be permitted to access the District's wireless network with their personal devices during the school day. With teacher approval, students may use their own devices to access the Internet and collaborate with other students.

Definition of "Device"

For purposes of BYOD, a "device" means a privately owned wireless and/or portable electronic piece of equipment that includes laptops, netbooks, tablets/slates, iPod Touches, e-Readers, cell and smart phones.

Internet

The only internet gateway that may be accessed while in the Bristol Public Schools is the one provided by the District. Any device brought to the District will not be permitted to use outside internet sources.

Personal internet connective devices, such as but not limited to cell phones/cell network adapters, are not permitted to be used to access outside internet sources at any time.

Software

Many software packages are now available as web browser applications. This negates the need to have required programs loaded onto student computers. Students can access what they will need through any web browser. Therefore, there is no required software necessary to take part in the Bring Your Own Device program.

Security and Damages

Responsibility to keep the device secure rests with the individual owner. The Bristol Public School District is not liable for any device stolen or damaged on campus. If a device is stolen or damaged, it will be handled through the administrative office as other personal items that are stolen or damaged. It is recommended that skins, decals, and other custom touches be used to identify physically a student's device from others. Additionally, protective cases for technology are encouraged.

The use of technology to provide educational material is not a necessity but a privilege. A student does not have the right to use his/her electronic device while at school. When abused, privileges will be taken away. When respected, they will benefit the learning environment as a whole.

Bring Your Own Device/Technology Student and Parent Agreement

Students and parents/guardians participating in the Bring Your Own Device/Technology program must adhere to the Student Code of Conduct, as well as all applicable Board policies, particularly the Computer Acceptable Use policy. Access to personal devices is a privilege and not a right.

Based on the belief that power cords stretched out in classrooms become a safety issue both for the students and devices, charging the device in any classroom, hallway, or any other location that may be a safety concern will not be allowed.

The use of cameras in any type of electronic device is strictly prohibited in locker rooms, restrooms, and classrooms unless a certified District employee authorizes the student to do otherwise. Where students are allowed to use electronic devices, they are required to obtain permission before taking a photograph or video of any individual. Students must also obtain permission from any individual appearing in a photograph or video prior to posting on any social networking site or other internet site.

Students found to be using any electronic communications device to in any way send or receive personal messages, data, or information that would contribute to or constitute cheating on any student assessment, project, or assignment shall be subject to discipline and the device shall be confiscated and not returned until a parent conference has been held.

The use of these devices, as with any personally owned device, is strictly up to the teacher.

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

(cf. [5131.81](#) - Electronic Devices)

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

(cf. [5131.913](#) - Cyberbullying)

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

(cf. [6141.321](#) - Acceptable Computer Use Policy)

Legal Reference: Connecticut General Statutes

[10-221](#) Boards of education to prescribe rules

Policy Adopted: July 1, 2015

BRISTOL PUBLIC SCHOOLS

Instruction

Bring Your Own Device (BYOD) and Protocol for the Use of Personal Technology in the Schools

The following guidelines shall govern the manner in which the Bring Your Own Device/Technology (BYOD/BYOT) policy and program are to operate within the District.

Teachers' Role

1. Teachers are facilitators of instruction in their classrooms. Therefore, they will not spend time on fixing technical difficulties with students' personal devices in the classrooms. They will educate and provide guidance on how to use a device and troubleshoot simple issues, but they will not provide technical support. This responsibility resides at home with parents/guardians.
2. Teachers may communicate information regarding educational applications and suggest appropriate tools that can be downloaded to personal devices at home. Parents will need to assist their younger children with downloads if they wish to follow teachers' suggestions. No applications are to be downloaded at school.
3. Teachers are to closely supervise students to ensure appropriate use of technology in the classrooms.
4. It is understood that not every student has his/her own electronic device. To ensure equal accessibility to technology resources, teachers will provide students with technology available within the school.
5. The use of these student personal devices, as with any personally owned device, is strictly up to the teacher.

Security and Damages

1. The District, or any of its schools, is not liable for any device that is stolen or damaged. Responsibility to keep the device secure rests with the individual owner. If a device is stolen or damaged, it will be handled through the administrative office as other personal items are stolen or damaged. It is recommended that skins, decals, and other custom touches be used to identify physically a student's device from others. Additionally, protective cases for technology are encouraged.
2. Personal devices cannot be left on campus before or after school hours.

Operating Principles for Use of Personal Devices on School Campus

1. Devices cannot be used during assessments, unless otherwise directed by a teacher.
2. Students must immediately comply with teachers' requests to shut down devices or close the screen. Devices must be in silent mode and put away when asked by teachers.
3. Students are not permitted to transmit or post photographic images/videos of any person on campus on public and/or social networking sites.
4. Personal devices must be charged prior to bringing them to school and run off their own batteries while at school.
5. To ensure appropriate network filters, students will only use the District's wireless BYOD/BYOT connection in school and will not attempt to bypass the network restrictions by using 3G or 4G network.
6. Students must be instructed that bringing devices on campus or infecting the network with a virus, Trojan, or program designed to damage, alter, destroy, alter, or provide access to unauthorized data or information is in violation of the District's Acceptable Use Policy and will result in disciplinary actions.
7. The District has the right to collect and examine any device that is suspected of causing problems or is the source of an attack or virus infection.
8. Students must be instructed that possessing or accessing information on school property related to "hacking", altering, or bypassing network security policies is in violation of the Acceptable Use Policy and will result in disciplinary actions.
9. Students can only access files on the computer or Internet sites which are relevant to the classroom curriculum and suggested by a teacher.
10. Printing from personal devices is not permitted at school.
11. Students are not to physically share their personal devices with other students, unless approved in writing by their parent/guardian.
12. Personal devices may not be used to cheat on assignments, tests or for non-instructional purposes, such as making personal phone call and text/instant messaging.
13. Personal devices may not be used to send inappropriate e-messages during the school day.

Standards of Responsible Use

All students in District schools must adhere to the following standards of responsible use:

- The District may review files and communications to maintain system integrity and insure that users are using the system responsibly. Users should not expect that files stored on district servers will always be private.
- Students are responsible at all times for their use of the District's electronic communication system and must assume personal responsibility to behave ethically and responsibly, even when technology provides them the freedom to do otherwise.
- Students must log in and use the District filtered wireless network during the school day on personal electronic devices.
- Students must not access, modify, download, or install computer programs, files, or information belonging to others.
- Students must not waste or abuse school resources through unauthorized system use (e.g. playing online games, downloading music, watching video broadcasts, participating in chat rooms, etc.).
- Students must not alter computers, networks, printers or other equipment except as directed by a staff member.
- Technology, including electronic communication, should be used for appropriate educational purposes only and should be consistent with the educational objectives of the District.
- Students must not release personal information on the Internet or electronic communications.
- If a student finds an inappropriate site or image, he or she must immediately minimize the program and contact the instructor.
- Students must not create/publish/submit or display any materials/media that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal and should report any instances encountered.
- Students shall adhere to all laws and statutes related to issues of copyright or plagiarism.
- Violation of any of these standards may result in suspension of computer use, Internet privileges and/or other disciplinary action.

Regulation Adopted: July 1, 2015

BRISTOL PUBLIC SCHOOLS

Bristol, Connecticut

Instruction

One-to-One Device Program

The focus of the 1:1 device program in the Bristol School District is to provide necessary tools and resources for a progressive learning environment characterized by flexibility, collaboration, personalization, creativity, and technology-rich learning. In District schools, technology will be integrated throughout the educational program in a seamless and timely fashion. The 1:1 device setting empowers students and teachers to use technology like adults do in the real world, accessing and using purposeful technology-based tools anytime a task calls for them.

One-to-One Tablet Program

The Board of Education believes learning is a continuous dynamic interaction among students, educators, parents, and the extended community. Implementation of a 1:1 device initiative enables anywhere, anytime learning that is no longer limited by the four walls of a classroom or building. Purposeful technology integration liberates teachers from being deliverers of content and, instead, allows them to be facilitators of deep, individualized learning for all students.

The policy, procedures, and information within this document apply to all District-owned device/Tablets used in District schools, including any other device considered by the administration to come under this policy. Individuals or teams of teachers may set additional requirements for use in their classroom.

- (cf. 5131.81 – Use of Electronic Devices)
- (cf. 5131.911 – Bullying)
- (cf. 5131.913 – Cyberbullying)
- (cf. 6141.321 – Acceptable Computer Use Policy)
- (cf. 6141.323 – Filtering Access to Electronic Networks)
- (cf. 6141.324 – Posting of Student work/Photographs)
- (cf. 6141.325 – Blogging/Podcasting)
- (cf. 6141.326 – Online Social Networking)
- (cf. 6141.327 – Electronic Resources)
- (cf. 6141.328 – Bring Your Own Device)
- (cf. 6141.329 – Electronic Reading (e-reader) Devices)

Legal Reference: Connecticut General Statutes

10-221 Boards of education to prescribe rules

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

P.L. No 110-385, Protecting Children in the 21st Century Act

Instruction

One-to-One Device Program

Agreement for Use of Bristol Issued 1:1 Device (I-pad, Tablet, Laptop, Chromebook, etc.)

- The device you will be issued is the property of Bristol Public Schools and is made available to you as a tool for learning.
- This Agreement sets out the standards for using the device.
- Like textbooks and other school property, the device is assigned to the student and **MUST** be returned to the District upon request, withdrawal, or transfer.
- The use of the device is a privilege that can be revoked. Inappropriate use or neglect of the device can result in limits to or loss of use of the device. Consequences for inappropriate use will vary according to infraction, but may include any or all of the following:
 - School discipline code consequences for minor infractions
 - Loss of privileges or increased daytime controls
 - Loss of device for a designated period of time

Violations are subject to applicable district policies pertaining to discipline.

- All use standards for the school network under Policy and Procedures #6141.321, "Computer Acceptable Use" applies to use of the device/Tablet.
- Students will bring the device to school each day unless otherwise instructed with a full battery charge.
- Students are not permitted to sync the device with a personal computer or to change or otherwise "jailbreak" the device to alter the configuration or functionality that has been established by the District.
- Students must not leave the device unattended at any time while at school. If a student needs to store their device during the school day, he/she must follow all school procedures for securing unattended devices when necessary (athletic events, etc.). The cost of a loss/theft of the device due to negligence of the student will be charged to the parent/student and recovered as authorized under Policy and Procedures 3520 (Student Fees, Fines, Charges).

Instruction

One-to-One Device Program

Agreement for Use of Bristol Issued Device (continued)

- All the software that students will need for classes will be made available by the District. Students are not allowed to uninstall or modify any application or the operating system in any way. Installation of apps by students is permitted with the expectation that these devices are primarily for educational purposes rather than entertainment and/or amusement. The District reserves the right to remove or disable any student-installed apps which they determine to be inappropriate or that interfere with the learning process. All downloading of applications or other on-line costs incurred by the student for authorized or unauthorized personal use of the device is the sole responsibility of the parents/students.
- File-sharing, including downloading music or any other activity that violates copyright laws is not permitted. Any music or other commercial files installed on the device must be legally owned by the student user.

General Handling and Required Care of the Device

- Student and parent/guardian will be charged for any damage resulting from intentional abuse or mishandling, or non-accidental loss or damage due to negligence. A police report is required for any stolen device. The following are not considered to be accidental damage and repair costs will be assessed.
 - Excessive scratches/wear to exterior caused by failure to regularly use a protective case.
 - Intentional marking, defacing, and/or abusing the device for amusement, anger, frustration, etc.
 - Damage caused by tampering with hardware components or operating systems (i.e. jailbreaking) to alter district configuration.
- Any loss or theft of the device must be reported to the technology support office immediately, so that recovery efforts can be initiated. Failure to immediately report a lost device can result in the student being assessed the full replacement cost.
- Do not mark the device in any way with markers, stickers, scratches, engraving, etc. Each device is labeled with a district identification barcode. Do not remove this sticker. Students may personalize the folio case for easier identification.
- When not in use, the device must remain in a case at all times. Any damage resulting from failure to use a case will result in fees being assessed for the full cost of repairs. If you wish to purchase your own case, the case must provide adequate protection for the edges, corners and surface of the device.
- Do not insert foreign objects (paperclips, pens, etc.) into the ports (openings) of the device.

Instruction

One-to-One Device Program

Agreement for Use of Bristol Issued 1:1 Device (continued)

- Do not eat or drink near the device. There should never be any food or drink around the device.
- Protect your device from other sources of moisture such as rain when outdoors and bathrooms or kitchens near toilets or sinks.
- Make sure hands are clean before using the device. Where applicable, the glass screen should be regularly wiped clean with a dry clean soft cloth - a microfiber cloth is recommended, but any soft cotton fabric will work. Do NOT use commercial liquid or spray cleaners on the screen. Do NOT use paper towels to clean the screen.
- When the charging cable needs to be connected, be sure to line it up correctly when inserting and removing. Students are responsible for damage to the charger port or connector pin resulting from mishandling. Use only the school-approved charger assigned with the device.
- If you have problems with your device, stop using it and ask your Tech Support Office for help.

Internet Rules and Expectations

- Bristol Public Schools Acceptable Use Agreement must be followed at all times.
- Any inappropriate web or email activity can result in loss of the device privilege. The use of unapproved proxy servers is strictly forbidden and is a violation of the District's network policy.
- If you unintentionally link to an inappropriate website, report it to your teacher immediately so District officials can remove access to the site.
- All activity conducted on the District/School Internet/Network is monitored and can be tracked/traced. All use of the Internet/Network should be to further the student's education and enrich the student's educational resources.

Parent Information

- The device is meant for student use only. It is not meant to be a family computer or to be used by siblings in any way.

Instruction

One-to-One Device Program

Agreement for Use of Bristol Issued 1:1 Device (continued)

- Parents are responsible for supervising student Internet use while at home; the filtering services we implement on the District network do not transfer to home use. More restrictive settings can be installed upon parent request to limit access to the Internet or other nonacademic uses of the device. The District will be providing specific information on how to request this service.
- Parents should monitor the use of the device at home to ensure that its primary function is academic and that students are completing assigned school work rather than excessive gaming, chatting, etc.
- All families will have the option to participate in a device self-insurance program to provide limited protection in the event of negligent loss or damage to the device. This is a District self-insured program managed by the District. Arrangements can be made through the building Administrators for families that require financial assistance if the parent/student desires the insurance.
- Parents/students have the option of participating in the District's self-insurance program, which provides limited protection in the event of negligent loss or damage to the device, OR denying the insurance and assuming full responsibility for damage, theft or loss.
- The optional insurance program details available by request or by visiting <https://www.bristol.k12.ct.us/>.

Acceptable Use Agreement

I have read the Bristol Public Schools Device Usage Standards, and Computer Acceptable Use Guidelines.

1. I have read and agree to comply with the Agreement for Use of Bristol issued 1:1 device.
2. I agree to comply with the Bristol Public Schools Acceptable Use Policy.
3. I understand that I may lose my device privileges as a result of my inappropriate behavior, and may be financially responsible for damage or loss of any Bristol issued 1:I device.
4. I will return the device, power adapter and cable when requested at the end of the school year. I understand that I will be charged for any missing equipment or cables.

Student - Print your name here

Signature and date here

I have read the Bristol Public Schools Device Usage Standards, and Computer Acceptable Use Guidelines.

1. I understand the procedures and requirements to which my student must comply, including the Acceptable Use Policy.
2. I accept responsibility for any damage or neglect that may result from my student while the device is in his/her possession or control, which may result in monetary charges.
3. I understand that my student may lose his/her device privileges and/or incur financial fees as a result of inappropriate behavior, damage, neglect, or loss to any District device.
4. I understand my student must return the device, power adapter and cable when requested to do so. I understand that I will be charged for any missing equipment or cables.

Insurance Option Selection (check one):

Insert options here

Parent/Guardian - Print your name here

Signature and date here

Current Address: _____

Phone Number: _____

Students

Attendance/Excuses/Dismissal

Attendance

In accordance with Connecticut General Statute 10-186, the Board of Education shall provide education for all persons, residing in the District, five years of age and over, who reach age five on or before the first day of September of any school year, and under twenty-one (age twenty-two for special education students) who is not a graduate of a high school or vocational school, except as provided in Connecticut General Statutes 10-233c and 10-233d.

A student is considered to be “in attendance” if present at his/her assigned school, or an activity sponsored by the school (e.g., field trip), for at least half of the regular school day. A student is also in attendance if the student is participating in statutorily authorized remote learning as determined through a combination of: synchronous virtual classes, synchronous virtual meetings, activities on time-logged electronic systems, and/or the completion and submission of assignments, for at least half of the regular school day. A student who is serving an out-of-school suspension or expulsion should always be considered absent. A student not meeting the definition of “in attendance” shall be considered absent.

Classroom learning experiences are the basis for public school education. Time lost from class is lost instructional opportunity. The Board of Education requires that accurate records be kept of the attendance of each child, and students should not be absent from school without parental knowledge and consent.

Definitions (related to chronic absenteeism)

Chronically absent child: An enrolled student whose total number of absences at any time during a school year is equal to or greater than ten percent of the total number of days that such student has been enrolled at such school during such school year.

Absence: An excused absence, unexcused absence or disciplinary absence, as those terms are defined by the State Board of Education pursuant to C.G.S. 10-198b.

District chronic absenteeism rate: The total number of chronically absent children in the previous school year divided by the total number of children under the jurisdiction of the Board of Education for such school year.

School chronic absenteeism rate: The total number of chronically absent children for a school in the previous school year divided by the total number of children enrolled in such school for such school year.

Students

Attendance/Excuses/Dismissal

Excuses (continued)

Note: *The use of the state approved definitions of “excused” and “unexcused” absences are for state purposes for the reporting of truancy. Districts are not precluded from using separate definitions of such absences for their internal uses such as involving decisions on areas such as promotion and grading.*

A student’s absence from school shall be considered “excused” if written documentation of the reason for such absence has been submitted within ten (10) school days of the student’s return to school and meets the following criteria:

- A. For absences one through nine, a student’s absences from school are considered “excused” when the student’s parent/guardian approves such absence and submits appropriate documentation to school officials.
- B. A student’s engagement in remote classes, remote meetings, activities on time-logged electronic systems, and completion and submission of assignments, if such engagement accounts for not less than one-half of the school day during remote learning is excluded from the definitions of “excused absence” and “unexcused absence.”
- C. Absence resulting from a student enrolled in grades K-12, taking two mental health days during the school year. Such absence is to permit the student to attend to his/her emotional and psychological well-being in lieu of attending school.

The student shall not be required to present documentation or parental/guardian consent. For purposes of school year limitation, such absence shall be identified as a “mental health wellness day.”

A student cannot take these mental health days during consecutive school days.

Such documentation includes a signed note from the student’s parent/guardian, a signed note from a school official that spoke in person with the parent/guardian regarding the absence, or a note confirming the absence by the school nurse or by a licensed medical professional, as appropriate. Documentation should explain the nature of and the reason for the absence as well as the length of the absence. Separate documentation must be submitted for each incidence of absenteeism.

- D. For the tenth absence and all absences thereafter, a student’s absences from school are considered excused for the following reasons:
 - 1. Student illness (must be verified by a licensed medical professional to be deemed excused, regardless of the length of the absence);
 - 2. Student’s observance of a religious holiday;
 - 3. Death in the student’s family or other emergency beyond the control of the student’s family;

Students

Attendance/Excuses/Dismissal

Excuses (continued)

4. Mandated court appearances (documentation required);
 5. The lack of transportation that is normally provided by a district other than the one the student attends (no parental documentation required);
 6. Extraordinary educational opportunities pre-approved by District administration and to be in accordance with Connecticut State Department of Education guidance.
- E. A student's absence from school shall be considered unexcused unless:
1. The absence meets the definition of an excused absence and meets the documentation requirements; or
 2. The absence meets the definition of a disciplinary absence, which is the result of school or District disciplinary action and are excluded from these State Board of Education approved definitions.

When the school in which a child is enrolled receives no notification from a parent or other person having control of the child is aware of the child's absence, a reasonable effort shall be made by school personnel or volunteers under the direction of school personnel to notify by telephone and by mail such parent or other person having control of the child.

Responsibility for completion of missed classwork lies with the student, not the teacher. Unless a student has an extended illness, all make-up work will be complete within five days after the student returns to school.

Excused Absences for Children of Service Members

An enrolled student, age five to eighteen, inclusive, whose parent or legal guardian is an active duty member of the armed forces, as defined in section 27-103, and has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support posting, shall be granted ten days of excused absences in any school year and, at the discretion of the Board of Education, additional excused absences to visit such child's parent or legal guardian with respect to such leave or deployment of the parent or legal guardian. In the case of such excused absences such child and parent or legal guardian shall be responsible to obtaining assignments from the student's teacher prior to any period of excused absence, and for ensuring that such assignments are completed by such child prior to his or her return to school from such period of excused absence.

Chronic Absenteeism

The Board of Education, in compliance with statute, requires the establishment of attendance review teams when chronic absenteeism rates in the District or at individual schools in the District meet the following circumstances:

Students

Attendance/Excuses/Dismissal

Chronic Absenteeism (continued)

1. A team for the District must be established when the District chronic absenteeism rate is 10 percent or higher.
2. A team for the school must be established when the school chronic absenteeism rate is 15 percent or higher.
3. A team for either the District or each school must be established when (a) more than one school in the District has a school chronic absenteeism rate of 15 percent or higher or (b) a District has a District chronic absenteeism rate of 10 percent or higher and one or more schools in the District have a school chronic absenteeism rate of 15 percent or higher.

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

The District shall utilize the chronic absenteeism prevention and intervention plan developed by the State Department of Education. Such plan must include the means for collecting and analyzing data relating to student attendance, truancy and chronic absenteeism. The data must be disaggregated by school district, school grades and subgroups such as race, ethnicity, gender, eligibility for free and reduced priced lunches, students whose primary language is not English, and student with disabilities.

The District shall annually include in information for the strategic school profile report for each school and the District that is submitted to the Commissioner of Education, data pertaining to truancy and chronically absent children.

The Principal or his/her designee of any elementary or middle school located in a town/city designated as an alliance district may refer to the children's truancy clinic established by the Probate Court serving the town/city, a parent/guardian with a child defined as a truant or who is at risk of becoming a truant. *(An attendance officer or a police officer shall deliver the citation and summons and a copy of the referral to the parent/guardian.)*

Dismissal

No school, grade, or class may be dismissed before the regularly scheduled dismissal time without the approval of the Superintendent or his/her designee.

No teacher may permit any individual student to leave school prior to the regular hour of dismissal without the permission of the Principal.

Students

Attendance/Excuses/Dismissal

Dismissal (continued)

No student may be permitted to leave school at any time other than at regular dismissal without the approval of the student's parent/guardian. If a court official with legal permission to take custody of a child, or if a police officer arrests a student, the parent/guardian should be notified of these situations by the administration.

(cf. 5142 - Student Safety)

(cf. 5113.2 - Truancy)

(cf. 6113 - Released Time)

Legal Reference: Connecticut General Statutes
10-220(c) Duties of boards of education (as amended by PA 15-225)
10-184 Duties of parents (as amended by PA 98-243, PA 00-157 and PA 18-15)
10-185 Penalty
10-198a Policies and procedures concerning truants (as amended by PA11-136, An Act Concerning Minor Revisions to the Education Statutes and PA 14-198, An Act Concerning Excused Absences from School for Children of Service Members, and PA 16-147, An Act Concerning the Recommendations of the Juvenile Justice Policy and Oversight Committee)
10-198b State Board of Education to define "excused absence," "unexcused absence," and "disciplinary absence" (as amended by PA 21-46, Section 19)
10-198c Attendance review teams.
10-198d Chronic absenteeism (as amended by PA 17-14 and PA 18-182)
45a-8c Truancy clinic. Administration. Policies and procedures. Report. (as amended by PA 15-225)
10-199 through 10-202 Attendance, truancy - in general
Action taken by State Board of Education on January 2, 2008, to define "attendance."
Action taken by State Board of Education on June 27, 2012, to define "excused" and "unexcused" absences.
PA 17-14 An Act Implementing the Recommendations of the Department of Education
PA 21-46 An Act Concerning Social Equity and the Health, Safety and Education of Children
Action taken by the State Board of Education on September 7, 2022 to amend the definition of "in attendance."

Policy adopted:

rev 11/22

rev 6/24

Students

Attendance/Excuses/Dismissal/Truancy

Attendance

Connecticut state law requires parents to cause their children, ages five through eighteen inclusive, to attend school regularly during the hours and terms the public school is in session. Parents or persons having control of a child five years of age have the option of not sending the child to school until ages six or seven. Mandatory attendance terminates upon graduation or withdrawal with written parent/guardian consent at age seventeen.

A student is considered to be "in attendance" if present at his/her assigned school, or an activity sponsored by the school (e.g., field trip), for at least half of the regular school day. A student who is serving an out-of-school suspension or expulsion should always be considered absent. A student not meeting the definition of "in attendance" shall be considered absent.

Note: P.A. 15-225 requires the SBE to define "disciplinary absence" by January 1, 2016 to assist local boards of education calculate district and school chronic absenteeism rates.

Classroom learning experiences are the basis for public school education. Time lost from class is lost instructional opportunity. The Board of Education requires that accurate records be kept of the attendance of each child, and students should not be absent from school without parental knowledge and consent.

Definitions (related to chronic absenteeism)

Chronically absent child: An enrolled student whose total number of absences at any time during a school year is equal to or greater than ten percent of the total number of days that such student has been enrolled at such school during such school year.

Absence: An excused absence, unexcused absence or disciplinary absence, as those terms are defined by the State Board of Education or an in-school suspension that is greater than or equal to one-half of a school day.

District chronic absenteeism rate: The total number of chronically absent children in the previous school year divided by the total number of children under the jurisdiction of the Board of Education for such school year.

School chronic absenteeism rate: The total number of chronically absent children for a school in the previous school year divided by the total number of children enrolled in such school for such school year.

Note: The use of the state approved definitions of "excused" and "unexcused" absences are for state purposes for the reporting of truancy. Districts are not precluded from using separate

definitions of such absences for their internal uses such as involving decisions on areas such as promotion and grading.

A student's absence from school shall be considered "excused" if written documentation of the reason for such absence has been submitted within ten (10) school days of the student's return to school and meets the following criteria:

A. For absences one through nine, a student's absences from school are considered "excused" when the student's parent/guardian approves such absence and submits appropriate documentation to school officials.

Such documentation includes a signed note from the student's parent/guardian, a signed note from a school official that spoke in person with the parent/guardian regarding the absence, or a note confirming the absence by the school nurse or by a licensed medical professional, as appropriate. Documentation should explain the nature of and the reason for the absence as well as the length of the absence. Separate documentation must be submitted for each incidence of absenteeism.

B. For the tenth absence and all absences thereafter, a student's absences from school are considered excused for the following reasons:

1. Student illness (must be verified by a licensed medical professional to be deemed excused, regardless of the length of the absence);
2. Student's observance of a religious holiday;
3. Death in the student's family or other emergency beyond the control of the student's family;
4. Mandated court appearances (documentation required);
5. The lack of transportation that is normally provided by a district other than the one the student attends (no parental documentation required);
6. Extraordinary educational opportunities pre-approved by District administration and to be in accordance with Connecticut State Department of Education guidance.

C. A student's absence from school shall be considered unexcused unless:

1. The absence meets the definition of an excused absence and meets the documentation requirements; or
2. The absence meets the definition of a disciplinary absence, which is the result of school or District disciplinary action and are excluded from these State Board of Education approved definitions.

When the school in which a child is enrolled receives no notification from a parent or other person having control of the child is aware of the child's absence, a reasonable effort shall be

made by school personnel or volunteers under the direction of school personnel to notify by telephone and by mail such parent or other person having control of the child.

Responsibility for completion of missed classwork lies with the student, not the teacher. Unless a student has an extended illness, all make-up work will be complete within five days after the student returns to school.

Excused Absences for Children of Service Members

An enrolled student, age five to eighteen, inclusive, whose parent or legal guardian is an active duty member of the armed forces, as defined in section [27-103](#), and has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support posting, shall be granted ten days of excused absences in any school year and, at the discretion of the Board of Education, additional excused absences to visit such child's parent or legal guardian with respect to such leave or deployment of the parent or legal guardian. In the case of such excused absences such child and parent or legal guardian shall be responsible to obtaining assignments from the student's teacher prior to any period of excused absence, and for ensuring that such assignments are completed by such child prior to his or her return to school from such period of excused absence.

Chronic Absenteeism

The Board of Education, in compliance with statute, requires the establishment of attendance review teams when chronic absenteeism rates in the District or at individual schools in the District meet the following circumstances:

1. A team for the District must be established when the District chronic absenteeism rate is 10 percent or higher.
2. A team for the school must be established when the school chronic absenteeism rate is 15 percent or higher.
3. A team for either the District or each school must be established when (a) more than one school in the District has a school chronic absenteeism rate of 15 percent or higher or (b) a District has a District chronic absenteeism rate of 10 percent or higher and one or more schools in the District have a school chronic absenteeism rate of 15 percent or higher.
4. The membership of attendance review teams may consist of school administrators, guidance counselors, school social workers, teachers, chronically absent children, parents or guardians of chronically absent children, and representatives from community-based programs who address issues related to student attendance by providing programs and services to truants.
5. Each attendance review team shall be responsible for reviewing the cases of truants and chronically absent children, discussing school interventions and community referrals for such truants and chronically absent children and making any additional

recommendations for such truants and chronically absent children and their parents or guardians. Each established attendance review team shall meet at least monthly.

The District shall utilize the chronic absenteeism prevention and intervention plan developed by the State Department of Education when it becomes available. (SDE to develop by 1/1/16.)

The District shall annually include in information for the strategic school profile report for each school and the District that is submitted to the Commissioner of Education, data pertaining to truancy and chronically absent children.

Dismissal

No school, grade, or class may be dismissed before the regularly scheduled dismissal time without the approval of the Superintendent or his/her designee.

No teacher may permit any individual student to leave school prior to the regular hour of dismissal without the permission of the Principal.

No student may be permitted to leave school at any time other than at regular dismissal without the approval of the student's parent/guardian. If a court official with legal permission to take custody of a child, or if a police officer arrests a student, the parent/guardian should be notified of these situations by the administration.

Truancy

"Truant" shall mean a student age five to eighteen, inclusive, who has four unexcused absences in any one month, or ten unexcused absences in one school year.

The District's policy on student truancy shall stress early prevention and inquiry leading to remediation of absences rather than imposition of punitive measures for students. Referral to legal authorities normally shall be made only when local resources are exhausted. For purposes of implementing this policy and for reporting purposes regarding truancy, the District will utilize the State Board of Education approved definitions of "excused," "unexcused," and "disciplinary" absences.

The Principal or his/her designee of any elementary or middle school located in a town/city designated as an alliance district may refer to the children's truancy clinic established by the Probate Court serving the town/city, a parent/guardian with a child defined as a truant or who is at risk of becoming a truant. (An attendance officer or a police officer shall deliver the citation and summons and a copy of the referral to the parent/guardian.)

A condensed version of this policy shall be included in all Student-Parent Handbooks.

Legal Reference: Connecticut General Statutes

[10-220\(c\)](#) Duties of boards of education (as amended by PA 15-225)

[10-184](#) Duties of parents (as amended by PA 98-243 and PA 00-157)

[10-185](#) Penalty

[10-198a](#) Policies and procedures concerning truants (as amended by PA11-136, An Act Concerning Minor Revisions to the Education Statutes and PA 14-198, An Act Concerning Excused Absences from School for Children of Service Members, and PA 16-147, An Act Concerning the Recommendations of the Juvenile Justice Policy and Oversight Committee)

[45a-8c](#) Truancy clinic. Administration. Policies and procedures. Report. (as amended by PA 15-225)

PA 15-225 An Act Concerning Chronic Absenteeism

[10-199](#) through [10-202](#) Attendance, truancy - in general

Action taken by State Board of Education on January 2, 2008, to define "attendance."

Action taken by State Board of Education on June 27, 2012, to define "excused" and "unexcused" absences.

Policy Adopted: March 1, 1995

Policy Revised: June 11, 2014

Policy Revised: March 1, 2017

Policy Revised: September 13, 2017

Bristol Board of Education

Bristol, Connecticut

A mandated policy to consider.

Students

Truancy

Introduction and Definitions

The District's policy on student truancy shall stress early prevention and inquiry leading to remediation of absences rather than imposition of punitive measures for students. Referral to legal authorities normally shall be made only when local resources are exhausted. For purposes of implementing this policy and for reporting purposes regarding truancy, the District will utilize the State Board of Education approved definitions of "excused," "unexcused," and "disciplinary" absences.

"Truant" shall mean a student age five to eighteen, inclusive, who has four unexcused absences in any one month, or ten unexcused absences in one school year.

"In attendance" shall mean a student if present at his/her assigned school, or an activity sponsored by the school (e.g., field trip), for at least half of the regular school day. A student is also in attendance if the student is participating in statutorily authorized remote learning as determined through a combination of: synchronous virtual classes, synchronous virtual meetings, activities on time-logged electronic systems, and/or the completion and submission of assignments, for at least half of the regular school day. A student who is serving an out-of-school suspension or expulsion should always be considered absent.

"Chronically absent child" is an enrolled student whose total number of absences at any time during a school year is equal to or greater than ten percent of the total number of days that such student has been enrolled at such school during such school year.

"Absence" means an excused absence, unexcused absence or disciplinary absence, as those terms are defined by the State Board of Education pursuant to C.G.S. 10-198b.

"Mental health wellness day" means a school day during which a student attends to his/her emotional and psychological well-being in lieu of attending school. Such days must be nonconsecutive.

"District chronic absenteeism rate" means the total number of chronically absent children in the previous school year divided by the total number of children under the jurisdiction of the Board of Education for such school year.

"School chronic absenteeism rate" means the total number of chronically absent children for a school in the previous school year divided by the total number of children enrolled in such school for such school year.

Students

Truancy

Remediation of Truancy

School personnel shall seek cooperation from parents or other persons having control of such child and assist them in remedying and preventing truancy. The Superintendent of Schools shall develop regulations which will detail the following school district obligations under the district's truancy policy.

1. Notify parents annually of their obligations under the attendance policy.
2. Obtain telephone numbers for emergency record cards or other means of contacting parents or other persons having control of the child during the school day.
3. Establish a system to monitor student attendance.
4. Make a reasonable effort by telephone and by mail to notify parents or other persons having control of the child, enrolled in grades one through eight, inclusive, when a child does not arrive at school and there has been no previously approval or other indication which indicates parents are aware of the absence. *(Note: Persons who in good faith give or fail to give notice pursuant to this section shall be immune from any liability, civil or criminal, which might otherwise be incurred or imposed and shall have immunity with respect to any judicial proceeding which results from such notice or failure to give notice.)*
5. Identify a student as "truant" when the student accumulates four unexcused absences in any month or ten in a school year.
6. Identify a student as "chronically absent" when the student accumulates a total number of absences at any time during a school year that is equal to or greater than ten percent of the total number of days that such student has been enrolled at the school during the school year.
7. Appropriate school staff meet with parents of a child identified as truant or chronically absent to review and evaluate the situation, within ten days of such designation. Such meeting may involve the school or District Attendance Team.

Students so identified may be subject to:

- (a) retention in the same grade to acquire necessary skills for promotion or retention.
 - (b) a requirement to complete a summer school program successfully before being promoted to the next grade.
8. When a petition is filed, an educational evaluation of the truant student shall be done by appropriate school personnel if no such evaluation has been performed within the preceding year.
 9. Each child who is truant shall be evaluated to determine if additional behavioral health interventions are necessary for the well-being of the child. Provide coordination of services and refer "truants" to community agencies which provide child and family services.

Students

Truancy (continued)

Remediation of Truancy (continued)

10. If in existence, refer the child to the children's probate court truancy clinic.
11. Provide notice to the parent(s)/guardian(s) the information concerning the 2-1-1 Infoline and other pediatric mental and behavioral health screening sources and tools provided by the State Department of Education.

The Board shall implement a truancy intervention model identified by the Connecticut State Department of Education (SDE) for any school within the District that has a disproportionately high rate of truancy, as identified by the Commissioner of Education. The intervention models must also address the needs of students with disabilities. Parents or other persons having control of each child shall be notified of such truancy model.

Chronic Absenteeism

The Board of Education, in compliance with statute, requires the establishment of attendance review teams when chronic absenteeism rates in the District or at individual schools in the District meet the following circumstances:

1. A District team must be established when the District's chronic absenteeism rate is 10 percent or higher.
2. A school team must be established when the school chronic absenteeism rate is 15 percent or higher.
3. A team for either the District or each school must be established when (a) more than one school in the District has a school chronic absenteeism rate of 15 percent or higher or (b) a District has a District chronic absenteeism rate of 10 percent or higher and one or more schools in the District have a school chronic absenteeism rate of 15 percent or higher.

The membership of attendance review teams may consist of school administrators, guidance counselors, school counselors, school social workers, teachers, chronically absent children, parents or guardians of chronically absent children, and representatives from community-based programs who address issues related to student attendance by providing programs and services to truants.

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

In the calculation of the District's chronic absenteeism rate and the school chronic absenteeism rate, a student's engagement, in grades 9-12, in remote virtual learning shall be excluded if such engagement accounts for not less than one-half of the school day. In addition, the calculation of chronic absenteeism rates shall exclude absence resulting from a student taking a mental health day pursuant to P.A. 21-46.

Students

Truancy

Chronic Absenteeism (continued)

The District shall utilize the chronic absenteeism prevention and intervention plan developed by the State Department of Education when it becomes available. Such plan must include the means for collecting and analyzing data relating to student attendance, truancy and chronic absenteeism. The data must be disaggregated by school district, school grades and subgroups such as race, ethnicity, gender, eligibility for free and reduced priced lunches, students whose primary language is no English, and student with disabilities.

The District shall annually include in information for the strategic school profile report for each school and the District that submitted to the Commissioner of Education, data pertaining to truancy and chronically absent children.

The Principal or his/her designee of any elementary or middle school located in a town/city designated as an alliance district may refer to the children's truancy clinic established by the Probate Court serving the town/city, a parent/guardian with a child defined as a truant or who is at risk of becoming a truant. (An attendance officer or a police officer shall deliver the citation and summons and a copy of the referral to the parent/guardian.)

(cf. 5113 – Attendance)

Legal Reference: Connecticut General Statutes
10-184 Duties of parents.
10-198a Policies and procedures concerning truants
10-198b State Board of Education to define “excused absence”,
“unexcused absence”, and “disciplinary absences”
10-198c Attendance review teams
10-198d Chronic absenteeism
10-198e Identification of truancy identification models
10-199 through 10-202 Attendance, truancy in general.
45a-8c Truancy clinic. Administration. Policies and procedures. Report.
10-220(c) Duties of boards of education.
10-202e-f Policy on dropout prevention and grant program.
10-221(b) Board of education to prescribe rules.
PA 22-47 An Act Concerning Children’s Mental Health
Campbell v New Milford, 193 Conn 93 (1984).
*Action taken by the State Board of Education on January 2, 2008, to
define “attendance.”*
*Action taken by the State Board of Education on June 27, 2012, to define
“excused and “unexcused” absences.*
*Action taken by the State Board of Education on September 7, 2022 to
amend the definition of “in attendance.”*

Policy adopted:

rev 7/22
rev 11/22
rev 3/23

Students

Truancy

Unexcused Absences/Truancy

In accordance with Board policy regarding truancy (unexcused absences), the following regulations pertain:

1. **Twenty Absence Limit.** No student may receive course credit for a full-year course after having been absent from that course more than twenty (20) class periods during the school year. These absences will be pro-rated for other than full-year courses and for courses meeting other than five (5) periods per week. All absences in a class will be counted except those incurred while a student participates in school-sponsored activities and/or essential administrative business.
2. **Waiver of Policy.** A student who has accumulated more absences than allowed by the policy, but who feels that the situation warrants special consideration, may appeal to the administration for a waiver increasing the number of allowable absences for that particular student. At the discretion of the administration, the parent may be requested to appear at the hearing to verify the legitimacy of the appeal.

Waivers are to be applied in a systemic manner. The administrator will consider all approved absences and any extenuating circumstances and render an impartial judgment.

3. **Grade Reduction for Unapproved Absences.** Students will be warned by teachers upon the first unexcused absence from a class. For each subsequent unexcused absence from that class, the student's grade for the marking period will be reduced by five (5) points. However, in applying this policy, a student's grade may not be reduced more than 50 points in any marking period.

At the beginning of each marking period, automatic grade reductions will begin anew, although the accumulation toward the twenty maximum for the full-year course is cumulative for the year.

Upon recommendation of the teacher, the Principal may adjust a grade when a student's outstanding performance for the latter portion of a marking period may not otherwise be recognized appropriately because of policy grading restrictions.

4. **Student Responsibilities.** Students are responsible for regular attendance in all classes to benefit from continuity of instruction, sequential presentation of material, class interaction, and the attendant self-discipline and responsibility.

It is a student responsibility to have absences approved and notify his/her teachers by presenting approval verification at the next class meeting.

Students

Truancy (continued)

5. Teacher Responsibilities:

- A. At the first confirmed unexcused absence from a class, as determined by the administration, the teacher will:
- (1) Notify the student that for each unexcused absence after this warning the student's grade will be reduced by five (5) points.
 - (2) Notify the office on the designated form of the unexcused absence as soon as confirmed. The teacher or the office will in turn notify the parent of the absence and the consequences.
- B. For every subsequent unapproved absence, the teacher will:
- (1) Inform the student that his/her grade for the marking period will be reduced by five (5) points.
 - (2) Notify the administrator, guidance counselor and school counselor involved on the designated form of the action taken.
 - (3) When a student has accumulated either four unexcused absences in one month or ten unexcused absences in a school year, the teacher will send the designated form to the office notifying the administrator, guidance counselor, school counselor and parent of the student's attendance problem. Within ten (10) days of the last unexcused absence, the guidance counselor or school counselor will contact the parent and initiate arrangements for a conference between the parent and school personnel.
 - (4) When a student has accumulated half the maximum allowable number of excused and unexcused) in a course, the teacher will send the designated form to the office notifying the administrator, guidance counselor, school counselor and parent. The guidance counselor or school counselor will contact the parent and initiate arrangements for a conference between the parent and school personnel.
- All absences are to be recorded in the teacher's record book even though they may be school approved. Teachers will maintain class attendance records and submit them to the administration on the final day of school.
- C. Teachers should, when practical, obtain at least one grade or mark per week for each student. Marks or grades can come from a variety of sources, e.g., homework, class participation, projects, quizzes, etc., and the sources of grades and their weights are at the teacher's discretion.

Students

Truancy (continued)

6. **Counselor Responsibilities. The guidance counselor or school counselor will:**

- A. At the first unexcused absence, arrange a conference with the student to provide counseling and make any required program adjustments.
- B. When notified that the student's grade has been reduced for the second time because of unexcused absences, arrange a conference between the student and guidance counselor or school counselor.
- C. Arrange a meeting within ten (10) days of the fourth unexcused absence in a month or the tenth unexcused absence during the school year.

7. **Administrative Responsibilities.** Whenever a child enrolled in school, ages five (5) to eighteen (18) inclusive, unless such child has either graduated from high school or withdrawn with written parental/guardian permission at ages sixteen or seventeen fails to report to school on a regularly scheduled school day and no indication has been received by school personnel that the child's parent, (or other person having control of the child), is aware of the student's absence, a reasonable effort to notify, by telephone, the parent or such other person shall be made by school personnel or volunteers under the direction of the school Principal.

The school administration will make early concentrated efforts to prevent and remedy truancy in its beginning stages. These efforts will include:

- A. For the student's first unexcused absence from a course which results in grade reduction, the administrator will:
 - (1) Confer with the student.
 - (2) Inform the parent by phone and by mail.
 - (3) Arrange for the student to meet with his/her guidance counselor or school counselor if the situation warrants.
- B. For the second and third unexcused absence and for the third unapproved absence thereafter, the administrator will:
 - (1) Notify the parent by phone and by mail.
 - (2) Confer with the student.
 - (3) Enforce disciplinary measures or arrange for referral services as appropriate. This may include referral to the student assistance team (SAT) or other student assistance programs.

Students

Truancy (continued)

- C. The school will have the appropriate staff member(s) arrange a meeting with the parent (or other person having control) of the child who is truant within ten (10) school days after the child's fourth unexcused absence in one month or tenth unexcused absence in one school year. At this meeting a designated staff shall coordinate services with and referrals of children to community agencies providing child and family services.
- D. When a student's outstanding performance for the latter portion of a marking period may not fully be acknowledged because of the grading restrictions of this policy and upon teacher recommendation, the Principal may review the circumstances and adjust the student's grade.
- E. At the beginning of each new school year, any student who has had ten or more unexcused absences will be identified as an "at risk student" and monitored by appropriate staff. A letter will be sent to parents, and the attendance officer and school social worker will meet with the student to discuss the importance of regular attendance.

8. **Method of Reporting. Four basic forms will be utilized to implement this policy:**

- A. **Excused Absence Form** - for students to verify an excused absence upon confirmation.
- B. **Unexcused Absence Notice** - for teachers to inform the office of each unexcused absence.
- C. **Midpoint Warning Notice** - for teachers, this four-part form notifies the office when students reach half the maximum specified number of absences.
- D. **Final Notice** - completed by teacher when student reaches 20 absences in a full-year course or 10 absences in a semester course.

9. **Truancy Intervention Model**

The District, on or before 8/15/18, will implement a truancy intervention model, identified by the State Department of Education (SDE) for any school within the District that has a disproportionately high rate of truancy, as determined by the Commissioner of Education. (Parents shall be notified of such intervention model.) Such models shall also address the needs of students with disabilities.

Chronic Absenteeism

An attendance review team shall be established when chronic absenteeism rates in the District or at individual schools in the District meet the following circumstances:

- 1. A District team must be established when the district chronic absenteeism rate is 10 percent or higher.

Students

Chronic Absenteeism (continued)

2. A school team must be established when the school's chronic absenteeism rate is 15 percent or higher.
3. A team for either the district or each school must be established when (a) more than one District school has a school chronic absenteeism rate of 15 percent or higher or (b) the District's chronic absenteeism rate is 10 percent or higher and one or more District schools have a school chronic absenteeism rate of 15 percent or higher.

The membership of attendance review teams may consist of school administrators, guidance counselors, school counselors, school social workers, teachers, chronically absent children, parents or guardians of chronically absent children, and representatives from community-based programs who address issues related to student attendance by providing programs and services to truants.

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

“Mental health wellness day” means a school day during which a student attends to his/her emotional and psychological well-being in lieu of attending school. Such days must be nonconsecutive.

In the calculation of the District's chronic absenteeism rate and the school chronic absenteeism rate, a student's engagement, in grades 9-12, in remote virtual learning shall be excluded if such engagement accounts for not less than one-half of the school day. In addition, the calculation of chronic absenteeism rates shall exclude absence resulting from a student taking a mental health day pursuant to P.A. 21-46.

The District shall utilize the chronic absenteeism prevention and intervention plan developed by the State Department of Education when it becomes available. Such plan must include the means for collecting and analyzing data relating to student attendance, truancy and chronic absenteeism. The data must be disaggregated by school district, school grades and subgroups such as race, ethnicity, gender, eligibility for free and reduced priced lunches, students whose primary language is not English, and students with disabilities.

The District will include in information for the strategic school profile report for each school and the District that is submitted to the Commissioner of Education, data pertaining to truancy and chronically absent children.

Students

Truancy (continued)

For Alliance Districts

The Principal or his/her designee of any elementary or middle school district may refer to the children's truancy clinic established by the Probate Court serving the town/city, a parent/guardian with a child defined as a truant or who is at risk of becoming a truant. (An attendance officer or a police officer shall deliver the citation and summons and a copy of the referral to the parent/guardian.)

Tardiness to School or Class

Continued tardiness by a student is a serious problem. Students are expected to be in their places, ready for work, at the bell.

Legal Reference: Connecticut General Statutes
10-184 Duties of parents. (as amended by PA 98-243, PA 00-157 and PA 18-15)
10-198a Policies and procedures concerning truants (as amended by PA 00-157, PA 11-136 and PA 16-147)
10-198b State Board of Education to define "excused absence", "unexcused absence", and "disciplinary absences" (as amended by PA 21-46)
10-198c Attendance review teams (as amended by PA 17-14)
10-198d Chronic absenteeism (as amended by PA 18-182)
10-198e Identification of truancy identification models (as amended by PA 18-182)
10-199 through 10-202 Attendance, truancy in general. (Revised, 1995, PA 95-304)
45a-8c Truancy clinic. Administration. Policies and procedures. Report. (as amended by PA 15-225)
10-220(c) Duties of boards of education (as amended by PA 15-225)
10-202e-f Policy on dropout prevention and grant program.
10-221(b) Board of education to prescribe rules.
Campbell v New Milford, 193 Conn 93 (1984).
Action taken by the State Board of Education on January 2, 2008, to define "attendance."
Action taken by the State Board of Education on June 27, 2012, to define "excused and "unexcused" absences.

Regulation approved:

rev 7/18

rev 7/21

ANNUAL NOTIFICATION OF OBLIGATIONS UNDER C.G.S. 10-184

Dear _____,

Connecticut law requires that the _____ Public Schools provide you with this written notice of your obligations under Connecticut General Statute 10-184. This law provides that each parent or other person having control of a child five years of age and older and under eighteen years of age is obligated to cause the child to attend school regularly during the hours and terms school is in session, unless such parent or other person shows that the child is elsewhere receiving equivalent instruction, or that the child has graduated from high school or that the child age seventeen has withdrawn from school with the written permission of the parent or person having control of such child. Connecticut General Statute 10-185 provides that each day's failure to comply with these requirements is a separate offense, punishable by a \$25.00 fine.

Regular student attendance is essential to the educational process. So that we may seek to inform you if your child is absent without explanation, the law also requires that we obtain from you a telephone number or other means of contacting you during the school day. Please meet this obligation by filling out and promptly returning the form below.

Thank you for your cooperation.

Sincerely,

(Principal)

	FATHER	MOTHER
_____ Mother's Name (please print)	_____ Address	_____ Address
_____ _____	_____ Home Phone	_____ Home Phone
_____ Father's Name (please print)	_____ Work Address	_____ Work Address
_____ Name(s) of student(s):	_____ Work Phone	_____ Work Phone
_____ _____ _____	_____ Emergency Phone #1 (Relative, Friend, Neighbor)	_____ Emergency Phone #2

Dear _____,

As you know, children must attend school on a regular basis in order to be successful. There is a compulsory school attendance law in Connecticut and parents and guardians are legally responsible for keeping their children in school. I'm sure that you want your child to do well in school and therefore, I'm writing to ask for your help. _____ has _____ unexcused absences from school. You have already received information from the _____ Public Schools explaining the attendance policy. This policy states that if a student is absent for more than twenty (20) days, he/she may not be promoted to the next grade.

This is serious problem and we all need to work together to solve it. Please contact _____ immediately for an appointment. _____ will work with you and your child to improve school attendance.

Please call _____ immediately at _____

Respectfully,

Students

Truancy

Introduction and Definitions

The District's policy on student truancy shall stress early prevention and inquiry leading to remediation of absences rather than imposition of punitive measures for students. Referral to legal authorities normally shall be made only when local resources are exhausted. For purposes of implementing this policy and for reporting purposes regarding truancy, the District will utilize the State Board of Education approved definitions of "excused," "unexcused" and "disciplinary" absences.

"Truant" shall mean a student age five to eighteen, inclusive, who has four unexcused absences in any one month, or ten unexcused absences in one school year.

"In attendance" shall mean a student if present at his/her assigned school, or an activity sponsored by the school (e.g., field trip), for at least half of the regular school day. A student who is serving an out-of-school suspension or expulsion should always be considered absent.

"Chronically absent child" is an enrolled student whose total number of absences at any time during a school year is equal to or greater than ten percent of the total number of days that such student has been enrolled at such school during such school year.

"Absence" means an excused absence, unexcused absence or disciplinary absence, as those terms are defined by the State Board of Education.

"District chronic absenteeism rate" means the total number of chronically absent children in the previous school year divided by the total number of children under the jurisdiction of the Board of Education for such school year.

"School chronic absenteeism rate" means the total number of chronically absent children for a school in the previous school year divided by the total number of children enrolled in such school for such school year.

Remediation of Truancy

School personnel shall seek cooperation from parents or other persons having control of such child and assist them in remedying and preventing truancy. The Superintendent of Schools shall develop regulations which will detail the following school district obligations under the district's truancy policy.

1. Notify parents annually of their obligations under the attendance policy.

2. Obtain telephone numbers for emergency record cards or other means of contacting parents or other persons having control of the child during the school day.
3. Establish a system to monitor student attendance.
4. Make a reasonable effort by telephone and by mail to notify parents or other persons having control of the child, enrolled in grades one through eight, inclusive, when a child does not arrive at school and there has been no previously approval or other indication which indicates parents are aware of the absence. (Note: Persons who in good faith give or fail to give notice pursuant to this section shall be immune from any liability, civil or criminal, which might otherwise be incurred or imposed and shall have immunity with respect to any judicial proceeding which results from such notice or failure to give notice.)
5. Identify a student as "truant" when the student accumulates four unexcused absences in any month or ten in a school year.
6. Identify a student as "chronically absent" when the student accumulates a total number of absences at any time during a school year that is equal to or greater than ten percent of the total number of days that such student has been enrolled at the school during the school year.
7. Appropriate school staff meet with parents of a child identified as truant or chronically absent to review and evaluate the situation, within ten days of such designation. Such meeting may involve the school or District Attendance Team.

Students so identified may be subject to:

- (a) retention in the same grade to acquire necessary skills for promotion or retention.
 - (b) a requirement to complete a summer school program successfully before being promoted to the next grade.
8. When a petition is filed, an educational evaluation of the truant student shall be done by appropriate school personnel if no such evaluation has been performed within the preceding year.
 9. Provide coordination of services and refer "truants" to community agencies which provide child and family services.
 10. If in existence, refer the child to the children's probate court truancy clinic.

The Board, on or before 8/15/18, shall implement a truancy intervention model identified by the Connecticut State Department of Education (SDE) for any school within the District that has a disproportionately high rate of truancy, as identified by the Commissioner of Education. Parents or other persons having control of each child shall be notified of such truancy model. (Note: The SDE is required to identify these effective truancy intervention models by 8/15/17.)

Chronic Absenteeism

The Board of Education, in compliance with statute, requires the establishment of attendance review teams when chronic absenteeism rates in the District or at individual schools in the District meet the following circumstances:

1. A District team must be established when the District's chronic absenteeism rate is 10 percent or higher.
2. A school team must be established when the school chronic absenteeism rate is 15 percent or higher.
3. A team for either the District or each school must be established when (a) more than one school in the District has a school chronic absenteeism rate of 15 percent or higher or (b) a District has a District chronic absenteeism rate of 10 percent or higher and one or more schools in the District have a school chronic absenteeism rate of 15 percent or higher.

The membership of attendance review teams may consist of school administrators, guidance counselors, school social workers, teachers, chronically absent children, parents or guardians of chronically absent children, and representatives from community-based programs who address issues related to student attendance by providing programs and services to truants.

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

The District shall utilize the chronic absenteeism prevention and intervention plan developed by the State Department of Education when it becomes available.

The District shall annually include in information for the strategic school profile report for each school and the District that submitted to the Commissioner of Education, data pertaining to truancy and chronically absent children.

The Principal or his/her designee of any elementary or middle school located in a town/city designated as an alliance district may refer to the children's truancy clinic established by the Probate Court serving the town/city, a parent/guardian with a child defined as a truant or who is at risk of becoming a truant. (An attendance officer or a police officer shall deliver the citation and summons and a copy of the referral to the parent/guardian.)

Legal Reference: Connecticut General Statutes

[10-184](#) Duties of parents. (as amended by PA 98-243 and PA 00-157)

[10-198a](#) Policies and procedures concerning truants (as amended by PA 00-157, PA 11-136 and PA 16-147)

[10-198b](#) State Board of Education to define "excused absence", "unexcused absence", and "disciplinary absences"

[10-198c](#) Attendance review teams (as amended by PA 17-14)

[10-198d](#) Chronic absenteeism

[10-199](#) through [10](#) 202 Attendance, truancy in general. (Revised, 1995, PA 95-304)

[45a-8c](#) Truancy clinic. Administration. Policies and procedures. Report. (as amended by PA 15-225)

[10-220\(c\)](#) Duties of boards of education (as amended by PA 15-225)

[10-202e-f](#) Policy on dropout prevention and grant program.

[10-221\(b\)](#) Board of education to prescribe rules.

Campbell v New Milford, 193 Conn 93 (1984).

Action taken by the State Board of Education on January 2, 2008, to define "attendance."

Action taken by the State Board of Education on June 27, 2012, to define "excused and "unexcused" absences.

Policy Adopted: September 13, 2017

Bristol Board of Education

Bristol, Connecticut

Regulation

Students

Attendance/Excuses/Dismissals/Truancy

Definition of Excused Absence

An excused absence is an absence from a regularly scheduled school day for:

1. Reasons of health, including illness, incapacity or doctor's visits. The district reserves the right to request appropriate certification of illness from the student's physician;
2. Religious observance;
3. Court appearance:

4. Funeral of an immediate family member;
5. Approved school field trips; and
6. Suspension or expulsion.
7. Other circumstances discussed with the principal or designee.

Unexcused absences are defined as absences from an entire school day not covered above and will be determined by the school principal or designee.

Questions regarding excused versus unexcused absences should be discussed with the school principal or designee.

Student Responsibilities

- A. Students are responsible for regular attendance in all classes to benefit from continuity of instruction, sequential presentation of material, class interaction, and the attendant self-discipline and responsibility.
- B. It is a student responsibility to have absences approved and notify his/her teachers by presenting approval verification at the next class meeting.

Teacher Responsibilities

- A. **At the first confirmed unexcused absence from a class, as determined by the administration, the teacher will:**
 - (1) Notify the office on the designated form of the unexcused absence as soon as confirmed. The teacher will in turn notify the parent of the absence and the consequences.
 - (2) All absences are to be recorded in the teacher's record book even though they may be school approved. Teachers will maintain class attendance records and submit them to the administration on the final day of school.

Administrative Responsibilities

Whenever a child enrolled in school, ages five (5) to eighteen (18) inclusive, fails to report to school on a regularly scheduled school day and no indication has been received by school personnel that the child's parent (or other person having control of the child) is aware of the pupil's absence, a reasonable effort to notify, by telephone, the parent or such other person shall be made by school personnel under the direction of the school Principal.

Assign an appropriate consequence using Policy [5114](#).

Legal Reference: Connecticut General Statutes

[10-184](#) Duties of parents.

[10-198a](#) Policies and procedures concerning truants.

[10-199](#) through [10-202](#) Attendance, truancy in general.

[10-202e-f](#) Policy on dropout prevention and grant program.

[46b-149](#) Family with Service Needs.

Campbell v New Milford, 193 Conn 93 (1984)

Regulation Approved: March 1, 1995

Regulation Revised: January 3, 2007

Students

Suspension and Expulsion

It is the goal of the Bristol Board of Education to ensure the safety and welfare of all students in attendance, and to maintain an atmosphere conducive to learning. In keeping with this goal, students are expected to comply with school rules and regulations, as well as Board policies. Students may be disciplined for conduct on school grounds or at any school-sponsored activity that endangers persons or property, is seriously disruptive of the educational process, or that violates a publicized policy of the Board. Students may be disciplined for conduct off school grounds if such conduct is seriously disruptive of the educational process and violates a publicized policy of the Board.

In working with students, emphasis shall be placed upon developing effective self-discipline as the most effective disciplinary approach.

I. Definitions

A. Dangerous Instrument means any instrument, article or substance which, under the circumstances in which it is used or attempted or threatened to be used, is capable of causing death or serious physical injury, and includes a "vehicle" or a dog that has been commanded to attack.

B. Deadly Weapon means any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy club, blackjack, bludgeons or metal knuckles. A weapon such as a pellet gun and/or air soft pistol may constitute a deadly weapon if such weapon is designed for violence and is capable of inflicting death or serious bodily harm. In making such determination, the following factors should be considered: design of weapon; how weapon is typically used (e.g. hunting); type of projectile; force and velocity of discharge; method of discharge (i.e. spring v. CO2 cartridge) and potential for serious bodily harm or death.

C. Electronic Defense Weapon means a weapon which by electronic impulse or current is capable of immobilizing a person temporarily, but is not capable of inflicting death or serious physical injury, including a stun gun or other conductive energy device.

D. Emergency means a situation in which the continued presence of the student in school poses such a danger to persons or property or such a disruption of the educational process that a hearing may be delayed until a time as soon after the exclusion of such student as possible.

E. Exclusion means any denial of public school privileges to a student for disciplinary purposes.

F. Expulsion means the exclusion of a student from school privileges for more than ten (10) consecutive school days and shall be deemed to include, but not be limited to, exclusion from the school to which such pupil was assigned at the time such disciplinary action was taken. The expulsion period may not extend beyond one (1) calendar year.

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

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

I. Martial Arts Weapon means a nunchaku, kama, kasari-fundo, octagon sai, tonfa or chinese star.

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

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

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

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

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

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

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

II. Scope of the Student Discipline Policy

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

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

B. Conduct off School Grounds:

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

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

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

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

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

14. Possession or ignition of any fireworks, combustible or other explosive materials, or ignition of any material causing a fire. Possession of any materials designed to be used in the ignition of combustible materials, including matches and lighters.

15. Unlawful possession, sale, distribution, use, or consumption of tobacco, electronic nicotine delivery systems (e.g. e-cigarettes), vapor products, drugs, narcotics or alcoholic beverages (or any facsimile of tobacco, drugs, narcotics or alcoholic beverages, or any item represented to be tobacco, drugs or alcoholic beverages), including being under the influence of any such substances or aiding in the procurement of any such substances. For the purposes of this Paragraph 15, the term “electronic nicotine delivery system” shall mean an electronic device that may be used to simulate smoking in the delivery of nicotine or other substance to a person inhaling from the device and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device. For the purposes of Paragraph 15, the term “vapor product” shall mean any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not include nicotine, that is inhaled by the user of such product. For the purposes of this Paragraph 15, the term "drugs" shall include, but shall not be limited to, any medicinal preparation (prescription and non-prescription) and any controlled substance whose possession, sale, distribution, use or consumption is illegal under state and/or federal law.

16. Sale, distribution, or consumption of substances contained in household items; including, but not limited to glue, paint, accelerants/propellants for aerosol canisters, and/or items such as the aerators for whipped cream; if sold, distributed or consumed for the purpose of inducing a stimulant, depressant, hallucinogenic or mind-altering effect.

17. 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.

20. Trespassing on school grounds while on out-of-school suspension or expulsion.

21. Making false bomb threats or other threats to the safety of students, staff members, and/or other persons.
22. Defiance of school rules and the valid authority of teachers, supervisors, administrators, other staff members and/or law enforcement authorities.
23. Throwing snowballs, rocks, sticks and/or similar objects, except as specifically authorized by school staff.
24. Unauthorized and/or reckless and/or improper operation of a motor vehicle on school grounds or at any school-sponsored activity.
25. Leaving school grounds, school transportation or a school-sponsored activity without authorization.
26. Use of or copying of the academic work of another individual and presenting it as the student's own work, without proper attribution; or any other form of academic dishonesty, cheating or plagiarism.
27. Possession and/or use of a cellular telephone, radio, portable audio player, CD player, blackberry, personal data assistant, walkie talkie, Smartphone, mobile or handheld device, or similar electronic device, on school grounds 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 or tampering with any school computer, computer system, computer software, Internet connection or similar school property or system, or the use of such property or system for inappropriate purposes.
30. Possession and/or use of a laser pointer, unless the student possesses the laser pointer temporarily for an educational purpose while under the direct supervision of a responsible adult.
31. Hazing.
32. Bullying, defined as 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.
- 39. Engaging in teen dating violence, defined as any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, that occurs between two students who are currently in or who have recently been in a dating relationship.
- 40. Any action prohibited by any Federal or State law.
- 41. Any other violation of school rules or regulations or a series of violations which makes the presence of the student in school seriously disruptive of the educational process and/or a danger to persons or property.

IV. Discretionary and Mandatory Expulsions

A. A principal may consider recommendation of expulsion of a student in grades three to twelve, inclusive, in a case where he/she has reason to believe the student has engaged in conduct described at Sections II.A. or II.B., above.

B. A principal must recommend expulsion proceedings in all cases against any student in grades kindergarten to twelve, inclusive, whom the Administration has reason to believe:

1. was in possession on school grounds or at a school-sponsored activity of a deadly weapon, dangerous instrument, martial arts weapon, or firearm as defined in 18 U.S.C. § 921 as amended from time to time; or
2. off school grounds, possessed a firearm as defined in 18 U.S.C. § 921, in violation of Conn. Gen. Stat. § [29-35](#), or possessed and used a firearm as defined in 18 U.S.C. § 921, a deadly weapon, a dangerous instrument or a martial arts weapon in the commission of a crime under chapter 952 of the Connecticut General Statutes; or
3. was engaged on or off school grounds in offering for sale or distribution a controlled substance (as defined in Conn. Gen. Stat. § [21a-240\(9\)](#)), whose manufacturing, distribution, sale, prescription, dispensing, transporting, or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under Conn. Gen. Stat. §§[21a-277](#) and [21a-278](#).
4. The terms “dangerous instrument,” “deadly weapon,” “electronic defense weapon,” “firearm,” and “martial arts weapon,” are defined above in Section I.

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

D. Upon receipt of an expulsion recommendation, the Superintendent may conduct an inquiry concerning the expulsion recommendation.

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

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

V. Procedures Governing Removal from Class

A. A student may be removed from class by a teacher or administrator if he/she deliberately causes a serious disruption of the educational process. When a student is removed, the teacher must send him/her to a designated area and notify the principal or his/her designee at once.

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

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

VI. Procedures Governing Suspension

A. The principal of a school, or designee on the administrative staff of the school, shall have the right to suspend a student for breach of conduct as noted in Section II of this policy for not more than ten (10) consecutive school days. In cases where suspension is contemplated, the following procedures shall be followed.

1. Unless an emergency situation exists, no student shall be suspended prior to having an informal hearing before the principal or designee at which the student is informed of the charges and given an opportunity to respond. In the event of an emergency, the informal hearing shall be held as soon after the suspension as possible.
2. If suspended, such suspension shall be an in-school suspension, except the principal or designee may impose an out-of-school suspension on any pupil:
 - a. in grades three to twelve, inclusive, if, during the informal hearing, (i) the principal or designee determines that the student poses such a danger to persons or property or such a disruption of the educational process that he or she should be excluded from school during the period of suspension; or (ii) the principal or designee determines that an out-of-school suspension is appropriate based on evidence of (A) the student's previous disciplinary problems that have led to suspensions or expulsion of such student, and (B) previous efforts by the Administration to address the student's disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies, or
 - b. in grades preschool to two, inclusive, if the principal or designee determines that an out-of-school suspension is appropriate for such pupil based on evidence that such pupil's conduct on school grounds is of a violent or sexual nature that endangers persons.

3. Evidence of past disciplinary problems that have led to removal from a classroom, suspension, or expulsion of a student who is the subject of an informal hearing may be received by the principal or designee, but only considered in the determination of the length of suspensions.
4. By telephone, the principal or designee shall make reasonable attempts to immediately notify the parent or guardian of a minor student following the suspension and to state the cause(s) leading to the suspension.
5. Whether or not telephone contact is made with the parent or guardian of such minor student, the principal or designee shall forward a letter promptly to such parent or guardian to the last address reported on school records (or to a newer address if known by the principal or designee), offering the parent or guardian an opportunity for a conference to discuss same.
6. In all cases, the parent or guardian of any minor student who has been suspended shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the suspension.
7. Not later than twenty-four (24) hours after the commencement of the suspension, the principal or designee shall also notify the Superintendent or his/her designee of the name of the student being suspended and the reason for the suspension.
8. The student shall be allowed to complete any classwork, including examinations, without penalty, which he or she missed while under suspension.
9. The school Administration may, in its discretion, shorten or waive the suspension period for a student who has not previously been suspended or expelled, if the student completes an Administration-specified program and meets any other conditions required by the Administration. Such Administration-specified program shall not require the student and/or the student's parents to pay for participation in the program.
10. Notice of the suspension shall be recorded in the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record if the student graduates from high school. In cases where the student's period of suspension is shortened or waived in accordance with Section VI.A(9), above, the Administration may choose to expunge the suspension notice from the cumulative record at the time the student completes the Administration-specified program and meets any other conditions required by the Administration.
11. If the student has not previously been suspended or expelled, and the Administration chooses to expunge the suspension notice from the student's cumulative record prior to graduation, the Administration may refer to the existence of the expunged disciplinary notice, notwithstanding the fact that such notice may have been expunged from the student's cumulative file, for the limited purpose of determining whether any subsequent suspensions or expulsions by the student would constitute the student's first such offense.

12. The decision of the principal or designee with regard to disciplinary actions up to and including suspensions shall be final.

13. During any period of suspension served out of school, the student shall not be permitted to be on school property and shall not be permitted to attend or participate in any school-sponsored activities, unless the principal specifically authorizes the student to enter school property for a specified purpose or to participate in a particular school-sponsored activity.

B. In cases where a student's suspension will result in the student being suspended more than ten (10) times or for a total of fifty (50) days in a school year, whichever results in fewer days of

exclusion, the student shall, prior to the pending suspension, be granted a formal hearing before the Board of Education. The principal or designee shall report the student to the Superintendent or designee and request a formal Board hearing. If an emergency situation exists, such hearing shall be held as soon after the suspension as possible.

VII. Procedures Governing In-School Suspension

A. The principal or designee may impose in-school suspension in cases where a student's conduct endangers persons or property, violates school policy, seriously disrupts the educational process or in other appropriate circumstances as determined by the principal or designee.

B. In-school suspension may not be imposed on a student without an informal hearing by the building principal or designee.

C. In-school suspension may be served in the school that the student regularly attends or in any other school building within the jurisdiction of the Board.

D. No student shall be placed on in-school suspension more than fifteen (15) times or for a total of fifty (50) days in one school year, whichever results in fewer days of exclusion.

E. The parents or guardian of any minor student placed on in-school suspension shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the period of the in-school suspension.

VIII. Procedures Governing Expulsion Hearing

A. Emergency Exception:

Except in an emergency situation, the Board of Education shall, prior to expelling any student, conduct a hearing to be governed by the procedures outlined herein and consistent with the requirements of Conn. Gen. Stat. § [10-233d](#) or Conn. Gen. Stat. § [10-233l](#), if applicable, as well as the applicable provisions of the Uniform Administrative Procedures Act, Conn. Gen. Stat. §§ [4-176e](#) to [4-180a](#), and § [4-181a](#). Whenever an

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

B. *Hearing Panel:*

1. Expulsion hearings conducted by the Board will be heard by any three or more Board members. A decision to expel a student must be supported by a majority of the Board members present, provided that no less than three (3) affirmative votes to expel are cast.
2. Alternatively, the Board may appoint an impartial hearing board composed of one (1) or more persons to hear and decide the expulsion matter, provided that no member of the Board may serve on such panel.

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

1. Written notice of the expulsion hearing must be given to the student, and, if the student is a minor, to his/her parent(s) or guardian(s) at least five (5) business days before such hearing.
2. A copy of this Board policy on student discipline shall also be given to the student, and if the student is a minor, to his/her parent(s) or guardian(s), at the time the notice is sent that an expulsion hearing will be convened.
3. The written notice of the expulsion hearing shall inform the student of the following:
 - a. The date, time, place and nature of the hearing.
 - b. The legal authority and jurisdiction under which the hearing is to be held, including a reference to the particular sections of the legal statutes involved.
 - c. A short, plain description of the conduct alleged by the Administration.
 - d. The student may present as evidence relevant testimony and documents concerning the conduct alleged and the appropriate length and conditions of expulsion; and that the expulsion hearing may be the student's sole opportunity to present such evidence.
 - e. The student may cross-examine witnesses called by the Administration.
 - f. The student may be represented by an attorney or other advocate of his/her choice at his/her expense or at the expense of his/her parent(s) or guardian(s).
 - g. A student is entitled to the services of a translator or interpreter, to be provided by the Board of Education, whenever the student or his/her parent(s) or guardian(s) requires the services of an interpreter because he/she/they do(es) not speak the English language or is(are) disabled.

- h. The conditions under which the Board is not legally required to give the student an alternative educational opportunity (if applicable).
- i. Information concerning the parent's(s') or guardian's(s') and the student's legal rights and about free or reduced-rate legal services and how to access such services.
- j. The parent(s) or guardian(s) of the student have the right to have the expulsion hearing postponed for up to one week to allow time to obtain representation, except that if an emergency exists, such hearing shall be held as soon after the expulsion as possible.

D. *Hearing Procedures:*

1. The hearing will be conducted by the Presiding Officer, who will call the meeting to order, introduce the parties, Board members and counsel, briefly explain the hearing procedures, and swear in any witnesses called by the Administration or the student.
2. The hearing will be conducted in executive session. A verbatim record of the hearing will be made, either by tape recording or by a stenographer. A record of the hearing will be maintained, including the verbatim record, all written notices and documents relating to the case and all evidence received or considered at hearing.
3. The Administration shall bear the burden of production to come forward with evidence to support its case and shall bear the burden of persuasion. The standard of proof shall be a preponderance of the evidence.
4. Formal rules of evidence will not be followed. The Board has the right to accept hearsay and other evidence if it deems that evidence relevant or material to its determination. The Presiding Officer will rule on testimony or evidence as to it being immaterial or irrelevant.
5. The hearing will be conducted in two (2) parts. In the first part of the hearing, the Board will receive and consider evidence regarding the conduct alleged by the Administration.
6. In the first part of the hearing, the charges will be introduced into the record by the Superintendent or his/her designee.
7. Each witness for the Administration will be called and sworn. After a witness has finished testifying, he/she will be subject to cross-examination by the opposite party or his/her legal counsel, by the Presiding Officer and by Board members.
8. The student shall not be compelled to testify at the hearing.
9. After the Administration has presented its case, the student will be asked if he/she has any witnesses or evidence to present concerning the charges. If so, the witnesses will be

sworn, will testify, and will be subject to cross examination and to questioning by the Presiding Officer and/or by the Board. The student may also choose to make a statement at this time. If the student chooses to make a statement, he or she will be sworn and subject to cross examination and questioning by the Presiding Officer and/or by the Board. Concluding statements will be made by the Administration and then by the student and/or his or her representative.

10. In cases where the student has denied the allegation, the Board must determine whether the student committed the offense(s) as charged by the Superintendent.

11. If the Board determines that the student has committed the conduct as alleged, then the Board shall proceed with the second portion of the hearing, during which the Board will receive and consider relevant evidence regarding the length and conditions of expulsion.

12. When considering the length and conditions of expulsion, the Board may review the student's attendance, academic and past disciplinary records. The Board may not review notices of prior expulsions or suspensions which have been expunged from the student's cumulative record, except as so provided in Section VI.A (9), (10), (11), above, and Section X, below. The Board may ask the Superintendent for a recommendation as to the discipline to be imposed.

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

14. Where administrators presented the case in support of the charges against the student, such administrative staff shall not be present during the deliberations of the Board either on questions of evidence or on the final discipline to be imposed. The Superintendent may, after reviewing the incident with administrators, and reviewing the student's records, make a recommendation to the Board as to the appropriate discipline to be applied.

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

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

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

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

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

F. Stipulated Agreements:

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

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

IX. Alternative Educational Opportunities for Expelled Students

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

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

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

1. The Board of Education shall provide an alternative educational opportunity to a sixteen (16) to eighteen (18) year-old student expelled for the first time if he/she requests it and if he/she agrees to the conditions set by the Board of Education. Such alternative educational opportunity may include, but shall not be limited to, the placement of a pupil who is at least seventeen years of age in an adult education program. Any pupil participating in an adult education program during a period of expulsion shall not be required to withdraw from school as a condition to his/her participation in the adult education program.
2. The Board of Education is not required to offer an alternative educational opportunity to any student between the ages of sixteen (16) and eighteen (18) who is expelled for a second, or subsequent, time.
3. The Board of Education shall count the expulsion of a pupil when he/she was under sixteen (16) years of age for purposes of determining whether an alternative educational opportunity is required for such pupil when he/she is between the ages of sixteen and eighteen.

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

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

D. *Content of Alternative Educational Opportunity*

1. For the purposes of Section IX, and subject to Subsection IX.E, below, any alternative educational opportunity to which an expelled student is statutorily entitled shall be (1) alternative education, as defined by Conn. Gen. Stat. § [10-74j](#) and in accordance with the *Standards for Educational Opportunities for Students Who Have Been Expelled*, adopted by the State Board of Education, with an individualized learning plan, if the Board provides such alternative education, or (2) in accordance with the *Standards for Educational Opportunities for Students Who Have Been Expelled*, adopted by the State Board of Education.
2. The Superintendent, or his/her designee, shall develop administrative regulations concerning alternative educational opportunities, which administrative regulations shall be in compliance with the standards adopted by the State Board of Education. Such administrative regulations shall include, but not limited to, provisions to address student placement in alternative education; individualized learning plans; monitoring of students placements and performance; and a process for transition planning.

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

Notwithstanding Subsections IX.A. through D. above, if the Board of Education expels a student who has been identified as eligible for services under the Individuals with

Disabilities Education Act (“IDEA”), it shall offer an alternative educational opportunity to such student in accordance with the requirements of IDEA, as it may be amended from time to time, and in accordance with the *Standards for Educational Opportunities for Students Who Have Been Expelled*, adopted by the State Board of Education.

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

The Board of Education may offer an alternative educational opportunity to a pupil for whom such alternative educational opportunity is not required by law or as described in this policy. In such cases, the Board, or if delegated by the Board, the Administration, shall determine the components, including nature, frequency and duration of such services, of any such alternative educational opportunity.

X. Notice of Student Expulsion on Cumulative Record

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

In cases where the student’s period of expulsion is shortened or waived in accordance with Section VIII.D(14), above, the Board may choose to expunge the expulsion notice from the cumulative record at the time the student completes the Board-specified program and meets any other conditions required by the Board.

If a student’s period of expulsion was not shortened or waived, the Board may choose to expunge the expulsion notice from the student’s cumulative record prior to graduation if such student has demonstrated to the Board that the student’s conduct and behavior in the years following such expulsion warrants an expungement. In deciding whether to expunge the expulsion notice, the Board may receive and consider evidence of any subsequent disciplinary problems that have led to removal from a classroom, suspension or expulsion of the student.

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

XI. Change of Residence During Expulsion Proceedings

A. Student moving into the school district:

1. If a student enrolls in the district while an expulsion hearing is pending in another district, such student shall not be excluded from school pending completion of the

expulsion hearing unless an emergency exists, as defined above. The Board shall retain the authority to suspend the student or to conduct its own expulsion hearing.

2. Where a student enrolls in the district during the period of expulsion from another public school district, the Board may adopt the decision of the student expulsion hearing conducted by such other school district. The student shall be excluded from school pending such hearing. The excluded student shall be offered an alternative educational opportunity in accordance with statutory requirements. The Board shall make its determination based upon a hearing held by the Board, which hearing shall be limited to a determination of whether the conduct which was the basis of the previous public school district's expulsion would also warrant expulsion by the Board.

B. Student moving out of the school district:

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

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

A. Suspension of IDEA students:

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

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

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

Notwithstanding any provision to the contrary, if the Administration recommends for expulsion an IDEA student who has violated any rule or code of conduct of the school district that applies to all students, the procedures described in this section shall

apply. The procedures described in this section shall also apply for students whom the Administration has suspended in a manner that is considered under the IDEA, as it may be amended from time to time, to be a change in educational placement:

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

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

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

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

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

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

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

A. Except as provided in subsection B below, notwithstanding any provision to the contrary, if the Administration recommends for expulsion a student identified as eligible for educational accommodations under Section 504 who has violated any rule or code of conduct of the school district that applies to all students, the following procedures shall apply:

1. The parents of the student must be notified of the decision to recommend the student for expulsion.
2. The district shall immediately convene the student’s Section 504 team (“504 team”) for the purpose of reviewing the relationship between the student’s disability and the behavior that led to the recommendation for expulsion. The 504 team will determine whether the student’s behavior was a manifestation of his/her disability.
3. If the 504 team finds that the behavior was a manifestation of the student’s disability, the Administration shall not proceed with the recommended expulsion.

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

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

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

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

B. If a student who committed an expellable offense seeks to return to a school district after participating in a diversionary program or having been placed in a juvenile detention center or any other residential placement and such student has not been expelled by the board of education for such offense under subdivision (A) of this subsection, the Board shall allow such student to return and may not expel the student for additional time for such offense.

XV. Early Readmission to School

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

XVI. Dissemination of Policy

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

XVII. Compliance with Documentation and Reporting Requirements

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

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

C. If the Board of Education expels a student for sale or distribution of a controlled substance, as defined in Conn. Gen. Stat. § [21a-240\(9\)](#), whose manufacture, distribution, sale, prescription, dispensing, transporting or possessing with the intent to sell or dispense, offering, or administration is the subject to criminal penalties under Conn. Gen. Stat. §§ [21a-277](#) and [21a-278](#), the Board shall refer such student to an appropriate state or local agency for rehabilitation, intervention or job training and inform the agency of its action.

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

Legal References:

Connecticut General Statutes:

Public Act 18-31, “An Act Concerning the Recommendations of the Juvenile Justice Policy and Oversight Committee and Concerning the Transfer of Juvenile Services from the Department of Children and Families to the Court Support Services Division of the Judicial Branch”

§§ [4-176e](#) through [4-180a](#) and § [4-181a](#) Uniform Administrative Procedures Act

§ [10-222d](#) Safe school climate plans. Definitions. Safe school climate assessments

§§ [10-233a](#) through [10-233f](#) Suspension and expulsion of students.

§ [10-233l](#) Expulsion and suspension of children in preschool programs

§ [19a-342a](#) Use of electronic nicotine delivery system or vapor product prohibited

§§ [21a-408a](#) through [408p](#) Palliative Use of Marijuana

§ [29-38](#) Weapons in vehicles

§ [53a-3](#) Definitions

§ [53-344b](#) Sale and delivery of electronic nicotine delivery system or vapor products to minors

§ [53-206](#) Carrying of dangerous weapons prohibited.

Packer v. Board of Educ. of the Town of Thomaston, 246 Conn. 89 (1998).

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

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

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

Federal law:

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

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

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

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

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

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

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

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

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

Policy Adopted: January 3, 2007

Policy Revised: July 8, 2009

Policy Revised: February 3, 2010

Policy Revised: March 4, 2015

Policy Revised: September 13, 2017

Policy Revised: June 5, 2019

BRISTOL BOARD OF EDUCATION

Bristol, Connecticut

5114 R

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.
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. If a student is eighteen or older, any notice required by Board policy and this regulation shall be given to the student.
7. 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 class work, including examinations, without penalty, which was missed during suspension.
8. The Superintendent shall report any unusually serious cases of student suspension to the Board of Education at the first meeting following such action.
9. 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.

10. The effective date of in-school suspensions has been determined by the Connecticut General Statutes Section [10-233\(a\)](#) through [10-233\(f\)](#). Suspensions shall be in-school suspensions unless 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.

11. 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

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 board, as defined in C.G.S. [10-233d](#), may expel any student whose conduct on school grounds or at a school sponsored activity endangers persons or property or whose conduct is seriously disruptive of the educational process, or is violative of the publicized policies of the Board of Education. A student's conduct off school grounds may be considered for expulsion if such conduct is seriously disruptive of the educational process and violative of a publicized Board policy.

In making a determination as to whether conduct is "seriously disruptive of the educational process," the administration, Board of Education or impartial hearing board 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 that the student ought to be expelled, the Superintendent shall forward such request to the Board of Education within five days 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 days prior to the date of the hearing.

B. The notice shall contain:

1. The date, time and place of the scheduled hearing.

2. 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.

3. A statement of the student's rights.

4. 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 or who has been expelled for conduct endangering persons which involved (1) carrying a dangerous instrument or weapon including a martial arts weapon on, or introducing a dangerous instrument or weapon on to school property or at a school-sponsored activity or (2) offering for sale or distribution on school property or at a school-sponsored activity a controlled substance, as defined in Section [21a-240\(9\)](#) of the Connecticut General Statutes.

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.

- 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.
- F. The Board or impartial hearing panel 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 panel 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 panel expels a student it shall offer an alternative education program to students under the age of sixteen. 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 16 or older may be placed in an adult education program as an alternative educational opportunity. However, the Board is not required to offer such alternative to any student between the ages of sixteen and eighteen who is expelled because of conduct which endangers persons, and it was determined at the expulsion hearing that the conduct for which the student was expelled involved carrying on or introducing on to school property, on school transportation, or at a school-sponsored activity, a dangerous instrument or weapon including a martial arts weapon or offering for sale or distribution on school property or at a school sponsored activity a controlled substance, as defined in Section [21a-240\(9\)](#) of the Connecticut General Statutes. 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.
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 shall be expunged from the cumulative educational record by the Board if the student graduates from high school, unless the expulsion notice is based on possession of a firearm or deadly weapon.

8. 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.

9. 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 completed the expulsion hearing and render a decision.

10. 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.

11. If a student 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 or 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 board.

12. A student expelled for possession of a firearm or deadly 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.

13. The Board will report annually to the Commission of Education, as prescribed, information pertaining to expulsions for weapons and/or dangerous instruments.

14. An expelled student may apply for early readmission to school. Such readmission shall be at the discretion of the Board of Education. Readmission decisions shall not be subject to appeal to Superior Court. The Board or Superintendent, as appropriate, may condition such readmission on specified criteria.

15. 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.

16. 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.

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.

Legal Reference: Connecticut General Statutes

[4-176e](#) through [4-185](#) Uniform Administrative Procedure Act, as amended.

[10-233a](#) through [10-233f](#) Suspension and expulsion of students (as amended by PA 95-304, PA 96-244, PA 98-139, PA 07-66 and PA 07-122)

[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.

Legal Reference: Connecticut General Statutes (continued)

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.

20 U.S.C. Section 7114, No Child Left Behind Act

Regulation Approved: January 7, 2007

Revised: December 5, 2007

Revised: February 3, 2010

Revised: March 4, 2015

Bristol Board of Education

Bristol, Connecticut

**Public Act 25-93 An Act Increasing Resources for Students, Schools and
Special Education, Sections 38 & 39, and Public Act 25-67 An Act Concerning
the Quality and Delivery of Special Education Services in Connecticut,
Section 13**

(Background Information for Policy Review Committee)

This policy has been extensively revised to account for new requirements regarding expulsion and suspension hearings as well as out-of-district placements due to **challenging behavior**, established by Public Act 25-93 An Act Increasing Resources for Students, Schools and Special Education Section 38 & 39 and Public Act 25-67 An Act Concerning the Quality and Delivery of Special Education Services in Connecticut Section 13.

Expulsion and Suspension Hearings

Homeless Students:

Public Act No. 25-93 Sec 38 & 39 require that prior to conducting an expulsion hearing, an administrator, school counselor, or school social worker at the school in which the student is enrolled must contact the **local homeless education liaison** designated by the board of education for the school district, to make a determination whether such student is a homeless child or youth, as defined in 42 USC 11343a, as amended from time to time.

If it is determined that such a student is a homeless child or youth, the Act requires the board of education, or the impartial hearing board, to consider the impact of homelessness on the student's behavior during the hearing.

The Act also provides that no such student may be expelled without a plan of interventions and support to mitigate the impact of homelessness on the student's behavior. Additionally, any student who is determined to be a homeless child or youth and has been expelled for a second time shall be provided with a meeting with the local homeless education liaison by the local or regional board of education.

Similarly, prior to conducting any hearing regarding the *suspension* of a student, an administrator, school counselor or school social worker at the school in which the student is enrolled must contact the local homeless education liaison to make a determination whether such student is a homeless child or youth, as defined in 42 USC 11343a, as amended from time to time. If it is determined that the student is a homeless child or youth, the administration shall consider the impact of homelessness on the student's behavior during the hearing.

CABE's policy department added the above provisions to our discipline policy, P5114.

General Policy Revisions:

To add clarity to the issue related to formal and informal hearings, CABE's policy department has developed a new section in our policy, titled "**Formal Hearing/Due Process.**" This section includes language regarding the formal hearing process, which was previously combined with the general "Expulsion Procedures" section of the model policy. The "**Expulsion Procedures**" section is now simply an overview of the general expulsion process. In contrast, the "**Formal Hearing/Due Process**" section contains detailed information regarding formal hearings (rules, rights, evidence, etc.).

**Public Act 25-93 An Act Increasing Resources for Students, Schools and Special Education, Sections 38 & 39, and Public Act 25-67 An Act Concerning the Quality and Delivery of Special Education Services in Connecticut,
Section 13**

(Background Information for Policy Review Committee) (continued)

Out-of-district placement due to challenging behavior:

Public Act 25-67 Sec 13 requires that, except in cases where the time required to do so would put the safety of such student, any other student or any staff at such student's school at risk, on and after September 1, 2025, prior to placing any student in an out-of-district placement due to the challenging behavior of such student, each board of education shall conduct a **functional behavior assessment** of such student and develop or update a **behavioral intervention plan** for such student.

The Act mandates that not later than two business days following the decision not to conduct such assessment or develop or update such plan for such student, the local or regional board of education shall *file a notice with the Department of Education* of the reasons that such assessment was not conducted, or such plan was not developed or updated.

(The CABE policy department added the above provisions to P5114.)

Additionally, policy 5114 has been updated to include an added section entitled “**Expunging Records**” using language from the general statutes to provide a more comprehensive policy.

POLICY REVISIONS PRIOR TO 2025

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)

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 – 2nd 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 student 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)

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)

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

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 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.

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)

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. Revised definition of "bullying" to align with Connecticut School Climate Policy and provides details related to hearings and due process adding a section on expunging of records.

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.
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.
32. **“Bullying”** means **is defined as** unwanted and aggressive behavior among children in grades kindergarten to twelve, inclusive, that involves a real or perceived power imbalance.
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.

Students

Suspension and Expulsion/Due Process

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

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.

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

Students may be disciplined for conduct off school grounds if such conduct is seriously disruptive of the educational process and ~~violates~~ ~~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.

Students

Suspension and Expulsion/Due Process (continued)

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.
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)~~

~~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.~~

**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)

Unless an emergency exists, as that term is defined in paragraph A, no student shall be suspended without an informal hearing by the administration, at which such student shall be informed of the reasons for the disciplinary action and given an opportunity to explain the situation, provided nothing herein shall be construed to prevent a more formal hearing from being held if the circumstances surrounding the incident so require. The administration shall then determine whether or not suspension or in-school suspension is warranted.

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

Prior to conducting any hearing regarding the suspension of a student, an administrator, school counselor or school social worker at the school in which the student is enrolled, shall contact the local homeless education liaison designated by the local or regional board of education for the school district, pursuant to Subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act, 42 USC 11431 et seq., as amended from time to time, to make a determination whether such student is a homeless child or youth, as defined in 42 USC 11343a, as amended from time to time. If it is determined that such student is a homeless child or youth, the administration shall consider the impact of homelessness on the behavior of the student during the hearing.

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.

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.

Out-of-School Suspensions

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 preschool to two, if during the ~~informal hearing outlined above, the administration~~:
 - a. Determines that an out-of-school suspension is appropriate for such student based on evidence that such student's conduct on school grounds is behavior that causes physical harm;

Students

Suspension and Expulsion/Due Process

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

Out-of-School Suspensions (continued)

- b. 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
 - c. 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.
2. 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 **(as defined above in section E)** 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. 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.

Length of Suspension Period:

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.

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.

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

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

General provisions:

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 such student is granted a formal hearing pursuant to sub sections 4-176e to 4-180a, inclusive, section 4-181a, and as outlined in in section I below is first granted.

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 such student is granted a formal hearing pursuant to sub sections 4-176e to 4-180a, inclusive, section 4-181a, and as outlined in in section I below is first granted.

H. Expulsion Procedures

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, after holding a formal hearing, it is in the judgment of the Board of Education that such disciplinary action is in the best interest of the school system.

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.

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.

Prior to conducting formal hearing, as required by PA 25-93 Section 38 subsection 3, an administrator, school counselor or school social worker at the school in which the student is enrolled shall contact the local homeless education liaison designated by the local or regional board of education for the school district, pursuant to Subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act, 42 USC 11431 et seq., as amended from time to time, to make a determination whether such student is a homeless child or youth, as defined in 42 USC 11343a, as amended from time to time.

If it is determined that such student is a homeless child or youth:

- i. The local or regional board of education, or the impartial hearing board established pursuant to subsection (b) of this section, shall consider the impact of homelessness on the behavior of the student during the hearing.

Students

Suspension and Expulsion/Due Process

H. Expulsion Procedures (continued)

- ii. No such student may be expelled without a plan of interventions and supports to mitigate the impact of homelessness on the behavior of the student.
- iii. If such child or youth and has been expelled for a second time shall be provided a meeting with the local homeless education liaison by the local or regional board of education.

Upon receipt of a recommendation for expulsion from the Superintendent of Schools the Board shall, after giving written notice **as detailed below in section K Notification**, 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.

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.

Expulsion hearings (**formal 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.

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.

I. Formal Hearings/Due Process

1. 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;

Students

Suspension and Expulsion/Due Process

I. Formal Hearings/Due Process (continued)

- 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.
- 2. Record keeping:**
- 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.
- 3. Rules of evidence at hearings:**
- 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;

Students

Suspension and Expulsion/Due Process

I. Formal Hearings/Due Process (continued)

3. Rules of evidence at hearings: (continued)

- 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.

J. Expunging Records

Suspension:

Whenever a student is suspended pursuant to the provisions of this section, notice of the suspension and the conduct for which the student was suspended shall be included on the student's cumulative educational record.

Such notice shall be expunged from the cumulative educational record by the local or regional board of education if a student graduates from high school, or in the case of a suspension of a student for which the length of the suspension period is shortened or the suspension period is waived pursuant to subsection (e) of this section, such notice shall be expunged from the cumulative educational record by the local or regional board of education (1) if the student graduates from high school, or (2) if the administration so chooses, at the time the student completes the administration-specified program and meets any other conditions required by the administration pursuant to subsection (e) of Sec. 10-233d., whichever is earlier.

Students

Suspension and Expulsion/Due Process

J. Expunging Records (continued)

Expulsion:

Whenever 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 notice of an expulsion of a student in grades nine to twelve, inclusive, based on possession of a firearm or deadly weapon as described in Sec. 29-38 of the general statutes.

1. shall be expunged from the cumulative educational record by the board of education if a student graduates from high school, or
2. may be expunged from the cumulative educational record by the board of education before a student graduates from high school if:
 - a. in the case of a student for which the length of the expulsion period is shortened or the expulsion period is waived pursuant to subdivision (2) of subsection (c) Sec. 10-233d., such board determines that an expungement is warranted at the time such student completes the board-specified program and meets any other conditions required by such board pursuant to subdivision (2) of subsection (c) of Sec. 10-233d. , or
 - b. such student has demonstrated to such board that the conduct and behavior of such student in the years following such expulsion warrants an expungement. The board of education, in determining whether to expunge such notice, may receive and consider evidence of any subsequent disciplinary problems that have led to removal from a classroom, suspension or expulsion of such student.

K. 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 (CT legal services as a source of such services) 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.

Students

Suspension and Expulsion/Due Process (continued)

L. 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.

M. 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.

N. 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.

Students

Suspension and Expulsion/Due Process (continued)

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

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.

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.

Students

Suspension and Expulsion/Due Process

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

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.

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.

O. **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.

Students

Suspension and Expulsion/Due Process

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

2. The district shall immediately convene the student’s Section 504 team (“504 team”) for the purpose of reviewing the relationship between the student’s disability and the behavior that led to the recommendation for expulsion. The 504 team will determine whether the student’s behavior was a manifestation of his/her disability.
 3. If the 504 team finds that the behavior was a manifestation of the student’s disability, the Administration shall not proceed with the recommended expulsion.
 4. If the 504 team finds that the behavior was not a manifestation of the student’s disability, the Administration may proceed with the recommended expulsion.
- B. The Board may take disciplinary action for violations pertaining to the use or possession of illegal drugs or alcohol against any student with a disability who currently is engaging in the illegal use of drugs or alcohol to the same extent that such disciplinary action is taken against nondisabled students. Thus, when a student with a disability is recommended for expulsion based solely on the illegal use or possession of drugs or alcohol, the 504 team shall not be required to meet to review the relationship between the student’s disability and the behavior that led to the recommendation for expulsion.

P. 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.

Students

Suspension and Expulsion/Due Process (continued)

Q. 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.

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.
3. 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.
4. 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.

Students

Suspension and Expulsion/Due Process

R. 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.
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.

Students

Suspension and Expulsion/Due Process

R. Other Considerations (continued)

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.
10. Prior to placing any student in an out-of-district placement due to the challenging behavior of such student, the board of education shall conduct a functional behavior assessment of such student and develop or update a behavioral intervention plan for such student.

A functional behavior assessment and a behavioral intervention plan shall not be required if the time required to conduct such assessment or develop or update such plan would put the safety of such student, any other student or any staff at such student's school at risk.

Not later than two business days following the decision to not conduct such assessment or develop or update such plan for such student, the local or regional board of education shall file a notice with the Department of Education of the reasons that such assessment was not conducted or such plan was not developed or updated.

S. Change of Residence During Expulsion Proceedings

A. Student moving into the school district

1. If a student enrolls in the district while an expulsion hearing is pending in another district, such student shall not be excluded from school pending completion of the expulsion hearing unless an emergency exists, as defined above. The Board shall retain the authority to suspend the student or to conduct its own expulsion hearing.
2. Where a student enrolls in the district during the period of expulsion from another public school district, the Board may adopt the decision of the student expulsion hearing conducted by such other school district. The student shall be excluded from school pending such hearing. The excluded student shall be offered an alternative educational opportunity in accordance with statutory requirements. The Board shall make its determination based upon a hearing held by the Board, which hearing shall be limited to a determination of whether the conduct which was the basis of the previous public school district's expulsion would also warrant expulsion by the Board.

Students

Suspension and Expulsion/Due Process

S. Change of Residence During Expulsion Proceedings (continued)

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.

T. 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.

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.

Students

Suspension and Expulsion/Due Process

Legal Reference: Connecticut General Statutes
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, PA 17-220, PA 19-91 and **PA 25-67 and PA 25-93.**
10-233l 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)
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
Public Act 25-67 An Act Concerning the Quality and Delivery of Special Education Services in Connecticut (Section 13)
Public Act 25-93 An Act Increasing Resources for Students, Schools and Special Education (Sections 38 & 39)

Policy adopted:

rev 7/19
rev 7/24
rev 4/25
rev 7/25

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)¹
(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).

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

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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)

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.)

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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)).

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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 2nd 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.

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 or 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)

Mission - Goals - Objectives

Equal Opportunity - Nondiscrimination

The President and the Congress of the United States and the State of Connecticut have enacted laws and issued directives affirming their intent to protect and grant equal opportunity, to all employees and students. Also the federal government and the state of Connecticut have enacted and enforced laws regarding the equality of employment and equality of opportunity in education.

The Bristol Board of Education reaffirms its policy of equal educational opportunity for all students and prohibits discrimination because of race, color, religious creed, age, marital status, national origin, sex, sexual orientation, gender identity or expression, learning disability, mental disability or physical disability in district educational programs and activities, including, but not limited to course offerings, athletic programs, guidance and counseling, and tests and procedures. To the maximum extent possible an intensive affirmative action program shall be an integral part of an educational policies and programs.

The Bristol Board of Education also reaffirms its policy of equal employment opportunity for all persons and to prohibit discrimination in employment because of race, color, religious creed, age, marital status, national origin, sex, sexual orientation, gender identity, ancestry, present or past history of mental disorder, mental retardation, pregnancy, or physical disability except in the case of a bonafide occupational qualification or need. Sexual harassment shall not influence employment decisions, nor shall decisions be influenced, affected or determined on the basis of membership in or holding of office in an employee association or union. This policy shall be relevant to every aspect of employment not limited to but including upgrading, demotion or transfer, recruitment and/or recruitment advertising, layoff or termination, rates of pay, other forms of compensation including fringe benefits, employment selection or selection for training and apprenticeships, promotion or tenure.

These statements shall be made available to all present and future employees and students.

(cf. 4112/4212 Nondiscrimination, 6214 Nondiscrimination in Instruction)

Legal Reference: Connecticut General Statutes

[10-15c](#) Discrimination in public schools prohibited. School attendance by five-year olds. (Amended by P.A. 97-247 to include "sexual orientation" and P.A. 11-55 to include "gender identity or expression")

[10-153](#) Discrimination on account of marital status.

[46a-60](#) Discriminatory employment practices prohibited.

Federal Law

Title VII of the Civil Rights Act 1964

Section 504 and the Federal Vocational Rehabilitation Act of 1973, 20 U.S.C. 706(7)(b).

American Disability Act of 1989.

Chalk v. The United States District Court of Central California.

Title IX of the Education Amendments of 1972.

Civil Rights Act of 1987.

Policy Adopted: December 7, 2016

BRISTOL PUBLIC SCHOOLS

Bristol, Connecticut

Mission – Goals – Objectives

Nondiscrimination

The District shall promote nondiscrimination and an environment free of harassment based on an individual's race, color, religion, creed, sex, sexual orientation, gender identity/expression, national origin, ancestry, disability, (including, but not limited to, intellectual disability, past or present history of mental disorder, physical disability or learning disability), genetic information, marital status or age or because of the race, color, religion, sex, sexual orientation, gender identity or expression, national origin, disability, genetic information, marital status or age of any other persons with whom the individual associates, status as a Veteran or status as a victim of domestic violence. The District provides equal access to the Boy Scouts and other designated youth groups.

In keeping with requirements of federal and state law, the District strives to remove any vestige of discrimination in employment, assignment and promotion of personnel; in educational opportunities and services offered to students; in student assignment to schools and classes; in student discipline; in location and use of facilities; in educational offerings and materials; in accommodating the public at public meetings; as well as the District website.

The Board encourages staff to improve human relationships within the schools and to establish channels through which citizens can communicate their concerns to the administration and the Board.

The Superintendent shall appoint and make known the individuals to contact on issues concerning the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1974, Title VI, Title VII, Title IX and other civil rights or discrimination issues. The Board will adopt and the District will publish grievance procedures providing for prompt and equitable resolution of student and employee complaints.

Federal civil rights laws prohibit discrimination against an individual because he/she has opposed any discrimination act or practice or because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing. ADA further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising the rights guaranteed under the Act.

(cf. 4000.1 – Title IX)

(cf. 4111 – Recruitment and Selection)

(cf. 4111.1/4211.1 – Affirmative Action)

(cf. 4118.11/4218.11 – Nondiscrimination)

(cf. 4118.112/4218.112 – Sex Discrimination and Sexual Harassment in the Workplace)

(cf. 4118.113/4218.113 – Harassment)

(cf. 5145.4 – Nondiscrimination)

(cf. 5145.5 – Sexual Harassment)

(cf. 5145.51 – Peer Sexual Harassment)

(cf. 5145.52 – Harassment)

(cf. 5145.6 – Student Grievance Procedure)

(cf. 6121 – Nondiscrimination)

(cf. 6121.1 - Equal Educational Opportunity)

Mission – Goals – Objectives

Nondiscrimination

Legal Reference: Title VII, Civil Rights Act, 42 U.S.C. 2000e, et seq.
29 CFR 1604.11, EEOC Guidelines on Sex Discrimination.
Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.
Title IX Final Rule, May 6, 2020
Age Discrimination in Education Act, 29 U.S.C. §621
Americans with Disabilities Act, 42 U.S.C. §12101
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §794
Title II of the Genetic Information Act of 2008
Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d et. Seq.
34 CFR Section 106.8(b), OCR Guidelines for Title IX.
Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol 62, #49, 29 CFR Sec. 1606.8 (a0 62 Fed Reg. 12033 (March 13, 1997) and 66 Fed. Reg. 5512 (January 19, 2001)
20 U.S.C. 7905 (Boy Scouts of America Equal Access Act)
Meritor Savings Bank. FSB v. Vinson, 477 U.S. 57 (1986)
Faragher v. City of Boca Raton, No. 97-282 (U.S. Supreme Court, June 26,1998)
Gebbser v. Lago Vista Indiana School District, No. 99-1866, (U.S. Supreme Court, June 26,1998)
Davis v. Monro County Board of Education, No. 97-843, (U.S. Supreme Court, May 24, 1999.)
The Vietnam Era Veterans’ Readjustment Act of 1974, as amended, 38U.S.C. §4212
Title II of the Genetic Information Nondiscrimination Act of 2008
Connecticut General Statutes
46a-51 Definitions (as amended by PA 17-127, PA 21-2 and PA 22-82)
46a-58 Deprivation of rights. Desecration of property. Placing of burning cross or noose on property. Penalty. (as amended by PA 17-127 and PA 22-82)
46a-60 Discriminatory employment practices prohibited. (as amended by PA 17-127 and PA 21-69 and PA 22-82)
46a-81a Discrimination on basis of sexual orientation: Definition
10-15c Discrimination in public schools prohibited. School attendance by five-year olds. (Amended by P.A. 97-247 to include “sexual orientation” and P.A. 11-55 to include “gender identity or expression”)
10-153 Discrimination on account of marital status.
17a-101 Protection of children from abuse.
PA 17-127, An Act Concerning Discriminatory Practices Against Veterans, Leaves of Absence for National Guard Members...
Public Law 111-256
Meacham v. Knolls Atomic Power Laboratory 128 S.Ct. 2395, 76 U.S.L.W. 4488 (2008)

Mission – Goals – Objectives

Nondiscrimination

Legal Reference: (continued)

Federal Express Corporation v. Holowecki 128 S.Ct. 1147, 76 U.S.L.W. 4110 (2008)

Kentucky Retirement Systems v. EEOC 128 S.Ct. 2361, 76 U.S.L.W. 4503 (2008)

Sprint/United Management Co. v. Mendelsohn 128 S.Ct. 1140, 76 U.S.L.W. 4107 (2008)

Bostock v. Clayton County, Georgia, 140 S.Ct. 1731, 2020 WL3146686 (June 15, 2020)

Policy adopted:

rev 6/20
rev 1/21
rev 10/22

Another version of this mandated policy to consider. This version contains the mandated grievance procedure which could be placed in an administrative regulation.

Mission – Goals – Objectives

Nondiscrimination

The Board of Education, in compliance with federal and state law, affirms its policy of equal educational opportunity for all students and equal employment opportunity for all persons.

Nondiscrimination in School and Classroom Practices

It is the policy of the District to provide equal opportunity for all students to achieve their maximum potential through the programs offered in all District schools regardless of race, color, age, creed, religion, gender, sexual orientation, gender identity or expression, ancestry, national origin, disability, or status as a victim of domestic violence.

The District shall provide to all students without discrimination, course offerings, counseling, assistance, employment, athletics and extracurricular activities. The District shall provide equal access to the Boy Scouts and other designated youth groups. The District shall make reasonable accommodations for identified physical and mental impairments that constitute disabilities, consistent with federal and state statutes and regulations.

Students and third parties who have been subject to discrimination are encouraged to promptly report such incidents to the District's Compliance Officer.

All complaints of discrimination shall be investigated promptly. Corrective action must be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the District's legal and investigative obligations.

Neither reprisals nor retaliation shall occur as a result of good faith charges of discrimination.

Nondiscrimination in Employment/Contract Practices

It is the Board's policy to provide all persons equal access to all categories of employment in this District regardless of race, color, age, creed, religion, gender, gender identity or expression, sexual orientation, ancestry, national origin, status as a victim of domestic violence, marital status, mental or physical disability, genetic information, status as a Veteran or any other basis prohibited by Connecticut state and/or federal laws. The District shall make reasonable accommodations for identified physical and mental impairments that constitute disabilities, consistent with federal and state statutes and regulations.

Employees and third parties who have been subject to discrimination are encouraged to promptly report such incidents to the District's Compliance Officer.

All complaints of discrimination shall be investigated promptly. Corrective action must be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the District's legal and investigative obligations.

Neither reprisals nor retaliation shall occur as a result of good faith charges of discrimination.

Mission – Goals – Objectives

Nondiscrimination

Delegation of Responsibility

In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates the

- { } Superintendent
- { } Assistant Superintendent
- { } Business Manager
- { } Personnel Director
- { } Director of Special Education/Services

as the District's Compliance Officer.

The Compliance Officer shall publish and disseminate this policy and complaint procedure annually to students, parents, employees and the public. Nondiscrimination statements shall include the position, office address and telephone number of the Compliance Officer.

The Compliance Officer is responsible to monitor the implementation of nondiscrimination procedures in the areas listed.

School and Classroom Practices:

1. **Curriculum and Materials:** Review curriculum guides, textbooks and supplementary materials for discriminatory bias.
2. **Training:** Provision of training for students and staff to identify and alleviate problems of nondiscrimination.
3. **Student Access:** Review of programs, activities and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
4. **District Support:** Assure that like aspects of the school program receive like support as to staffing, compensation, facilities, equipment and related matters.
5. **Student Evaluation:** Review of tests, procedures and guidance and counseling materials for stereotyping and discrimination.

Employment/Contract Practices

1. Development of position qualifications, job descriptions and essential job functions.
2. Recruitment materials and practices.
3. Procedures for screening, interviewing and hiring.
4. Promotions.
5. Disciplinary actions, up to and including terminations.

Mission – Goals – Objectives

Nondiscrimination

Delegation of Responsibility

Employment/Contract Practices (continued)

The Building Principal or his/her designee shall be responsible to complete the following duties when receiving a complaint of discrimination:

1. Inform the student, employee or third party of the right to file a complaint and the complaint procedures.
2. Inform the student complainant that he/she may be accompanied by a parent/guardian during all steps of the complaint procedure.
3. Notify the complainant and the accused of the progress at appropriate stages of the procedure.
4. Refer the complainant to the Compliance Officer if the Building Principal is the subject of the complaint.

Complaint Procedure –Student/Employee/Third Party

Step 1 – Reporting

A student, employee or third party who believes he/she has been subject to conduct that constitutes a violation of this policy is encouraged to report the incident immediately to the Building Principal.

A school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the Building Principal.

If the Building Principal is the subject of the complaint, the student, employee or third party shall report the incident directly to the Compliance Officer.

The complainant is encouraged to use the report form available from the Building Principal, but oral complaints shall be acceptable.

Step 2 – Investigation

Upon receiving a complaint of discrimination, the Building Principal shall immediately notify the Compliance Officer, who shall then authorize the Building Principal to investigate the complaint, unless the Building Principal is the subject of the complaint or is unable to conduct the investigation.

The investigation may consist of individual interviews with the complainant, the accused and others with knowledge relative to the incident. Other information and materials relevant to the investigation may also be evaluated.

The obligation to conduct this investigation shall not be negated by the fact that a criminal investigation is pending or has been concluded.

Mission – Goals – Objectives

Nondiscrimination

Complaint Procedure –Student/Employee/Third Party (continued)

Step 3 – Investigative Report

The Building Principal shall prepare a written report within fifteen (15) days, unless additional time to complete the investigation is required. The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual and whether it is a violation of this policy, and a recommended disposition of the complaint.

Copies of the report shall be provided to the complainant, the accused and the Compliance Officer.

Step 4 – District Action

If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the District shall take prompt, corrective action to ensure that such conduct ceases and will not reoccur.

Disciplinary actions, in the case of students, shall be consistent with the school disciplinary practices, Board policies, administrative regulations, and state and federal laws.

Disciplinary actions, in the case of employees and third parties, shall be consistent with the Board policies, administrative regulations, state and federal laws, and applicable collective bargaining unit agreements.

Step 5 - Appeal Procedure

The complainant, if not satisfied with a finding of no violation of the policy or with the corrective action recommended in the investigative report, he/she may submit a written appeal to the Compliance Officer within fifteen (15) days.

The Compliance Officer shall review the investigation and the investigative report and may also conduct an investigation.

The Compliance Officer shall prepare a written response to the appeal within fifteen (15) days. Copies of the response shall be provided to the complainant, the accused and the Building Principal who conducted the initial investigation.

Mission – Goals – Objectives

Nondiscrimination

Complaint Procedure – Student/Employee/Third Party (continued)

- (cf. 4000.1 – Title IX)
- (cf. 4111 – Recruitment and Selection)
- (cf. 4111.1/4211.1 – Affirmative Action)
- (cf. 4118.11/4218.11 – Nondiscrimination)
- (cf. 4118.112/4218.112 – Sex Discrimination and Sexual Harassment in the Workplace)
- (cf. 4118.113/4218.113 – Harassment)
- (cf. 5145.4 – Nondiscrimination)
- (cf. 5145.5 – Sexual Harassment)
- (cf. 5145.51 – Peer Sexual Harassment)
- (cf. 5145.52 – Harassment)
- (cf. 5145.6 – Student Grievance Procedure)
- (cf. 6121 – Nondiscrimination)
- (cf. 6121.1 - Equal Educational Opportunity)

- Legal Reference: Title VII, Civil Rights Act, 42 U.S.C. 2000e, et seq.
29 CFR 1604.11, EEOC Guidelines on Sex Discrimination.
Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.
Title IX Final Rule, May 6, 2020
Boy Scouts of America Equal Access Act
34 CFR Section 106.8(b), OCR Guidelines for Title IX.
Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol 62, #49, 29 CFR Sec. 1606.8 (a) 62 Fed Reg. 12033 (March 13, 1997) and 66 Fed. Reg. 5512 (January 19, 2001)
The Americans with Disabilities Act as amended by the ADA Amendments Act of 2008
Meritor Savings Bank. FSB v. Vinson, 477 U.S. 57 (1986)
Faragher v. City of Boca Raton, No. 97-282 (U.S. Supreme Court, June 26, 1998)
Gebbs v. Lago Vista Indiana School District, No. 99-1866, (U.S. Supreme Court, June 26, 1998)
Davis v. Monro County Board of Education, No. 97-843, (U.S. Supreme Court, May 24, 1999.)
The Vietnam Era Veterans' Readjustment Act of 1974, as amended, 38U.S.C. §4212

Mission – Goals – Objectives

Nondiscrimination

Legal Reference (continued)

Title II of the Genetic Information Nondiscrimination Act of 2008

Connecticut General Statutes

46a-51 Definitions (as amended by PA 17-127, PA 21-2 and PA 22-82)

46a-58 Deprivation of rights. Desecration of property. Placing of burning cross or noose on property. Penalty. (as amended by PA 17-127 and PA 22-82)

46a-60 Discriminatory employment practices prohibited. (as amended by PA 17-127 and PA 21-69 and PA 22-82)

10-15c Discrimination in public schools prohibited. School attendance by five-year olds. (Amended by P.A. 97-247 to include “sexual orientation” and P.A. 11-55 to include “gender identity or expression”)

10-153 Discrimination on account of marital status. (as amended by PA 11-55 to include “gender identity or expression”)

17a-101 Protection of children from abuse.

Meacham v. Knolls Atomic Power Laboratory 128 S.Ct. 2395, 76 U.S.L.W. 4488 (2008)

Federal Express Corporation v. Holowecki 128 S.Ct. 1147, 76 U.S.L.W. 4110 (2008)

Kentucky Retirement Systems v. EEOC 128 S.Ct. 2361, 76 U.S.L.W. 4503 (2008)

Sprint/United Management Co. v. Mendelsohn 128 S.Ct. 1140, 76 U.S.L.W. 4107 (2008)

Bostock v. Clayton County, Georgia, 140 S.Ct. 1731, 2020 WL3146686 (June 15, 2020)

Policy adopted:

rev 6/20
rev 1/21
rev 10/22

REPORT FORM FOR COMPLAINTS OF DISCRIMINATION

Complainant: _____
Home Address: _____
Home Phone: _____
School building: _____
Date of Alleged Incident(s): _____

Alleged harassment was based on: (Check all that apply.)

- | | | | |
|-----------------------------------|-------------------------------------|---|--|
| <input type="checkbox"/> Race | <input type="checkbox"/> Color | <input type="checkbox"/> National Origin | <input type="checkbox"/> Gender Identity or Expression |
| <input type="checkbox"/> Gender | <input type="checkbox"/> Disability | <input type="checkbox"/> Religion | <input type="checkbox"/> Status as a Veteran |
| <input type="checkbox"/> Ancestry | <input type="checkbox"/> Age | <input type="checkbox"/> Sexual Orientation | <input type="checkbox"/> Status as a Victim of Domestic Violence |

Name of person you believe violated the District's nondiscrimination policy:

If the alleged discrimination was directed against another person, identify the other person:

Describe the incident as clearly as possible, including any verbal statements (i.e., threats, derogatory remarks, demands, etc.) and any actions or activities. Attach additional pages if necessary:

When and where incident occurred: _____

List any witnesses who were present: _____

This complaint is based on my honest belief that _____ has discriminated against me or another person. I certify that the information provided in this complaint is true, correct and complete to the best of my knowledge.

Complainant's Signature

Date

Received By

Date

*Suggest placing nondiscrimination statement in front of manual.
Two samples are provided.*

Mission - Goals - Objectives

Nondiscrimination

In compliance with regulations of Title VII of the Civil Rights Act 1964, Title IX of the Education Amendments of 1972 and Section 504 of the Rehabilitation Act of 1973, the Civil Rights Act of 1987 and the American With Disabilities Act, as amended, the _____ Board of Education adopts the following Equal Employment Opportunity and Equal Education Opportunity Policies.

Equal Employment Opportunity

Both federal and state law prohibit discriminatory practices in hiring and employment. It is the policy of the _____ Board of Education to prohibit acts of discrimination in all matters dealing with employees and applicants for positions with the school district and to further the principle of equal employment opportunity in all actions affecting employees and applicants. As an equal opportunity employer, the _____ Board of Education does not discriminate on the basis of race, color, religious creed, age, marital status, national origin, ancestry, sex, sexual orientation, gender identity or expression, status as a victim of domestic violence, past or present history of mental disorder, intellectual disability, learning disability, regarding any individual who can perform the essential functions of the job with or without reasonable accommodations physical disability (including blindness) or other disability (except in the case of a bona fide occupational qualification or need) or status as a Veteran. The District provides equal access to the Boy Scouts and other designated youth groups.

Equal Education Opportunity

Pursuant to the IDEA, Americans With Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, no otherwise qualified individual with handicaps shall, solely by reason of such handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program of the _____ Board of Education.

Every student has the right to participate fully in classroom instruction and extracurricular activities and shall not be abridged or impaired because of age, sex, race, religion, national origin, pregnancy, parenthood, marriage, or for any reason not related to his/her individual capabilities.

The Civil Rights Coordinators for the _____ Board of Education have the responsibility to monitor the compliance of this policy. The names and location of the Civil Rights Coordinators are set forth below. Further compliance with policy is a responsibility of all district administrators in accordance with the procedures set forth in the attached regulations.

Mission - Goals - Objectives

Nondiscrimination

Equal Education Opportunity (continued)

Students shall not be discriminated against, including but not limited to, in the areas of:

- Admission
- Use of School Facilities
- Vocational Education
- Competitive Athletics
- Student Rules, Regulations and Benefits
- Financial Assistance
- School-sponsored Extracurricular Activities
- Enrollment in Courses
- Counseling and Guidance
- Physical Education
- Graduation Requirements
- Treatment as a Married and/or Pregnant Student
- Health Services
- Most Other Aid, Benefits or Services

Employee/or applicants shall not be discriminated against, including but not limited to, the areas of:

- Hiring and Promotion
- Compensation
- Job Assignments
- Leaves of Absence
- Fringe Benefits
- Labor Organization
- Contracts or Professional Agreements

Sexual harassment has been established as a form of sexual discrimination and is defined as follows:

"Any **unwelcome** sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, when (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment or participation in an educational function (2) submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting the individual or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile or offensive working environment."

Mission - Goals - Objectives

Nondiscrimination

Equal Education Opportunity (continued)

Examples of specific behaviors (that are unwanted and sexual in nature) that could constitute sexual harassment include, but not be limited to:

Touching	Verbal comments
Sexual name calling	Sexual rumors
Inappropriate public display of affections	Too personal a conversation
Gestures	Corner/blocking
Jokes/cartoons/pictures	Leers
Pulling at clothes	Attempted rape/rape
	Harassing telephone calls

If you believe that you have been discriminated against in regard to either of the preceding policies, you may file a grievance that your rights have been denied or violated.

If you wish to discuss these regulations or your rights under this policy, or wish to discuss or file a grievance, please contact _____, our system Civil Rights Coordinators, or an administrator.

Forms are available in our Guidance Office or from our Civil Rights Coordinators. Contact with the Civil Rights Coordinators should take place within forty (40) calendar days of the alleged occurrence.

Discrimination Grievance Procedure

The purpose of this procedure is to secure, at the lowest possible administrative level, equitable solutions to problems which may arise concerning claims of discrimination. Evidence of reprisal against a complainant or witness shall be viewed as a violation of this policy.

Any person who wishes to inquire or to register a complaint concerning alleged discrimination in the _____ Public Schools shall have an opportunity to bring such concerns to the attention of the Civil Rights Officers or Superintendent, who has the authority to resolve such complaints. The following grievance procedure shall be utilized by any student, parent or employee in making a complaint or inquiry. Officials shall be governed by this procedure.

Mission - Goals - Objectives

Nondiscrimination

Discrimination Grievance Procedure (continued)

- Level I:** The complainant shall discuss the alleged discriminatory act or practice with the Civil Rights Officers or the individual closest to the daily decision-making level. This will normally be a principal, teacher, counselor, department chairperson, head custodian, or cafeteria manager. If satisfaction cannot be achieved through informal discussion, the following procedure must be initiated.
- Level II:** The complainant shall, within forty (40) calendar days of the alleged incident, on forms provided, put the complaint in writing and file it with either of the Civil Rights Officers. Within five (5) working days a conference must be held. Within five (5) working days following the conference, the complaint must be resolved to the satisfaction of both parties or referred to the Superintendent of Schools. Within five (5) working days, the Civil Rights Officer shall notify the Superintendent and must notify the complainant of this notification. The Board will be apprised by the Superintendent of any grievance reaching Level II.
- Level III:** Within ten (10) working days after receipt of such complaint, the Superintendent must hold a hearing; and within five (5) working days of the hearing, resolve the complaint, negotiate a long-term solution or refer the matter to the Board of Education for consideration.
- Level IV:** The Board of Education, Superintendent and the Civil Rights Officers shall proceed in accordance with appropriate laws or regulations.

A complaint of sexual discrimination or sexual harassment may be a violation of Title IX. Policy 4000.1/5145.44 pertains to such employee or student complaints. The grievance investigation process contained in the Title IX policy shall be adhered in such situations.

- (cf. 4000.1 – Title IX)
- (cf. 4111 – Recruitment and Selection)
- (cf. 4111.1/4211.1 – Affirmative Action)
- (cf. 4118.11/4218.11 – Nondiscrimination)
- (cf. 4118.112/4218.112 – Sex Discrimination and Sexual Harassment in the Workplace)
- (cf. 4118.113/4218.113 – Harassment)
- (cf. 5145.4 – Nondiscrimination)
- (cf. 5145.5 – Sexual Harassment)
- (cf. 5145.51 – Peer Sexual Harassment)
- (cf. 5145.52 – Harassment)
- (cf. 5145.6 – Student Grievance Procedure)
- (cf. 6121 – Nondiscrimination)
- (cf. 6121.1 - Equal Educational Opportunity)

Mission - Goals - Objectives

Nondiscrimination

Legal Reference: Connecticut General Statutes

10-153 Discrimination on account of marital status. (as amended by PA 11-55 to include gender identity or expression)

46a-51 Definitions (as amended by PA 17-127, PA 21-2 and PA 22-82)

46a-58 Deprivation of rights. Desecration of property. Placing of burning cross or noose on property. Penalty. (as amended by PA 17-127 and PA 22-82)

46a-60 Discriminatory employment practices prohibited. (as amended by PA 17-127 and PA 21-69 and PA 22-82)

Federal Law

Title VII of the Civil Rights Act 1964

Section 504 and the Federal Vocational Rehabilitation Act of 1973, 20 U.S.C. 706(7)(b).

The Americans with Disabilities Act as amended by the ADA Amendments Act of 2008

Boy Scouts of America Equal Access Act

Chalk v. The United States District Court of Central California.

Title IX of the Education Amendments of 1972.

Title IX Final Rule, May 6, 2020

Civil Rights Act of 1987.

Public Law 111-256

Meacham v. Knolls Atomic Power Laboratory 128 S.Ct. 2395, 76 U.S.L.W. 4488 (2008)

Federal Express Corporation v. Holowecki 128 S.Ct. 1147, 76 U.S.L.W. 4110 (2008)

Kentucky Retirement Systems v. EEOC 128 S.Ct. 2361, 76 U.S.L.W. 4503 (2008)

Sprint/United Management Co. v. Mendelsohn 128 S.Ct. 1140, 76 U.S.L.W. 4107 (2008)

Bostock v. Clayton County, Georgia, 140 S.Ct. 1731, 2020 WL3146686 (June 15, 2020)

Policy adopted:
rev 10/22

Another sample to consider.

Mission - Goals - Objectives

Equal Opportunity - Nondiscrimination

The President and the Congress of the United States and the State of Connecticut have enacted laws and issued directives affirming their intent to protect and grant equal opportunity, to all employees and students. Also the federal government and the State of Connecticut have enacted and enforced laws regarding the equality of employment and equality of opportunity in education.

The Board of Education reaffirms its policy of equal educational opportunity for all students and prohibits discrimination because of race, color, religious creed, age, marital status, national origin, ancestry, genetic information, sex, sexual orientation, gender identity or expression, status as a victim of domestic violence, learning disability, intellectual disability and mental disability or physical disability in district educational programs and activities, including, but not limited to course offerings, athletic programs, guidance and counseling, and tests and procedures. The District provides equal access to the Boy Scouts and other designated youth groups. To the maximum extent possible an intensive affirmative action program shall be an integral part of an educational policies and programs.

The Board of Education also reaffirms its policy of equal employment opportunity for all persons and to prohibit discrimination in employment because of race, color, religious creed, age, marital status, national origin, sex, sexual orientation, including gender identity/expression, ancestry, present or past history of mental disorder, mental retardation, pregnancy, or mental or physical disability, status as a victim of domestic violence, or status as a Veteran except in the case of a bona fide occupational qualification or need. Sexual harassment shall not influence employment decisions, nor shall decisions be influenced, affected or determined on the basis of membership in or holding of office in an employee association or union. This policy shall be relevant to every aspect of employment not limited to but including upgrading, demotion or transfer, recruitment and/or recruitment advertising, layoff or termination, rates of pay, other forms of compensation including fringe benefits, employment selection or selection for training and apprenticeships, promotion or tenure.

These statements shall be made available to all present and future employees and students.

(cf. 4000.1 – Title IX)

(cf. 4111 – Recruitment and Selection)

(cf. 4111.1/4211.1 – Affirmative Action)

(cf. 4118.11/4218.11 – Nondiscrimination)

(cf. 4118.112/4218.112 – Sex Discrimination and Sexual Harassment in the Workplace)

(cf. 4118.113/4218.113 – Harassment)

(cf. 5145.4 – Nondiscrimination)

(cf. 5145.5 – Sexual Harassment)

(cf. 5145.51 – Peer Sexual Harassment)

(cf. 5145.52 – Harassment)

(cf. 5145.6 – Student Grievance Procedure)

(cf. 6121 – Nondiscrimination)

(cf. 6121.1 - Equal Educational Opportunity)

Mission - Goals - Objectives

Equal Opportunity - Nondiscrimination

Legal Reference: Connecticut General Statutes

10-153 Discrimination on account of marital status. (as amended by PA 11-55 to include gender identity or expression)

46a-51 Definitions (as amended by PA 17-127, PA 21-2 and PA 22-82)

46a-58 Deprivation of rights. Desecration of property. Placing of burning cross or noose on property. Penalty. (as amended by PA 17-127 and PA 22-82)

46a-60 Discriminatory employment practices prohibited. (as amended by PA 17-127 and PA 21-69 and PA 22-82)

Federal Law

Title VII of the Civil Rights Act 1964

Boy Scouts of America Equal Access Act

Section 504 and the Federal Vocational Rehabilitation Act of 1973, 20 U.S.C. 706(7)(b).

The Americans with Disabilities Act as amended by the ADA Amendments Act of 2008

Chalk v. The United States District Court of Central California.

The Vietnam Era Veterans' Readjustment Act of 1974, as amended, 38U.S.C. §4212

Title II of the Genetic Information Nondiscrimination Act of 2008

Title IX of the Education Amendments of 1972.

Title IX Final Rule, May 6, 2020

Civil Rights Act of 1987.

Public Law 111-256

Meacham v. Knolls Atomic Power Laboratory 128 S.Ct. 2395, 76 U.S.L.W. 4488 (2008)

Federal Express Corporation v. Holowecki 128 S.Ct. 1147, 76 U.S.L.W. 4110 (2008)

Kentucky Retirement Systems v. EEOC 128 S.Ct. 2361, 76 U.S.L.W. 4503 (2008)

Sprint/United Management Co. v. Mendelsohn 128 S.Ct. 1140, 76 U.S.L.W. 4107 (2008)

Bostock v. Clayton County, Georgia, 140 S.Ct. 1731, 2020 WL3146686 (June 15, 2020)

Policy adopted:

rev 10/22

Sample policies are distributed for demonstration purposes only. Unless so noted, contents do not necessarily reflect official policies of the Connecticut Association of Boards of Education, Inc.

Another version to consider.

Mission - Goals - Objectives

Equal Opportunity - Nondiscrimination

Section I - General Statement

The Board of Education does not discriminate in any employment practice, education program or educational activity on the basis of race, color, national origin, ancestry, religion, age, sex, marital status, sexual orientation, gender identity or expression, or disability (including but not limited to, intellectual disability, past or present history of mental disorder, physical disability or learning disability), status as a victim of domestic violence, status as a Veteran or genetic information in its educational programs and services or employment decisions, under the provisions of Titles VI and VII of The Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, as amended, Section 504 of The Rehabilitation Act of 1973, The Americans with Disabilities Act of 1991, and appropriate Connecticut Statutes. In compliance with the Boy Scouts Equal Access Act, the District provides equal access to the Boy Scouts and other designated youth groups.

Section II - Self-Evaluation and Enforcement

- (a) In order to ensure continued implementation of the policy expressed above, the Superintendent of Schools shall supervise and coordinate the conduct of an evaluation of all existing employment and educational programs and practices.
- (b) Complaints alleging unlawful discrimination of the above shall be filed in writing with the Superintendent of Schools who shall himself, or through a designee, investigate the complaint and render a decision in writing within thirty (30) days. Complaints of sexual discrimination or sexual harassment under Title IX shall be handled in compliance with policy 4000.1/5145.44, "Title IX."
- (c) If the complainant is not satisfied with the decision of the Superintendent of Schools, the complainant may appeal to the Board of Education within ten (10) days of receipt of the decision of the Superintendent.
- (d) Such an appeal shall be filed in writing with the Superintendent of Schools in his capacity as the Executive Agent of the Board of Education.
- (e) The Board of Education shall cause the complaint to be investigated and, if it deems necessary, hold a hearing to gather additional information.
- (f) The Board of Education shall render a decision on any such appeal, in writing, within twenty (20) days of its being filed, or if a hearing should be held, within twenty (20) days of the conclusion of such hearing.

(cf. 4000.1 – Title IX)

(cf. 4111 – Recruitment and Selection)

(cf. 4111.1/4211.1 – Affirmative Action)

(cf. 4118.11/4218.11 – Nondiscrimination)

(cf. 4118.112/4218.112 – Sex Discrimination and Sexual Harassment in the Workplace)

(cf. 4118.113/4218.113 – Harassment)

Mission - Goals - Objectives

Equal Opportunity - Nondiscrimination

- (cf. 5145.4 – Nondiscrimination)
- (cf. 5145.5 – Sexual Harassment)
- (cf. 5145.51 – Peer Sexual Harassment)
- (cf. 5145.52 – Harassment)
- (cf. 5145.6 – Student Grievance Procedure)
- (cf. 6121 – Nondiscrimination)
- (cf. 6121.1 - Equal Educational Opportunity)

Legal Reference: Connecticut General Statutes
10-153 Discrimination on account of marital status. (as amended by PA 11-55 to include gender identity or expression)
46a-51 Definitions (as amended by PA 17-127, PA 21-2 and PA 22-82)
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46a-60 Discriminatory employment practices prohibited. (as amended by PA 17-127 and PA 21-69 and PA 22-82)
Federal Law
Title VII of the Civil Rights Act 1964
Section 504 and the Federal Vocational Rehabilitation Act of 1973, 20 U.S.C. 706(7)(b).
Boy Scouts of America Equal Access Act
The Americans with Disabilities Act as amended by the ADA Amendments Act of 2008
Chalk v. The United States District Court of Central California.
Title IX of the Education Amendments of 1972.
Title IX, Final Rule, May 6, 2020
Civil Rights Act of 1987.
Meacham v. Knolls Atomic Power Laboratory 128 S.Ct. 2395, 76 U.S.L.W. 4488 (2008)
Federal Express Corporation v. Holowecki 128 S.Ct. 1147, 76 U.S.L.W. 4110 (2008)
Kentucky Retirement Systems v. EEOC 128 S.Ct. 2361, 76 U.S.L.W. 4503 (2008)
Sprint/United Management Co. v. Mendelsohn 128 S.Ct. 1140, 76 U.S.L.W. 4107 (2008)
Bostock v. Clayton County, Georgia, 140 S.Ct. 1731, 2020 WL3146686 (June 15, 2020)

Policy adopted:
rev 10/22

This notice meets the minimum requirement of the regulation enforced by the Department of Education's Office for Civil Rights (OCR)

Non-Discrimination Notice

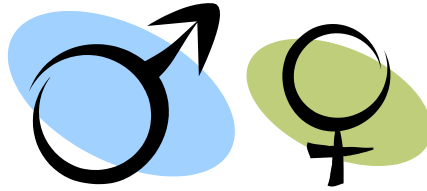
The _____ Public Schools doesn't not discriminate on the basis of a disabling condition as it applies under Section 504 of the Rehabilitation Act of 1973.

The _____ Public Schools does not discriminate on the basis of race, color, religion, national/ethnic origin, age, sex, sexual orientation, gender identity or expression, status as a victim of domestic violence, Veteran status, or disability in its programs, activities, and employment practices. Equal access is provided to the Boy Scouts and other designated youth groups.

The following individuals are coordinators for Title IX (sex discrimination), Title VI (race, creed and color) and Section 504 (disabled):

Title IX and Title VI	_____	_____
	Name	Telephone Number
Section 504	_____	_____
	Name	Telephone Number

Harassment Is ILLEGAL



SEXUAL HARASSMENT IS PROHIBITED based on Federal Law - Title IX of the Education Amendments of 1972, and State Law – Sec. 10-15c. Harassment based on sexual orientation is also protected under State Law – Sec. 10-15c.

FOR STUDENTS: Sexual harassment is **unwanted and unwelcome** behavior of a sexual nature which interferes with a student’s right to learn, study, work, achieve, or participate in school activities in a comfortable and supportive atmosphere. You have a right to participate in all school and classroom activities in an atmosphere free from sexual harassment. You have a responsibility not to engage in sexual behaviors that are unwelcome or offensive to others.

Examples of Sexual Harassment include: unwelcome sexual advances, suggestive or lewd remarks, unwanted hugs, touches, kisses; requests for sexual favors; retaliation for complaining about sexual harassment, derogatory or pornographic posters, cartoons or drawings.

If you have questions or believe that you or others are being harassed, contact:

District Title IX Coordinator:
Office Address:
Telephone number:
Email Address:

Building Title IX Coordinator:
Office Address:
Telephone number:
Email Address:

You may also contact: The Connecticut Commission on Human Rights and Opportunities (CHRO), 21 Grand Street, Hartford, CT 06106 (Tel: 860-541-3400 or 800-477-5737) Connecticut law requires that a formal complaint be filed with the Commission within 180 days of the date under which the alleged harassment occurred.

You may also contact: Office for Civil Rights, U.S. Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921, Telephone: 617-289-0111, FAX: 617-289-0150; TDD: 877-521-2172

Email: OCR.Boston@ed.gov, Filing complaints electronically:
<http://www.ed.gov/about/offices/list/ocr/complaintintro.html>.

Sexual harassment is not limited to prohibited behavior by a male toward a female, or by a supervisory employee toward a non-supervisory employee, or a teacher to a student. The victim does not have to be the opposite sex of the harasser. Harassment may be student to student, teacher to student, student to teacher or teacher to teacher. The gender of the complainant and/or the alleged harasser is irrelevant, even if they are of the same gender. Sexual harassment based on sexual orientation or gender identity is also prohibited under State Law.

► ***What should I do if I believe I am being sexually harassed?***

- Find out about your school or school district's policy and procedures for handling sexual harassment issues. Follow those procedures.
- Take action and get help when needed. Ignoring sexual harassment is not an effective way to stop it.
- Whenever possible, tell the harasser verbally or in writing what the specific behaviors are that you find offensive. Ask him or her to stop.
- Report the offensive behaviors to a teacher, counselor, Title IX coordinator, or school administrator.
- Keep a detailed record of the harassing behavior to share with school officials who investigate your complaint.
- If not satisfied with the resolution of your concerns, contact one of the appropriate organizations listed.

The victim does not have to be the person at whom the unwelcome sexual conduct is directed; the victim may be someone who is a witness to and personally offended by such conduct although directed toward another. Sexual harassment is unwelcome conduct that is personally offensive, lowers morale, and interferes with educational performance. This unwelcome sexual behavior is defined from the perspective of the victim, not the harasser.

► ***Where to Get Help***

- **State Title IX Coordinator:** Dr. William A. Howe, Connecticut State Department of Education, 165 Capitol Ave., Hartford, CT 06106 (860-713-6752)
email: william.howe@ct.gov
- **Permanent Commission on the Status of Women (PCSW)**
18-20 Trinity Street, Hartford, CT 06106 (860-240-8300)
<http://www.cga.state.ct.us/PCSW/>
- **Connecticut Women's Education and Legal Fund (CWEALF)**
75 Charter Oak Avenue, Suite 1-300, Hartford, CT 06106, <http://www.cwealf.org/>

YOUR SCHOOL'S NON-DISCRIMINATION STATEMENT:

Discrimination Grievance Form

Any student, parent/guardian, employee or employment applicant who feels that he/she has been discriminated against on the basis of race, color, age, religion, national origin, ancestry, sex, sexual orientation, gender identity or expression, marital status, mental or physical disability, status as a victim of domestic violence, status as a Veteran or equal access to the Boy Scouts and other designated youth groups may discuss and/or file a grievance with either of the Civil Rights Coordinators of the _____ Public Schools. Reporting should take place within 40 calendar days of the alleged discrimination. Civil Rights Coordinators:

_____ at _____ or _____ at _____

Name of Presenter/Complainant: _____

Employee _____ Employment Applicant _____ Student _____ Parent/Guardian _____

Home address _____

Phone _____ Date of Claim _____ Date of Incident _____

1. Statement of Incident/Issue (include all pertinent information: who, how, where, when, how often, feelings, witness).
2. Please attach any additional information/documentation as necessary.

Signature of Presenter: _____

Signature of Civil Rights Coordinator: _____

Date Received: _____

Instruction/Community Relations

Library Display and Program Policy

Library displays and student programs are critical in serving as resources for voluntary inquiry, the dissemination of information and ideas, and promoting free expression and free access to ideas by students.

The Bristol Board of Education recognizes that library displays and programs are provided for the interest, information, and enlightenment of all students; represent a wide range of varied and diverging viewpoints; provide students access to age-appropriate and grade-level-appropriate content; and provide access to content that is relevant to the research, independent interests and educational needs of students.

The Bristol Board of Education's Library Display and Program Policy serves to articulate the principles and criteria that guide the creation and development of library displays and programs and to inform the public about those standards.

This policy shall be implemented in a manner that is consistent with section §10-15c of the Connecticut General Statutes, ensuring that no person is discriminated against on the basis of race, color, sex, gender identity or expression, religion, national origin, sexual orientation, disability, or any other category protected by law.

Definitions

Library programs are defined as events, in-person or virtual, planned by the library staff for the benefit of those members of the school community who opt to attend. Programs do not include regular library instruction as part of the curriculum. Programs are generally held at the library but may in some cases be held outdoors or at other venues.

Library displays are defined as curated collections of library materials and visual aids displayed to draw attention to particular items in the library collection.

The elected Board of Education shall delegate to the superintendent of schools the authority and responsibility for library displays and programs. Responsibility for actual library displays and programs rests with certified library media specialists using the board's adopted criteria and procedures.

General Selection Criteria

In curating materials for display and in developing programs, certified library media specialists shall evaluate materials using the following general selection criteria. Not all criteria may apply in all circumstances.

- Alignment with the educational mission and goals of the school
- Support for curriculum, literacy, and lifelong learning
- Relevance to the interests, needs, and developmental levels of students
- Connection to other community or national programs, exhibitions, or events

Instruction/Community Relations

Library Display and Program Policy (continued)

- Potential to foster collaboration with school departments, community organizations, or guest presenters
- Promotion of intellectual freedom, diversity of ideas, and inclusive representation
- Opportunities for active engagement, creativity, and critical thinking
- Community needs and interest
- Historical, cultural, or educational significance
- Relation to library collections, resources, exhibits, and programs
- Relation to holidays and observances
- Cost-effectiveness and feasibility within available resources
- Balance across program types (literary, cultural, informational, recreational, etc.) to ensure a wide range of student opportunities
- Availability of display space

The Bristol Board of Education acknowledges that a certified library media specialist is professionally trained to curate and develop displays and programs that shall provide students with access to the widest array of age-appropriate and grade-level-appropriate library and other educational materials. Any school library media specialist or school library staff member who, in good faith, implements the policies described in this section shall be immune from any liability, civil or criminal, that might otherwise be incurred or imposed and shall have the same immunity with respect to any judicial proceeding that results from such implementation.

Legal Reference: Public Act 25-168 An Act Concerning the State Budget for the Biennium Ending June 30, 2027, and Making Appropriations Therefore, and Provisions Related to Revenue and Other Items Implementing the State Budget.

Connecticut General Statutes
Section 10-15c Discrimination in public schools prohibited

Policy adopted:

BRISTOL PUBLIC SCHOOLS
Bristol, Connecticut

Instruction/Community Relations

Library Collection Development and Maintenance

The Bristol Board of Education's Library Collection Development and Maintenance Policy establishes the objectives and criteria that guide the selection and withdrawal of library materials. This policy also serves to inform the public regarding these standards. 'Library materials' include any material, digital or physical, in the custody of a school library media center, including, but not limited to, fiction and non-fiction books, periodicals, reference books, supplementary titles, multimedia, software, and other material not required as part of classroom instruction.

The Bristol Board of Education recognizes that library and other education materials should be provided for the interest, information and enlightenment of all students, and represent a wide range of varied and diverging viewpoints in the collection as a whole.

Students shall have access to the library and other educational material that is relevant to the research, independent reading interests, and educational needs of students based on a student's age, development, or grade level.

The library media center is an important place for voluntary inquiry, the dissemination of information and ideas, and the promotion of free expression and free access to ideas by students.

A school library media specialist is professionally trained to curate and develop a collection that shall provide students with access to the widest array of age-appropriate and grade-level-appropriate library and other educational material.

The Bristol Board of Education directs the Superintendent to create an administrative regulation that establishes a procedure for a certified school library media specialist to continually review library and other educational material within a school library media center using professionally accepted standards which shall include, but need not be limited to: the material's relevance, physical condition of the material, availability of duplicates or copies of the material, availability of more recent age-appropriate or grade-level appropriate material and continued demand for the material.

Legal Reference: Public Act 25-168 An Act Concerning the State Budget for the Biennium Ending June 30, 2027, and Making Appropriations Therefor, and Provisions Related to Revenue and Other Items Implementing the State Budget.

Connecticut General Statutes
Section 10-15c Discrimination in public schools prohibited

Instruction/Community Relations

Library Collection Development and Maintenance

This regulation establishes a procedure for certified school library media specialists to continually review library and other educational material within a school library media center in order to ensure that library and other education materials in school library media centers are relevant, in good condition, and are age-appropriate or grade-level appropriate.

General Procedure

Using the criteria identified below and their professional judgment, the school library media specialist shall conduct a systematic review of the library's collection:

1. Material relevance

- a. Consult with instructional staff to determine whether the material is still useful and has up-to-date information.
- b. Evaluate usage data to assess the material's relevance to student interests and research needs.

2. Physical condition of the material

- a. Assess whether the material is damaged or worn beyond reasonable use.

3. Availability of duplicates or copies of the material

- a. Determine whether the availability of duplicates or multiple copies is justified based on usage statistics to avoid redundancy.

4. Availability of more recent age-appropriate or grade-level appropriate material

- a. Investigate the availability of newer editions or versions that offer more current and accurate information by considering award and recommended lists for recently recognized literature.
- b. Ensure that any new material uses language that is appropriate for the reading level of students in the targeted grade range and developmental levels.
- c. Evaluate whether the new material's treatment of difficult or sensitive subjects (e.g., death, mental health, violence, sexuality) is in a developmentally appropriate way for the intended student audience.

5. Continued demand for the material

- a. Consult with instructional staff to determine whether the material continues to be cited or referred to for classroom instruction.

Instruction/Community Relations

Library Collection Development and Maintenance (continued)

General Procedure

- b. Review usage data to determine whether the material is still being sought by students or teachers.

No library can reasonably acquire all published materials, nor can it keep all purchased materials indefinitely. This policy shall guide library staff in the selection and withdrawal of library materials within the financial and physical space constraints of the library.

Objectives of Materials Selection

- To provide faculty and students with materials that enrich and support the curriculum and meet the recreational reading needs of the students served
- To provide students with a wide range of age and grade-appropriate educational materials on all levels of difficulty and in a variety of formats, with diversity of appeal, allowing for the presentation of many different points of view.
- To select materials in all formats, including up-to-date, high quality, varied literature to develop and strengthen a love of reading

All library materials are evaluated and made accessible in accordance with the protections against discrimination set forth in section §10-15c of the Connecticut General Statutes, including, but not limited to, discrimination based on race, color, sex, gender identity, religion, national origin, sexual orientation, or disability.

General Selection Criteria

In selecting what materials to purchase for the School Library, certified library media specialists shall evaluate materials using the following general selection criteria. Not all criteria may be applicable in every selection.

- **Curriculum Support:** Resources that support and enrich the curriculum and/or students' personal interests and learning.
- **Quality and Standards:** Works that meet high standards in literary, artistic, and aesthetic quality, as well as technical aspects and physical format.
- **Appropriateness:** Materials suited to the subject area, and to the age, emotional development, ability level, and social, emotional, and intellectual development of the students served.
- **Accuracy and Authority:** Resources incorporating accurate and authentic factual content from authoritative sources.
- **Professional Reviews:** Titles earning favorable reviews in standard reviewing sources and/or recommended by professional personnel following preview and examination.

Instruction/Community Relations

Library Collection Development and Maintenance (continued)

General Selection Criteria

- **User Appeal:** Materials with a high degree of potential interest and appeal to students.
- **Viewpoint Representation:** Resources that present differing perspectives on controversial or complex issues.
- **Format Variety:** A range of physical and virtual resources, including print, electronic, multimedia, subscription databases, e-books, educational games, and other emerging technologies.
- **Durability and Design:** Physical format, appearance, and durability appropriate to the material's intended use.
- **Collection Gaps:** Materials that fill a substantial gap in the collection on a particular topic or subject area.
- **Cost Effectiveness:** Balance between the cost of materials and the demonstrated need or value to the collection.

In selecting library materials, certified library media specialists will evaluate available resources and curriculum needs and will consult reputable, professionally prepared aids to selection, and other appropriate sources. The actual resource will be examined whenever possible.

Recommendations for purchase or gift materials shall be judged by the selection criteria and shall be accepted or rejected by those criteria.

Library Collection Maintenance

Withdrawing materials from the School Library ensures the library collection remains current, accurate, and relevant so that students and staff can easily find high-quality resources that support learning and engagement.

In selecting what materials to withdraw from the School Library, certified library media specialists shall evaluate materials using the following general selection criteria. Not all criteria may be applicable in every selection.

1. **Physical Condition:** Items that are damaged, worn, or in poor condition and cannot be feasibly repaired.
2. **Accuracy and Currency:** Materials containing outdated or inaccurate information, particularly in fields where current knowledge is critical.

Instruction/Community Relations

Library Collection Development and Maintenance (continued)

Library Collection Maintenance

3. **Relevance and Demand:** Titles that have not circulated for a significant period of time, or that no longer support the library's mission, curriculum, or community interests.
4. **Duplication:** Excessive copies of titles where demand no longer justifies multiple holdings.
5. **Format Obsolescence:** Materials in formats no longer supported by current technology or no longer used by the community.
6. **Incompleteness of Series:** In cases where a series is substantially incomplete and replacement volumes are unavailable or cannot be obtained at a reasonable cost, the remaining titles may be withdrawn to maintain the collection's overall usefulness, consistency, and appeal.
7. **Space Considerations:** Items may be withdrawn when necessary to manage shelf space and maintain an accessible, browsable collection.

General Provisions

Any school library media specialist or school library staff member who, in good faith, implements the policies described in this section shall be immune from any liability, civil or criminal, that might otherwise be incurred or imposed and shall have the same immunity with respect to any judicial proceeding that results from such implementation.



Bristol Public Schools

Request for Reconsideration of Library Books/Materials

Title _____

Author _____ Publisher _____

This request was initiated by

- Parent/Guardian
- Student
- Other (please specify) _____

The material is best described as a:

- Book
- Video or Online Content
- Periodical/Magazine
- Other Media. Please specify _____

Please answer the following questions:

1. Did you read, view, or listen to the entire work? If not, what parts did you examine?

2. In what specific ways do you think this work is inappropriate for students?

3. What have you been told about the educational purpose of this material?

4. What do you believe is the theme or purpose of this material?

5. For what age group would you recommend this material?

6. Are you aware of the judgment of this work by literary critics and/or professional educators/organizations?

7. What are the valuable aspects of this material?

8. What do you feel may be the results of students reading, listening to, or viewing this material?

9. What work/material of equal or superior value would you recommend replacing the one in question?

10. Please explain your reasons for your objection:

Signature of Complainant

Date



**BRISTOL PUBLIC SCHOOLS
BRISTOL, CONNECTICUT**

Request for Appeal of Reconsideration of Library and Other Educational Materials Decision

Full Legal Name: _____ **Title of Material:** _____

Address: _____ **Telephone Number:** _____

Author: _____ **Publisher:** _____

Date the Reconsideration Decision was communicated to you: _____

Please explain why you are appealing against this decision:

How do you believe the review committee failed to follow the reconsideration process?

Are you submitting any documentation with this appeal? If so, please list/describe supporting documents:

The Bristol Board of Education shall determine whether the reconsideration process was followed and will publish the decision on the internet web site of the school district.



**BRISTOL PUBLIC SCHOOLS
BRISTOL, CONNECTICUT**

Sample Letter to Complainant

Date: _____

Complainant Name
Address Line 1
Address Line 2

Dear [Complainant's Name],

Thank you for bringing your concerns regarding one of our school's library materials to our attention. In accordance with Connecticut state law, our school has a procedure in place to adjudicate concerns and reconsideration requests.

To facilitate this review, we kindly request that you submit a *Request for Reconsideration of Library Books and Materials* form to clearly identify the specific content you find objectionable and describe the nature of your concerns. Once your submission is received, it will be forwarded to the District Library Review Committee for formal consideration. The Committee's review process includes thoroughly reviewing the material, assessing its educational value, and addressing all concerns raised.

If you have any questions or need assistance with this process, please don't hesitate to contact me at [phone number or email address].

Thank you for engaging with us to support a thoughtful and responsible approach to creating libraries that meet the needs of all students.

Sincerely,

Superintendent Name
Superintendent of Schools

Instruction/Community Relations

Library Material Review and Reconsideration

Statement of Policy:

The Bristol Board of Education understands that, on occasion, a member of the public may wish to register a complaint against library and other educational materials as defined in this policy. Consideration of requests to reconsider and remove material, displays, or student programs is limited to individuals with a vested interest. An individual with vested interest may challenge any library and other educational materials, display or student program by initiating a review of such material via the submission of a request for reconsideration form.

It shall be the policy of the Bristol Board of Education that the removal, exclusion or censoring of any book shall not occur on the sole basis that a person with a vested interest finds such book offensive. No library and other educational material, display, or program shall be removed from library media centers, or programs be canceled, because of the origin, background, or viewpoints expressed in such material, display, or program, or because of the origin, background, or viewpoints of the creator of such material, display, or program. Library and other educational materials, displays, and student programs shall only be excluded for lack of legitimate pedagogical purposes or for failing to meet professionally accepted standards of collection maintenance practices as adopted in the collection development and maintenance policy or the display and program policy.

Until a final decision is made by the review committee, any library and other educational material being challenged shall remain available in the school library media center according to such material's catalog record and be available for a student to reserve, check out, or access.

Bristol Public School district may consolidate any requests for review and reconsideration of the same challenged library and other educational material. Once a decision has been made by the review committee on any library and other educational material, such material cannot be subject to a new request for review and reconsideration for a period of three years.

Through this policy, the Board of Education ensures that all library materials shall be evaluated and made accessible in accordance with protections against discrimination set forth in section §10-15c of the Connecticut General Statutes, ensuring that no person is discriminated against on the basis of race, color, sex, gender identity or expression, religion, national origin, sexual orientation, disability, or any other category protected by law. The Bristol Board of Education will review and update this policy as necessary every five years.

Definitions

"Library and other educational material" means any material belonging to, on loan to or otherwise in the custody of a school library media center, including, but not limited to, nonfiction and fiction books, magazines, reference books, supplementary titles, multimedia and digital material, software and other material not required as part of classroom instruction.

Instruction/Community Relations

Library Material Review and Reconsideration

Definitions (continued)

"School library staff member" means a school library media specialist, school librarian, any certified or non-certificated staff member whose assignment is in the school library or any individual carrying out or assisting with the functions of a school library media specialist or school librarian.

"Individual with a vested interest" means any school staff member employed by the Bristol Board of Education, parent or guardian of a student currently enrolled in a school in Bristol Public Schools at the time a reconsideration form is filed, or any student currently enrolled in a school in Bristol Public Schools at the time a reconsideration form is filed.

"Remove" means deliberately taking library material out of a library's collection. **"Remove"** does not include the process of clearing such collection of any materials that are no longer useful.

Material Review and Reconsideration Procedure

The Bristol Board of Education has established the following procedure for addressing complaints regarding the utilization of library and other educational materials:

1. Individuals with a vested interest may initiate the review or reconsideration of any library and other educational materials, display, or student program by submitting a request for reconsideration form to the principal of the school in which the library and other educational materials are being challenged.
2. Individuals with a vested interest shall be required to read the library and other educational materials cited on the request for reconsideration form in the work's entirety.
3. The Principal, or the Principal's designee, shall promptly forward the request for reconsideration to the Superintendent of Schools for the school district.
4. The Superintendent, or the Superintendent's designee, shall appoint a District Library Review Committee consisting of:
 - a) the Superintendent, or the Superintendent's designee;
 - b) the Principal of the school in which the library and other educational material is being challenged, or the Principal's designee;
 - c) the Director of curriculum, or a person in an equivalent position;
 - d) a representative from the Bristol Board of Education;
 - e) at least one grade-level-appropriate teacher familiar with the library material provided, the teacher selected is not the individual who submitted the form;
 - f) a parent or guardian of a student *age thirteen years or younger* enrolled in Bristol Public Schools, provided the parent or guardian selected is not the individual who submitted the form;
 - g) a parent or guardian of a student *aged fourteen years or older* enrolled in Bristol Public Schools, provided the parent or guardian selected is not the individual who submitted the form;

Instruction/Community Relations

Library Material Review and Reconsideration

Material Review and Reconsideration Procedure (continued)

- h) a certified school librarian or certified library media specialist employed by Bristol Public Schools or employed by another board of education in the state.

In cases where such form is submitted by a student enrolled in *grades nine to twelve*, inclusive, and when appropriate and at the discretion of the superintendent, a student enrolled in grades nine to twelve, inclusive, may serve on the review committee if such student did not submit the reconsideration form, provided the superintendent consults with the principal of the school involved in such reconsideration request prior to making this determination whether to include such student on the review committee.

5. The **review committee** shall evaluate the request for reconsideration form by reading the challenged material in its entirety and evaluating the challenged material against Bristol Public School's *Library Collection Development and Maintenance Policy*.
6. The **review committee** shall make a *written decision* on whether to remove the challenged material *within sixty school days* from the date of receiving such request and provide a copy of the committee's decision and report to *the individual with a vested interest who submitted the form and to the principal of the school*.
7. The individual with a vested interest who submitted the *request for reconsideration form* may appeal the *review committee's decision* to the Bristol Board of Education. The Board shall determine whether the reconsideration process was followed and publish the decision on the school district's website.

General Provisions

Any school library media specialist or school library staff member who, in good faith, implements the policies described in this section shall be immune from any liability, civil or criminal, that might otherwise be incurred or imposed and shall have the same immunity with respect to any judicial proceeding that results from such implementation.

Legal Reference: Public Act 25-168 An Act Concerning the State Budget for the Biennium Ending June 30, 2027, and Making Appropriations Therefor, and Provisions Related to Revenue and Other Items Implementing the State Budget.

Connecticut General Statutes
Section 10-15c Discrimination in public schools prohibited



CONNECTICUT ASSOCIATION OF BOARDS OF EDUCATION

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Update Mailing No. 1
November 13, 2025

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POLICY UPDATE SERVICE

This, the First issue of *Policy Update* for the 2025-2026 school year.

Information regarding the following topics below are included in this packet for your use.

Policy Topics of Interest

- A. Work-Release
- B. Family Medical Leave Act
- C. Nondiscrimination
- D. Library Material Review and Reconsideration Policy
- E. Library Collection Development and Maintenance Policy
- F. Library Display and Program Policy
- G. Orientation of Board Members Bylaw

SAMPLE POLICIES & REGULATIONS ARE INCLUDED.

This publication is designed to provide information only and is not a substitute for legal advice from school district counsel.

Please Note:

Sample policies are distributed for demonstration purposes only. Unless so noted, contents do not necessarily reflect official policies of the Connecticut Association of Boards of Education.

The Update Service publication is an annual subscription service, published quarterly which provides an overview of current policy issues of concern to Connecticut school districts. Sample policies, which reflect changes in state and federal law and judicial action affecting policy, are part of the publication.

The sample policies are intended to provide a basis for drafting policy which meets the needs of the local school district. Some issues also contain model administrative regulations. The model policies are comprehensively researched and reviewed for effectiveness and legal compliance. The samples should always be considered as open to modification nor do they replace the advice of the district's legal counsel. Rarely does one policy statement reflect the needs and concerns of all districts.

To make the best use of the Update Service, it is suggested that a discussion on the various issues be held. The models provided are open to local decisions and modification. The sample policies should be used to determine the areas for which policy should be developed or revised, to get ideas for what a policy should contain and as a starting point for editing, modifying and discussing the local district's positions.

If you have questions about Update Service, sample policies or about policy in general, please call CABE Policy Services Department at (860) 571-7446.

*CABE's Customized Policy Service & Policy Update Service
will keep you up-to-date with all the latest issues.*

POLICY UPDATE SERVICE

Update Mailing No. 1

November 13, 2025

This policy update includes significant revisions to seven CABE model policies:

Policy 5113.13 Work-Release

In 2022, the General Assembly required the Chief Workforce Officer, in consultation with the Commissioner of Education, the Executive Director of the CTECS, and the Labor Commissioner, to develop, by July 1, 2023, a model student work-release policy.

Beginning with the 2024-25 school year and each year thereafter, boards of education are required to adopt the aforementioned model policy. Section 26 of Public Act 24-45 requires that the Chief Workforce Officer update the model student work-release policy in consultation with the Commissioner of Education.

As a result of this legislative action, CABE's Policy Department has significantly revised its model policy on Work-Study, Student Employment/Work-Release (P5113.13) for boards to consider. This model policy complies with the Public Act, and has been added to the list of CABE's mandated policies.

Policy 4152.6/4252.6 Family and Medical Leave Act

Beginning October 1, 2025, significant updates to both the Federal Family and Medical Leave Act (FMLA) and the Connecticut Family and Medical Leave Act (CT FMLA) require boards of education to update their policies and administrative regulations, particularly as they relate to non-certified school employees. Under the new Connecticut law, non-certified public-school staff-such as paraprofessionals, custodians, and administrative support personnel-become eligible for job-protected leave after just three (3) months of employment, with no minimum hours worked required. Not included in this model policy, districts must also begin withholding the state-mandated 0.5% payroll contribution to fund paid leave benefits through the CT Paid Leave Authority.

At the federal level, FMLA eligibility for school employees will now align more closely with standard requirements: 12 months of employment and at least 1,250 hours worked in the previous year. These changes are intended to expand access to family and medical leave benefits while simplifying compliance across state and federal programs.

For Connecticut boards of education, these updates will require revisions to local leave policies, employee handbooks, and payroll systems. This model policy has been updated to include Public Act 25-174, Sections 234-237, which expand CT FMLA to non-certified school employees and increase the required hours worked for all employees to qualify for federal unpaid family and medical leave benefits from 950 to 1,250 hours.

Policy 0521

Nondiscrimination

Updating this policy to align with Title IX (2020) and adding to the list of protected classes, “victim of sexual assault or status as a victim of trafficking in persons,” revisions were made to provide districts with enhanced guidance to ensure compliance in the effort to eliminate discriminatory practices and/or behaviors and effectively respond to any claims of discrimination.

Policy 6161.12/1312.3

Library Material Review and Reconsideration Policy

Policy 6161.13/1312.4

Library Collection Development and Maintenance Policy

Policy 6161.14/1312.5

Library Display and Program Policy

These three library model policy updates provide two minor additions to those released in June.

- A paragraph that includes language where the board ensures that all library materials are to be evaluated and made accessible with protections against discrimination against protected classes. The paragraph also commits to reviewing and updating this policy as necessary every five years, as mandated by the legislation.
- Legal References include the Public Act 25-168 mandating boards of education to adopt the policy and section 10-15c in the Connecticut General Statutes prohibiting discrimination in public schools.

Specific to the Library Collection Development and Maintenance Policy, additional guidance is provided through the model regulations, which establish *objectives related to materials selection, general selection criteria, and considerations for library collection maintenance*. These model administrative regulations are designed to provide school librarians with guidance for implementing the policy while allowing for professional judgment in applying these guidelines.

Bylaw 9230

Orientation of Board Members

In response to Public Act 23-167, sections 2 and 3, this bylaw has been updated to require first-time board members to complete a prescribed training program at a time determined by the Connecticut State Department of Education, but no later than one year after assuming office. The training program minimally includes learning about the role and responsibilities of a board member, the duties and obligations of a board of education, and school district budgeting and education finance.

November 2025

A model of a mandated policy.

Students

Work-Study Student Employment/Work-Release

In cooperation with various local and area businesses and industries, the District shall establish and maintain work-study and work-release programs for students who are at least sixteen (16) years of age. Student work-release allows eligible students to be released during the school day to work for an employer.

Insofar as feasible, each of those work-experience programs shall be tailored to meet the vocational needs of the individual students by their school counselor, who shall guide them in selecting appropriate academic courses, and by the vocational coordinator, who shall ensure proper placement in the most relevant training/employment. Students' course schedules and graduation requirements take priority over work-study or work-release.

Program Conditions/Roles and Responsibilities

- Through the work-release program, students may earn eligible credits provided that the curriculum for those credits aligns directly with the course and other program requirements.
- The principal or designee, in collaboration with school counselors, will determine the maximum number of work hours for each student.
- The student must receive approval for work release from the principal or designee.
- The student must obtain written consent from the parent and/or legal guardian.
- The student must obtain a Promise of Employment letter from the prospective employer and apply for and be issued working papers.
- The student must show proof of employment, which will be reviewed quarterly by the principal or designee.
- The student is responsible for maintaining good academic standing, attendance, and behavior in both school and vocational settings.
- The principal or designee is responsible for ensuring that student work-release is compliant with Connecticut's Student Work-Release Policy, including but not limited to:
 - Discussing the student work-release program with each student;
 - Verifying eligibility and reviewing quarterly with the student; and
 - Adhering to all applicable laws, including the Guidelines and Procedures for the Employment of Minors in Connecticut.

Eligibility Requirements:

- Work-release may be provided to any student who is at least 16 years of age and who is enrolled in the district's high school and must comply with state labor laws.
- The student must be in good standing academically and on track to graduate within four years, as determined by the school principal or designee.

Students

Work-Study Student Employment/Work-Release

Eligibility Requirements: (continued)

- The student must have an acceptable attendance record and must not be considered “chronically absent.”
- The student must have a record demonstrating their ability to comply with school behavioral expectations and be deemed able to comply with workplace attendance and behavioral expectations.

Legal References: Connecticut General Statutes
 4-124II. Model Student Work-Release Policy
 Public Act 24-45, An Act Concerning Mandate Relief, School Discipline
 and Disconnected Youth

This policy has been updated to include PA 25-174, Sections 234-237, which expands CT FMLA to non-certified school employees and increases the required hours worked for all school employees to qualify for federal unpaid family and medical leave benefits from 950 to 1,250.

Personnel – Certified/Non-Certified

Family and Medical Leave Act

The _____ Board of Education shall provide leave to eligible employees consistent with the Family and Medical Leave Act of 1993 (FMLA) and/or the **Connecticut Family and Medical Leave Act (CT FMLA)** and legislative updates. This policy notifies employees of their rights and establishes guidelines consistent with FMLA and applicable Connecticut state law. This policy is not intended to recite every provision of applicable law and regulations.

Eligibility

Federal FMLA

Employees of the Board of Education who have been employed for at least twelve (12) months and who have worked at least ~~950~~ **1,250** service hours during the twelve (12) months immediately preceding the start of a leave are eligible for unpaid leave under the FMLA. Full-time employees are considered to have met the ~~950–~~**1,250** hour requirement unless the Board can demonstrate otherwise. **Under federal FMLA, eligible employees are provided up to 12 weeks of unpaid leave each year.**

CT FMLA

Eligible employees are employees whose position does not require professional certification (non-certified school personnel) or certified school personnel whose union has successfully negotiated with the Board to participate in such programs. To be eligible for the program, a certified school employee must be employed for at least three months immediately preceding such employee's request for leave by the employer with respect to whom leave is requested. Non-certified school personnel must be employed by the Board for at least three months during the previous 12 months to be eligible.

Under CT FMLA, eligible employees can take up to 12 weeks of unpaid leave in a 12 month period for qualifying reasons with an additional 2 weeks available for certain pregnancy-related conditions. An employee may be entitled to leave under the Federal FMLA and/or CT FMLA. To the extent an employee is eligible for and qualifies for leave under both laws, the employee's Federal FMLA and CT FMLA leave will run concurrently.

Personnel – Certified/Non-Certified

Family and Medical Leave Act

Definitions

Genetic Information: For purposes of this policy, “genetic information” includes an individual’s family medical history, an individual’s or family member’s genetic tests, and/or the fact that an individual or an individual’s family member sought or received genetic services or participated in clinical research which includes genetic services. “Genetic information” includes information of a fetus carried by an individual or an individual’s family member or an embryo lawfully held by an individual or family member utilizing assistive reproductive technology.

Instructional employee: For purposes of this policy, an “instructional employee” is defined as a teacher or other employee of the Board who is employed principally in an instructional capacity and whose principal function is to teach and instruct students in a class, small group, or an individual setting, and includes athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. The term does not include teacher assistants or aides who do not have as their principal function actual teaching or instructing, nor auxiliary personnel such as counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers, bus drivers, or other primarily non-instructional employees.

Non-certified employee: For purposes of this policy, “non-certified employee” means an employee employed by the Board in a position that does not require a professional certification under Chapter 166 of the Connecticut General Statutes.

~~For purposes of this policy, a **paraeducator** means a school employee who performs instructional duties or delivers either direct or indirect services to students and/or parents and serves in a position for which a teacher has ultimate responsibility for the design and implementation of educational programs and services. An **instructional employee** is defined as a certified teacher or other employee who serves in an instructional capacity and whose function is to instruct students. The term does not include teacher assistants or non-instructional aides, nor auxiliary personnel such as school counselors, psychologists, curriculum specialists, cafeteria workers, maintenance or custodial workers, or other primarily non-instructional employees.~~

Leave covered by under FMLA includes the following:

- incapacity due to pregnancy, prenatal medical care, or childbirth;
- to care for the employee's newborn child;
- the placement of a child with the employee by adoption or foster care;
- to care for the employee's spouse, child, or parent who has a serious health condition; or
- to care for the employee's own serious health condition that renders the employee unable to perform the functions of the employee’s position;
- to serve as an organ or bone marrow donor;
- to care for an injured or ill service member;

Personnel – Certified/Non-Certified

Family and Medical Leave Act

Leave covered by ~~under~~ FMLA includes the following: (continued)

- a qualifying exigency arising out of a family member’s military service, including one or more of the following reasons:
 - short-notice deployment;
 - military events and related activities;
 - childcare and school activities;
 - financial and legal arrangements;
 - counseling;
 - rest and recuperation;
 - post-deployment activities;
 - parental care leave for a military member’s parent who is incapable of self-care and care is necessitated by the military member’s covered active duty;
 - additional activities that arise out of the active duty or call to active-duty status of a covered military member, provided that the Board and the employee agree that such leave qualifies as an exigency and agree to both the timing and the duration of such leave.

Leave covered by Connecticut FMLA includes the following:

- upon the birth of the employee’s newborn child, and to care for the newborn child;
- upon the placement of a child with the employee for adoption or foster care, and to care for the newly placed child;
- to care for the employee’s family member, if such family member has a serious health condition;
- because of the employee’s own serious health condition, including any period of incapacity due to pregnancy or for prenatal care, that renders the employee unable to perform the functions of the employee’s position;
- in order to serve as an organ or bone marrow donor;
- to care for an injured or ill servicemember who is the employee’s spouse, parent, child or next of kin; or
- to address a qualifying exigency arising out of the fact that the spouse, child, or parent of the employee is on active duty, or has been notified of an impending call or order to active duty, in the armed forces.

For purposes of determining whether an employee has a qualifying reason for leave under CT FMLA, “family member” is defined as a spouse, sibling, child, grandparent, grandchild or parent, or an individual related to the employee by blood or affinity whose close association the employee shows to be the equivalent of those family relationships.

If a leave is requested for one of the reasons listed above, each eligible employee may take up to a total of twelve (12) weeks of unpaid family or medical leave in the twelve (12) month entitlement period. This entitlement period is measured on the basis of a “rolling” 12-month period measured backward from the date an employee uses any FMLA leave.

Personnel – Certified/Non-Certified

Family and Medical Leave Act

Leave covered by Connecticut FMLA includes the following: (continued)

The Superintendent shall draft administrative regulations to comply with the FMLA and CT FMLA and subsequent updates. In developing these regulations to support policy 4152.6/4252.6, the Superintendent will provide direction and explanations covering the following areas:

- Acceptable reasons for requesting leave under the FMLA;
- Leave scenarios and conditions;
- Leave to care for an injured or ill service member;
- Procedures for requesting leave under the FMLA;
- Leaves under FMLA and medical treatment requirements;
- Required certifications and documentation;
- Use of paid leave
- Medical insurance and other benefits, and
- Reinstatement.

(cf. 4118.14 - Disabilities)

(cf. 4151.2 - Family Illness)

(cf. 4152.3 - Maternity; Adoptive; Child Care)

Legal References: Connecticut General Statutes
31-51rr Family and medical leave benefits for employees of political subdivisions
Regs. Conn. State Agencies 31-51rr-1, et seq.
United States Code:
Family and Medical Leave Act of 1993, 29 U.S.C. Section 2601 et seq., as amended
29 CFR Part 825.100 et seq.
Title II of the Genetic Information Nondiscrimination Act of 2008, 42 USC 2000ff et seq.
S29 CFR 1635.1 et seq.
Public Act 24-41 An Act Concerning Educator Certification, Teachers, Paraeducators and Mandated Reporter Requirements, Section 18
Public Act 25-174 An Act Authorizing and Adjusting Bonds of the State and Concerning Grant Programs, State Grant Commitments for School Building Projects, Revisions to the School Building Projects Statutes and Various Provisions Revising and Implementing the Budget for the Biennium Ending June 30, 2027, Sections 234-237

Policy adopted:

cps 6/24
rev 10/25

Accompanying regulation.

Personnel – Certified/Non-Certified

Family and Medical Leave Act

The _____ Board of Education shall provide leave to eligible employees consistent with the Family and Medical Leave Act of 1993 (FMLA) and legislative updates. This policy notifies employees of their rights and establishes guidelines consistent with FMLA and applicable Connecticut state law. *(These regulations do not recite every provision of applicable law and regulations.)*

Federal FMLA

Employees of the Board of Education who have been employed for at least twelve (12) months and who have worked at least ~~950~~ **1,250** service hours during the twelve (12) months immediately preceding the start of a leave are eligible for unpaid leave under the FMLA. Full-time employees are considered to have met the ~~950–~~**1,250**-hour requirement unless the Board can demonstrate otherwise. **Under federal FMLA, eligible employees are provided up to 12 weeks of unpaid leave each year.**

CT FMLA

Eligible employees are employees whose position does not require a professional certification (non-certified school personnel) or certified school personnel whose union has successfully negotiated with the Board to participate in such programs. To be eligible for the program, a certified school employee must be employed for at least three months immediately preceding such employee's request for leave by the employer with respect to whom leave is requested. Non-certified school personnel must be employed by the Board for at least three months during the previous 12 months to be eligible.

Under CT FMLA, eligible employees can take up to 12 weeks of unpaid leave in a 12-month period for qualifying reasons with an additional 2 weeks available for certain pregnancy-related conditions.

For purposes of these administrative regulations, a **paraeducator** means a school employee who performs instructional duties or delivers either direct or indirect services to students and/or parents and serves in a position for which a teacher has ultimate responsibility for the design and implementation of educational programs and services. An **instructional employee** is defined as a teacher or other employee who serves in an instructional capacity and whose function is to instruct students. The term does not include teacher assistants or non-instructional aides, nor auxiliary personnel such as school counselors, psychologists, curriculum specialists, cafeteria workers, maintenance or custodial workers, or other primarily non-instructional employees.

Personnel – Certified/Non-Certified

Family and Medical Leave Act (continued)

Leave under FMLA includes the following:

If a leave is requested for one of the reasons listed above, each eligible employee may take up to a total of twelve (12) weeks of unpaid family or medical leave in the twelve (12) month entitlement period. This entitlement period is measured on the basis of a “rolling” 12-month period measured backward from the date an employee uses any FMLA leave.

Types of Leave and Conditions

Full-Time, Intermittent, and Reduced Schedule Leave

Full-time leave excuses the employee from work for a continuous period of time. Full-time unpaid leave may be taken for any of the reasons permitted by the FMLA. *Intermittent leave* means leave taken for a single qualifying reason in separate periods rather than for one continuous period.

Intermittent leave includes leave taken one day per week over a period of a few months or leaves taken on an occasional or as-needed basis for medical appointments. *Reduced schedule* leave is leave that reduces the employee's usual number of work hours per day for some period of time, as when an employee may request half-time work for a number of weeks so the employee can assist in the care of a seriously ill parent.

Intermittent or reduced schedule leave may be taken when medically necessary for an employee's or covered family member's serious health condition or a covered service member's serious illness or injury, and the need for leave can be best accommodated through intermittent or reduced schedule leave. In addition, FMLA leave may be taken intermittently or on a reduced schedule basis due to a qualifying exigency or to effectuate the placement of a child for adoption or foster care before the placement of the child in the home. Intermittent or reduced schedule leave may be taken following the birth or placement of a healthy child only with the Board's permission.

If foreseeable intermittent or reduced schedule leave is medically required based on planned medical treatment of the employee, a family member, or a covered service member, the Board may, in its sole discretion, temporarily transfer the employee to another job with equivalent pay and benefits that better accommodates the leave requested. This would include a period of recovery from an employee's or family member's serious health condition or a serious injury or illness of a covered service member.

In addition, special arrangements may be required of an instructional employee who needs to take intermittent or reduced-schedule leave, which will involve absence for more than twenty (20) percent of the work days in the period over which the leave will extend (for example, more than five days over a five-week period) if the leave is to care for a family member with a serious health condition, to care for a covered service member with a serious injury or illness, or for the employee's own serious health condition, which is foreseeable based on planned medical treatment. In such situations, the Board may require the instructional employee to transfer temporarily to another job or take leave for a particular duration not to exceed the duration of the planned medical treatment.

Personnel – Certified/Non-Certified

Family and Medical Leave Act (continued)

Both Spouses Working for the Same Employer

If both spouses are eligible employees of the Board and request leave for the birth, placement of a child by adoption or for foster care, or to care for a parent with a serious health condition, they will only be entitled to a maximum combined total leave equal to twelve (12) weeks in the 12-month entitlement period. If either spouse (or both) uses a portion of the total 12-week entitlement for one of the purposes in the preceding sentence, each is entitled to the difference between the amount the employee has taken individually and the 12 weeks for FMLA leave for their own or their spouse's serious health condition in the 12-month entitlement period.

Leave Taken by Instructional Employees Near the End of an Academic Term

If an instructional employee's leave for any reason begins more than five (5) weeks before the end of an academic term, the Board may require the employee to continue the leave until the end of the term if the leave will last at least three (3) weeks and the instructional employee returns to work during the three-week period before the end of the term.

If the instructional employee begins a leave during the five-week period preceding the end of an academic term for a reason other than the instructional employee's own serious health condition, the Board may require the instructional employee to continue taking leave until the end of the term if the leave will last more than two (2) weeks and the instructional employee would return to work during the two-week period before the end of the term.

If the instructional employee begins leave during the three-week period preceding the end of an academic term for a reason other than the instructional employee's own serious health condition, the Board may require the instructional employee to continue taking leave until the end of the term if the leave will last more than five (5) working days.

Leave to Care for an Injured or Ill Service Member

In addition to the reasons for leave listed above, an eligible employee may take up to twenty-six (26) workweeks of FMLA leave during a 12-month period to care for a service member who is the employee's spouse, parent, child, or next of kin, and who incurred a serious injury or illness in the line of duty and while on active duty in the Armed Forces or had a preexisting injury or illness prior to beginning active duty that was aggravated by service in the line of duty on active duty in the Armed Forces; or a covered veteran with a serious injury or illness who is the employee's spouse, parent, child or next of kin.

For service members, the injury or illness must render them medically unable to perform the duties of office, grade, rank, or rating. This provision applies to service members who are undergoing medical treatment, recuperation, or therapy, are in outpatient status, or are on the temporary disability retired list for a serious injury or illness.

Personnel – Certified/Non-Certified

Family and Medical Leave Act

Leave to Care for an Injured or Ill Service Member (continued)

For covered veterans, they must be undergoing medical treatment, recuperation, or therapy for a serious injury or illness and must have been a member of the Armed Forces (including the National Guard or Reserves), discharged or released under conditions that were other than dishonorable, and discharged within the five-year period before the eligible employee first takes FMLA military caregiver leave to care for the veteran. *(The employee's first date of leave must be within the five-year period. However, the employee may continue to take leave throughout the single 12-month period even if the leave extends past the five-year period. Note - special rules may apply to calculating the five-year period for veterans discharged between October 28, 2009, and March 8, 2013. This period will effectively be excluded from the five-year calculation.)*

For covered veterans, serious injury or illness means any of the following:

- a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating;
- a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave;
- a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service or would do so absent treatment;
- an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

When combined with any other type of FMLA qualifying leave, total leave time may not exceed twenty-six (26) weeks in a single twelve (12) month period. Standard FMLA leave procedures described below apply to all requests for and designations of leave for this purpose. *However*, in the case of leave to care for a service member with a serious injury or illness, the 12-month period begins on the day such leave actually commences.

Requests for Leave

Foreseeable Leave

An employee must notify the personnel department of the need for a family or medical leave at least thirty (30) days before the leave is to begin if the need for the leave is foreseeable based on the expected birth of the employee's child, placement of a child with the employee for adoption or foster care, planned medical treatment for the employee's or family member's serious health condition, or the planned medical treatment for a serious injury or illness of a covered service member. If a 30-day notice is not practicable, then the employee must provide notice as soon as practicable under the circumstances, usually the same day or the next business day after the employee becomes aware of the need for FMLA leave.

Personnel – Certified/Non-Certified

Family and Medical Leave Act (continued)

Qualifying Exigency

An employee must provide notice as soon as practicable if the foreseeable leave is for a qualifying exigency, regardless of how far in advance such leave is foreseeable.

Unforeseeable Leave

When the employee's need for leave is not foreseeable, an employee must provide notice as practicable under the circumstances.

Scheduling Planned Medical Treatment

When planning medical treatment for foreseeable FMLA leave, an employee must consult with the personnel department and make a reasonable effort to schedule the treatment so as not to unduly disrupt the Board's operations, subject to the approval of the health care provider. Similarly, if an employee needs to leave intermittently or on a reduced leave schedule for planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to disrupt the Board's operations unduly.

Ordinarily, the employee should consult with the personnel department prior to scheduling the treatment in order to work out a treatment schedule that best suits the needs of the Board and the employee. The Board and the employee shall attempt to work out a schedule for leave that meets the employee's needs without unduly disrupting the Board's operations, subject to the approval of the health care provider as to any modification of the treatment schedule.

Required Certifications/Documentation

For leaves taken for any FMLA-qualifying reason, an employee must submit a completed certification form supporting the need for leave. The employee must submit a complete and sufficient certification form as required within fifteen (15) calendar days of receiving the request for the completed certification. If it is not practicable for the employee to provide the completed form by the due date despite the employee's diligent, good-faith efforts, the employee must inform the personnel department of the reason(s) for the delay and what efforts the employee undertook to obtain the required certification.

FMLA-protected leave may be delayed or denied if the employee does not provide a complete and sufficient certification as required. Depending on the reason for leave, an employee may be required to submit medical certification from the employee's health care provider, medical certification from the employee's family member's health care provider, and/or other documentation (e.g., to establish a family relationship, military active-duty orders, etc.). In certain circumstances and under certain conditions, employees may also be required to obtain second or third medical opinions and/or recertifications in accordance with applicable law.

Personnel – Certified/Non-Certified

Family and Medical Leave Act

Required Certifications/Documentation (continued)

If an employee takes leave for the employee's own serious health condition (except on an intermittent or reduced-schedule basis), prior to returning to work, the employee must provide a medical fitness-for-duty certification that the employee is able to resume work and the health condition that created the need for the leave no longer renders the employee unable to perform the essential functions of the job. This certification must be submitted to the Personnel Department.

If the employee is unable to perform one or more of the essential functions of the employee's position, the Board will determine whether the employee is eligible for additional FMLA leave (if such leave has not been exhausted) or whether an accommodation is appropriate, in accordance with the Americans with Disabilities Act.

In connection with the Board's request for medical information, employees must be aware that the Genetic Information Nondiscrimination Act of 2008 ("GINA") prohibits employers and other entities covered by Title II of GINA from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, the Board requests that employees not provide any genetic information when responding to a request for medical information.

Use of Paid Leave

Accrued paid personal leave and accrued paid vacation will be substituted (in that order) for any unpaid portions of family or medical leave taken for any reason. However, where the leave is for the employee's own serious health condition, accrued paid sick leave shall be substituted for unpaid portions of family or medical leave prior to the substitution of accrued paid personal and accrued paid vacation leave. The amount of unpaid family or medical leave entitlement is reduced by the amount of paid leave that is substituted.

In addition, in cases involving absences due to a Workers' Compensation injury that also qualifies as an FMLA serious health condition, and if the employee (and the employee's collective bargaining agent, if applicable) and the Board agree to do so, the Board will apply the employee's available accrued paid leave in increments as a supplement to the Workers' Compensation weekly benefit in an appropriate amount so that the employee can maintain the employee's regular weekly income level.

Medical Insurance and Other Benefits

During approved family or medical leaves of absence, the Board will continue to pay its portion of medical insurance premiums for the period of unpaid family or medical leave. The employee must continue to pay the employee's share of the premium, and failure to do so may result in loss of coverage. If the employee does not return to work after the expiration of the leave, the employee will be required to reimburse the Board for payment of medical insurance premiums during the family or medical leave unless the employee does not return because of a serious health condition or circumstances beyond the employee's control.

Personnel – Certified/Non-Certified

Family and Medical Leave Act

Medical Insurance and Other Benefits (continued)

During FMLA leave, an employee shall not accrue list benefits, such as seniority, pension benefits, or sick or vacation leave, unless otherwise required by any applicable collective bargaining agreement or Board policy. However, unused employment benefits accrued by the employee up to the day on which the leave begins will not be lost upon return to work. Leave taken under this policy does not constitute an absence under the Board's attendance policy, if any.

Reinstatement

Except for circumstances unrelated to taking family or medical leave, and unless an exception applies, an employee who returns to work following the expiration of family or medical leave is entitled to return to the job such employee held prior to the leave or to an equivalent position with equivalent pay and benefits.

Additional Information

Questions regarding family or medical leave may be directed to the Superintendent or designee. An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

Legal References: Connecticut General Statutes
31-51rr Family and medical leave benefits for employees of political subdivisions
Regs. Conn. State Agencies 31-51rr-1, et seq.
United States Code:
Family and Medical Leave Act of 1993, 29 U.S.C. Section 2601 et seq., as amended
29 CFR Part 825.100 et seq.
Title II of the Genetic Information Nondiscrimination Act of 2008, 42 USC 2000ff et seq.
29 CFR 1635.1 et seq.
Public Act 24-41 An Act Concerning Educator Certification, Teachers, Paraeducators and Mandated Reporter Requirements, Section 18
Public Act 25-174 An Act Authorizing and Adjusting Bonds of the State and Concerning Grant Programs, State Grant Commitments for School Building Projects, Revisions to the School Building Projects Statutes and Various Provisions Revising and Implementing the Budget for the Biennium Ending June 30, 2027, Sections 234-237

Regulation approved:

cps 6/24
rev 10/25

Compliant with 2020 Title IX.

Mission – Goals – Objectives

Nondiscrimination

The Board of Education, in compliance with federal and state law, affirms its policy of equal educational opportunity for all students and equal employment opportunity for all persons.

Nondiscrimination in School and Classroom Practices

It is the policy of the District to provide equal opportunity for all students to achieve their maximum potential through the programs offered in all District schools regardless of race, color, age, creed, religion, gender, sexual orientation, gender identity or expression, ancestry, national origin, disability, status as a victim of domestic violence **or as a victim of sexual assault or status as a victim of trafficking in persons.**

The District shall provide to all students without discrimination, course offerings, counseling, assistance, employment, athletics and extracurricular activities. The District shall provide equal access to the Boy Scouts and other designated youth groups. The District shall make reasonable accommodations for identified physical and mental impairments that constitute disabilities, consistent with federal and state statutes and regulations.

Students and third parties who have been subject to discrimination are encouraged to promptly report such incidents to the District's Compliance Officer.

All complaints of discrimination shall be investigated promptly. Corrective action must be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the District's legal and investigative obligations.

Neither reprisals nor retaliation shall occur as a result of good faith charges of discrimination.

Nondiscrimination in Employment/Contract Practices

It is the Board's policy to provide all persons equal access to all categories of employment in this District regardless of race, color, age, creed, religion, gender, gender identity or expression, sexual orientation, ancestry, national origin, status as a victim of domestic violence, marital status, mental or physical disability, genetic information, status as a Veteran or any other basis prohibited by Connecticut state and/or federal laws. The District shall make reasonable accommodations for identified physical and mental impairments that constitute disabilities, consistent with federal and state statutes and regulations. **The Board shall grant victims of sexual assault or trafficking reasonable leave to attend to related medical, psychological and legal matters related to such status.**

Employees and third parties who have been subject to discrimination are encouraged to promptly report such incidents to the District's Compliance Officer.

All complaints of discrimination shall be investigated promptly. Corrective action must be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the District's legal and investigative obligations.

Neither reprisals nor retaliation shall occur as a result of good faith charges of discrimination.

Mission – Goals – Objectives

Nondiscrimination

Equal Education Opportunity

Pursuant to the IDEA, Americans With Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, no otherwise qualified individual with handicaps shall, solely by reason of such handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program of the _____ Board of Education.

Every student has the right to participate fully in classroom instruction and extracurricular activities and shall not be abridged or impaired because of age, sex, race, religion, national origin, pregnancy, parenthood, marriage, or for any reason not related to his/her individual capabilities.

The Civil Rights Coordinators for the _____ Board of Education have the responsibility to monitor the compliance of this policy. The names and location of the Civil Rights Coordinators are set forth below. Further compliance with policy is a responsibility of all district administrators in accordance with the procedures set forth in the attached regulations.

Students shall not be discriminated against, including but not limited to, in the areas of:

- Admission
- Use of School Facilities
- Vocational Education
- Competitive Athletics
- Student Rules, Regulations and Benefits
- Financial Assistance
- School-sponsored Extracurricular Activities
- Enrollment in Courses
- Counseling and Guidance
- Physical Education
- Graduation Requirements
- Treatment as a Married and/or Pregnant Student
- Health Services
- Most Other Aid, Benefits or Services

Employee/or applicants shall not be discriminated against, including but not limited to, the areas of:

- Hiring and Promotion
- Compensation
- Job Assignments
- Leaves of Absence
- Fringe Benefits
- Labor Organization
- Contracts or Professional Agreements

Mission – Goals – Objectives

Nondiscrimination

Equal Education Opportunity (continued)

Sexual harassment has been established as a form of sexual discrimination and is defined as follows:

"Any **unwelcome** sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, when (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment or participation in an educational function (2) submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting the individual or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile or offensive working environment."

Examples of specific behaviors (that are unwanted and sexual in nature) that could constitute sexual harassment include, but not be limited to:

Touching	Verbal comments
Sexual name calling	Sexual rumors
Inappropriate public display of affections	Too personal a conversation
Gestures	Corner/blocking
Jokes/cartoons/pictures	Leers
Pulling at clothes	Attempted rape/rape
	Harassing telephone calls

If you believe that you have been discriminated against, in regard to, either of the preceding policies, you may file a grievance that your rights have been denied or violated.

If you wish to discuss these regulations or your rights under this policy, or wish to discuss or file a grievance, please contact _____, our system Civil Rights Coordinators, or an administrator.

Forms are available in our Guidance Office or from our Civil Rights Coordinators. Contact with the Civil Rights Coordinators should take place within forty (40) calendar days of the alleged occurrence.

Delegation of Responsibility

In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates the

- { } Superintendent
- { } Assistant Superintendent
- { } Business Manager
- { } Personnel Director
- { } Director of Special Education/Services

as the District's Compliance Officer.

Mission – Goals – Objectives

Nondiscrimination

Delegation of Responsibility

The Compliance Officer shall publish and disseminate this policy and complaint procedure annually to students, parents, employees and the public. Nondiscrimination statements shall include the position, office address and telephone number of the Compliance Officer.

The Compliance Officer is responsible to monitor the implementation of nondiscrimination procedures in the areas listed.

School and Classroom Practices:

1. **Curriculum and Materials:** Review curriculum guides, textbooks and supplementary materials for discriminatory bias.
2. **Training:** Provision of training for students and staff to identify and alleviate problems of nondiscrimination.
3. **Student Access:** Review of programs, activities and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
4. **District Support:** Assure that like aspects of the school program receive like support as to staffing, compensation, facilities, equipment and related matters.
5. **Student Evaluation:** Review of tests, procedures and guidance and counseling materials for stereotyping and discrimination.

Employment/Contract Practices

1. Development of position qualifications, job descriptions and essential job functions.
2. Recruitment materials and practices.
3. Procedures for screening, interviewing and hiring.
4. Promotions.
5. Disciplinary actions, up to and including terminations.
6. **The Board allows the mandatory human trafficking awareness training to be provided in any format, including but not limited to, video presentation.**

The Building Principal or his/her designee shall be responsible to complete the following duties when receiving a complaint of discrimination:

1. Inform the student, employee or third party of the right to file a complaint and the complaint procedures.
2. Inform the student complainant that he/she may be accompanied by a parent/guardian during all steps of the complaint procedure.
3. Notify the complainant and the accused of the progress at appropriate stages of the procedure.
4. Refer the complainant to the Compliance Officer if the Building Principal is the subject of the complaint.

Mission – Goals – Objectives

Nondiscrimination (continued)

Complaint Procedure—Student/Employee/Third Party

Step 1—Reporting

~~A student, employee or third party who believes he/she has been subject to conduct that constitutes a violation of this policy is encouraged to report the incident immediately to the Building Principal.~~

~~A school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the Building Principal.~~

~~If the Building Principal is the subject of the complaint, the student, employee or third party shall report the incident directly to the Compliance Officer.~~

~~The complainant is encouraged to use the report form available from the Building Principal, but oral complaints shall be acceptable.~~

Step 2—Investigation

~~Upon receiving a complaint of discrimination, the Building Principal shall immediately notify the Compliance Officer, who shall then authorize the Building Principal to investigate the complaint, unless the Building Principal is the subject of the complaint or is unable to conduct the investigation.~~

~~The investigation may consist of individual interviews with the complainant, the accused and others with knowledge relative to the incident. Other information and materials relevant to the investigation may also be evaluated.~~

~~The obligation to conduct this investigation shall not be negated by the fact that a criminal investigation is pending or has been concluded.~~

Step 3—Investigative Report

~~The Building Principal shall prepare a written report within fifteen (15) days, unless additional time to complete the investigation is required. The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual and whether it is a violation of this policy, and a recommended disposition of the complaint.~~

~~Copies of the report shall be provided to the complainant, the accused and the Compliance Officer.~~

Step 4—District Action

~~If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the District shall take prompt, corrective action to ensure that such conduct ceases and will not reoccur.~~

~~Disciplinary actions, in the case of students, shall be consistent with the school disciplinary practices, Board policies, administrative regulations, and state and federal laws.~~

Mission – Goals – Objectives

Nondiscrimination (continued)

~~Complaint Procedure – Student/Employee/Third Party~~

~~Disciplinary actions, in the case of employees and third parties, shall be consistent with the Board policies, administrative regulations, state and federal laws, and applicable collective bargaining unit agreements.~~

~~Step 5 – Appeal Procedure~~

~~The complainant, if not satisfied with a finding of no violation of the policy or with the corrective action recommended in the investigative report, he/she may submit a written appeal to the Compliance Officer within fifteen (15) days.~~

~~The Compliance Officer shall review the investigation and the investigative report and may also conduct an investigation.~~

~~The Compliance Officer shall prepare a written response to the appeal within fifteen (15) days. Copies of the response shall be provided to the complainant, the accused and the Building Principal who conducted the initial investigation.~~

Discrimination Grievance Procedure

The purpose of this procedure is to secure, at the lowest possible administrative level, equitable solutions to problems which may arise concerning claims of discrimination. Evidence of reprisal against a complainant or witness shall be viewed as a violation of this policy.

Any person who wishes to inquire or to register a complaint concerning alleged discrimination in the _____ Public Schools shall have an opportunity to bring such concerns to the attention of the Civil Rights Officers or Superintendent, who has the authority to resolve such complaints. The following grievance procedure shall be utilized by any student, parent or employee in making a complaint or inquiry. Officials shall be governed by this procedure.

Level I: The complainant shall discuss the alleged discriminatory act or practice with the Civil Rights Officers or the individual closest to the daily decision-making level. This will normally be a principal, teacher, counselor, department chairperson, head custodian, or cafeteria manager. If satisfaction cannot be achieved through informal discussion, the following procedure must be initiated.

Level II: The complainant shall, within forty (40) calendar days of the alleged incident, on forms provided, put the complaint in writing and file it with either of the Civil Rights Officers. Within five (5) working days a conference must be held. Within five (5) working days following the conference, the complaint must be resolved to the satisfaction of both parties or referred to the Superintendent of Schools. Within five (5) working days, the Civil Rights Officer shall notify the Superintendent and must notify the complainant of this notification. The Board will be apprised by the Superintendent of any grievance reaching Level II.

Mission - Goals - Objectives

Nondiscrimination

Discrimination Grievance Procedure (continued)

Level III: Within ten (10) working days after receipt of such complaint, the Superintendent must hold a hearing; and within five (5) working days of the hearing, resolve the complaint, negotiate a long-term solution or refer the matter to the Board of Education for consideration.

Level IV: The Board of Education, Superintendent and the Civil Rights Officers shall proceed in accordance with appropriate laws or regulations.

A complaint of sexual discrimination or sexual harassment may be a violation of Title IX. Policy 4000.1/5145.44 pertains to such employee or student complaints. The grievance investigation process contained in the Title IX policy shall be adhered in such situations.

(cf. 4000.1 – Title IX)

(cf. 4111 – Recruitment and Selection)

(cf. 4111.1/4211.1 – Affirmative Action)

(cf. 4118.11/4218.11 – Nondiscrimination)

(cf. 4118.112/4218.112 – Sex Discrimination and Sexual Harassment in the Workplace)

(cf. 4118.113/4218.113 – Harassment)

(cf. 5145.4 – Nondiscrimination)

(cf. 5145.5 – Sexual Harassment)

(cf. 5145.51 – Peer Sexual Harassment)

(cf. 5145.52 – Harassment)

(cf. 6121 – Nondiscrimination)

(cf. 6121.1 - Equal Educational Opportunity)

Legal Reference: Title VII, Civil Rights Act, 42 U.S.C. 2000e, et seq.
29 CFR 1604.11, EEOC Guidelines on Sex Discrimination.
Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.
Title IX Final Rule, May 6, 2020
Boy Scouts of America Equal Access Act
34 CFR Section 106.8(b), OCR Guidelines for Title IX.
Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol 62, #49,
29 CFR Sec. 1606.8 (a0 62 Fed Reg. 12033 (March 13, 1997) and 66 Fed.
Reg. 5512 (January 19, 2001)
The Americans with Disabilities Act as amended by the ADA Amendments
Act of 2008
Meritor Savings Bank. FSB v. Vinson, 477 U.S. 57 (1986)
Faragher v. City of Boca Raton, No. 97-282 (U.S. Supreme Court, June
26,1998)

Mission – Goals – Objectives

Nondiscrimination

Legal Reference: (continued)

Gebbs v. Lago Vista Indiana School District, No. 99-1866, (U.S. Supreme Court, June 26, 1998)

Davis v. Monro County Board of Education, No. 97-843, (U.S. Supreme Court, May 24, 1999.)

The Vietnam Era Veterans' Readjustment Act of 1974, as amended, 38U.S.C. §4212

Title II of the Genetic Information Nondiscrimination Act of 2008

Connecticut General Statutes

46a-51 Definitions (as amended by PA 17-127, PA 21-2 and PA 22-82)

46a-58 Deprivation of rights. Desecration of property. Placing of burning cross or noose on property. Penalty. (as amended by PA 17-127 and PA 22-82)

46a-60 Discriminatory employment practices prohibited. (as amended by PA 17-127 and PA 21-69 and PA 22-82)

10-15c Discrimination in public schools prohibited. School attendance by five-year olds. (Amended by P.A. 97-247 to include "sexual orientation" and P.A. 11-55 to include "gender identity or expression")

10-153 Discrimination on account of marital status. (as amended by PA 11-55 to include "gender identity or expression")

17a-101 Protection of children from abuse.

Meacham v. Knolls Atomic Power Laboratory 128 S.Ct. 2395, 76 U.S.L.W. 4488 (2008)

Federal Express Corporation v. Holowecki 128 S.Ct. 1147, 76 U.S.L.W. 4110 (2008)

Kentucky Retirement Systems v. EEOC 128 S.Ct. 2361, 76 U.S.L.W. 4503 (2008)

Sprint/United Management Co. v. Mendelsohn 128 S.Ct. 1140, 76 U.S.L.W. 4107 (2008)

Bostock v. Clayton County, Georgia, 140 S.Ct. 1731, 2020 WL3146686 (June 15, 2020)

Public Act 25-139 An Act Concerning Human Trafficking and Sexual Assault Victims

Policy adopted:

rev 1/21

rev 10/22

rev 9/25

REPORT FORM FOR COMPLAINTS OF DISCRIMINATION

Complainant: _____
Home Address: _____
Home Phone: _____
School Building: _____
Date of Alleged Incident(s): _____

Alleged harassment was based on: (Check all that apply.)

- | | | | |
|-----------------------------------|-------------------------------------|---|---|
| <input type="checkbox"/> Race | <input type="checkbox"/> Color | <input type="checkbox"/> National Origin | <input type="checkbox"/> Gender Identity or Expression |
| <input type="checkbox"/> Gender | <input type="checkbox"/> Disability | <input type="checkbox"/> Religion | <input type="checkbox"/> Status as a Veteran |
| <input type="checkbox"/> Ancestry | <input type="checkbox"/> Age | <input type="checkbox"/> Sexual Orientation | <input type="checkbox"/> Status as a Victim of Domestic Violence |
| | | | <input type="checkbox"/> Status as a victim of assault or as a victim of trafficking in persons |

Name of person you believe violated the District's nondiscrimination policy: _____

If the alleged discrimination was directed against another person, identify the other person: _____

Describe the incident as clearly as possible, including any verbal statements (i.e., threats, derogatory remarks, demands, etc.) and any actions or activities. Attach additional pages if necessary:

When and where incident occurred: _____

List any witnesses who were present: _____

This complaint is based on my honest belief that _____ has discriminated against me or another person. I certify that the information provided in this complaint is true, correct and complete to the best of my knowledge.

Complainant's Signature

Date

Received By

Date

This notice meets the minimum requirement of the regulation enforced by the Department of Education's Office for Civil Rights (OCR)

Non-Discrimination Notice

The _____ Public Schools doesn't not discriminate on the basis of a disabling condition as it applies under Section 504 of the Rehabilitation Act of 1973.

The _____ Public Schools does not discriminate on the basis of race, color, religion, national/ethnic origin, age, sex, sexual orientation, gender identity or expression, status as a victim of domestic violence, Veteran status, disability in its programs, activities, and employment practices, **status as a victim of sexual assault, or status as a victim of trafficking in persons**. Equal access is provided to Scouting America and other designated youth groups.

The following individuals are coordinators for Title IX (sex discrimination), Title VI (race, creed and color) and Section 504 (disabled):

Title IX and Title VI

Name

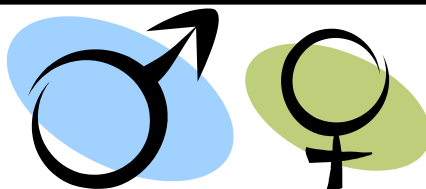
Telephone Number

Section 504

Name

Telephone Number

Harassment Is ILLEGAL



SEXUAL HARASSMENT IS PROHIBITED based on Federal Law - Title IX of the Education Amendments of 1972, and State Law – Sec. 10-15c. Harassment based on sexual orientation is also protected under State Law – Sec. 10-15c.

FOR STUDENTS: Sexual harassment is **unwanted and unwelcome** behavior of a sexual nature which interferes with a student’s right to learn, study, work, achieve, or participate in school activities in a comfortable and supportive atmosphere. You have a right to participate in all school and classroom activities in an atmosphere free from sexual harassment. You have a responsibility not to engage in sexual behaviors that are unwelcome or offensive to others.

Examples of Sexual Harassment include: unwelcome sexual advances, suggestive or lewd remarks, unwanted hugs, touches, kisses; requests for sexual favors; retaliation for complaining about sexual harassment, derogatory or pornographic posters, cartoons or drawings.

If you have questions or believe that you or others are being harassed, contact:

District Title IX Coordinator:
Office Address:
Telephone number:
Email Address:

Building Title IX Coordinator:
Office Address:
Telephone number:
Email Address:

You may also contact: The Connecticut Commission on Human Rights and Opportunities (CHRO), 21 Grand Street, Hartford, CT 06106 (Tel: 860-541-3400 or 800-477-5737) Connecticut law requires that a formal complaint be filed with the Commission within 180 days of the date under which the alleged harassment occurred.

You may also contact: Office for Civil Rights, U.S. Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921, Telephone: 617-289-0111, FAX: 617-289-0150; TDD: 877-521-2172

Email: OCR.Boston@ed.gov, **Filing complaints electronically:**
<http://www.ed.gov/about/offices/list/ocr/complaintintro.html>.

Sexual harassment is not limited to prohibited behavior by a male toward a female, or by a supervisory employee toward a non-supervisory employee, or a teacher to a student. The victim does not have to be the opposite sex of the harasser. Harassment may be student to student, teacher to student, student to teacher or teacher to teacher. The gender of the complainant and/or the alleged harasser is irrelevant, even if they are of the same gender. Sexual harassment based on sexual orientation or gender identity is also prohibited under State Law.

► ***What should I do if I believe I am being sexually harassed?***

- Find out about your school or school district's policy and procedures for handling sexual harassment issues. Follow those procedures.
- Take action and get help when needed. Ignoring sexual harassment is not an effective way to stop it.
- Whenever possible, tell the harasser verbally or in writing what the specific behaviors are that you find offensive. Ask him or her to stop.
- Report the offensive behaviors to a teacher, counselor, Title IX coordinator, or school administrator.
- Keep a detailed record of the harassing behavior to share with school officials who investigate your complaint.
- If not satisfied with the resolution of your concerns, contact one of the appropriate organizations listed.

The victim does not have to be the person at whom the unwelcome sexual conduct is directed; the victim may be someone who is a witness to and personally offended by such conduct although directed toward another. Sexual harassment is unwelcome conduct that is personally offensive, lowers morale, and interferes with educational performance. This unwelcome sexual behavior is defined from the perspective of the victim, not the harasser.

► ***Where to Get Help***

- **State Title IX Coordinator:** Dr. Adrian R. Wood, Connecticut State Department of Education Turnaround Office, 450 Columbus Boulevard, Suite 602, Hartford, CT 06103
telephone: (860-713-6795)
email: Adrian.wood@ct.gov
- **Permanent Commission on the Status of Women (PCSW)**
18-20 Trinity Street, Hartford, CT 06106 (860-240-8300)
<http://www.cga.state.ct.us/PCSW/>
- **Connecticut Women's Education and Legal Fund (CWEALF)**
75 Charter Oak Avenue, Suite 1-300, Hartford, CT 06106, <http://www.cwealf.org/>

YOUR SCHOOL'S NON-DISCRIMINATION STATEMENT:

Discrimination Grievance Form

Any student, parent/guardian, employee or employment applicant who feels that he/she has been discriminated against on the basis of race, color, age, religion, national origin, ancestry, sex, sexual orientation, gender identity or expression, marital status, mental or physical disability, status as a victim of domestic violence, **status as a victim of sexual assault, status as a victim of trafficking in persons**, status as a Veteran or equal access to Scouting America and other designated youth groups may discuss and/or file a grievance with either of the Civil Rights Coordinators of the _____ Public Schools. Reporting should take place within 40 calendar days of the alleged discrimination. Civil Rights Coordinators:

_____ at _____ or _____ at _____

Name of Presenter/Complainant: _____

Employee _____ Employment Applicant _____ Student _____ Parent/Guardian _____

Home address _____

Phone _____ Date of Claim _____ Date of Incident _____

1. Statement of Incident/Issue (include all pertinent information: who, how, where, when, how often, feelings, witness).
2. Please attach any additional information/documentation as necessary.

Signature of Presenter: _____

Signature of Civil Rights Coordinator: _____

Date Received: _____

*Forms are available from either of the Civil Rights Coordinators,
Administrators and Guidance Offices.*

**Public Act 25-168 An Act Concerning the State Budget for the Biennium
Ending June 30, 2027, and Making Appropriations Therefore, and Provisions
Related to Revenue and Other Items Implementing the State Budget**
(Background Information for Policy Review Committee)

Public Act No. 25-168, *An Act Concerning the State Budget for the Biennium Ending June 30, 2027, and Making Appropriations Therefore, and Provisions Related to Revenue and Other Items Implementing the State Budget*, establishes new standards regarding three key areas related to school libraries: (1) library collection development and maintenance; (2) library displays and programs, and (3) library material review and reconsideration.

The Act mandates that all school boards adopt a **Library Collection Development and Maintenance Policy** that will serve as the standard against which library material complaints are evaluated. This policy directs superintendents to create an administrative regulation that establishes a procedure for certified school library media specialists to continually review library and other educational materials within a school library media center. The Act also requires that the standards set in the regulation must include, but are not limited to, the material's relevance, physical condition of the material, demand for the material, availability of copies, and more recent age or grade-appropriate material.

CABE's policy department has created a Library Collection Development and Maintenance policy (P6161.13/1312.4) in accordance with the Act, along with an accompanying regulation that outlines specific standards for school library media specialists to evaluate materials against when determining their suitability.

Additionally, the Act mandates boards of education to adopt a **Library Display and Program Policy**. This policy recognizes the purpose and importance of library displays and acknowledges the professional training of school library media specialists who curate and develop such displays and programs. Accordingly, CABE's policy department has developed a Library Display and Program Policy (P6161.14/1312.5).

Furthermore, the Act requires boards of education to adopt a **Library Material Review and Reconsideration Policy**. This policy outlines a procedure for handling complaints regarding instructional materials used in the classroom or available in the school library/media center.

The Public Act specifically requires that after a reconsideration form is filed by a complainant, the principal of the school in which the material is challenged promptly forwards the request for reconsideration to the district's superintendent. The superintendent then appoints a review committee that includes:

1. The superintendent, or the superintendent's designee;
2. Principal of the school in which the material is being challenged, or the principal's designee;
3. The director of curriculum;
4. A representative from the local board of education;
5. At least one grade-level appropriate teacher familiar with the material;
6. A parent or guardian of a student age 13 years or younger enrolled in the school district;
7. A parent or guardian of a student age 14 years or older enrolled in the school district;
8. A certified school librarian employed by a board of education.

**Public Act 25-168 An Act Concerning the State Budget for the Biennium
Ending June 30, 2027, and Making Appropriations Therefore, and Provisions
Related to Revenue and Other Items Implementing the State Budget
(Background Information for Policy Review Committee) (continued)**

This review committee is called to evaluate the reconsideration request by reading the challenged material in its entirety and evaluating it against the school district's Library Collection Development and Maintenance Policy. The Act establishes that material can only be removed for legitimate pedagogical purposes or for professionally accepted standards as adopted in the Library Collection Development and Maintenance Policy or the Library Display and Program Policy. Furthermore, the review committee is prohibited from removing any material on the sole basis that an individual finds such material offensive, or because of the origin, background, or viewpoints expressed in the material or by the creator of the material.

The Act requires that *within sixty school days*, the review committee must provide the complainant and the principal of the school in which the material is being challenged with a copy of the review committee's written decision. An appeal can be made against the decision of the review committee to the local board of education, at which point the board of education is tasked to determine whether the reconsideration process was followed and to publish the appeal decision on the website of the school district.

CABE's policy department has therefore created a Library Material Review and Reconsideration Policy (P6161.12/1312.3), detailing the process for reviewing library materials. Our policy is accompanied by forms that can be used for reconsideration and appeal requests.

Previously, guidance on reviewing and reconsidering library materials was included in our Public Complaints Policy (P1312). Now that we have created a new policy specific to Library Material Review and Reconsideration (P6161.12/1312.3), our Public Complaints Policy has been updated to provide an overview of the general complaint procedure, and it no longer details the library material review process.

In summary, CABE's policy department has developed three new mandated model policies (P6161.12/1312.3, P6161.13/1312.4, P6161.14/1312.5), accompanied by an administrative regulation and sample forms, that boards of education can adopt or use as a model in developing their own policies.

August 2025

Reviewed October 2025

A mandated policy.

Instruction/Community Relations

Library Material Review and Reconsideration Policy

Statement of Policy:

The _____ Board of Education understands that, on occasion, a member of the public will wish to lodge a complaint against material available in the school library/media center. Consideration of requests to reconsider and remove material, displays, or student programs is limited to individuals with a vested interest. An individual with vested interest may challenge any library and other educational materials, display or student program by initiating a review of such material via the submission of a request for reconsideration form.

It shall be the policy of the _____ Board of Education that the removal, exclusion or censoring of any book shall not occur on the sole basis that a person with a vested interest finds such book offensive. No library and other educational material, display, or program shall be removed from library media centers, or programs be canceled, because of the origin, background, or viewpoints expressed in such material, display, or program, or because of the origin, background, or viewpoints of the creator of such material, display, or program. Library and other educational materials, displays, and student programs shall only be excluded for legitimate pedagogical purposes or for professionally accepted standards of collection maintenance practices as adopted in the collection development and maintenance policy or the display and program policy.

Until a final decision is made by the review committee, any library and other educational materials being challenged shall remain available in the school library media center according to their catalog records and be available for students to reserve, check out, or access.

A school district may consolidate any requests for review and reconsideration of the same challenged library and other educational material. Once a decision has been made by **the review committee** regarding any library or other educational material, that material cannot be subject to a new request for review and reconsideration for a period of three years.

Through this policy, the Board of Education ensures that all library materials shall be evaluated and made accessible in accordance with the protections against discrimination set forth in sec10-15c of the general statutes, including, but not limited to, discrimination based on race, color, sex, gender identity, religion, national origin, sexual orientation, or disability. The Board shall review and update this policy as necessary every five years.

Definitions

"Library and other educational material" means any material belonging to, on loan to or otherwise in the custody of a school library media center, including, but not limited to, nonfiction and fiction books, magazines, reference books, supplementary titles, multimedia and digital material, software, and other material not required as part of classroom instruction.

Instruction/Community Relations

Library Material Review and Reconsideration Policy

Definitions (continued)

"School library staff member" means a school library media specialist, school librarian, any certified or non-certificated staff member whose assignment is in the school library or any individual carrying out or assisting with the functions of a school library media specialist or school librarian.

"Individual with a vested interest" means any school staff member employed by a local or regional board of education, parent or guardian of a student currently enrolled in a school at the time a reconsideration form is filed, or any student currently enrolled in a school at the time a reconsideration form is filed.

"Remove" means deliberately taking library material out of a library's collection. **"Remove"** does not include the process of clearing such collection of any materials that are no longer useful.

Material Review and Reconsideration Procedure

The Board of Education has established the following procedure for addressing complaints regarding the utilization of library and other educational materials:

1. Individuals with a vested interest may initiate the review or reconsideration of any library and other educational materials, display, or student program by submitting a request for recommendation form to the principal of the school in which the library and other educational materials are being challenged.
2. The principal, or the principal's designee, shall promptly forward the request for reconsideration to the Superintendent of Schools for the school district.
3. The Superintendent, or the Superintendent's designee, shall appoint a review committee consisting of:
 - a. The Superintendent, or the Superintendent's designee;
 - b. the principal of the school in which the library and other educational material is being challenged, or the principal's designee;
 - c. the Director of curriculum, or a person in an equivalent position;
 - d. a representative from the local or regional board of education;
 - e. at least one grade-level-appropriate teacher familiar with the library material provided, the teacher selected is not the individual who submitted the form;
 - f. a parent or guardian of a student *age thirteen years or younger* enrolled in the school district, provided the parent or guardian selected is not the individual who submitted the form;
 - g. a parent or guardian of a student *aged fourteen years or older* enrolled in the school district, provided the parent or guardian selected is not the individual who submitted the form;
 - h. a certified school librarian employed by such board or employed by another board of education in the state.

Instruction/Community Relations

Library Material Review and Reconsideration Policy

Material Review and Reconsideration Procedure (continued)

In cases where such form is submitted by a student enrolled in *grades nine to twelve*, inclusive, and when appropriate and at the discretion of the superintendent, a student enrolled in grades nine to twelve, inclusive, may serve on the review committee if such student did not submit the reconsideration form, provided the superintendent consults with the principal of the school involved in such reconsideration request prior to making this determination whether to include such student on the review committee.

4. The **review committee** shall evaluate the request for reconsideration form by reading the challenged material in its entirety and evaluating the challenged material against the school district's *Collection Development and Maintenance Policy*.
5. The **review committee** shall make a *written decision* on whether to remove the challenged material *within sixty school days* from the date of receiving such request and provide a copy of the committee's decision and report to *the individual with a vested interest who submitted the form and to the principal of the school*.
6. The individual with a vested interest who submitted the *request for reconsideration form* may appeal to the *review committee's decision* to the local or regional board of education for the school district. The Board shall determine whether the reconsideration process was followed and publish the decision on the school district's website.

General Provisions

Any school library media specialist or school library staff member who, in good faith, implements the policies described in this section shall be immune from any liability, civil or criminal, that might otherwise be incurred or imposed and shall have the same immunity with respect to any judicial proceeding that results from such implementation.

Legal Reference: **Public Act 25-168 An Act Concerning the State Budget for the Biennium Ending June 30, 2027, and Making Appropriations Therefore, and Provisions Related to Revenue and Other Items Implementing the State Budget**

**Connecticut General Statutes
Section 10-15c Discrimination in public schools prohibited**

Policy adopted:

cps 6/25
rev 10/25

(Name of District)

Request for Reconsideration of Library Books/Materials

Title _____

Author _____ Publisher _____

This request was initiated by

Parent/Guardian

Student

Other (please specify) _____

The material is best described as a:

Book

Video or Online Content

Periodical/Magazine

Other Media. Please specify _____

Please answer the following questions:

1. Did you read, view, or listen to the entire work? If not, what parts did you examine?

2. In what specific ways do you think this work is inappropriate for students?

3. What have you been told about the educational purpose of this material?

4. What do you believe is the theme or purpose of this material?

5. For what age group would you recommend this material?

6. Are you aware of the judgment of this work by literary critics and/or professional educators/organizations?

7. What are the valuable aspects of this material?

8. What do you feel may be the results of students reading, listening to, or viewing this material?

9. What work/material of equal or superior value would you recommend replacing the one in question?

10. Please explain your reasons for your objection:

Signature of Complainant

Date

_____ PUBLIC SCHOOLS
_____ CONNECTICUT

Request for Appeal of Reconsideration of Library and Other Educational Materials Decision

Full Legal Name: _____ **Title of Material:** _____

Address: _____ **Telephone Number:** _____

Author: _____ **Publisher:** _____

Date the Reconsideration Decision was communicated to you: _____

Please explain why you are appealing against this decision:

How do you believe the review committee failed to follow the reconsideration process?

Are you submitting any documentation with this appeal? If so, please list/describe supporting documents:

The _____ Board of Education shall determine whether the reconsideration process was followed and will publish the decision on the internet web site of the school district.

_____ PUBLIC SCHOOLS
_____ CONNECTICUT

Sample Letter to Complainant

Date: _____

Complainant Name

Address Line 1

Address Line 2

Dear [Complainant's Name],

Thank you for bringing your concerns regarding one of our school's library materials to our attention. In accordance with Connecticut state law, our school has a procedure in place to adjudicate concerns and reconsideration requests.

To facilitate this review, we kindly request that you submit a *Request for Reconsideration of Library Books and Materials* form to clearly identify the specific content you find objectionable and describe the nature of your concerns. Once your submission is received, it will be forwarded to the District Library Review Committee for formal consideration. The Committee's review process includes thoroughly reviewing the material, assessing its educational value, and addressing all concerns raised.

If you have any questions or need assistance with this process, please don't hesitate to contact me at [phone number or email address].

Thank you for engaging with us to support a thoughtful and responsible approach to creating libraries that meet the needs of all students.

Sincerely,

[Your Name]

[Your "Vested Interest" Identity]

A mandated policy.

Instruction/Community Relations

Library Collection Development and Maintenance Policy

The Board of Education recognizes that library and other educational materials should be provided for the interest, information, and enlightenment of all students, and that the collection as a whole should represent a wide range of varied and divergent viewpoints.

Students shall have access to the library and other educational materials that are relevant to their research, independent reading interests, and educational needs, based on their age, development, or grade level.

The library media center is an important place for voluntary inquiry, the dissemination of information and ideas, and the promotion of free expression and free access to ideas by students.

A school library media specialist is professionally trained to curate and develop a collection that provides students with access to the widest array of age-appropriate and grade-level-appropriate library and other educational materials.

Through this policy, the Board of Education ensures that all library materials shall be evaluated and made accessible in accordance with the protections against discrimination set forth in section 10-15c of the general statutes, including, but not limited to, discrimination based on race, color, sex, gender identity, religion, national origin, sexual orientation, or disability. The Board shall review and update this policy as necessary every five years.

The _____ Board of Education directs the Superintendent to create an administrative regulation that establishes a procedure for a certified school library media specialist to continually review library and other educational material within a school library media center using professionally accepted standards which shall include, but need not be limited to: the material's relevance, physical condition of the material, availability of duplicates or copies of the material, availability of more recent age-appropriate or grade-level appropriate material and continued demand for the material.

Legal Reference: Public Act 25-168 An Act Concerning the State Budget for the Biennium Ending June 30, 2027, and Making Appropriations Therefore, and Provisions Related to Revenue and Other Items Implementing the State Budget

Connecticut General Statutes
Section 10-15c Discrimination in public schools prohibited

Policy adopted:

cps 6/25
rev 10/25

A sample regulation.

Instruction/Community Relations

Library Collection Development and Maintenance

Purpose:

This regulation establishes a procedure for certified school library media specialists to continually review library and other educational materials within a school library media center to ensure that they are relevant, in good condition, and age- or grade-level-appropriate.

General Procedure:

Using the criteria identified below and their professional judgment, the school library media specialist shall conduct a systematic review of the library's collection:

1. Material relevance

- a. Consult with instructional staff to determine whether the material is still useful and has up-to-date information.
- b. Evaluate usage data to assess the material's relevance to student interests and research needs.

2. Physical condition of the material

- a. Assess whether the material is damaged or worn beyond reasonable use.

3. Availability of duplicates or copies of the material

- a. Determine whether the availability of duplicates or multiple copies is justified based on usage statistics to avoid redundancy.

4. Availability of more recent age-appropriate or grade-level appropriate material

- a. Investigate the availability of newer editions or versions that offer more current and accurate information by considering awards and recommended lists for recently recognized literature.
- b. Ensure that any new material uses language that is appropriate for the reading level of students in the targeted grade range and developmental levels.
- c. Evaluate whether the new material's treatment of difficult or sensitive subjects (e.g., death, mental health, violence, sexuality) is in a developmentally appropriate way for the intended student audience.

5. Continued demand for the material

- a. Consult with instructional staff to determine whether the material continues to be cited or referred to for classroom instruction.
- b. Review usage data to determine whether the material is still being sought by students or teachers.

Instruction/Community Relations

Library Collection Development and Maintenance (continued)

Library Collection Development

Objectives of Materials Selection

- To provide faculty and students with materials that enrich and support the curriculum and meet the recreational reading needs of the students served.
- To provide students with a wide range of age and grade appropriate educational materials on all levels of difficulty and in a variety of formats, with diversity of appeal, allowing for the presentation of many different points of view.
- To select materials in all formats, including up-to-date, high quality, varied literature to develop and strengthen a love of reading.

All library materials are evaluated and made accessible in accordance with the protections against discrimination set forth in section 46a-64 of the Connecticut General Statutes, including, but not limited to, discrimination based on race, color, sex, gender identity, religion, national origin, sexual orientation, or disability.

General Selection Criteria

In selecting what materials to purchase for the School Library, professionally trained library personnel shall evaluate materials using the following general selection criteria. Not all criteria may be applicable in every selection.

- **Curriculum Support:** Resources that support and enrich the curriculum and/or students' personal interests and learning.
- **Quality and Standards:** Works that meet high standards in literary, artistic, and aesthetic quality, as well as technical aspects and physical format.
- **Appropriateness:** Materials suited to the subject area, and to the age, emotional development, ability level, and social, emotional, and intellectual development of the students served.
- **Accuracy and Authority:** Resources incorporating accurate and authentic factual content from authoritative sources.
- **Professional Reviews:** Titles earning favorable reviews in standard reviewing sources and/or recommended by professional personnel following preview and examination.
- **User Appeal:** Materials with a high degree of potential interest and appeal to students.
- **Viewpoint Representation:** Resources that present differing perspectives on controversial or complex issues.
- **Format Variety:** A range of physical and virtual resources, including print, electronic, multimedia, subscription databases, e-books, educational games, and other emerging technologies.

Instruction/Community Relations

Library Collection Development and Maintenance

General Selection Criteria

- **Durability and Design:** Physical format, appearance, and durability appropriate to the material's intended use.
- **Collection Gaps:** Materials that fill a substantial gap in the collection on a particular topic or subject area.
- **Cost Effectiveness:** Balance between the cost of materials and the demonstrated need or value to the collection.

In selecting library materials, library personnel will evaluate available resources and curriculum needs and will consult reputable, professionally prepared aids to selection, and other appropriate sources. The actual resource will be examined whenever possible.

Recommendations for purchase or gift materials shall be judged by the selection criteria and shall be accepted or rejected by those criteria.

Library Collection Maintenance

Withdrawing materials from the School Library ensures the library collection remains current, accurate, and relevant so that students and staff can easily find high quality resources that support learning and engagement.

In selecting what materials to withdraw from the School Library, professionally trained library personnel shall evaluate materials using the following general selection criteria. Not all criteria may be applicable in every selection.

1. **Physical Condition:** Items that are damaged, worn, or in poor condition and cannot be feasibly repaired.
2. **Accuracy and Currency:** Materials outdated or inaccurate information, particularly in fields where current knowledge is critical.
3. **Relevance and Demand:** Titles that have not circulated for a significant period of time, or that no longer support the library's mission, curriculum, or community interests.
4. **Duplication:** Excessive copies of titles where demand no longer justifies multiple holdings.
5. **Format Obsolescence:** Materials in formats no longer supported by current technology or no longer used by the community.

Instruction/Community Relations

Library Collection Development and Maintenance

Library Collection Maintenance (continued)

- 6. Incompleteness of Series:** In cases where a series is substantially incomplete and replacement volumes are unavailable or cannot be obtained at a reasonable cost, the remaining titles may be withdrawn to maintain the collection's overall usefulness, consistency, and appeal.
- 7. Space Considerations:** Items may be withdrawn when necessary to manage shelf space and maintain an accessible, browsable collection.

Regulation approved:

cps 6/25
rev 10/25

A mandated policy.

Instruction/Community Relations

Library Display and Program Policy

Library displays and student programs are crucial in serving as resources for voluntary inquiry, the dissemination of information and ideas, and promoting free expression and access to ideas among students.

The Board of Education recognizes that library displays are provided for the interest, information, and enlightenment of all students, represent a wide range of varied and divergent viewpoints, and provide access to content that is relevant to the research, independent interests, and educational needs of students.

The _____ Board of Education acknowledges that a school library media specialist is professionally trained to curate and develop displays and programs that shall provide students with access to the widest array of age-appropriate and grade-level-appropriate library and other educational materials.

Through this policy, the Board of Education ensures that all library materials shall be evaluated and made accessible in accordance with the protections against discrimination set forth in section 10-15c of the general statutes, including, but not limited to, discrimination based on race, color, sex, gender identity, religion, national origin, sexual orientation, or disability. The Board shall review and update this policy as necessary every five years.

Legal Reference: Public Act 25-168 An Act Concerning the State Budget for the Biennium Ending June 30, 2027, and Making Appropriations Therefore, and Provisions Related to Revenue and Other Items Implementing the State Budget

Connecticut General Statutes
Section 10-15c Discrimination in public schools prohibited

Policy adopted:

cps 6/25
rev 10/25

Public Act 23-167 sections 2 and 3, require first-time board members to complete a prescribed training program at a time determined by CSDE, but no later than one year after assuming office.

Bylaws of the Board

New Board Member Orientation

Because the Board, as the policy making authority of the _____ Public Schools, is responsible to the public for the success of all educational services offered by the school system, and because that success is directly dependent upon each Board member's ability to participate meaningfully in the decision-making process that governs this system, it shall be the policy of the Board to provide, as soon as practicable, for the orientation of new members. The purpose of the orientation is to help new members become quickly acquainted with their Board duties and responsibilities.

Orientation of new Board members will begin at the outset of their candidacy and continue throughout the election process. Prior to elections, beginning as soon as the individual's candidacy is known, the candidates will receive from the Board a brief overview of the _____ Public School System. The candidates will be placed on a mailing list to receive notices from the Board, other meetings, and summary reports of Board action. Candidates will also be informed that additional information pertinent to each Board agenda item is available to them through the Central Office.

After the general election in November, and prior to the new members officially assuming the position in December (Elections in May, new members assume the position in January.), the new members will be invited to meet with the Superintendent and other administrative personnel to discuss services to be performed for the Board, and to allow them to request any other information they may deem desirable. Each new member will also receive an orientation packet from the Superintendent's office and will be notified of and given the opportunity to attend sessions of the Connecticut Association of Boards of Education or similar new Board member orientation.

The packet will include:

1. A copy of the Board's policies, rules, and regulations.
2. A copy of the current school budget and the latest financial statement.
3. A new Board Member packet from CABE.
4. Any other materials relevant to duties and responsibilities as members of the _____ Public Schools.

First-time elected board members are to complete a training program that minimally includes the following:

1. The role and responsibilities of a board member;
2. The duties and obligations of a board of education;
3. School district budgeting and education finance.

This training must be completed at a time determined by the Connecticut Department of Education (CSDE), but not later than one year after assuming office.

Bylaws of the Board

New Board Member Orientation

Legal Reference: Public Act 23-167, An Act Concerning Transparency in Education requires first-time board members to complete a prescribed training program at a time determined by CSDE, but no later than one year after assuming office. Sections 2 and 3

Suggested bylaw.

Bylaws of the Board

New Board Member Orientation

The Board of Education and the administrative staff shall assist each new Board member-elect to become familiar with and to understand the Board of Education's functions, policies, procedures, and operation of the school district before the member takes office. The following methods shall be employed:

1. The incoming member shall be given selected materials on the function of the Board of Education and the school district.
2. The incoming member shall be invited to attend Board meetings and functions and to participate in its discussions.
3. The incoming member shall be invited to meet with the Superintendent and other administrative personnel to discuss services they perform for the Board and the school district.

Alternate language: The Superintendent shall arrange a meeting of the Board Chairperson, the Superintendent, and the new member to answer questions and acquaint the member with the district.

4. The incoming member shall be provided with a copy of the Board's policies and bylaws, administrative regulations, and copies of pertinent materials developed by the State School Board Association, Board minutes for the past year, and other helpful information explaining the Board's roles and responsibilities.
5. The Board Chairperson or designee shall arrange a meeting with the new Board member(s) to explain and answer questions about Board processes and procedures.
6. The Board Chairperson may request a veteran Board member to mentor a new member.
7. The incoming member may attend, at district expense, workshops for newly elected members as approved by the Board of Education.

8. **First-time elected board members are to complete a training program that minimally includes the following:**

**The role and responsibilities of a board member;
The duties and obligations of a board of education;
School district budgeting and education finance.**

This training must be completed at a time determined by the Connecticut Department of Education (CSDE), but not later than one year after assuming office.

Bylaws of the Board

New Board Members Orientation (continued)

Candidates

The Superintendent or his/her designee shall invite all current candidates for the office of Board of Education member to attend (1) Board meetings, except that this invitation shall not extend to any executive sessions, and (2) pre-election workshops for candidates.

Legal Reference: Public Act 23-167, An Act Concerning Transparency in Education requires first-time board members to complete a prescribed training program at a time determined by CSDE, but no later than one year after assuming office. Sections 2 and 3

Bylaw adopted by the Board:

cps rev.4/02

cps rev 2/06

cps rev 7/25



POLICY UPDATE SUMMARY

PAGE 1

UPDATE #1

NOVEMBER 13, 2025

The following chart has been developed and summarized for your convenience. Please note that this does not represent all of what is required in your policy manual, and although some sections in this update may not require policy language, they may be procedural and/or recommended.

Update Section	Subject/Policy Topic	Policy Number(s) Impacted	Is Policy Language Required?
A.	Work-Release	5113.13	Yes. CABE's mandated sample policy provided.
B.	Family and Medical Leave Act	4152.6 4252.6	No. CABE's recommended sample policy and regulation provided.
C.	Nondiscrimination	0521	Yes. CABE's mandated sample policy is provided.
D.	Library Material Review and Reconsideration Policy	6161.12 1312.3	Yes. CABE's mandated sample policy is provided.
E.	Library Collection Development and Maintenance Policy	6161.13 1312.4	Yes. CABE's mandated sample policy and regulation is provided.
F.	Library Display and Program Policy	6161.14 1312.5	Yes. CABE's mandated sample policy is provided.
G.	Orientation of Board Members Bylaw	9230	No. CABE's sample bylaw is provided.



CONNECTICUT ASSOCIATION OF BOARDS OF EDUCATION

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Update Mailing No. 1
November 13, 2025

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POLICY UPDATE SERVICE

This, the First issue of *Policy Update* for the 2025-2026 school year.

Information regarding the following topics below are included in this packet for your use.

Policy Topics of Interest

- A. Work-Release
- B. Family Medical Leave Act
- C. Nondiscrimination
- D. Library Material Review and Reconsideration Policy
- E. Library Collection Development and Maintenance Policy
- F. Library Display and Program Policy
- G. Orientation of Board Members Bylaw

SAMPLE POLICIES & REGULATIONS ARE INCLUDED.

This publication is designed to provide information only and is not a substitute for legal advice from school district counsel.

Please Note:

Sample policies are distributed for demonstration purposes only. Unless so noted, contents do not necessarily reflect official policies of the Connecticut Association of Boards of Education.

The Update Service publication is an annual subscription service, published quarterly which provides an overview of current policy issues of concern to Connecticut school districts. Sample policies, which reflect changes in state and federal law and judicial action affecting policy, are part of the publication.

The sample policies are intended to provide a basis for drafting policy which meets the needs of the local school district. Some issues also contain model administrative regulations. The model policies are comprehensively researched and reviewed for effectiveness and legal compliance. The samples should always be considered as open to modification nor do they replace the advice of the district's legal counsel. Rarely does one policy statement reflect the needs and concerns of all districts.

To make the best use of the Update Service, it is suggested that a discussion on the various issues be held. The models provided are open to local decisions and modification. The sample policies should be used to determine the areas for which policy should be developed or revised, to get ideas for what a policy should contain and as a starting point for editing, modifying and discussing the local district's positions.

If you have questions about Update Service, sample policies or about policy in general, please call CABE Policy Services Department at (860) 571-7446.

*CABE's Customized Policy Service & Policy Update Service
will keep you up-to-date with all the latest issues.*

POLICY UPDATE SERVICE

Update Mailing No. 1

November 13, 2025

This policy update includes significant revisions to seven CABE model policies:

Policy 5113.13 Work-Release

In 2022, the General Assembly required the Chief Workforce Officer, in consultation with the Commissioner of Education, the Executive Director of the CTECS, and the Labor Commissioner, to develop, by July 1, 2023, a model student work-release policy.

Beginning with the 2024-25 school year and each year thereafter, boards of education are required to adopt the aforementioned model policy. Section 26 of Public Act 24-45 requires that the Chief Workforce Officer update the model student work-release policy in consultation with the Commissioner of Education.

As a result of this legislative action, CABE's Policy Department has significantly revised its model policy on Work-Study, Student Employment/Work-Release (P5113.13) for boards to consider. This model policy complies with the Public Act, and has been added to the list of CABE's mandated policies.

Policy 4152.6/4252.6 Family and Medical Leave Act

Beginning October 1, 2025, significant updates to both the Federal Family and Medical Leave Act (FMLA) and the Connecticut Family and Medical Leave Act (CT FMLA) require boards of education to update their policies and administrative regulations, particularly as they relate to non-certified school employees. Under the new Connecticut law, non-certified public-school staff-such as paraprofessionals, custodians, and administrative support personnel-become eligible for job-protected leave after just three (3) months of employment, with no minimum hours worked required. Not included in this model policy, districts must also begin withholding the state-mandated 0.5% payroll contribution to fund paid leave benefits through the CT Paid Leave Authority.

At the federal level, FMLA eligibility for school employees will now align more closely with standard requirements: 12 months of employment and at least 1,250 hours worked in the previous year. These changes are intended to expand access to family and medical leave benefits while simplifying compliance across state and federal programs.

For Connecticut boards of education, these updates will require revisions to local leave policies, employee handbooks, and payroll systems. This model policy has been updated to include Public Act 25-174, Sections 234-237, which expand CT FMLA to non-certified school employees and increase the required hours worked for all employees to qualify for federal unpaid family and medical leave benefits from 950 to 1,250 hours.

Policy 0521

Nondiscrimination

Updating this policy to align with Title IX (2020) and adding to the list of protected classes, “victim of sexual assault or status as a victim of trafficking in persons,” revisions were made to provide districts with enhanced guidance to ensure compliance in the effort to eliminate discriminatory practices and/or behaviors and effectively respond to any claims of discrimination.

Policy 6161.12/1312.3

Library Material Review and Reconsideration Policy

Policy 6161.13/1312.4

Library Collection Development and Maintenance Policy

Policy 6161.14/1312.5

Library Display and Program Policy

These three library model policy updates provide two minor additions to those released in June.

- A paragraph that includes language where the board ensures that all library materials are to be evaluated and made accessible with protections against discrimination against protected classes. The paragraph also commits to reviewing and updating this policy as necessary every five years, as mandated by the legislation.
- Legal References include the Public Act 25-168 mandating boards of education to adopt the policy and section 10-15c in the Connecticut General Statutes prohibiting discrimination in public schools.

Specific to the Library Collection Development and Maintenance Policy, additional guidance is provided through the model regulations, which establish *objectives related to materials selection*, *general selection criteria*, and *considerations for library collection maintenance*. These model administrative regulations are designed to provide school librarians with guidance for implementing the policy while allowing for professional judgment in applying these guidelines.

Bylaw 9230

Orientation of Board Members

In response to Public Act 23-167, sections 2 and 3, this bylaw has been updated to require first-time board members to complete a prescribed training program at a time determined by the Connecticut State Department of Education, but no later than one year after assuming office. The training program minimally includes learning about the role and responsibilities of a board member, the duties and obligations of a board of education, and school district budgeting and education finance.

November 2025

A model of a mandated policy.

Students

Work-Study Student Employment/Work-Release

In cooperation with various local and area businesses and industries, the District shall establish and maintain work-study and work-release programs for students who are at least sixteen (16) years of age. Student work-release allows eligible students to be released during the school day to work for an employer.

Insofar as feasible, each of those work-experience programs shall be tailored to meet the vocational needs of the individual students by their school counselor, who shall guide them in selecting appropriate academic courses, and by the vocational coordinator, who shall ensure proper placement in the most relevant training/employment. Students' course schedules and graduation requirements take priority over work-study or work-release.

Program Conditions/Roles and Responsibilities

- Through the work-release program, students may earn eligible credits provided that the curriculum for those credits aligns directly with the course and other program requirements.
- The principal or designee, in collaboration with school counselors, will determine the maximum number of work hours for each student.
- The student must receive approval for work release from the principal or designee.
- The student must obtain written consent from the parent and/or legal guardian.
- The student must obtain a Promise of Employment letter from the prospective employer and apply for and be issued working papers.
- The student must show proof of employment, which will be reviewed quarterly by the principal or designee.
- The student is responsible for maintaining good academic standing, attendance, and behavior in both school and vocational settings.
- The principal or designee is responsible for ensuring that student work-release is compliant with Connecticut's Student Work-Release Policy, including but not limited to:
 - Discussing the student work-release program with each student;
 - Verifying eligibility and reviewing quarterly with the student; and
 - Adhering to all applicable laws, including the Guidelines and Procedures for the Employment of Minors in Connecticut.

Eligibility Requirements:

- Work-release may be provided to any student who is at least 16 years of age and who is enrolled in the district's high school and must comply with state labor laws.
- The student must be in good standing academically and on track to graduate within four years, as determined by the school principal or designee.

Students

Work-Study Student Employment/Work-Release

Eligibility Requirements: (continued)

- The student must have an acceptable attendance record and must not be considered “chronically absent.”
- The student must have a record demonstrating their ability to comply with school behavioral expectations and be deemed able to comply with workplace attendance and behavioral expectations.

Legal References: Connecticut General Statutes
 4-124II. Model Student Work-Release Policy
 Public Act 24-45, An Act Concerning Mandate Relief, School Discipline
 and Disconnected Youth

This policy has been updated to include PA 25-174, Sections 234-237, which expands CT FMLA to non-certified school employees and increases the required hours worked for all school employees to qualify for federal unpaid family and medical leave benefits from 950 to 1,250.

Personnel – Certified/Non-Certified

Family and Medical Leave Act

The _____ Board of Education shall provide leave to eligible employees consistent with the Family and Medical Leave Act of 1993 (FMLA) **and/or the Connecticut Family and Medical Leave Act (CT FMLA)** and legislative updates. This policy notifies employees of their rights and establishes guidelines consistent with FMLA and applicable Connecticut state law. This policy is not intended to recite every provision of applicable law and regulations.

Eligibility

Federal FMLA

Employees of the Board of Education who have been employed for at least twelve (12) months and who have worked at least ~~950~~ **1,250** service hours during the twelve (12) months immediately preceding the start of a leave are eligible for unpaid leave under the FMLA. Full-time employees are considered to have met the ~~950–~~**1,250** hour requirement unless the Board can demonstrate otherwise. **Under federal FMLA, eligible employees are provided up to 12 weeks of unpaid leave each year.**

CT FMLA

Eligible employees are employees whose position does not require professional certification (non-certified school personnel) or certified school personnel whose union has successfully negotiated with the Board to participate in such programs. To be eligible for the program, a certified school employee must be employed for at least three months immediately preceding such employee's request for leave by the employer with respect to whom leave is requested. Non-certified school personnel must be employed by the Board for at least three months during the previous 12 months to be eligible.

Under CT FMLA, eligible employees can take up to 12 weeks of unpaid leave in a 12 month period for qualifying reasons with an additional 2 weeks available for certain pregnancy-related conditions. An employee may be entitled to leave under the Federal FMLA and/or CT FMLA. To the extent an employee is eligible for and qualifies for leave under both laws, the employee's Federal FMLA and CT FMLA leave will run concurrently.

Personnel – Certified/Non-Certified

Family and Medical Leave Act

Definitions

Genetic Information: For purposes of this policy, “genetic information” includes an individual’s family medical history, an individual’s or family member’s genetic tests, and/or the fact that an individual or an individual’s family member sought or received genetic services or participated in clinical research which includes genetic services. “Genetic information” includes information of a fetus carried by an individual or an individual’s family member or an embryo lawfully held by an individual or family member utilizing assistive reproductive technology.

Instructional employee: For purposes of this policy, an “instructional employee” is defined as a teacher or other employee of the Board who is employed principally in an instructional capacity and whose principal function is to teach and instruct students in a class, small group, or an individual setting, and includes athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. The term does not include teacher assistants or aides who do not have as their principal function actual teaching or instructing, nor auxiliary personnel such as counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers, bus drivers, or other primarily non-instructional employees.

Non-certified employee: For purposes of this policy, “non-certified employee” means an employee employed by the Board in a position that does not require a professional certification under Chapter 166 of the Connecticut General Statutes.

~~For purposes of this policy, a **paraeducator** means a school employee who performs instructional duties or delivers either direct or indirect services to students and/or parents and serves in a position for which a teacher has ultimate responsibility for the design and implementation of educational programs and services. An **instructional employee** is defined as a certified teacher or other employee who serves in an instructional capacity and whose function is to instruct students. The term does not include teacher assistants or non-instructional aides, nor auxiliary personnel such as school counselors, psychologists, curriculum specialists, cafeteria workers, maintenance or custodial workers, or other primarily non-instructional employees.~~

Leave covered by under FMLA includes the following:

- incapacity due to pregnancy, prenatal medical care, or childbirth;
- to care for the employee's newborn child;
- the placement of a child with the employee by adoption or foster care;
- to care for the employee's spouse, child, or parent who has a serious health condition; or
- to care for the employee's own serious health condition that renders the employee unable to perform the functions of the employee’s position;
- to serve as an organ or bone marrow donor;
- to care for an injured or ill service member;

Personnel – Certified/Non-Certified

Family and Medical Leave Act

Leave covered by ~~under~~ FMLA includes the following: (continued)

- a qualifying exigency arising out of a family member’s military service, including one or more of the following reasons:
 - short-notice deployment;
 - military events and related activities;
 - childcare and school activities;
 - financial and legal arrangements;
 - counseling;
 - rest and recuperation;
 - post-deployment activities;
 - parental care leave for a military member’s parent who is incapable of self-care and care is necessitated by the military member’s covered active duty;
 - additional activities that arise out of the active duty or call to active-duty status of a covered military member, provided that the Board and the employee agree that such leave qualifies as an exigency and agree to both the timing and the duration of such leave.

Leave covered by Connecticut FMLA includes the following:

- upon the birth of the employee’s newborn child, and to care for the newborn child;
- upon the placement of a child with the employee for adoption or foster care, and to care for the newly placed child;
- to care for the employee’s family member, if such family member has a serious health condition;
- because of the employee’s own serious health condition, including any period of incapacity due to pregnancy or for prenatal care, that renders the employee unable to perform the functions of the employee’s position;
- in order to serve as an organ or bone marrow donor;
- to care for an injured or ill servicemember who is the employee’s spouse, parent, child or next of kin; or
- to address a qualifying exigency arising out of the fact that the spouse, child, or parent of the employee is on active duty, or has been notified of an impending call or order to active duty, in the armed forces.

For purposes of determining whether an employee has a qualifying reason for leave under CT FMLA, “family member” is defined as a spouse, sibling, child, grandparent, grandchild or parent, or an individual related to the employee by blood or affinity whose close association the employee shows to be the equivalent of those family relationships.

If a leave is requested for one of the reasons listed above, each eligible employee may take up to a total of twelve (12) weeks of unpaid family or medical leave in the twelve (12) month entitlement period. This entitlement period is measured on the basis of a “rolling” 12-month period measured backward from the date an employee uses any FMLA leave.

Personnel – Certified/Non-Certified

Family and Medical Leave Act

Leave covered by Connecticut FMLA includes the following: (continued)

The Superintendent shall draft administrative regulations to comply with the FMLA and CT FMLA and subsequent updates. In developing these regulations to support policy 4152.6/4252.6, the Superintendent will provide direction and explanations covering the following areas:

- Acceptable reasons for requesting leave under the FMLA;
- Leave scenarios and conditions;
- Leave to care for an injured or ill service member;
- Procedures for requesting leave under the FMLA;
- Leaves under FMLA and medical treatment requirements;
- Required certifications and documentation;
- Use of paid leave
- Medical insurance and other benefits, and
- Reinstatement.

(cf. 4118.14 - Disabilities)

(cf. 4151.2 - Family Illness)

(cf. 4152.3 - Maternity; Adoptive; Child Care)

Legal References: Connecticut General Statutes
31-51rr Family and medical leave benefits for employees of political subdivisions
Regs. Conn. State Agencies 31-51rr-1, et seq.
United States Code:
Family and Medical Leave Act of 1993, 29 U.S.C. Section 2601 et seq., as amended
29 CFR Part 825.100 et seq.
Title II of the Genetic Information Nondiscrimination Act of 2008, 42 USC 2000ff et seq.
S29 CFR 1635.1 et seq.
Public Act 24-41 An Act Concerning Educator Certification, Teachers, Paraeducators and Mandated Reporter Requirements, Section 18
Public Act 25-174 An Act Authorizing and Adjusting Bonds of the State and Concerning Grant Programs, State Grant Commitments for School Building Projects, Revisions to the School Building Projects Statutes and Various Provisions Revising and Implementing the Budget for the Biennium Ending June 30, 2027, Sections 234-237

Policy adopted:

cps 6/24
rev 10/25

Accompanying regulation.

Personnel – Certified/Non-Certified

Family and Medical Leave Act

The _____ Board of Education shall provide leave to eligible employees consistent with the Family and Medical Leave Act of 1993 (FMLA) and legislative updates. This policy notifies employees of their rights and establishes guidelines consistent with FMLA and applicable Connecticut state law. *(These regulations do not recite every provision of applicable law and regulations.)*

Federal FMLA

Employees of the Board of Education who have been employed for at least twelve (12) months and who have worked at least ~~950~~ **1,250** service hours during the twelve (12) months immediately preceding the start of a leave are eligible for unpaid leave under the FMLA. Full-time employees are considered to have met the ~~950–~~**1,250**-hour requirement unless the Board can demonstrate otherwise. **Under federal FMLA, eligible employees are provided up to 12 weeks of unpaid leave each year.**

CT FMLA

Eligible employees are employees whose position does not require a professional certification (non-certified school personnel) or certified school personnel whose union has successfully negotiated with the Board to participate in such programs. To be eligible for the program, a certified school employee must be employed for at least three months immediately preceding such employee's request for leave by the employer with respect to whom leave is requested. Non-certified school personnel must be employed by the Board for at least three months during the previous 12 months to be eligible.

Under CT FMLA, eligible employees can take up to 12 weeks of unpaid leave in a 12-month period for qualifying reasons with an additional 2 weeks available for certain pregnancy-related conditions.

For purposes of these administrative regulations, a **paraeducator** means a school employee who performs instructional duties or delivers either direct or indirect services to students and/or parents and serves in a position for which a teacher has ultimate responsibility for the design and implementation of educational programs and services. An **instructional employee** is defined as a teacher or other employee who serves in an instructional capacity and whose function is to instruct students. The term does not include teacher assistants or non-instructional aides, nor auxiliary personnel such as school counselors, psychologists, curriculum specialists, cafeteria workers, maintenance or custodial workers, or other primarily non-instructional employees.

Personnel – Certified/Non-Certified

Family and Medical Leave Act (continued)

Leave under FMLA includes the following:

If a leave is requested for one of the reasons listed above, each eligible employee may take up to a total of twelve (12) weeks of unpaid family or medical leave in the twelve (12) month entitlement period. This entitlement period is measured on the basis of a “rolling” 12-month period measured backward from the date an employee uses any FMLA leave.

Types of Leave and Conditions

Full-Time, Intermittent, and Reduced Schedule Leave

Full-time leave excuses the employee from work for a continuous period of time. Full-time unpaid leave may be taken for any of the reasons permitted by the FMLA. *Intermittent leave* means leave taken for a single qualifying reason in separate periods rather than for one continuous period.

Intermittent leave includes leave taken one day per week over a period of a few months or leaves taken on an occasional or as-needed basis for medical appointments. *Reduced schedule* leave is leave that reduces the employee's usual number of work hours per day for some period of time, as when an employee may request half-time work for a number of weeks so the employee can assist in the care of a seriously ill parent.

Intermittent or reduced schedule leave may be taken when medically necessary for an employee's or covered family member's serious health condition or a covered service member's serious illness or injury, and the need for leave can be best accommodated through intermittent or reduced schedule leave. In addition, FMLA leave may be taken intermittently or on a reduced schedule basis due to a qualifying exigency or to effectuate the placement of a child for adoption or foster care before the placement of the child in the home. Intermittent or reduced schedule leave may be taken following the birth or placement of a healthy child only with the Board's permission.

If foreseeable intermittent or reduced schedule leave is medically required based on planned medical treatment of the employee, a family member, or a covered service member, the Board may, in its sole discretion, temporarily transfer the employee to another job with equivalent pay and benefits that better accommodates the leave requested. This would include a period of recovery from an employee's or family member's serious health condition or a serious injury or illness of a covered service member.

In addition, special arrangements may be required of an instructional employee who needs to take intermittent or reduced-schedule leave, which will involve absence for more than twenty (20) percent of the work days in the period over which the leave will extend (for example, more than five days over a five-week period) if the leave is to care for a family member with a serious health condition, to care for a covered service member with a serious injury or illness, or for the employee's own serious health condition, which is foreseeable based on planned medical treatment. In such situations, the Board may require the instructional employee to transfer temporarily to another job or take leave for a particular duration not to exceed the duration of the planned medical treatment.

Personnel – Certified/Non-Certified

Family and Medical Leave Act (continued)

Both Spouses Working for the Same Employer

If both spouses are eligible employees of the Board and request leave for the birth, placement of a child by adoption or for foster care, or to care for a parent with a serious health condition, they will only be entitled to a maximum combined total leave equal to twelve (12) weeks in the 12-month entitlement period. If either spouse (or both) uses a portion of the total 12-week entitlement for one of the purposes in the preceding sentence, each is entitled to the difference between the amount the employee has taken individually and the 12 weeks for FMLA leave for their own or their spouse's serious health condition in the 12-month entitlement period.

Leave Taken by Instructional Employees Near the End of an Academic Term

If an instructional employee's leave for any reason begins more than five (5) weeks before the end of an academic term, the Board may require the employee to continue the leave until the end of the term if the leave will last at least three (3) weeks and the instructional employee returns to work during the three-week period before the end of the term.

If the instructional employee begins a leave during the five-week period preceding the end of an academic term for a reason other than the instructional employee's own serious health condition, the Board may require the instructional employee to continue taking leave until the end of the term if the leave will last more than two (2) weeks and the instructional employee would return to work during the two-week period before the end of the term.

If the instructional employee begins leave during the three-week period preceding the end of an academic term for a reason other than the instructional employee's own serious health condition, the Board may require the instructional employee to continue taking leave until the end of the term if the leave will last more than five (5) working days.

Leave to Care for an Injured or Ill Service Member

In addition to the reasons for leave listed above, an eligible employee may take up to twenty-six (26) workweeks of FMLA leave during a 12-month period to care for a service member who is the employee's spouse, parent, child, or next of kin, and who incurred a serious injury or illness in the line of duty and while on active duty in the Armed Forces or had a preexisting injury or illness prior to beginning active duty that was aggravated by service in the line of duty on active duty in the Armed Forces; or a covered veteran with a serious injury or illness who is the employee's spouse, parent, child or next of kin.

For service members, the injury or illness must render them medically unable to perform the duties of office, grade, rank, or rating. This provision applies to service members who are undergoing medical treatment, recuperation, or therapy, are in outpatient status, or are on the temporary disability retired list for a serious injury or illness.

Personnel – Certified/Non-Certified

Family and Medical Leave Act

Leave to Care for an Injured or Ill Service Member (continued)

For covered veterans, they must be undergoing medical treatment, recuperation, or therapy for a serious injury or illness and must have been a member of the Armed Forces (including the National Guard or Reserves), discharged or released under conditions that were other than dishonorable, and discharged within the five-year period before the eligible employee first takes FMLA military caregiver leave to care for the veteran. *(The employee's first date of leave must be within the five-year period. However, the employee may continue to take leave throughout the single 12-month period even if the leave extends past the five-year period. Note - special rules may apply to calculating the five-year period for veterans discharged between October 28, 2009, and March 8, 2013. This period will effectively be excluded from the five-year calculation.)*

For covered veterans, serious injury or illness means any of the following:

- a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating;
- a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave;
- a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service or would do so absent treatment;
- an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

When combined with any other type of FMLA qualifying leave, total leave time may not exceed twenty-six (26) weeks in a single twelve (12) month period. Standard FMLA leave procedures described below apply to all requests for and designations of leave for this purpose. *However*, in the case of leave to care for a service member with a serious injury or illness, the 12-month period begins on the day such leave actually commences.

Requests for Leave

Foreseeable Leave

An employee must notify the personnel department of the need for a family or medical leave at least thirty (30) days before the leave is to begin if the need for the leave is foreseeable based on the expected birth of the employee's child, placement of a child with the employee for adoption or foster care, planned medical treatment for the employee's or family member's serious health condition, or the planned medical treatment for a serious injury or illness of a covered service member. If a 30-day notice is not practicable, then the employee must provide notice as soon as practicable under the circumstances, usually the same day or the next business day after the employee becomes aware of the need for FMLA leave.

Personnel – Certified/Non-Certified

Family and Medical Leave Act (continued)

Qualifying Exigency

An employee must provide notice as soon as practicable if the foreseeable leave is for a qualifying exigency, regardless of how far in advance such leave is foreseeable.

Unforeseeable Leave

When the employee's need for leave is not foreseeable, an employee must provide notice as practicable under the circumstances.

Scheduling Planned Medical Treatment

When planning medical treatment for foreseeable FMLA leave, an employee must consult with the personnel department and make a reasonable effort to schedule the treatment so as not to unduly disrupt the Board's operations, subject to the approval of the health care provider. Similarly, if an employee needs to leave intermittently or on a reduced leave schedule for planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to disrupt the Board's operations unduly.

Ordinarily, the employee should consult with the personnel department prior to scheduling the treatment in order to work out a treatment schedule that best suits the needs of the Board and the employee. The Board and the employee shall attempt to work out a schedule for leave that meets the employee's needs without unduly disrupting the Board's operations, subject to the approval of the health care provider as to any modification of the treatment schedule.

Required Certifications/Documentation

For leaves taken for any FMLA-qualifying reason, an employee must submit a completed certification form supporting the need for leave. The employee must submit a complete and sufficient certification form as required within fifteen (15) calendar days of receiving the request for the completed certification. If it is not practicable for the employee to provide the completed form by the due date despite the employee's diligent, good-faith efforts, the employee must inform the personnel department of the reason(s) for the delay and what efforts the employee undertook to obtain the required certification.

FMLA-protected leave may be delayed or denied if the employee does not provide a complete and sufficient certification as required. Depending on the reason for leave, an employee may be required to submit medical certification from the employee's health care provider, medical certification from the employee's family member's health care provider, and/or other documentation (e.g., to establish a family relationship, military active-duty orders, etc.). In certain circumstances and under certain conditions, employees may also be required to obtain second or third medical opinions and/or recertifications in accordance with applicable law.

Personnel – Certified/Non-Certified

Family and Medical Leave Act

Required Certifications/Documentation (continued)

If an employee takes leave for the employee's own serious health condition (except on an intermittent or reduced-schedule basis), prior to returning to work, the employee must provide a medical fitness-for-duty certification that the employee is able to resume work and the health condition that created the need for the leave no longer renders the employee unable to perform the essential functions of the job. This certification must be submitted to the Personnel Department.

If the employee is unable to perform one or more of the essential functions of the employee's position, the Board will determine whether the employee is eligible for additional FMLA leave (if such leave has not been exhausted) or whether an accommodation is appropriate, in accordance with the Americans with Disabilities Act.

In connection with the Board's request for medical information, employees must be aware that the Genetic Information Nondiscrimination Act of 2008 ("GINA") prohibits employers and other entities covered by Title II of GINA from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, the Board requests that employees not provide any genetic information when responding to a request for medical information.

Use of Paid Leave

Accrued paid personal leave and accrued paid vacation will be substituted (in that order) for any unpaid portions of family or medical leave taken for any reason. However, where the leave is for the employee's own serious health condition, accrued paid sick leave shall be substituted for unpaid portions of family or medical leave prior to the substitution of accrued paid personal and accrued paid vacation leave. The amount of unpaid family or medical leave entitlement is reduced by the amount of paid leave that is substituted.

In addition, in cases involving absences due to a Workers' Compensation injury that also qualifies as an FMLA serious health condition, and if the employee (and the employee's collective bargaining agent, if applicable) and the Board agree to do so, the Board will apply the employee's available accrued paid leave in increments as a supplement to the Workers' Compensation weekly benefit in an appropriate amount so that the employee can maintain the employee's regular weekly income level.

Medical Insurance and Other Benefits

During approved family or medical leaves of absence, the Board will continue to pay its portion of medical insurance premiums for the period of unpaid family or medical leave. The employee must continue to pay the employee's share of the premium, and failure to do so may result in loss of coverage. If the employee does not return to work after the expiration of the leave, the employee will be required to reimburse the Board for payment of medical insurance premiums during the family or medical leave unless the employee does not return because of a serious health condition or circumstances beyond the employee's control.

Personnel – Certified/Non-Certified

Family and Medical Leave Act

Medical Insurance and Other Benefits (continued)

During FMLA leave, an employee shall not accrue list benefits, such as seniority, pension benefits, or sick or vacation leave, unless otherwise required by any applicable collective bargaining agreement or Board policy. However, unused employment benefits accrued by the employee up to the day on which the leave begins will not be lost upon return to work. Leave taken under this policy does not constitute an absence under the Board's attendance policy, if any.

Reinstatement

Except for circumstances unrelated to taking family or medical leave, and unless an exception applies, an employee who returns to work following the expiration of family or medical leave is entitled to return to the job such employee held prior to the leave or to an equivalent position with equivalent pay and benefits.

Additional Information

Questions regarding family or medical leave may be directed to the Superintendent or designee. An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

Legal References: Connecticut General Statutes
31-51rr Family and medical leave benefits for employees of political subdivisions
Regs. Conn. State Agencies 31-51rr-1, et seq.
United States Code:
Family and Medical Leave Act of 1993, 29 U.S.C. Section 2601 et seq., as amended
29 CFR Part 825.100 et seq.
Title II of the Genetic Information Nondiscrimination Act of 2008, 42 USC 2000ff et seq.
29 CFR 1635.1 et seq.
Public Act 24-41 An Act Concerning Educator Certification, Teachers, Paraeducators and Mandated Reporter Requirements, Section 18
Public Act 25-174 An Act Authorizing and Adjusting Bonds of the State and Concerning Grant Programs, State Grant Commitments for School Building Projects, Revisions to the School Building Projects Statutes and Various Provisions Revising and Implementing the Budget for the Biennium Ending June 30, 2027, Sections 234-237

Regulation approved:

cps 6/24
rev 10/25

Compliant with 2020 Title IX.

Mission – Goals – Objectives

Nondiscrimination

The Board of Education, in compliance with federal and state law, affirms its policy of equal educational opportunity for all students and equal employment opportunity for all persons.

Nondiscrimination in School and Classroom Practices

It is the policy of the District to provide equal opportunity for all students to achieve their maximum potential through the programs offered in all District schools regardless of race, color, age, creed, religion, gender, sexual orientation, gender identity or expression, ancestry, national origin, disability, status as a victim of domestic violence **or as a victim of sexual assault or status as a victim of trafficking in persons.**

The District shall provide to all students without discrimination, course offerings, counseling, assistance, employment, athletics and extracurricular activities. The District shall provide equal access to the Boy Scouts and other designated youth groups. The District shall make reasonable accommodations for identified physical and mental impairments that constitute disabilities, consistent with federal and state statutes and regulations.

Students and third parties who have been subject to discrimination are encouraged to promptly report such incidents to the District's Compliance Officer.

All complaints of discrimination shall be investigated promptly. Corrective action must be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the District's legal and investigative obligations.

Neither reprisals nor retaliation shall occur as a result of good faith charges of discrimination.

Nondiscrimination in Employment/Contract Practices

It is the Board's policy to provide all persons equal access to all categories of employment in this District regardless of race, color, age, creed, religion, gender, gender identity or expression, sexual orientation, ancestry, national origin, status as a victim of domestic violence, marital status, mental or physical disability, genetic information, status as a Veteran or any other basis prohibited by Connecticut state and/or federal laws. The District shall make reasonable accommodations for identified physical and mental impairments that constitute disabilities, consistent with federal and state statutes and regulations. **The Board shall grant victims of sexual assault or trafficking reasonable leave to attend to related medical, psychological and legal matters related to such status.**

Employees and third parties who have been subject to discrimination are encouraged to promptly report such incidents to the District's Compliance Officer.

All complaints of discrimination shall be investigated promptly. Corrective action must be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the District's legal and investigative obligations.

Neither reprisals nor retaliation shall occur as a result of good faith charges of discrimination.

Mission – Goals – Objectives

Nondiscrimination

Equal Education Opportunity

Pursuant to the IDEA, Americans With Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, no otherwise qualified individual with handicaps shall, solely by reason of such handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program of the _____ Board of Education.

Every student has the right to participate fully in classroom instruction and extracurricular activities and shall not be abridged or impaired because of age, sex, race, religion, national origin, pregnancy, parenthood, marriage, or for any reason not related to his/her individual capabilities.

The Civil Rights Coordinators for the _____ Board of Education have the responsibility to monitor the compliance of this policy. The names and location of the Civil Rights Coordinators are set forth below. Further compliance with policy is a responsibility of all district administrators in accordance with the procedures set forth in the attached regulations.

Students shall not be discriminated against, including but not limited to, in the areas of:

- Admission
- Use of School Facilities
- Vocational Education
- Competitive Athletics
- Student Rules, Regulations and Benefits
- Financial Assistance
- School-sponsored Extracurricular Activities
- Enrollment in Courses
- Counseling and Guidance
- Physical Education
- Graduation Requirements
- Treatment as a Married and/or Pregnant Student
- Health Services
- Most Other Aid, Benefits or Services

Employee/or applicants shall not be discriminated against, including but not limited to, the areas of:

- Hiring and Promotion
- Compensation
- Job Assignments
- Leaves of Absence
- Fringe Benefits
- Labor Organization
- Contracts or Professional Agreements

Mission – Goals – Objectives

Nondiscrimination

Equal Education Opportunity (continued)

Sexual harassment has been established as a form of sexual discrimination and is defined as follows:

"Any **unwelcome** sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, when (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment or participation in an educational function (2) submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting the individual or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile or offensive working environment."

Examples of specific behaviors (that are unwanted and sexual in nature) that could constitute sexual harassment include, but not be limited to:

Touching	Verbal comments
Sexual name calling	Sexual rumors
Inappropriate public display of affections	Too personal a conversation
Gestures	Corner/blocking
Jokes/cartoons/pictures	Leers
Pulling at clothes	Attempted rape/rape
	Harassing telephone calls

If you believe that you have been discriminated against, in regard to, either of the preceding policies, you may file a grievance that your rights have been denied or violated.

If you wish to discuss these regulations or your rights under this policy, or wish to discuss or file a grievance, please contact _____, our system Civil Rights Coordinators, or an administrator.

Forms are available in our Guidance Office or from our Civil Rights Coordinators. Contact with the Civil Rights Coordinators should take place within forty (40) calendar days of the alleged occurrence.

Delegation of Responsibility

In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates the

- { } Superintendent
- { } Assistant Superintendent
- { } Business Manager
- { } Personnel Director
- { } Director of Special Education/Services

as the District's Compliance Officer.

Mission – Goals – Objectives

Nondiscrimination

Delegation of Responsibility

The Compliance Officer shall publish and disseminate this policy and complaint procedure annually to students, parents, employees and the public. Nondiscrimination statements shall include the position, office address and telephone number of the Compliance Officer.

The Compliance Officer is responsible to monitor the implementation of nondiscrimination procedures in the areas listed.

School and Classroom Practices:

1. **Curriculum and Materials:** Review curriculum guides, textbooks and supplementary materials for discriminatory bias.
2. **Training:** Provision of training for students and staff to identify and alleviate problems of nondiscrimination.
3. **Student Access:** Review of programs, activities and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
4. **District Support:** Assure that like aspects of the school program receive like support as to staffing, compensation, facilities, equipment and related matters.
5. **Student Evaluation:** Review of tests, procedures and guidance and counseling materials for stereotyping and discrimination.

Employment/Contract Practices

1. Development of position qualifications, job descriptions and essential job functions.
2. Recruitment materials and practices.
3. Procedures for screening, interviewing and hiring.
4. Promotions.
5. Disciplinary actions, up to and including terminations.
6. **The Board allows the mandatory human trafficking awareness training to be provided in any format, including but not limited to, video presentation.**

The Building Principal or his/her designee shall be responsible to complete the following duties when receiving a complaint of discrimination:

1. Inform the student, employee or third party of the right to file a complaint and the complaint procedures.
2. Inform the student complainant that he/she may be accompanied by a parent/guardian during all steps of the complaint procedure.
3. Notify the complainant and the accused of the progress at appropriate stages of the procedure.
4. Refer the complainant to the Compliance Officer if the Building Principal is the subject of the complaint.

Mission – Goals – Objectives

Nondiscrimination (continued)

Complaint Procedure—Student/Employee/Third Party

Step 1—Reporting

~~A student, employee or third party who believes he/she has been subject to conduct that constitutes a violation of this policy is encouraged to report the incident immediately to the Building Principal.~~

~~A school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the Building Principal.~~

~~If the Building Principal is the subject of the complaint, the student, employee or third party shall report the incident directly to the Compliance Officer.~~

~~The complainant is encouraged to use the report form available from the Building Principal, but oral complaints shall be acceptable.~~

Step 2—Investigation

~~Upon receiving a complaint of discrimination, the Building Principal shall immediately notify the Compliance Officer, who shall then authorize the Building Principal to investigate the complaint, unless the Building Principal is the subject of the complaint or is unable to conduct the investigation.~~

~~The investigation may consist of individual interviews with the complainant, the accused and others with knowledge relative to the incident. Other information and materials relevant to the investigation may also be evaluated.~~

~~The obligation to conduct this investigation shall not be negated by the fact that a criminal investigation is pending or has been concluded.~~

Step 3—Investigative Report

~~The Building Principal shall prepare a written report within fifteen (15) days, unless additional time to complete the investigation is required. The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual and whether it is a violation of this policy, and a recommended disposition of the complaint.~~

~~Copies of the report shall be provided to the complainant, the accused and the Compliance Officer.~~

Step 4—District Action

~~If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the District shall take prompt, corrective action to ensure that such conduct ceases and will not reoccur.~~

~~Disciplinary actions, in the case of students, shall be consistent with the school disciplinary practices, Board policies, administrative regulations, and state and federal laws.~~

Mission – Goals – Objectives

Nondiscrimination (continued)

~~Complaint Procedure – Student/Employee/Third Party~~

~~Disciplinary actions, in the case of employees and third parties, shall be consistent with the Board policies, administrative regulations, state and federal laws, and applicable collective bargaining unit agreements.~~

~~Step 5 – Appeal Procedure~~

~~The complainant, if not satisfied with a finding of no violation of the policy or with the corrective action recommended in the investigative report, he/she may submit a written appeal to the Compliance Officer within fifteen (15) days.~~

~~The Compliance Officer shall review the investigation and the investigative report and may also conduct an investigation.~~

~~The Compliance Officer shall prepare a written response to the appeal within fifteen (15) days. Copies of the response shall be provided to the complainant, the accused and the Building Principal who conducted the initial investigation.~~

Discrimination Grievance Procedure

The purpose of this procedure is to secure, at the lowest possible administrative level, equitable solutions to problems which may arise concerning claims of discrimination. Evidence of reprisal against a complainant or witness shall be viewed as a violation of this policy.

Any person who wishes to inquire or to register a complaint concerning alleged discrimination in the _____ Public Schools shall have an opportunity to bring such concerns to the attention of the Civil Rights Officers or Superintendent, who has the authority to resolve such complaints. The following grievance procedure shall be utilized by any student, parent or employee in making a complaint or inquiry. Officials shall be governed by this procedure.

Level I: The complainant shall discuss the alleged discriminatory act or practice with the Civil Rights Officers or the individual closest to the daily decision-making level. This will normally be a principal, teacher, counselor, department chairperson, head custodian, or cafeteria manager. If satisfaction cannot be achieved through informal discussion, the following procedure must be initiated.

Level II: The complainant shall, within forty (40) calendar days of the alleged incident, on forms provided, put the complaint in writing and file it with either of the Civil Rights Officers. Within five (5) working days a conference must be held. Within five (5) working days following the conference, the complaint must be resolved to the satisfaction of both parties or referred to the Superintendent of Schools. Within five (5) working days, the Civil Rights Officer shall notify the Superintendent and must notify the complainant of this notification. The Board will be apprised by the Superintendent of any grievance reaching Level II.

Mission - Goals - Objectives

Nondiscrimination

Discrimination Grievance Procedure (continued)

Level III: Within ten (10) working days after receipt of such complaint, the Superintendent must hold a hearing; and within five (5) working days of the hearing, resolve the complaint, negotiate a long-term solution or refer the matter to the Board of Education for consideration.

Level IV: The Board of Education, Superintendent and the Civil Rights Officers shall proceed in accordance with appropriate laws or regulations.

A complaint of sexual discrimination or sexual harassment may be a violation of Title IX. Policy 4000.1/5145.44 pertains to such employee or student complaints. The grievance investigation process contained in the Title IX policy shall be adhered in such situations.

(cf. 4000.1 – Title IX)

(cf. 4111 – Recruitment and Selection)

(cf. 4111.1/4211.1 – Affirmative Action)

(cf. 4118.11/4218.11 – Nondiscrimination)

(cf. 4118.112/4218.112 – Sex Discrimination and Sexual Harassment in the Workplace)

(cf. 4118.113/4218.113 – Harassment)

(cf. 5145.4 – Nondiscrimination)

(cf. 5145.5 – Sexual Harassment)

(cf. 5145.51 – Peer Sexual Harassment)

(cf. 5145.52 – Harassment)

(cf. 6121 – Nondiscrimination)

(cf. 6121.1 - Equal Educational Opportunity)

Legal Reference: Title VII, Civil Rights Act, 42 U.S.C. 2000e, et seq.
29 CFR 1604.11, EEOC Guidelines on Sex Discrimination.
Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.
Title IX Final Rule, May 6, 2020
Boy Scouts of America Equal Access Act
34 CFR Section 106.8(b), OCR Guidelines for Title IX.
Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol 62, #49,
29 CFR Sec. 1606.8 (a0 62 Fed Reg. 12033 (March 13, 1997) and 66 Fed.
Reg. 5512 (January 19, 2001)
The Americans with Disabilities Act as amended by the ADA Amendments
Act of 2008
Meritor Savings Bank. FSB v. Vinson, 477 U.S. 57 (1986)
Faragher v. City of Boca Raton, No. 97-282 (U.S. Supreme Court, June
26,1998)

Mission – Goals – Objectives

Nondiscrimination

Legal Reference: (continued)

Gebbs v. Lago Vista Indiana School District, No. 99-1866, (U.S. Supreme Court, June 26, 1998)

Davis v. Monro County Board of Education, No. 97-843, (U.S. Supreme Court, May 24, 1999.)

The Vietnam Era Veterans' Readjustment Act of 1974, as amended, 38U.S.C. §4212

Title II of the Genetic Information Nondiscrimination Act of 2008

Connecticut General Statutes

46a-51 Definitions (as amended by PA 17-127, PA 21-2 and PA 22-82)

46a-58 Deprivation of rights. Desecration of property. Placing of burning cross or noose on property. Penalty. (as amended by PA 17-127 and PA 22-82)

46a-60 Discriminatory employment practices prohibited. (as amended by PA 17-127 and PA 21-69 and PA 22-82)

10-15c Discrimination in public schools prohibited. School attendance by five-year olds. (Amended by P.A. 97-247 to include "sexual orientation" and P.A. 11-55 to include "gender identity or expression")

10-153 Discrimination on account of marital status. (as amended by PA 11-55 to include "gender identity or expression")

17a-101 Protection of children from abuse.

Meacham v. Knolls Atomic Power Laboratory 128 S.Ct. 2395, 76 U.S.L.W. 4488 (2008)

Federal Express Corporation v. Holowecki 128 S.Ct. 1147, 76 U.S.L.W. 4110 (2008)

Kentucky Retirement Systems v. EEOC 128 S.Ct. 2361, 76 U.S.L.W. 4503 (2008)

Sprint/United Management Co. v. Mendelsohn 128 S.Ct. 1140, 76 U.S.L.W. 4107 (2008)

Bostock v. Clayton County, Georgia, 140 S.Ct. 1731, 2020 WL3146686 (June 15, 2020)

Public Act 25-139 An Act Concerning Human Trafficking and Sexual Assault Victims

Policy adopted:

rev 1/21

rev 10/22

rev 9/25

REPORT FORM FOR COMPLAINTS OF DISCRIMINATION

Complainant: _____
Home Address: _____
Home Phone: _____
School Building: _____
Date of Alleged Incident(s): _____

Alleged harassment was based on: (Check all that apply.)

- | | | | |
|-----------------------------------|-------------------------------------|---|---|
| <input type="checkbox"/> Race | <input type="checkbox"/> Color | <input type="checkbox"/> National Origin | <input type="checkbox"/> Gender Identity or Expression |
| <input type="checkbox"/> Gender | <input type="checkbox"/> Disability | <input type="checkbox"/> Religion | <input type="checkbox"/> Status as a Veteran |
| <input type="checkbox"/> Ancestry | <input type="checkbox"/> Age | <input type="checkbox"/> Sexual Orientation | <input type="checkbox"/> Status as a Victim of Domestic Violence |
| | | | <input type="checkbox"/> Status as a victim of assault or as a victim of trafficking in persons |

Name of person you believe violated the District's nondiscrimination policy: _____

If the alleged discrimination was directed against another person, identify the other person: _____

Describe the incident as clearly as possible, including any verbal statements (i.e., threats, derogatory remarks, demands, etc.) and any actions or activities. Attach additional pages if necessary:

When and where incident occurred: _____

List any witnesses who were present: _____

This complaint is based on my honest belief that _____ has discriminated against me or another person. I certify that the information provided in this complaint is true, correct and complete to the best of my knowledge.

Complainant's Signature

Date

Received By

Date

This notice meets the minimum requirement of the regulation enforced by the Department of Education's Office for Civil Rights (OCR)

Non-Discrimination Notice

The _____ Public Schools doesn't not discriminate on the basis of a disabling condition as it applies under Section 504 of the Rehabilitation Act of 1973.

The _____ Public Schools does not discriminate on the basis of race, color, religion, national/ethnic origin, age, sex, sexual orientation, gender identity or expression, status as a victim of domestic violence, Veteran status, disability in its programs, activities, and employment practices, **status as a victim of sexual assault, or status as a victim of trafficking in persons**. Equal access is provided to Scouting America and other designated youth groups.

The following individuals are coordinators for Title IX (sex discrimination), Title VI (race, creed and color) and Section 504 (disabled):

Title IX and Title VI

Name

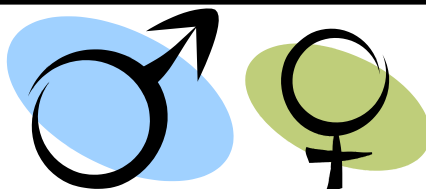
Telephone Number

Section 504

Name

Telephone Number

Harassment Is ILLEGAL



SEXUAL HARASSMENT IS PROHIBITED based on Federal Law - Title IX of the Education Amendments of 1972, and State Law – Sec. 10-15c. Harassment based on sexual orientation is also protected under State Law – Sec. 10-15c.

FOR STUDENTS: Sexual harassment is **unwanted and unwelcome** behavior of a sexual nature which interferes with a student’s right to learn, study, work, achieve, or participate in school activities in a comfortable and supportive atmosphere. You have a right to participate in all school and classroom activities in an atmosphere free from sexual harassment. You have a responsibility not to engage in sexual behaviors that are unwelcome or offensive to others.

Examples of Sexual Harassment include: unwelcome sexual advances, suggestive or lewd remarks, unwanted hugs, touches, kisses; requests for sexual favors; retaliation for complaining about sexual harassment, derogatory or pornographic posters, cartoons or drawings.

If you have questions or believe that you or others are being harassed, contact:

District Title IX Coordinator:
Office Address:
Telephone number:
Email Address:

Building Title IX Coordinator:
Office Address:
Telephone number:
Email Address:

You may also contact: The Connecticut Commission on Human Rights and Opportunities (CHRO), 21 Grand Street, Hartford, CT 06106 (Tel: 860-541-3400 or 800-477-5737) Connecticut law requires that a formal complaint be filed with the Commission within 180 days of the date under which the alleged harassment occurred.

You may also contact: Office for Civil Rights, U.S. Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921, Telephone: 617-289-0111, FAX: 617-289-0150; TDD: 877-521-2172

Email: OCR.Boston@ed.gov, **Filing complaints electronically:** <http://www.ed.gov/about/offices/list/ocr/complaintintro.html>.

Sexual harassment is not limited to prohibited behavior by a male toward a female, or by a supervisory employee toward a non-supervisory employee, or a teacher to a student. The victim does not have to be the opposite sex of the harasser. Harassment may be student to student, teacher to student, student to teacher or teacher to teacher. The gender of the complainant and/or the alleged harasser is irrelevant, even if they are of the same gender. Sexual harassment based on sexual orientation or gender identity is also prohibited under State Law.

► ***What should I do if I believe I am being sexually harassed?***

- Find out about your school or school district's policy and procedures for handling sexual harassment issues. Follow those procedures.
- Take action and get help when needed. Ignoring sexual harassment is not an effective way to stop it.
- Whenever possible, tell the harasser verbally or in writing what the specific behaviors are that you find offensive. Ask him or her to stop.
- Report the offensive behaviors to a teacher, counselor, Title IX coordinator, or school administrator.
- Keep a detailed record of the harassing behavior to share with school officials who investigate your complaint.
- If not satisfied with the resolution of your concerns, contact one of the appropriate organizations listed.

The victim does not have to be the person at whom the unwelcome sexual conduct is directed; the victim may be someone who is a witness to and personally offended by such conduct although directed toward another. Sexual harassment is unwelcome conduct that is personally offensive, lowers morale, and interferes with educational performance. This unwelcome sexual behavior is defined from the perspective of the victim, not the harasser.

► ***Where to Get Help***

- **State Title IX Coordinator:** Dr. Adrian R. Wood, Connecticut State Department of Education Turnaround Office, 450 Columbus Boulevard, Suite 602, Hartford, CT 06103
telephone: (860-713-6795)
email: Adrian.wood@ct.gov
- **Permanent Commission on the Status of Women (PCSW)**
18-20 Trinity Street, Hartford, CT 06106 (860-240-8300)
<http://www.cga.state.ct.us/PCSW/>
- **Connecticut Women's Education and Legal Fund (CWEALF)**
75 Charter Oak Avenue, Suite 1-300, Hartford, CT 06106, <http://www.cwealf.org/>

YOUR SCHOOL'S NON-DISCRIMINATION STATEMENT:

Discrimination Grievance Form

Any student, parent/guardian, employee or employment applicant who feels that he/she has been discriminated against on the basis of race, color, age, religion, national origin, ancestry, sex, sexual orientation, gender identity or expression, marital status, mental or physical disability, status as a victim of domestic violence, **status as a victim of sexual assault, status as a victim of trafficking in persons**, status as a Veteran or equal access to Scouting America and other designated youth groups may discuss and/or file a grievance with either of the Civil Rights Coordinators of the _____ Public Schools. Reporting should take place within 40 calendar days of the alleged discrimination. Civil Rights Coordinators:

_____ at _____ or _____ at _____

Name of Presenter/Complainant: _____

Employee _____ Employment Applicant _____ Student _____ Parent/Guardian _____

Home address _____

Phone _____ Date of Claim _____ Date of Incident _____

1. Statement of Incident/Issue (include all pertinent information: who, how, where, when, how often, feelings, witness).
2. Please attach any additional information/documentation as necessary.

Signature of Presenter: _____

Signature of Civil Rights Coordinator: _____

Date Received: _____

*Forms are available from either of the Civil Rights Coordinators,
Administrators and Guidance Offices.*

**Public Act 25-168 An Act Concerning the State Budget for the Biennium
Ending June 30, 2027, and Making Appropriations Therefore, and Provisions
Related to Revenue and Other Items Implementing the State Budget**
(Background Information for Policy Review Committee)

Public Act No. 25-168, *An Act Concerning the State Budget for the Biennium Ending June 30, 2027, and Making Appropriations Therefore, and Provisions Related to Revenue and Other Items Implementing the State Budget*, establishes new standards regarding three key areas related to school libraries: (1) library collection development and maintenance; (2) library displays and programs, and (3) library material review and reconsideration.

The Act mandates that all school boards adopt a **Library Collection Development and Maintenance Policy** that will serve as the standard against which library material complaints are evaluated. This policy directs superintendents to create an administrative regulation that establishes a procedure for certified school library media specialists to continually review library and other educational materials within a school library media center. The Act also requires that the standards set in the regulation must include, but are not limited to, the material's relevance, physical condition of the material, demand for the material, availability of copies, and more recent age or grade-appropriate material.

CABE's policy department has created a Library Collection Development and Maintenance policy (P6161.13/1312.4) in accordance with the Act, along with an accompanying regulation that outlines specific standards for school library media specialists to evaluate materials against when determining their suitability.

Additionally, the Act mandates boards of education to adopt a **Library Display and Program Policy**. This policy recognizes the purpose and importance of library displays and acknowledges the professional training of school library media specialists who curate and develop such displays and programs. Accordingly, CABE's policy department has developed a Library Display and Program Policy (P6161.14/1312.5).

Furthermore, the Act requires boards of education to adopt a **Library Material Review and Reconsideration Policy**. This policy outlines a procedure for handling complaints regarding instructional materials used in the classroom or available in the school library/media center.

The Public Act specifically requires that after a reconsideration form is filed by a complainant, the principal of the school in which the material is challenged promptly forwards the request for reconsideration to the district's superintendent. The superintendent then appoints a review committee that includes:

1. The superintendent, or the superintendent's designee;
2. Principal of the school in which the material is being challenged, or the principal's designee;
3. The director of curriculum;
4. A representative from the local board of education;
5. At least one grade-level appropriate teacher familiar with the material;
6. A parent or guardian of a student age 13 years or younger enrolled in the school district;
7. A parent or guardian of a student age 14 years or older enrolled in the school district;
8. A certified school librarian employed by a board of education.

**Public Act 25-168 An Act Concerning the State Budget for the Biennium
Ending June 30, 2027, and Making Appropriations Therefore, and Provisions
Related to Revenue and Other Items Implementing the State Budget**
(Background Information for Policy Review Committee) (continued)

This review committee is called to evaluate the reconsideration request by reading the challenged material in its entirety and evaluating it against the school district's Library Collection Development and Maintenance Policy. The Act establishes that material can only be removed for legitimate pedagogical purposes or for professionally accepted standards as adopted in the Library Collection Development and Maintenance Policy or the Library Display and Program Policy. Furthermore, the review committee is prohibited from removing any material on the sole basis that an individual finds such material offensive, or because of the origin, background, or viewpoints expressed in the material or by the creator of the material.

The Act requires that *within sixty school days*, the review committee must provide the complainant and the principal of the school in which the material is being challenged with a copy of the review committee's written decision. An appeal can be made against the decision of the review committee to the local board of education, at which point the board of education is tasked to determine whether the reconsideration process was followed and to publish the appeal decision on the website of the school district.

CABE's policy department has therefore created a Library Material Review and Reconsideration Policy (P6161.12/1312.3), detailing the process for reviewing library materials. Our policy is accompanied by forms that can be used for reconsideration and appeal requests.

Previously, guidance on reviewing and reconsidering library materials was included in our Public Complaints Policy (P1312). Now that we have created a new policy specific to Library Material Review and Reconsideration (P6161.12/1312.3), our Public Complaints Policy has been updated to provide an overview of the general complaint procedure, and it no longer details the library material review process.

In summary, CABE's policy department has developed three new mandated model policies (P6161.12/1312.3, P6161.13/1312.4, P6161.14/1312.5), accompanied by an administrative regulation and sample forms, that boards of education can adopt or use as a model in developing their own policies.

August 2025

Reviewed October 2025

A mandated policy.

Instruction/Community Relations

Library Material Review and Reconsideration Policy

Statement of Policy:

The _____ Board of Education understands that, on occasion, a member of the public will wish to lodge a complaint against material available in the school library/media center. Consideration of requests to reconsider and remove material, displays, or student programs is limited to individuals with a vested interest. An individual with vested interest may challenge any library and other educational materials, display or student program by initiating a review of such material via the submission of a request for reconsideration form.

It shall be the policy of the _____ Board of Education that the removal, exclusion or censoring of any book shall not occur on the sole basis that a person with a vested interest finds such book offensive. No library and other educational material, display, or program shall be removed from library media centers, or programs be canceled, because of the origin, background, or viewpoints expressed in such material, display, or program, or because of the origin, background, or viewpoints of the creator of such material, display, or program. Library and other educational materials, displays, and student programs shall only be excluded for legitimate pedagogical purposes or for professionally accepted standards of collection maintenance practices as adopted in the collection development and maintenance policy or the display and program policy.

Until a final decision is made by the review committee, any library and other educational materials being challenged shall remain available in the school library media center according to their catalog records and be available for students to reserve, check out, or access.

A school district may consolidate any requests for review and reconsideration of the same challenged library and other educational material. Once a decision has been made by **the review committee** regarding any library or other educational material, that material cannot be subject to a new request for review and reconsideration for a period of three years.

Through this policy, the Board of Education ensures that all library materials shall be evaluated and made accessible in accordance with the protections against discrimination set forth in sec10-15c of the general statutes, including, but not limited to, discrimination based on race, color, sex, gender identity, religion, national origin, sexual orientation, or disability. The Board shall review and update this policy as necessary every five years.

Definitions

"Library and other educational material" means any material belonging to, on loan to or otherwise in the custody of a school library media center, including, but not limited to, nonfiction and fiction books, magazines, reference books, supplementary titles, multimedia and digital material, software, and other material not required as part of classroom instruction.

Instruction/Community Relations

Library Material Review and Reconsideration Policy

Definitions (continued)

"School library staff member" means a school library media specialist, school librarian, any certified or non-certificated staff member whose assignment is in the school library or any individual carrying out or assisting with the functions of a school library media specialist or school librarian.

"Individual with a vested interest" means any school staff member employed by a local or regional board of education, parent or guardian of a student currently enrolled in a school at the time a reconsideration form is filed, or any student currently enrolled in a school at the time a reconsideration form is filed.

"Remove" means deliberately taking library material out of a library's collection. **"Remove"** does not include the process of clearing such collection of any materials that are no longer useful.

Material Review and Reconsideration Procedure

The Board of Education has established the following procedure for addressing complaints regarding the utilization of library and other educational materials:

1. Individuals with a vested interest may initiate the review or reconsideration of any library and other educational materials, display, or student program by submitting a request for recommendation form to the principal of the school in which the library and other educational materials are being challenged.
2. The principal, or the principal's designee, shall promptly forward the request for reconsideration to the Superintendent of Schools for the school district.
3. The Superintendent, or the Superintendent's designee, shall appoint a review committee consisting of:
 - a. The Superintendent, or the Superintendent's designee;
 - b. the principal of the school in which the library and other educational material is being challenged, or the principal's designee;
 - c. the Director of curriculum, or a person in an equivalent position;
 - d. a representative from the local or regional board of education;
 - e. at least one grade-level-appropriate teacher familiar with the library material provided, the teacher selected is not the individual who submitted the form;
 - f. a parent or guardian of a student *age thirteen years or younger* enrolled in the school district, provided the parent or guardian selected is not the individual who submitted the form;
 - g. a parent or guardian of a student *aged fourteen years or older* enrolled in the school district, provided the parent or guardian selected is not the individual who submitted the form;
 - h. a certified school librarian employed by such board or employed by another board of education in the state.

Instruction/Community Relations

Library Material Review and Reconsideration Policy

Material Review and Reconsideration Procedure (continued)

In cases where such form is submitted by a student enrolled in *grades nine to twelve*, inclusive, and when appropriate and at the discretion of the superintendent, a student enrolled in grades nine to twelve, inclusive, may serve on the review committee if such student did not submit the reconsideration form, provided the superintendent consults with the principal of the school involved in such reconsideration request prior to making this determination whether to include such student on the review committee.

4. The **review committee** shall evaluate the request for reconsideration form by reading the challenged material in its entirety and evaluating the challenged material against the school district's *Collection Development and Maintenance Policy*.
5. The **review committee** shall make a *written decision* on whether to remove the challenged material *within sixty school days* from the date of receiving such request and provide a copy of the committee's decision and report to *the individual with a vested interest who submitted the form and to the principal of the school*.
6. The individual with a vested interest who submitted the *request for reconsideration form* may appeal to the *review committee's decision* to the local or regional board of education for the school district. The Board shall determine whether the reconsideration process was followed and publish the decision on the school district's website.

General Provisions

Any school library media specialist or school library staff member who, in good faith, implements the policies described in this section shall be immune from any liability, civil or criminal, that might otherwise be incurred or imposed and shall have the same immunity with respect to any judicial proceeding that results from such implementation.

Legal Reference: **Public Act 25-168 An Act Concerning the State Budget for the Biennium Ending June 30, 2027, and Making Appropriations Therefore, and Provisions Related to Revenue and Other Items Implementing the State Budget**

**Connecticut General Statutes
Section 10-15c Discrimination in public schools prohibited**

Policy adopted:

cps 6/25
rev 10/25

(Name of District)

Request for Reconsideration of Library Books/Materials

Title _____

Author _____ Publisher _____

This request was initiated by

Parent/Guardian

Student

Other (please specify) _____

The material is best described as a:

Book

Video or Online Content

Periodical/Magazine

Other Media. Please specify _____

Please answer the following questions:

1. Did you read, view, or listen to the entire work? If not, what parts did you examine?

2. In what specific ways do you think this work is inappropriate for students?

3. What have you been told about the educational purpose of this material?

4. What do you believe is the theme or purpose of this material?

5. For what age group would you recommend this material?

6. Are you aware of the judgment of this work by literary critics and/or professional educators/organizations?

7. What are the valuable aspects of this material?

8. What do you feel may be the results of students reading, listening to, or viewing this material?

9. What work/material of equal or superior value would you recommend replacing the one in question?

10. Please explain your reasons for your objection:

Signature of Complainant

Date

_____ PUBLIC SCHOOLS
_____ CONNECTICUT

Request for Appeal of Reconsideration of Library and Other Educational Materials Decision

Full Legal Name: _____ **Title of Material:** _____

Address: _____ **Telephone Number:** _____

Author: _____ **Publisher:** _____

Date the Reconsideration Decision was communicated to you: _____

Please explain why you are appealing against this decision:

How do you believe the review committee failed to follow the reconsideration process?

Are you submitting any documentation with this appeal? If so, please list/describe supporting documents:

The _____ Board of Education shall determine whether the reconsideration process was followed and will publish the decision on the internet web site of the school district.

_____ PUBLIC SCHOOLS
_____ CONNECTICUT

Sample Letter to Complainant

Date: _____

Complainant Name

Address Line 1

Address Line 2

Dear [Complainant's Name],

Thank you for bringing your concerns regarding one of our school's library materials to our attention. In accordance with Connecticut state law, our school has a procedure in place to adjudicate concerns and reconsideration requests.

To facilitate this review, we kindly request that you submit a *Request for Reconsideration of Library Books and Materials* form to clearly identify the specific content you find objectionable and describe the nature of your concerns. Once your submission is received, it will be forwarded to the District Library Review Committee for formal consideration. The Committee's review process includes thoroughly reviewing the material, assessing its educational value, and addressing all concerns raised.

If you have any questions or need assistance with this process, please don't hesitate to contact me at [phone number or email address].

Thank you for engaging with us to support a thoughtful and responsible approach to creating libraries that meet the needs of all students.

Sincerely,

[Your Name]

[Your "Vested Interest" Identity]

A mandated policy.

Instruction/Community Relations

Library Collection Development and Maintenance Policy

The Board of Education recognizes that library and other educational materials should be provided for the interest, information, and enlightenment of all students, and that the collection as a whole should represent a wide range of varied and divergent viewpoints.

Students shall have access to the library and other educational materials that are relevant to their research, independent reading interests, and educational needs, based on their age, development, or grade level.

The library media center is an important place for voluntary inquiry, the dissemination of information and ideas, and the promotion of free expression and free access to ideas by students.

A school library media specialist is professionally trained to curate and develop a collection that provides students with access to the widest array of age-appropriate and grade-level-appropriate library and other educational materials.

Through this policy, the Board of Education ensures that all library materials shall be evaluated and made accessible in accordance with the protections against discrimination set forth in section 10-15c of the general statutes, including, but not limited to, discrimination based on race, color, sex, gender identity, religion, national origin, sexual orientation, or disability. The Board shall review and update this policy as necessary every five years.

The _____ Board of Education directs the Superintendent to create an administrative regulation that establishes a procedure for a certified school library media specialist to continually review library and other educational material within a school library media center using professionally accepted standards which shall include, but need not be limited to: the material's relevance, physical condition of the material, availability of duplicates or copies of the material, availability of more recent age-appropriate or grade-level appropriate material and continued demand for the material.

Legal Reference: Public Act 25-168 An Act Concerning the State Budget for the Biennium Ending June 30, 2027, and Making Appropriations Therefore, and Provisions Related to Revenue and Other Items Implementing the State Budget

Connecticut General Statutes
Section 10-15c Discrimination in public schools prohibited

Policy adopted:

cps 6/25
rev 10/25

A sample regulation.

Instruction/Community Relations

Library Collection Development and Maintenance

Purpose:

This regulation establishes a procedure for certified school library media specialists to continually review library and other educational materials within a school library media center to ensure that they are relevant, in good condition, and age- or grade-level-appropriate.

General Procedure:

Using the criteria identified below and their professional judgment, the school library media specialist shall conduct a systematic review of the library's collection:

1. Material relevance

- a. Consult with instructional staff to determine whether the material is still useful and has up-to-date information.
- b. Evaluate usage data to assess the material's relevance to student interests and research needs.

2. Physical condition of the material

- a. Assess whether the material is damaged or worn beyond reasonable use.

3. Availability of duplicates or copies of the material

- a. Determine whether the availability of duplicates or multiple copies is justified based on usage statistics to avoid redundancy.

4. Availability of more recent age-appropriate or grade-level appropriate material

- a. Investigate the availability of newer editions or versions that offer more current and accurate information by considering awards and recommended lists for recently recognized literature.
- b. Ensure that any new material uses language that is appropriate for the reading level of students in the targeted grade range and developmental levels.
- c. Evaluate whether the new material's treatment of difficult or sensitive subjects (e.g., death, mental health, violence, sexuality) is in a developmentally appropriate way for the intended student audience.

5. Continued demand for the material

- a. Consult with instructional staff to determine whether the material continues to be cited or referred to for classroom instruction.
- b. Review usage data to determine whether the material is still being sought by students or teachers.

Instruction/Community Relations

Library Collection Development and Maintenance (continued)

Library Collection Development

Objectives of Materials Selection

- To provide faculty and students with materials that enrich and support the curriculum and meet the recreational reading needs of the students served.
- To provide students with a wide range of age and grade appropriate educational materials on all levels of difficulty and in a variety of formats, with diversity of appeal, allowing for the presentation of many different points of view.
- To select materials in all formats, including up-to-date, high quality, varied literature to develop and strengthen a love of reading.

All library materials are evaluated and made accessible in accordance with the protections against discrimination set forth in section 46a-64 of the Connecticut General Statutes, including, but not limited to, discrimination based on race, color, sex, gender identity, religion, national origin, sexual orientation, or disability.

General Selection Criteria

In selecting what materials to purchase for the School Library, professionally trained library personnel shall evaluate materials using the following general selection criteria. Not all criteria may be applicable in every selection.

- **Curriculum Support:** Resources that support and enrich the curriculum and/or students' personal interests and learning.
- **Quality and Standards:** Works that meet high standards in literary, artistic, and aesthetic quality, as well as technical aspects and physical format.
- **Appropriateness:** Materials suited to the subject area, and to the age, emotional development, ability level, and social, emotional, and intellectual development of the students served.
- **Accuracy and Authority:** Resources incorporating accurate and authentic factual content from authoritative sources.
- **Professional Reviews:** Titles earning favorable reviews in standard reviewing sources and/or recommended by professional personnel following preview and examination.
- **User Appeal:** Materials with a high degree of potential interest and appeal to students.
- **Viewpoint Representation:** Resources that present differing perspectives on controversial or complex issues.
- **Format Variety:** A range of physical and virtual resources, including print, electronic, multimedia, subscription databases, e-books, educational games, and other emerging technologies.

Instruction/Community Relations

Library Collection Development and Maintenance

General Selection Criteria

- **Durability and Design:** Physical format, appearance, and durability appropriate to the material's intended use.
- **Collection Gaps:** Materials that fill a substantial gap in the collection on a particular topic or subject area.
- **Cost Effectiveness:** Balance between the cost of materials and the demonstrated need or value to the collection.

In selecting library materials, library personnel will evaluate available resources and curriculum needs and will consult reputable, professionally prepared aids to selection, and other appropriate sources. The actual resource will be examined whenever possible.

Recommendations for purchase or gift materials shall be judged by the selection criteria and shall be accepted or rejected by those criteria.

Library Collection Maintenance

Withdrawing materials from the School Library ensures the library collection remains current, accurate, and relevant so that students and staff can easily find high quality resources that support learning and engagement.

In selecting what materials to withdraw from the School Library, professionally trained library personnel shall evaluate materials using the following general selection criteria. Not all criteria may be applicable in every selection.

1. **Physical Condition:** Items that are damaged, worn, or in poor condition and cannot be feasibly repaired.
2. **Accuracy and Currency:** Materials outdated or inaccurate information, particularly in fields where current knowledge is critical.
3. **Relevance and Demand:** Titles that have not circulated for a significant period of time, or that no longer support the library's mission, curriculum, or community interests.
4. **Duplication:** Excessive copies of titles where demand no longer justifies multiple holdings.
5. **Format Obsolescence:** Materials in formats no longer supported by current technology or no longer used by the community.

Instruction/Community Relations

Library Collection Development and Maintenance

Library Collection Maintenance (continued)

- 6. Incompleteness of Series:** In cases where a series is substantially incomplete and replacement volumes are unavailable or cannot be obtained at a reasonable cost, the remaining titles may be withdrawn to maintain the collection's overall usefulness, consistency, and appeal.
- 7. Space Considerations:** Items may be withdrawn when necessary to manage shelf space and maintain an accessible, browsable collection.

Regulation approved:

cps 6/25
rev 10/25

A mandated policy.

Instruction/Community Relations

Library Display and Program Policy

Library displays and student programs are crucial in serving as resources for voluntary inquiry, the dissemination of information and ideas, and promoting free expression and access to ideas among students.

The Board of Education recognizes that library displays are provided for the interest, information, and enlightenment of all students, represent a wide range of varied and divergent viewpoints, and provide access to content that is relevant to the research, independent interests, and educational needs of students.

The _____ Board of Education acknowledges that a school library media specialist is professionally trained to curate and develop displays and programs that shall provide students with access to the widest array of age-appropriate and grade-level-appropriate library and other educational materials.

Through this policy, the Board of Education ensures that all library materials shall be evaluated and made accessible in accordance with the protections against discrimination set forth in section 10-15c of the general statutes, including, but not limited to, discrimination based on race, color, sex, gender identity, religion, national origin, sexual orientation, or disability. The Board shall review and update this policy as necessary every five years.

Legal Reference: Public Act 25-168 An Act Concerning the State Budget for the Biennium Ending June 30, 2027, and Making Appropriations Therefore, and Provisions Related to Revenue and Other Items Implementing the State Budget

Connecticut General Statutes
Section 10-15c Discrimination in public schools prohibited

Policy adopted:

cps 6/25
rev 10/25

Public Act 23-167 sections 2 and 3, require first-time board members to complete a prescribed training program at a time determined by CSDE, but no later than one year after assuming office.

Bylaws of the Board

New Board Member Orientation

Because the Board, as the policy making authority of the _____ Public Schools, is responsible to the public for the success of all educational services offered by the school system, and because that success is directly dependent upon each Board member's ability to participate meaningfully in the decision-making process that governs this system, it shall be the policy of the Board to provide, as soon as practicable, for the orientation of new members. The purpose of the orientation is to help new members become quickly acquainted with their Board duties and responsibilities.

Orientation of new Board members will begin at the outset of their candidacy and continue throughout the election process. Prior to elections, beginning as soon as the individual's candidacy is known, the candidates will receive from the Board a brief overview of the _____ Public School System. The candidates will be placed on a mailing list to receive notices from the Board, other meetings, and summary reports of Board action. Candidates will also be informed that additional information pertinent to each Board agenda item is available to them through the Central Office.

After the general election in November, and prior to the new members officially assuming the position in December (Elections in May, new members assume the position in January.), the new members will be invited to meet with the Superintendent and other administrative personnel to discuss services to be performed for the Board, and to allow them to request any other information they may deem desirable. Each new member will also receive an orientation packet from the Superintendent's office and will be notified of and given the opportunity to attend sessions of the Connecticut Association of Boards of Education or similar new Board member orientation.

The packet will include:

1. A copy of the Board's policies, rules, and regulations.
2. A copy of the current school budget and the latest financial statement.
3. A new Board Member packet from CABE.
4. Any other materials relevant to duties and responsibilities as members of the _____ Public Schools.

First-time elected board members are to complete a training program that minimally includes the following:

1. The role and responsibilities of a board member;
2. The duties and obligations of a board of education;
3. School district budgeting and education finance.

This training must be completed at a time determined by the Connecticut Department of Education (CSDE), but not later than one year after assuming office.

Bylaws of the Board

New Board Member Orientation

Legal Reference: Public Act 23-167, An Act Concerning Transparency in Education requires first-time board members to complete a prescribed training program at a time determined by CSDE, but no later than one year after assuming office. Sections 2 and 3

Suggested bylaw.

Bylaws of the Board

New Board Member Orientation

The Board of Education and the administrative staff shall assist each new Board member-elect to become familiar with and to understand the Board of Education's functions, policies, procedures, and operation of the school district before the member takes office. The following methods shall be employed:

1. The incoming member shall be given selected materials on the function of the Board of Education and the school district.
2. The incoming member shall be invited to attend Board meetings and functions and to participate in its discussions.
3. The incoming member shall be invited to meet with the Superintendent and other administrative personnel to discuss services they perform for the Board and the school district.

Alternate language: The Superintendent shall arrange a meeting of the Board Chairperson, the Superintendent, and the new member to answer questions and acquaint the member with the district.

4. The incoming member shall be provided with a copy of the Board's policies and bylaws, administrative regulations, and copies of pertinent materials developed by the State School Board Association, Board minutes for the past year, and other helpful information explaining the Board's roles and responsibilities.
5. The Board Chairperson or designee shall arrange a meeting with the new Board member(s) to explain and answer questions about Board processes and procedures.
6. The Board Chairperson may request a veteran Board member to mentor a new member.
7. The incoming member may attend, at district expense, workshops for newly elected members as approved by the Board of Education.

8. **First-time elected board members are to complete a training program that minimally includes the following:**

**The role and responsibilities of a board member;
The duties and obligations of a board of education;
School district budgeting and education finance.**

This training must be completed at a time determined by the Connecticut Department of Education (CSDE), but not later than one year after assuming office.

Bylaws of the Board

New Board Members Orientation (continued)

Candidates

The Superintendent or his/her designee shall invite all current candidates for the office of Board of Education member to attend (1) Board meetings, except that this invitation shall not extend to any executive sessions, and (2) pre-election workshops for candidates.

Legal Reference: Public Act 23-167, An Act Concerning Transparency in Education requires first-time board members to complete a prescribed training program at a time determined by CSDE, but no later than one year after assuming office. Sections 2 and 3

Bylaw adopted by the Board:

cps rev.4/02

cps rev 2/06

cps rev 7/25



POLICY UPDATE SUMMARY

PAGE 1

UPDATE #1

NOVEMBER 13, 2025

The following chart has been developed and summarized for your convenience. Please note that this does not represent all of what is required in your policy manual, and although some sections in this update may not require policy language, they may be procedural and/or recommended.

Update Section	Subject/Policy Topic	Policy Number(s) Impacted	Is Policy Language Required?
A.	Work-Release	5113.13	Yes. CABE's mandated sample policy provided.
B.	Family and Medical Leave Act	4152.6 4252.6	No. CABE's recommended sample policy and regulation provided.
C.	Nondiscrimination	0521	Yes. CABE's mandated sample policy is provided.
D.	Library Material Review and Reconsideration Policy	6161.12 1312.3	Yes. CABE's mandated sample policy is provided.
E.	Library Collection Development and Maintenance Policy	6161.13 1312.4	Yes. CABE's mandated sample policy and regulation is provided.
F.	Library Display and Program Policy	6161.14 1312.5	Yes. CABE's mandated sample policy is provided.
G.	Orientation of Board Members Bylaw	9230	No. CABE's sample bylaw is provided.