

Policy Committee Meeting

Wednesday, September 23, 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 - August 12, 2026

3. Public Comment

4. OLD BUSINESS: Review and Possible Action on the Following Policies :

4.1. Policy 1120 Public Participation at Board of Education Meetings

4.2. Bylaw 9325 Meeting Conduct

4.3. Bylaw 9322 Public and Executive Sessions

4.4. Policy 5117 - School Attendance Areas

5. NEW BUSINESS: Review And Possible Action On The Following Policies:

5.1. Revision: Policy 5114 - Suspension and Expulsion/Due Process

5.2. Revision: Policy 5131.913 - Cyberbullying

5.3. Revision: Policy 4111/4211 - Recruitment and Selection

5.4. Revision: Policy 3231 - Medical Reimbursement for Special Education Students

5.5. Review: Policy 5141.213 - Opioid Overdose Prevention (Emergency Administration of Naloxone)

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: [08/12/2026-Regular Policy Meeting](#)



BRISTOL BOARD OF EDUCATION
Bristol, Connecticut
Wednesday, August 12, 2026 – 7:00pm
Regular Policy Committee Meeting Minutes

A Bristol Board of Education Regular Policy Committee Meeting was held on Wednesday, August 12, 2026 at 7:00 P.M. in the BoE Auditorium and via the Zoom meeting platform.

Present: Commissioners: Jill Fitzsimons-Bula, Kara Ledger

Absent: Commissioners: Lorianne Osenkowski, Jennifer Tagariello

Also present: Superintendent Iris White, and Deputy Superintendent Mary Hawk

1 . Call to Order/ Pledge of Allegiance

The meeting was called to order at 7:00 P.M.

2. Approval of Minutes

2.1 Regular Policy Meeting Minutes -June 10, 2026

Commissioner Fitzsimons-Bula called for a motion to approve the June 10, 2026-Regular Policy Committee Meeting minutes. The motion was made by Kara Ledger and seconded by Jill Fitzsimons-Bula.

The motion passed to approve the June 10, 2026, regular meeting minutes as written.

3. Public Comment

No Public Comment.

4. OLD BUSINESS: Review And Possible Action On The Following Policies :

4.1 Policy 1120 Public Participation at Board of Education Meetings

Commissioner Jill Fitzsimons-Bula provided a detailed background on the current Policy 1120 (Public Participation at Board of Education Meetings), which is based on the CABE model and was last revised on March 1, 2017. Policy 1120 was brought back to the Subcommittee for further review after receiving feedback from CABE and Attorney Jessica Ritter.

The Committee engaged in a discussion regarding policy uniformity and emphasized the importance of public participation at Board of Education meetings, The Committee discussed the input from Attorney Ritter, to ensure proposed changes are in good faith of the public and Board of Education. Language that was suggested and presented needed further clarification.

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: [08/12/2026-Regular Policy Meeting](#)

Commissioner Jill Fitzsimons-Bula recommended tabling the revised Policy 1120 (Public Participation at Board of Education Meetings) for further Attorney review and clarification on wording of item #6.

A motion was made by Kara Ledger and seconded by Jill Fitzsimons-Bula to table 1120 Public Participation at Board of Education Meetings for further review. The motion passed.

4.2 Bylaw 9325 Meeting Conduct

Commissioner Jill Fitzsimons-Bula recommended tabling the revision of Bylaw 9325 Meeting Conduct due to the correlation to Policy 1120.

A motion was made by Kara Ledger and seconded by Jill Fitzsimons-Bula to table Bylaw 9325 Meeting Conduct for further review. The motion passed.

4.3 Bylaw 9322 Public and Executive Sessions

Commissioner Jill Fitzsimons-Bula recommended tabling the revision of Bylaw 9322 Public and Executive Sessions due to the correlation to Policy 1120.

A motion was made by Kara Ledger and seconded by Jill Fitzsimons-Bula to table Bylaw 9322 Public and Executive Sessions for further review. The motion passed.

5. NEW BUSINESS: Review And Possible Action On The Following Policies :

5.1 Policy 5142 School Safety: Preparation, Response and After Action

Commissioner Fitzsimons-Bula presented an update to Policy 5142, School Safety: Preparation, Response, and After Action, to incorporate requirements from Public Act 26-1. This act introduces new mandates regarding public access to security plans, drill notification protocols, and the restriction of high-sensory drill elements, such as simulated gunfire, to mitigate emotional distress. The revised policy aligns with the July 2026 CABA Policy Highlights. Red is language to be removed and blue language is updated. This policy was last revised on July 8, 2026.

No questions or discussion

Commissioner Jill Fitzsimons-Bula recommended a motion to move the revised Policy 5142 School Safety: Preparation, Response and After Action to the full board for consideration.

A motion was made by Jill Fitzsimons-Bula and seconded by Kara Ledger to forward the revised Policy 5142 School Safety: Preparation, Response and After Action to the full board for consideration. The motion passed.

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: [08/12/2026-Regular Policy Meeting](#)

5.2 Policy 5141.6 Crisis Management

Commissioner Fitzsimons-Bula presented Policy 5141.6, Crisis Management. She noted that per the updated CABE Policy 5142, School Safety: Preparation, Response, and After Action, this policy consolidates three previous CABE model policies: Safe and Secure School Facilities (3516), Emergencies and Disaster Preparedness (6114), and Crisis Management Plan (5141.6). She further explained that these three policies may be rescinded upon the adoption of the updated Policy 5142, which incorporates requirements from Public Act 26-1.

No questions or discussion

Commissioner Fitzsimons-Bula moved to recommend that Policy 5141.6 be brought to the full Board to rescind Policy 5141.6, Crisis Management.

A motion was made by Jill Fitzsimons-Bula and seconded by Kara Ledger to forward Policy 5141.6 Crisis Management to the full board for consideration to rescind. The motion passed.

5.3 Policy 6114 Emergencies and Disaster Preparedness

Commissioner Fitzsimons-Bula presented Policy 6114 Emergencies and Disaster Preparedness. She noted that per the updated CABE Policy 5142, School Safety: Preparation, Response, and After Action, this policy consolidates three previous CABE model policies: Safe and Secure School Facilities (3516), Emergencies and Disaster Preparedness (6114), and Crisis Management Plan (5141.6). She further explained that these three policies may be rescinded upon the adoption of the updated Policy 5142, which incorporates requirements from Public Act 26-1.

No questions or discussion

Commissioner Fitzsimons-Bula moved to recommend that Policy 6114 Emergencies and Disaster Preparedness be brought to the full Board to be rescinded.

A motion was made by Kara Ledger and seconded by Jill Fitzsimons-Bula to forward Policy 6114 Emergencies and Disaster Preparedness to the full board for consideration to rescind. The motion passed.

5.4 Regulation 5131.914- School Climate

Commissioner Fitzsimons-Bula provided background regarding Regulation 5131.914- School Climate. It was noted that a CABE audit indicated the absence of a corresponding policy, with only a regulation in place, necessitating a review. She explained that following the adoption of Policy 5131.911 (Connecticut School Climate) on June 4, 2025, which aligns with current CABE standards, Regulation 5131.914 is now duplicative.

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: [08/12/2026-Regular Policy Meeting](#)

Questions and Discussion about the language and reason for it to be rescinded.

Commissioner Jill Fitzsimons-Bula recommended moving Regulation 5131.914- School Climate to the full board for approval to be rescinded.

A motion was made by Kara Ledger and seconded by Jill Fitzsimons-Bula to forward Regulation 5131.914- School Climate to the full board for approval to be rescinded. Motion passed.

5.5 Policy 5131.8 Out of School Misconduct

Commissioner Fitzsimons-Bula provided background on Policy 5131.8 (Out of School Misconduct), noting that the current policy required updates following a recent CABA audit. Revisions were developed using the latest CABA model as a framework, with blue text indicating new additions and red text signifying proposed deletions. The policy was last updated on February 7, 2007.

No questions or discussion.

Commissioner Jill Fitzsimons-Bula recommended moving Policy 5131.8 Out of School Misconduct to the full board for approval with revisions as presented.

A motion was made by Kara Ledger and seconded by Jill Fitzsimons-Bula to forward Policy 5131.8 Out of School Misconduct to the full board for approval with revisions as proposed. The motion passed.

5.6 Policy 5141.5 Suicide Prevention and Intervention

Commissioner Fitzsimons-Bula presented an update to Policy 5141.5, Suicide Prevention and Intervention, as part of a CABA audit requirement. The revision integrates language to make the 988 crisis line widely available and incorporates updated risk factors for youth suicide developed by the Connecticut Suicide Advisory Board. Ms. Fitzsimons-Bula noted that while CABA identifies this as a mandated policy, the revisions specifically align the policy with the requirements of Public Act No. 23-167, which necessitates written procedures for youth suicide prevention. The policy was last updated on January 15, 2021, and the proposed changes are presented with new additions in blue and deletions in red.

No Questions and discussion regarding proposed revisions.

Commissioner Jill Fitzsimons-Bula recommended moving Policy 5141.5 Suicide Prevention and Intervention to the full board for approval with revisions as presented.

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: [08/12/2026-Regular Policy Meeting](#)

A motion was made by Kara Ledger and seconded by Jill Fitzsimons-Bula to forward Policy 5141.5 Suicide Prevention and Intervention to the full board for approval with revisions as proposed. The motion passed.

5.7 Policy 5141.24 Students/Staff with HIV or AIDS

Commissioner Fitzsimons-Bula presented Policy 5141.24 (Students/Staff with HIV or AIDS), noting that a recent CABE audit determined the policy remains appropriate as written, subject to minor updates to remove ARC language and add or update relevant legal references. Proposed deletions are indicated in red strikethrough text and additions in blue text. The policy was last updated on April 4, 2007.

No questions or discussion

Commissioner Jill Fitzsimons-Bula recommended moving Policy 5141.24 Students/Staff with HIV or AIDS to the full board for approval with revisions as presented.

A motion was made by Kara Ledger and seconded by Jill Fitzsimons-Bula to forward Policy 5141.24 Students/Staff with HIV or AIDS to the full board for approval with revisions as proposed. The motion passed unanimously.

5.8 Policy 5117 - School Attendance Areas

Deputy Superintendent Mary Hawk introduced current Policy 5117 alongside CABE sample policies and an example from Milford Public Schools to facilitate a discussion on proposed revisions. Last updated on January 3, 2007, the policy requires review following district redistricting and a rise in out-of-area requests.

The Committee discussed the provided language and examples, focusing on the district's overall objectives regarding out-of-area requests.

Deputy Superintendent Mary Hawk recommended tabling Policy 5117 (School Attendance Areas) to allow for further review and discussion.

A motion was made by Kara Ledger and seconded by Jill Fitzsimons-Bula to tabling Policy 5117 - School Attendance Areas for further review and discussion. The motion passed

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: [08/12/2026-Regular Policy Meeting](#)

6.Adjournment

With no other business, Commissioner Fitzsimons- Bula motioned to adjourn the Regular Policy Committee Meeting. A motion was made by Jill Fitzsimons-Bula and seconded by Kara Ledger.

The meeting adjourned at 7:57 P.M.

Respectfully Submitted,



Recording Secretary
Bristol Board of Education

DRAFT

Community Relations

Board of Education Meetings

The regular and special meetings of the Bristol Board of Education are open to the public and representatives of the press except for an executive session as provided by law.

The Board of Education welcomes participation of interested organizations and individuals. Agendas of all regular and special meetings of the Board of Education are posted in accordance with rules of the Town Charter. A reasonable charge may be made for those persons or organizations requesting advance announcements of meetings and agenda backup materials.

Participation by the general public in debate at regular meetings of matters before the Board of Education shall be permitted. Public participation shall be subject to the provision enumerated below. On issues that appear to arouse strong public interest, the Board should, whenever possible, schedule a special meeting limited to that subject. In order to limit or close debate on any subject, a majority vote of those Board members in attendance will be required.

1. Everyone is requested to address the Chair for recognition.
2. Each speaker must state his/her name and address.
3. All speakers must observe rules of common etiquette. Personalities are not to be injected. Anyone violating this rule will be denied the floor. Unless waived by the Chairperson or a majority of the Board, each speaker shall limit his/her remarks to three (3) minutes.
4. A speaker will not be recognized for a second time on the same topic.
5. Each speaker must concern himself/herself with the topic under discussion. Anyone digressing from the topic will be ruled out of order.
6. Written statements and materials may be made available, in advance of comments, for distribution to Board members.
7. Speakers shall state their positions on the subject being discussed.
8. Board members will not respond directly to comments during the Board meeting. The Superintendent will direct the question to the appropriate staff member for follow up.

Legal Reference: Connecticut General Statutes

Public Participation at Board Meetings

[1-225](#) Meetings of government agencies to be public.

[1-226](#) Broadcasting or photographing meetings.

[1-230](#) Regular meetings to be held pursuant to regulation, ordinance or resolution.

[1-232](#) Conduct of meetings.

(cf. [1312](#) - Public Complaints)

(cf. [9323](#) - Construction of the Agenda)

(cf. [9325](#) - Meeting Conduct)

Legal Reference: Connecticut General Statutes

[1-225](#) Meetings of government agencies to be public.

[1-226](#) Broadcasting or photographing meetings.

[19a-342](#) Smoking in public meetings in rooms of public building prohibited.

[1-227](#) Mailing of notice of meetings to persons filing written request. Fees.

[1-230](#) Regular meetings to be held pursuant to regulation, ordinance or resolution.

[1-232](#) Conduct of meetings.

[1-206](#) Denial of access to public records or meetings.

[10-238](#) Petition for hearing by board of education.

Policy Adopted: July 7, 1993

Revised: March 1, 2017

BRISTOL PUBLIC SCHOOLS

Bristol, Connecticut

A recommended policy to consider.

Community Relations

Public Participation at Board of Education Meetings

The regular and special meetings of the Board of Education are open to the public and representatives of the press except that a part of any meeting may be designated an executive session as provided by law. (See 9324 for details)

The Board of Education welcomes the participation of interested organizations and individuals. Advance announcement of all regular and special meetings of the Board of Education is made through posting the agenda on the district website, through notices to newspapers, and directly to citizens and community and professional organizations who specifically request such notification. A reasonable charge may be made for those persons or organizations requesting advance announcements of meetings and agenda backup materials.

Board meetings are meetings held in public and are not open hearings. Once the Board moves into the regular agenda, the public may participate as allowed by the Chairperson and with the following restrictions:

1. Questions and/or comments are to be restricted to the specific agenda item being discussed;
2. Board members shall be recognized first for comments and/or questions;
3. The Board Chairperson may restrict questions and/or comments by the public;
4. The Chairperson may, at his/her discretion, curtail public discussion at any time.

Any citizen may appear before the Board to express his/her opinion concerning the district's educational program. The Board encourages members of the public to address complaints concerning individual District personnel through the proper chain of command. The Board agenda provides opportunities for comments and questions from persons attending the meeting. Persons wishing to address the Board should give their names and addresses.

Board Relations with Community Organizations

It is the intention of the Board of Education to cooperate fully with appropriate officials, Boards, committees, or other agencies of the town, and with organized groups of interested citizens of the town. Any such individual or group requesting a meeting with the Board of Education should present its request to the Chairperson of the Board, or the Superintendent, in ample time to allow for proper preparation of agenda items, notification of Board members, and establishment of a mutually agreeable meeting time and place.

(cf. 1312 - Public Complaints)

Legal Reference: Connecticut General Statutes

1-225 Meetings of government agents to be public. Recording of votes.
Schedule and agenda of meetings to be filed. Notice of special meetings.
Executive sessions.

1-226 Broadcasting or photographing meetings.

Community Relations

Public Participation at Board of Education Meetings

Legal Reference: Connecticut General Statutes (continued)

19a-342 Smoking in public meetings in rooms of public buildings is prohibited.

1-227 Mailing of notice of meetings to persons filing written request. Fees.

1-230 Regular meetings are to be held pursuant to regulations, ordinances, or resolutions.

1-232 Conduct of meetings.

1-206 Denial of access to public records or meetings.

10-238 Petition for hearing by board of education.

Policy adopted:

rev 1/15

rev 5/25

A recommended regulation to consider.

Community Relations

Public Participation at Board of Education Meetings

Participation by the general public in debate at regular meetings of matters before the Board of Education shall be permitted. Public participation shall be subject to the provision enumerated below. On issues that appear to arouse strong public interest, the Board should, whenever possible, schedule a special meeting limited to that subject. In order to limit or close debate on any subject, a majority vote of those Board members in attendance will be required.

1. Everyone is requested to address the Chair for recognition.
2. Each speaker must state his/her name and address.
3. All speakers must observe rules of common etiquette. Personalities are not to be injected. Anyone violating this rule will be denied the floor unless waived by the Chairperson or a majority of the Board; each speaker shall limit his/her remarks to five (5) minutes.
4. Each speaker is limited to a maximum of five minutes. A speaker will not be recognized for a second time unless time remains after all have been heard. Speakers are requested to avoid repetition.
5. Each speaker must concern himself/herself with the topic under discussion. Anyone digressing from the topic will be ruled out of order.
6. A speaker who violates these rules may be ejected from the room, and an officer will be present at all meetings that threaten to become contentious for this purpose.
7. Following each vote on a motion, the Chairperson will announce the board's decision and its import.
8. It is requested that no one read lengthy statements. Written statements and materials should be made available in advance for distribution to Board members.
9. Speakers shall state their positions on the subject being discussed. Those who have questions shall, whenever possible, submit them in writing in advance of the meeting.
10. Speakers are asked to express themselves civilly, with due respect for the dignity and privacy of others affected by their comments. While it is not the Board's intent to stifle public comment, speakers should be aware that if their statements violate the rights of others under the law of defamation or invasion of privacy, the speaker may be held legally responsible. Speakers unsure of the legal ramifications of what they are about to say are urged to consult first with their legal advisor.

Regulation approved:

rev 10/10

rev 5/25

BYLAW: MEETING CONDUCT/PUBLIC PARTICIPATION

PAGE 1

Boards of education have significant discretion in establishing bylaws and determining meeting procedures. The public has the right to attend board of education meetings, but the board does not have to permit public participation. A board of education meeting must be held in public, but it is not a public meeting.

However, most boards of education, through policy or bylaw, provide the public with the right to make comments to the board, usually in a “public comment” agenda item at the beginning of the meeting. However, there is no legal obligation for boards of education to do so.

If a board of education chooses to hear from the public at its meetings, it must do so in a manner that is constitutional. A board of education meeting is a public forum. Therefore, free speech requirements apply to public statements made at board meetings. A board of education that has decided to create a public forum by allowing public comments may not pick and choose among the speakers based on the viewpoints they express.

However, the board can limit public comments to a specific topic or to agenda items. In doing so, the board creates a limited public forum. Creating a limited public forum in this manner may limit (but not prevent) opportunities for public comments that could include allegations or complaints against a board employee.

It is permissible for boards of education to adopt reasonable restrictions as to the time and manner of speech at their meetings. Boards of education can require speakers to sign up to speak and adopt a rule limiting each speaker to a specific number of minutes, typically 3 to 5. The board, generally acting through its chairperson, can also require that speakers adhere to reasonable standards of decorum. “Robert’s Rules of Order” stipulates that the chairperson may require speakers to be courteous, avoid personal attacks, and refrain from using vulgarity and similar language. Such requirements must be evenly imposed, without regard to the viewpoint, as opposed to the manner of the individual’s speech. No speaker at a board of education meeting has a right, under the First Amendment, to be disruptive or rude.

Policy Implications

Bylaw #9325, “Meeting Conduct,” pertains to this issue. In addition, policy #1120, “Public Participation at Board of Education Meetings,” also pertains to this topic.

An issue has arisen with the following language, which appears in bylaw #9325:

No oral presentation shall include charges or complaints against any employee of the Board of Education, regardless of whether or not the employee is identified in the presentation by name or by another reference that tends to identify an individual. All charges or complaints against employees shall be submitted to the Board of Education under the provisions of Board of Education policy.

Such language is considered inappropriate if the board, through policy or bylaw language, has created a public forum for public comments. In such a case, the board cannot restrict an individual’s comments.

BYLAW: MEETING CONDUCT/PUBLIC PARTICIPATION

PAGE 2

In summary, Boards of Education should consider the following in adopting a meeting bylaw that offers rules on public comments:

1. Content-Based Restrictions

The U.S. Supreme Court and lower courts have consistently ruled that public bodies cannot ban speech simply because of its subject matter (e.g., "personnel" or "students").

- While the intent is to protect the board's role as a neutral "quasi-judicial" body in future hearings, courts generally hold that the public's right to petition the government outweighs the board's preference for silence.
- Specifically, you cannot ban "complaints." If a board allows "praise" of a teacher but bans "complaints" about a teacher, it engages in viewpoint discrimination, which is almost always unconstitutional.

2. Privacy vs. Free Speech

A common misconception is that FERPA (student privacy) or personnel privacy laws allow a board to stop a citizen from speaking.

- These laws prevent *the Board* and *the District* from releasing confidential information.
- They do **not** prevent a parent or citizen from standing up and sharing their own experiences or opinions regarding a staff member or student.

3. How to Make Its Bylaw Rules Defensible

To achieve the board's goal without violating the law, bylaws typically shift the focus from what is said to how and when it is said. A defensible bylaw should:

- Instead of a ban, state that "the Board encourages members of the public to utilize established administrative channels for specific complaints regarding personnel or students before bringing them to the Board."
- The Board can state: "To protect the impartiality of the Board in the event of a future hearing, the Board cautions that its members will not respond to comments regarding pending litigation or matters that may come before the Board for a formal hearing."
- You can limit the *time* (e.g., 3 minutes per person) and the *conduct* (e.g., prohibiting disruptive behavior or vituperative language), but you cannot easily limit the *topic*.

If the board wishes to protect its "impartiality," a more defensible version would be:

"The Board provides a period for public participation to hear the views of the community. However, the Board will not respond to or engage in dialogue regarding specific personnel or student matters during this period. The Board's silence should not be construed as agreement or disagreement. Matters involving specific employees or students should be directed to the Superintendent's office in accordance with Board Policy [X] regarding grievances."

Legal Note: This is a high-stakes area of constitutional law. Before formally adopting bylaw language, the board should have it reviewed by its legal counsel to ensure it aligns with the most recent judicial rulings.

January 2015

Revised

May

2026

CABE's suggested bylaw. This version permits public comment on any subject that lies within the jurisdiction of the board, thereby creating a public forum.

Bylaws of the Board

Meeting Conduct

Meetings of the Board of Education shall be conducted by the Chairperson in a manner consistent with the Board's adopted bylaws and the provisions of the Freedom of Information Act.

All Board meetings shall commence at or as close as practicable to the stated time, provided there is a quorum, and shall be guided by an agenda which has been prepared and delivered in advance to all Board members and other designated persons.

The conduct of meetings shall, to the fullest possible extent, enable members of the Board to (1) consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems, and (2) receive, consider, and take any needed action with respect to reports of accomplishments of students or of school system operations.

Provisions for permitting any individual or group to address the Board concerning any subject that lies within its jurisdiction shall be as follows:

1. *(Five)* minutes may be allotted to each speaker and a maximum of twenty minutes to each subject matter, with the prerogative of the Board Chairperson to extend the time as appropriate. The Board may modify these limitations at the beginning of the meeting if the number of persons wishing to speak makes it advisable.
2. No boisterous conduct (*alternate – inappropriate or disruptive conduct*) shall be permitted at any Board of Education meeting. Persistence of such conduct shall be grounds for the Chairperson to summarily terminate that person's privilege of address. If necessary, the Chairperson may clear the room to allow the Board to continue the meeting.
3. The Board provides this opportunity for public participation to hear the views of the community. To protect the Board's impartiality and the privacy rights of individuals, the Board will not respond to or deliberate on specific personnel or student matters raised during this period. The Board's silence should not be construed as agreement or disagreement. Matters involving specific employees or students should be directed to the Superintendent's office in accordance with the district's established grievance policies.
4. Speakers are asked to express themselves in a civil manner, with due respect for the dignity and privacy of others who may be affected by their comments. While it is not the Board's intent to stifle public comment, speakers should be aware that if their statements violate the rights of others under the law of defamation or invasion of privacy, the speaker may be held legally responsible. Speakers unsure of the legal ramifications of what they are about to say are urged to consult their legal advisor first.

Bylaws of the Board

Meeting Conduct (continued)

The Board of Education may adjourn any regular or special meeting to a specified time and place. If all members of the Board are absent, the clerk may adjourn the meeting. A copy of the notice of adjournment shall be conspicuously displayed near the meeting room door within twenty-four hours of adjournment.

Actions by the Board

No action will be taken unless the subject acted upon was listed in the agenda published for that meeting, except that an item of business not included on the agenda of a regular meeting may be considered and acted upon after a two-thirds vote of the members present and voting to add such business to the agenda.

The Board of Education shall not adopt resolutions except where such adoption is required by law, or where the intent of the Board is to publish a status position of the Board, as in advising the General Assembly of the Board's position on a proposed law, or commending staff members or other agencies for work well done.

All actions taken by the Board shall be identified clearly in minutes of the Board meeting as provided in Bylaw 9326, Minutes.

- (cf. 1120 - Board of Education Meetings re Public Participation)
- (cf. 1312 - Public Complaints)
- (cf. 9321 - Time, Place, Notification of Meetings)
- (cf. 9321.2 – Attendance at Meetings via Electronic Communications)
- (cf. 9322 - Public and Executive Sessions)
- (cf. 9323 - Construction/Posting of Agenda)

Legal Reference: Connecticut General Statutes
 1-200 Definitions.
 1-206 Denial of access of public records or meetings. Notice. Appeal.
 1-210 Access to public records.
 1-225 Meetings of government agencies to be public.
 1-226 Recording, broadcasting or photographing meetings.
 19a-342 Smoking prohibited in certain places. Sign required. Penalty.
 1-231 Executive sessions.
 1-232 Conduct of meetings (re disturbances).
 10-224 Duties of the Secretary.

Bylaw adopted by the Board:

rev 3/25
 rev 5/26

This version of this bylaw limits public comment to items on the posted agenda or to particular topics, thereby creating a limited public forum.

Bylaws of the Board

Meeting Conduct

Meetings of the Board of Education shall be conducted by the Chairperson in a manner consistent with the Board's adopted bylaws and the provisions of the Freedom of Information Act.

All Board meetings shall commence at or as close as practicable to the stated time, provided there is a quorum, and shall be guided by an agenda which has been prepared and delivered in advance to all Board members and other designated persons.

The conduct of meetings shall, to the fullest possible extent, enable members of the Board to (1) consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems, and (2) receive, consider, and take any needed action with respect to reports of accomplishment of students or of school system operations.

Provision for any individual or group to address the Board concerning any subject on the meeting agenda shall be as follows:

1. Five minutes may be allotted to each speaker and a maximum of twenty minutes to each subject matter.
2. No boisterous, inappropriate, or disrespectful conduct shall be permitted at any Board of Education meeting. Persistence in such conduct shall be grounds for the Chairperson to summarily terminate that person's privilege of address. If necessary, the Chairperson may clear the room to allow the Board to continue the meeting.
3. To protect the Board's impartiality in the event of a future hearing, the Board cautions its members not to respond to comments regarding pending litigation or matters that may come before the Board for a formal hearing.
4. Speakers are asked to express themselves in a civil manner, with due respect for the dignity and privacy of others who may be affected by their comments. While it is not the Board's intent to stifle public comment, speakers should be aware that if their statements violate the rights of others under the law of defamation or invasion of privacy, the speaker may be held legally responsible. Speakers unsure of the legal ramifications of what they are about to say are urged to consult their legal advisor first.
5. The Board will not respond to any comments made during the public comment, except to clarify issues.
6. The Board of Education will consider comments made by the public at meetings and hearings. Questions, concerns, and requests directed to the Board will usually be deferred pending administrative and Board consideration.

Bylaws of the Board

Meeting Conduct (continued)

The Board of Education may adjourn any regular or special meetings to a specified time and place. If all members of the Board are absent, the clerk may adjourn the meeting. A copy of the notice of adjournment shall be conspicuously displayed near the meeting room door within twenty-four hours of adjournment.

Actions by the Board

No action will be taken unless the subject acted upon was listed in the agenda published for that meeting, except that an item of business not included on the agenda of a regular meeting may be considered and acted upon after a two-thirds vote of the members present and voting to add such business to the agenda.

The Board of Education shall not adopt resolutions except where such adoption is required by law, or where the intent of the Board is to publish a status position of the Board, as in advising the General Assembly of the Board's position on a proposed law, or commending staff members or other agencies for work well done.

All actions taken by the Board shall be identified clearly in the minutes of the Board meeting as provided in Bylaw 9326, Minutes.

(cf. 1120 - Board of Education Meetings re Public Participation)
 (cf. 1312 - Public Complaints)
 (cf. 9321 - Time, Place, Notification of Meetings)
 (cf. 9321.2 – Attendance at Meetings via Electronic Communications)
 (cf. 9322 - Public and Executive Sessions)
 (cf. 9323 - Construction/Posting of Agenda)

Legal Reference: Connecticut General Statutes
 1-200 Definitions.
 1-206 Denial of access of public records or meetings. Notice. Appeal.
 1-210 Access to public records.
 1-225 Meetings of government agencies to be public.
 19a-342 Smoking prohibited in certain places. Sign required. Penalty.
 1-231 Executive sessions.
 1-232 Conduct of meetings (re disturbances).
 10-224 Duties of the Secretary.

Bylaw adopted by the Board:

rev 3/25
 rev 5/26

Bylaws of the Board

Meeting Conduct

Meetings of the Bristol Board of Education shall be conducted by the Chairperson in a manner consistent with the bylaws of the Board.

All Board meetings shall commence at the stated time and shall be guided by an agenda which has been prepared and delivered in advance to all Board members and other designated persons.

The conduct of meetings shall, to the fullest possible extent, enable members of the Board to (1) consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems, and (2) receive, consider and take any needed action with respect to reports of accomplishments both as to students and to school system operations.

All regular and special meetings of the Board shall be open to the public. Because the Board desires to hear the viewpoints of citizens throughout the district, and also needs to conduct its business in an orderly and efficient manner, it may schedule one or more periods in each meeting for public comment. It may set a time limit on the length of this period and/or a time limit for individual speakers.

Comments and questions at a regular meeting may deal with any topic related to the the posted agenda or other items of concern to the public. Comments at special meetings must be related to the call of the meeting.

The Board Chairperson shall be responsible for recognizing any individual or group interested in addressing the Board concerning any subject that lays within its jurisdiction. All speakers addressing the Board are subject to the follow procedures:

1. A sign-in sheet will be available for anyone desiring to address the Board. Speakers will be called in order.
2. Speakers shall properly identify themselves.
3. Shall adhere to any time limits set.
4. Shall maintain proper order. No boisterous conduct shall be permitted at any Board of Education meeting. Persistence in boisterous conduct shall be grounds for summary termination, by the Chairperson, of that person's privilege of address. If necessary, the Chairperson may clear the room so that the Board members may continue the meeting.
5. Shall not in an oral presentation include charges or complaints against any employee of the Board of Education, regardless of whether or not the employee is identified in the

presentation by name or by another reference which tends to identify an individual. All charges or complaints against employees shall be submitted to the Board of Education under provision of Board of Education policy. (cf. [1312](#) - Public Complaints)

Questions asked by the public during public comment shall be referred to staff members for reply; questions requiring investigation shall be referred to the Superintendent for consideration and later response.

The Board of Education may cancel any regular or special meeting. A copy of the notice of cancellation shall be conspicuously displayed near the meeting room door within twenty-four hours of cancellation.

Actions by the Board

No action will be taken unless the subject acted upon was listed on the agenda published for that meeting, except that an item of business not included on the agenda of a regular meeting may be considered and acted upon after a two-thirds vote of the members present and voting to add such business to the agenda.

The Board of Education shall not adopt resolutions except where such adoption is required by law, or where the intent of the Board is to publish a status position of the Board, as in advising the General Assembly of the Board's position on a proposed law, or commending staff members or other agencies for work well done.

All actions taken by the Board shall be identified clearly in minutes of the Board meetings as provided in Bylaw [9326](#), Minutes.

(cf. [1120](#) – Board of Education Meetings re public participation) (cf. [9321](#) – Time, Place, Notification of Meetings)

(cf. [9322](#) – Public and Executive Sessions)

(cf. [9323](#) – Construction/Posting of Agenda)

Legal Reference: Connecticut General Statutes

[1-200](#) Definitions.

[1-210](#) Access to public records.

[1-225](#) Meetings of government agencies to be public.

[1-226](#) Recording, broadcasting or photographing meetings.

[1-228](#) Adjournment of meetings.

[1-200](#) Executive Sessions.

[1-222](#) Conduct of meetings.

[1](#)-206 Denial of access to public records or meetings.

[10](#)-224 Duties of the secretary.

Bylaw Adopted: September 8, 1993

Bylaw Revised: July 7, 2004

Bylaw Affirmed: July 6, 2016

Bylaws of the Board

Public and Executive Sessions

Public Meetings

All meetings of the Bristol Board of Education shall be open to the public with the exception of executive sessions. (cf. 9320 -Meetings)

Executive Sessions

The public may be excluded from meetings of the Board of Education which are declared to be executive sessions. Executive sessions may be held upon a two-thirds vote of the members present and voting taken at a public meeting only for one or more of the following reasons.

1. Discussion concerning the appointment, employment, performance, evaluation, health or dismissal of a public officer or employee, provided that such individual may require that the discussion be held at an open meeting.
2. Strategy and negotiations with respect to pending claims and litigation.
3. Matters concerning security strategy or the deployment of security personnel, or devices affecting public security.
4. Discussion of the selection of a site or the lease, sale or purchase of real estate by a political subdivision of the state when publicity regarding such site, lease, sale, purchase or construction would cause a likelihood of increased price until such time as all of the property has been acquired or all proceedings or transactions concerning same have been terminated or abandoned.
5. Discussion of any matter which would result in the disclosure of public records or the information contained therein described in subsection (b) of section [1](#)-210 of the Connecticut General Statutes Freedom Of Information Act (FOIA). The types of records which may be withheld in accordance with FOIA include personnel and health records, student identification records, matters of security, test questions and other specified in FOIA.

Public Participation

In addition to permitting the public to attend meetings, the Bristol Board of Education encourages public participation.

The following members of the public may speak at meetings of the Board:

Bristol residents, parents and guardians, students and employees of the Board; non-resident consultants to the Board and/or administration invited by the Board.

Speakers must use the following guidelines:

- Public may speak as agenda topics come up for discussion or information.
- Speakers must give name and use the microphone.
- Responses to questions may be deferred if answers not immediately available.
- Comments regarding personnel or confidential student information shall not be discussed under public comment.

Public Work Sessions

When meetings or parts of meetings are designated as work sessions the Board does not normally invite discussion or questions from the general public, but brief public comment may be permitted at the end of a work session if time permits.

Freedom of Information

In accordance with the Freedom of Information Act (FOIA), the following are not public meetings and thus not subject to posting and other requirements:

- Meetings of personnel search committees
- Meetings for the purpose of discussion of collective bargaining strategy
- Negotiating sessions
- Chance or social gatherings not intended to relate to official business
- Caucuses of the members of a single party, provided that no persons other than the members attend the caucus.

Legal Reference: Connecticut General Statutes

[1-200](#) Definitions.

[1-206](#) Denial of access to public records or meetings.

[1-210](#) Access to public records.

[1-225](#) Meetings of government agencies to be public.

[1-226](#) Recording, broadcasting or photographing meetings.

[1-231](#) Executive sessions.

Bylaw Adopted: March 10, 1999

Bylaw Revised: July 7, 2004

Bylaw Revised: April 6, 2016

BRISTOL PUBLIC SCHOOLS

Bristol, Connecticut

CABE's suggested bylaw.

Bylaws of the Board

Public and Executive Sessions

Public Meetings

All meetings of the Board of Education, regular, special and emergency shall be open to the public with the exception of executive sessions. A chance or social meeting, a caucus, a meeting of a personnel search committee for executive level employment candidates, or a discussion of strategy or negotiations with respect to collective bargaining are not defined as "meetings" under the Freedom of Information Act. A meeting is defined as a hearing or other proceeding of the Board, any convening or assembly of a quorum of the Board and any communication by or to a quorum of the Board, whether in person or by means of electronic equipment to discuss or act upon a matter over which the public agency has supervision, control, jurisdiction, or advocacy power. Communications between and among a quorum of members convening on electronically linked personal computers or by telephone conference call are subject to the Freedom of Information Act.

Executive Sessions

The public may be excluded from meetings of the Board of Education which are declared to be executive sessions. Executive sessions may be held upon a two-thirds vote of the members present and voting taken at a public meeting for only one or more of the following reasons, and may not be held for any other reason:

1. Discussion concerning the appointment, employment, performance, evaluation, health or dismissal of a public officer or employee, provided that such individual may require that discussion be held at an open meeting.
2. Strategy and negotiations with respect to pending claims and litigation that the Board or a member of the Board, is party.
3. Matters concerning security strategy or the deployment of security personnel, or devices affecting public security.
4. Discussion of the selection of a site or the lease, sale or purchase of real estate by a political subdivision of the state when publicity regarding such site, lease, sale, purchase or construction would cause a likelihood of increased price until such time as all of the property has been acquired or all proceedings or transactions concerning same have been terminated or abandoned.
5. Discussion of any matter which would result in the disclosure of public records or the information contained therein described in Subsection (b) of Section 1-210 of the Connecticut General Statutes.

Bylaws of the Board

Public and Executive Sessions

Executive Sessions (continued)

The motion to go into executive session shall identify the persons, in addition to the Board, who shall be invited to be in attendance in the executive session. The persons invited into executive session shall be limited to persons needed to present testimony or opinion pertinent to matters before the Board and such persons' attendance shall be limited to the time period for which their presence is necessary.

Smoking

Smoking will not be permitted in any room in which a meeting of the Board of Education is being conducted, nor during the time immediately prior to the meeting. A request that there be no smoking during the meeting will be made by the Chairperson during the opening ceremonies.

Non-Meetings

Not every meeting of the Board of Education constitutes a "meeting" under the Freedom of Information Act (FOIA). A meeting does not include:

- Any meeting of a personnel search committee to executive level employment candidates;
- Any chance meeting, or a social meeting neither planned nor intended for the purpose of discussing matters related to official business;
- Any meeting discussing strategy or negotiations with respect to collective bargaining;
- A caucus of members of a single political party notwithstanding that such members also constitute a quorum of a public agency;
- A quorum of the members of the Board who are present at any event which has been noticed and conducted as a meeting of another public agency, in that case, the event shall not be deemed to be a meeting of the Board as a result of their presence at such event. (For example, if the Board of Education is invited to attend a meeting of the Board of Finance, such a meeting does not have to be noticed and posted by the Board of Education.)

There is no specific executive session privilege for the discussion of collective bargaining issues. However, discussion of "records, reports of strategy or negotiations with respect to collective bargaining" is permitted in executive session, provided that such documents exist.

Absent such documents, such strategy discussions and/or negotiations themselves must be held as a "non-meeting." Collective bargaining is excluded from the definition of a meeting under the Freedom of Information Act (FOIA). Collective bargaining sessions shall be held outside the scope of the FOIA as a "non-meeting." Such sessions may be held at any time without posting, and related strategy sessions or updates to the Board of Education may be held either before or after the end of a regular or special meeting, without the need to post such meetings.

Bylaws of the Board

Public and Executive Sessions (continued)

(cf. 1331 - Smoking in School Facilities)

Legal Reference: Connecticut General Statutes

1-200 Definitions. (as amended by PA 02-130)

1-206 Denial of access to public records or meetings.

1-210 Access to public records.

1-225 Meetings of government agencies to be public.

1-226 Recording, broadcasting or photographing meetings.

1-231 Executive sessions.

19a-342 Smoking prohibited in certain places.

Bylaw adopted by the Board:

cps 4/99
rev 6/02
rev 3/06
rev 4/09
rev 10/10

Students

School Attendance Areas

The Board of Education shall establish attendance zones to facilitate educational programs and to use existing facilities with optimum effectiveness. The Superintendent of Schools shall recommend school attendance areas in accordance with the following criteria:

1. Safety of students;
2. Student educational needs;
3. Educational programs to be housed;
4. Optimum use of existing facilities;
5. Student residential patterns;
6. Ages of students served; and
7. Racial/ethnic/economic balance.

Although students in an attendance area may have first choice of schools in that area, the Board of Education also accepts out-of-area requests within the following guidelines:

1. Where space exists, students from other attendance areas may apply for out-of-area status.
2. Parents of students choosing out of area attendance shall provide transportation to and from school.
3. Out-of-area students must maintain good attendance, citizenship and academics to remain in a school outside of their attendance area.
4. Students entering their area school with capped enrollment may attend another district school with transportation provided.

Legal Reference: Connecticut General Statutes

[10-55](#) Students to attend regional school.

[10-226a](#) Students of racial minorities.

[10-226b](#) Existence of racial imbalance.

[10-226c](#) Plan to correct imbalance.

[10-226d](#) Approval of plan by state board.

Policy Adopted: March 1, 1995

Policy Revised: June 6, 2001

Policy Revised: January 3, 2007

Regulation

Students

School Attendance Areas

Among factors not generally considered as valid reasons for transfer are:

1. School of attendance of brothers, sisters, or friends.
2. Place or time of employment of parent(s) or guardian(s) or student.
3. Personal convenience of family or student.
4. A request that would undermine Board of Education redistricting policy.
5. Athletic team preference.
6. Specific school preference for personal reasons.

Additionally:

1. Any student who begins any grade in area, space permitting, shall be allowed upon written application on the “Out-of-Area” form to finish that school year in the school where he/she started that year if the family moved.
2. All out of area assignments will be granted on an annual basis only.
3. If a student is attending grade five out of area in a K-5 school, he/she will be expected to enter grade six in the school in the area of residence unless he/she requests and received approval to attend grade six out of area.
4. A student who is out of area in grade eight must attend grade nine at the in-area high school.
5. All such requests will be processed by the school administration and then submitted to the office of the Director of Human Resources for a decision.

6. A review committee composed of school administrators will meet as necessary to review all requests and grant final approval.

7. An appeal of the review committee's decision may be made to the Board of Education.

Regulation Approved: March 1, 1995

Regulation Revised: June 6, 2001

Policy Revised: January 3, 2007

Sample policy language to consider.

Students

School Attendance Areas

The Board of Education shall establish attendance zones to facilitate educational programs and to use existing facilities with optimum effectiveness. The Superintendent of Schools shall recommend school attendance areas in accordance with the following criteria:

1. Safety of students;
2. Student educational needs;
3. Educational programs to be housed;
4. Optimum use of existing facilities;
5. Student residential patterns;
6. Ages of students served;
7. Racial/ethnic balance.

Assignment to attendance zones shall be subject to modification when federal law applicable to students placed in foster care or students who are homeless requires that such students be educated in a “school of origin” that differs from the assigned attendance area.

Optional Provision

Although students in an attendance area have first choice of schools in that area, the Board of Education also accepts "controlled free zoning" within the following guidelines:

1. Where space exists, students from other attendance areas may apply for membership within rated capacities of school buildings.
2. Parents of students choosing out of area attendance shall provide student transportation.
3. Students out of normal attendance areas will remain in chosen schools at least one year.

(cf. 5118.1 – Homeless Students)

(cf. 5118.3 – Children in Foster Care)

Legal Reference: Connecticut General Statutes
10-55 Pupils to attend regional school.
10-226a Pupils of racial minorities.
10-226b Existence of racial imbalance.
10-226c Plan to correct imbalance.
10-226d Approval of plan by state board.

Policy adopted:
rev 12/16

An optional policy to consider.

Students

School Assignment and Racial Balance

The Board of Education shall operate the District Schools in accordance with State law, including Connecticut General Statute 10-226a through 10-266e, et seq. In complying with that law, the Board shall implement a Redistricting Program where it is determined to be necessary.

The Board of Education will provide every student with a quality education. The Board firmly believes that a racially balanced student body is an important component of quality education. The Board realizes that the imbalanced concentration of racial groupings in schools, from whatever cause, is one of the factors which inhibits the educational development of the children involved and that the existence of racial imbalance is inconsistent with the democratic principle of equality of educational opportunity.

The Board also recognizes that the solution to racial imbalance is a matter of total community concern and one in which the parents, students, and staff of all schools must accept their share of responsibility. The Board will adhere to the concept that the inconvenience or burden to achieve racial balance in the district shall not be borne disproportionately by any one minority group, as defined by the State.

Assignment to attendance zones shall be subject to modification when federal law applicable to students placed in foster care or students who are homeless requires that such students be educated in a “school of origin” that differs from the assigned attendance area.

(cf. 5118 – Nonresident Students)

(cf. 5118.1 – Homeless Students)

(cf. 5118.3 – Children in Foster Care)

(cf. 5122 – Assignment of Students to Schools)

Legal Reference: Connecticut General Statutes
 10-226a Pupils of racial minorities.
 10-226b Existence of racial imbalance.
 10-226c Plan to correct imbalance.
 10-226d Approval of plan by state board.

Policy adopted:

cps 2/06
rev 12/16

Section: Students

Subject: School Attendance Areas

P-5117

**Board Policy
Milford Public Schools
Milford, CT**

The Milford Board of Education shall establish school attendance areas to facilitate educational programming, to ensure equity and balance, and to use existing facilities with optimum effectiveness. Students shall attend the school they are assigned to as designated by the boundary of the school attendance area in which they reside.

I. Exceptions

- A. Exception to this policy may be granted within the sole discretion of the Superintendent or his/her designee and will only be considered in the following cases:
 - 1. Special Education Planning and Placement Team (PPT) decision;
 - 2. Where significant extenuating circumstances exist and can be demonstrated.
- B. The following factors are not regarded as valid reasons for exception to this policy, and shall not be considered:
 - 1. Previous attendance at the desired school by the student except as stated herein;
 - 2. School attendance of brothers, sisters or friends;
 - 3. Place or time of employment of parent(s), guardian(s) or student;
 - 4. School start/end time preference;
 - 5. Convenience of family or student;
 - 6. Athletic team preference;
 - 7. Preferred school, program, or staff;
 - 8. Availability of space in the preferred school as the sole reason.
- C. No request will be granted if it causes an overcrowded classroom, program, or the need for an additional teacher or extra staff.

II. Request and Approval Procedure

- A. Parents requesting exception to this policy must fill out a Request for Out-of-Attendance Area form and submit it to the Superintendent's office by May 1st. Parent(s)/guardian(s) will be notified of the decision no sooner than July 1st each year.
- B. Exceptions, if granted, are done so for one year only. The parent(s)/guardian(s) of an out-of-attendance area student must re-apply to the Superintendent by May 1st each year, requesting extension of permission to remain at the out-of-attendance area school for the next school year. The Superintendent or his/her designee shall apply the same criteria as stated above in deciding on the request for extension. Parent(s)/guardian(s) will be notified of the decision no sooner than July 1st each year.

III. Requirements/Criteria To Remain In Good Standing At The Out Of Attendance School

- A. An out-of-attendance area student must remain in good standing or this privilege may be revoked by the Superintendent or his/her designee upon the recommendation of the school principal.

Good standing shall be defined as:

1. Maintains acceptable behavior
2. Remains in good academic standing
3. Does not have excessive absenteeism
4. Is not habitually tardy.

IV. Transitions between School Levels

- A. When a student attending an out-of attendance area elementary school completes 5th grade, he/she will be required to attend the middle school to which he/she is assigned based upon his/her residence.
- B. When a student attending an out-of attendance area middle school completes 8th grade, he/she will be required to attend the high school to which he/she is assigned based upon his/her residence.

V. Change in Residence During a School Year

- A. A student whose family moves their residence after the start of a school year to another attendance area within the district may, with the approval of the Superintendent or his/her designee, continue attending the school in which he/she is enrolled until he/she has completed that grade level, i.e., elementary, middle, or high school. Upon completion of that school level, the student will be required to attend his/her assigned school for the next school year based upon his/her new residence.
- B. In all cases a younger sibling shall be permitted to attend a school out of his/her attendance area if his/her older sibling is simultaneously in attendance at that level for at least one year. The younger sibling shall be permitted to remain at that school until he/she has completed that grade level.

VI. Transportation

In all cases, transportation for an out-of-attendance area student shall be the sole responsibility of the parent(s)/guardian(s). District transportation will not be provided under any circumstances except where required by a Special Education PPT.

VII. Grandfathering of Students Currently Placed in Out-of-Attendance Area Schools

- A. Any student who was granted permission to attend an out-of-attendance area school for the 2015-2016 school year and those granted permission for the 2016-2017 school year will be “grandfathered” and allowed to remain at that out-of-attendance area school until he/she has completed that grade level, i.e., elementary, middle or high school.
- B. When a grandfathered student completes that grade level, i.e., elementary, middle or high school, he/she will be required to attend his/her assigned school within the attendance area where he/she resides for the next grade level and going forward.
- C. This “grandfather” provision shall apply to younger siblings coming up through the system only if the upcoming sibling will be at the same level, at the same time, as his/her older sibling in which case he/she will be permitted to attend the same school as the older sibling and remain there until he/she has completed that grade level, i.e., elementary, middle or high school. This “upcoming sibling” grandfather provision shall apply through the 2019-2020 school year.

VIII. This Policy and all provisions will take effect on the first day of the 2016-2017 school year.

Legal Reference: Connecticut General Statutes
 10-55 Pupils to attend regional school
 10-226a Pupils of racial minorities
 10-226b Existence of racial imbalance
 10-226c Plan to correct imbalance
 10-226d Approval of plan by State board

Policy Adopted: February 14, 1995
1st Revision Adopted: April 11, 2016

[BOE LETTERHEAD]

(Date)

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

(Parent)
(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).

(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 and this is their first or second time being expelled~~, 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)

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~~ *has been expelled for the first or second time* 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.

Students

Suspension and Expulsion/Due Process

The Bristol 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 Bristol 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 Bristol 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. **Forced Pick-Ups** means a practice requiring parents and guardians to pick up their students from school when behavioral issues occur. It is important to note that when a district asks a parent or guardian to pick up a student under such circumstances, it is considered an out-of-school suspension (OSS) and as such is subject to the provisions of Connecticut General Statutes (CGS) Section 10-233c. This classification means the student is not only being removed from the school environment for the day but may also need interventions or support to address the underlying behavioral issues. Schools are required to document these cases to comply with the statute, ensure proper communication and collaboration with families about the students’ needs, and employ any resources that could help manage the behavior more effectively by the school.

Students

Suspension and Expulsion/Due Process

A. Definitions (continued)

5. **“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. 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.

6. **“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.

Students

Suspension and Expulsion/Due Process

A. Definitions (continued)

7. **“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.
8. **“Days”** is defined as days when school is in session.
9. **“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.
10. **“Possess”** means to have physical possession or otherwise to exercise dominion or control over tangible property.
11. **“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.
12. **“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.
13. **“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.
14. **“Martial arts weapon”** means a nunchaku kama, Kesari-fundo, octagon sai, tonfa, or Chinese star.
15. **“Dangerous Drugs and Narcotics”** is defined as any controlled drug in accordance with Connecticut General Statutes §219-240.
16. **“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).

Students

Suspension and Expulsion/Due Process

A. Definitions (continued)

17. **“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.
18. **“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.

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.

Students

Suspension and Expulsion/Due Process

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.

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

Students

Suspension and Expulsion/Due Process

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

12. modified for use as a weapon.
13. Possession of any ammunition for any weapon described above in paragraph 11.
14. Unauthorized entrance into any school facility or portion of a school facility or aiding or abetting an unauthorized entrance.
15. 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.
16. 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.
17. 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.
18. 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.

Students

Suspension and Expulsion/Due Process

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

19. The destruction of real, personal or school property, such as, cutting, defacing or otherwise damaging property in any way.
20. Accumulation of offenses such as school and class tardiness, class or study hall cutting, or failure to attend detention.
21. Trespassing on school grounds while on out-of-school suspension or expulsion.
22. Making false bomb threats or other threats to the safety of students, staff members, and/or other persons.
23. Defiance of school rules and the valid authority of teachers, supervisors, administrators, other staff members and/or law enforcement authorities.
24. Throwing snowballs, rocks, sticks and/or similar objects, except as specifically authorized by school staff.
25. Unauthorized and/or reckless and/or improper operation of a motor vehicle on school grounds or at any school-sponsored activity.
26. Leaving school grounds, school transportation or a school-sponsored activity without authorization.
27. 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.
28. Possession and/or use of a personal electronic device—including but not limited to cellular phones, smartphones, smartwatches, tablets, headphones/earbuds, portable media players, wearable or concealed recording devices, or any similar communication or digital device—on school grounds or at school-sponsored activities
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”** 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 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.
5. 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

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 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-

Students

Suspension and Expulsion/Due Process

G. Suspension Procedure(continued)

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 **serious** physical harm;
 - 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.

Students

Suspension and Expulsion/Due Process

G. Suspension Procedure

Out-of-School Suspensions (continued)

- 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.

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.

Students

Suspension and Expulsion/Due Process

H. Expulsion Procedures (continued)

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:

- a. 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.
- b. 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.
- c. 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.

Students

Suspension and Expulsion/Due Process

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 or second time and who comply with conditions set by the Board of Education, must be offered an alternative educational opportunity;
 - b. A short and plain statement of the matters asserted, if such matters have not already been provided in a statement of reasons requested by the student;
 - c. The opportunity to be heard in the student's own defense;
 - d. The opportunity to present witnesses and evidence in the student's defense;
 - e. The opportunity to cross-examine adverse witnesses;
 - f. The opportunity to be represented by counsel at the parents'/student's own expense; and
 - g. Information concerning legal services provided free of charge or at a reduced rate that are available locally and how to access such services;
 - h. The opportunity to have the services of a translator, to be provided by the Board of Education whenever the student or his/her parent or legal guardian do not speak the English language;
 - i. The prompt notification of the decision of the Board of Education, which decision shall be in writing if adverse to the student concerned.

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 off 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.

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.

Students

Suspension and Expulsion/Due Process

Legal Reference: Connecticut General Statutes
10-233I Expulsion and suspension of children in preschool programs
19a-342a Use of electronic nicotine delivery system or vapor product prohibited.
29-38 Weapons in vehicles
53a-3 Definitions.
53a-217b Possession of Firearms and Deadly Weapons on School Grounds.
53-344b Sale and delivery of electronic nicotine delivery system or vapor products to minors.
53-206 Carrying of dangerous weapons prohibited.
PA 15-96 An Act Prohibiting Out-of-School Suspensions and Expulsions for Students in Preschool and Grades Kindergarten to Two.
GOALS 2000: Educate America Act, Pub. L. 103-227.
Title III - Amendments to the Individuals with Disabilities Education Act. Sec. 314 (Local Control Over Violence)
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)
[Public Act 26-1 An Act Concerning the Reallocation of Certain State Funds and Various Provisions Relating to Education, Public Safety, General Government, Elections, Intermediate Care Facilities and Warehouse Distribution Centers](#)

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
Policy Revised : May 20, 2026

BRISTOL PUBLIC SCHOOLS
Bristol, Connecticut

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 ~~has been expelled three or more times~~ ~~was previously expelled~~. A student between the ages of 16 and 18 who is expelled for the first ~~or second~~ 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)

[Public Act 26-1 An Act Concerning the Reallocation of Certain State Funds and Various Provisions Relating to Education, Public Safety, General Government, Elections, Intermediate Care Facilities and Warehouse Distribution Centers \(Section 35\)](#)

Regulation Approved: January 7, 2007
Revised: December 5, 2007
Revised: February 3, 2010
Revised: March 4, 2015
Revised: May 20, 2026

BRISTOL PUBLIC SCHOOLS
Bristol, Connecticut

Students

Bullying

Cyberbullying

The Bristol Board of Education provides computers as tools to enhance our students' education. The District's computer network and the Internet, whether accessed on campus or off campus, during or after school hours, may not be used for the purpose of harassment of any kind. All forms of harassment over the Internet, commonly referred to as cyberbullying, are unacceptable and viewed as a violation of this policy and the District's acceptable computer use policy and procedures.

Definitions

"Cyberbullying" means any act of harassment through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.

"Mobile electronic device" means any hand-held or other portable electronic equipment capable of providing data communication between two or more individuals, including, but not limited to, a text messaging device, a paging device, a laptop computer, equipment that is capable of playing a video game or equipment on which digital images are taken or transmitted.

Malicious use of the District's computer system ~~is prohibited~~ to develop programs or to institute practices that harass other users or gain unauthorized access to any entity on the system and/or damage the components of an entity on the network is prohibited. Users are responsible for the appropriateness of the material they transmit over the system. Hate mail, harassment, discriminatory remarks, or other antisocial behaviors are expressly prohibited. Cyberbullying includes, but is not limited to the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another person by sending or posting inappropriate and hurtful e-mail messages, instant messages, text messages, digital pictures or images, or Website postings, ~~including blogs~~. It is also recognized that the identity of the creator of the inappropriate material is often obscured or disguised. ~~author (poster or sender) of the inappropriate material is often disguised (logged on) as someone else.~~

Students and community members who believe they have been the victims of such misuses of technology, as described in this policy, should not erase the offending material from the system. A copy of the material ~~should be printed and brought to the attention of the school administrator.~~

unless it contains pornographic images or “sexting images”, should be printed and brought to the attention of the Principal. In the case of pornographic or “sexting” images, the image on the electronic device should be shown to a school administrator on the electronic device, and local law enforcement officials are to be contacted.

All reports of cyberbullying will be investigated promptly in compliance with the District’s “School Climate Policy.”

~~The administration shall fully investigate all reports of cyberbullying.~~

In situations in which the cyberbullying originated from a non-school computer, but brought to the attention of school ~~employees, officials,~~ any disciplinary action shall be based upon whether the conduct is determined to be severely disruptive of the educational process so that it markedly interrupts or severely impedes the day-to-day operations of a school. In addition, such ~~identified associated challenging behaviors~~ ~~conduct~~ must also be violative of a ~~publicized school policy.~~ ~~another District policy.~~ Such conduct includes, but is not limited to threats ~~made on or off school grounds, to kill or hurt a staff member or student,~~ or making a threat off school grounds, to kill or hurt a teacher or student. A student who redistributes inappropriate content, as previously described, is also subject to disciplinary action.

Disciplinary action may include ~~but are not limited to,~~ the loss of computer privileges, detention, suspension, or expulsion for verified perpetrators of cyberbullying. In addition, when any kind of threat is communicated or when a hate crime is committed, the administration will report such crimes to local law enforcement officials.

(cf. 0521 – Nondiscrimination)

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

(cf. [5131](#) – Conduct)

(cf. 5131.21 – Threats or Acts of Violence)

(cf. [5131.8](#) – Off School Grounds Misconduct)

(cf. 5131.912 – Aggressive Behavior)

(cf. [5131.911](#) – ~~Bullying~~ Connecticut School Climate Policy)

(cf. [5144](#) – Discipline/Punishment)

(cf. 5145.4 – Nondiscrimination)

(cf. [5145.5](#) – Sexual Harassment)

(cf. 5145.51 – Peer Sexual Harassment)

Legal Reference: Connecticut General Statutes

PA 02-119, An Act Concerning Bullying Behavior in Schools and Concerning the Pledge of Allegiance

Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education. (SC 15862)

Public Law 110-385 Broadband Data Improvement Act/Protecting Children in the 21 st Century Act

Wisniewski v. Bd. Of Educ., 494 F.3d 34 (2 nd Cir. 2007)

Doninger v. Niehoff, 257 F. 3d 41 (2 nd Cir. 2008)

P.A. 11-232 An Act Concerning The Strengthening of Bullying Laws

10-222d Policy on bullying behavior as amended by PA 08-160, P.A. 11-232, P.A. 14-172 and PA 18-15 and PA 19-166.

10-222g Prevention and intervention strategy re bullying and teen dating violence

10-222h Analysis of school districts' efforts re prevention of and response to bullying in schools. School climate assessment instruments

10-222i State-wide safe school climate resource network. [Repealed, Effective 7/1/2025 State-wide safe school climate resource network]

10-222k District safe school climate coordinator. Safe school climate specialist. Safe school climate committee (as amended by PA 21-95, Section 14)

10-222p Review of safe school climate plans by Department of Education. Approval or rejection.

PA 23-167 An Act Concerning Transparency in Education

Policy Adopted: September 15, 2010

BRISTOL PUBLIC SCHOOLS

Policy Revised:

Bristol, Connecticut

Personnel Certified/Non-Certified

Recruitment and Selection

The Board ~~desires~~ **directs** the Superintendent to develop and maintain a recruitment program designed to attract and ~~hold the best possible personnel who are "effective teachers"~~ **retain the most effective personnel** as defined by federal law in the District's schools. All District teachers must meet applicable state certification and licensure requirements, including any requirements for certification obtained through alternate routes to certification.

Increasing Educator Diversity

The Board of Education believes it is especially important to ensure that recruitment, hiring, and retention efforts increase educator diversity. The administration is directed to make a determined and substantial effort to ensure that the district's recruitment procedures increase diversity, consistent with C.G.S. §10-56ee and Public Act 23-167.

Fair Employment Practices and Public Notices

The schools shall engage in fair and sound personnel practices in the appointment of all district employees. The administration shall be responsible for establishing recruitment, selection, and appointment procedures.

The Superintendent shall ensure that the District is in compliance with provisions of Title I and the Every Student Succeeds Act (ESSA). Handbooks and recruitment materials shall comply with federal law regarding the qualifications of instructional personnel. Parent/guardians of students in Title I schools shall be informed annually of their right to request information regarding teacher and paraprofessional qualifications.

Job Posting Transparency (P.A. 26-12)

Effective October 1, 2026, the Superintendent or designee shall ensure that all public, external, internal, promotional, and transfer job postings published or distributed by the District include:

1. The wage rate or a good-faith estimate of the wage/salary range for the position; and
2. A general description of the position's benefits, including health insurance, retirement options, fringe benefits, and paid leave provisions.

(Districts with 100 or more employees shall also post on the District website a plain-language guide explaining all pay codes used for overtime and wage differentials, available in English, Spanish, and any common language spoken by members of the workforce.)

Automated Employment Decision Technology

If the District utilizes automated or AI-driven technology to screen job applications or evaluate employees, advance written notice shall be provided to candidates detailing the technology's purpose and the nature of the decision-making process.

Personnel -- Certified/Non-Certified

Recruitment and Selection (continued)

Hiring of Retired Teachers

A retired teacher receiving benefits from the Teachers' Retirement Board (TRB) may be reemployed by the Board for up to one full school year in a position:

1. Designated by the Commissioner of Education as a subject shortage area, or
2. At a school located in a priority school district for the school year in which the teacher is being employed.

Such reemployment may be extended for an additional school year, provided the Board:

1. Submits a written request for approval to the Teachers' Retirement Board,
2. Certifies that no qualified candidates are available prior to the reemployment of such teacher, and
3. Indicates the type of assignment to be performed, the anticipated date of rehire, and the expected duration of the assignment.

The forty-five percent (45%) limitation applies if the retired teacher has worked for more than two years in either a subject shortage area or a priority school district.

The salary of such teacher shall be fixed at an amount at least equal to that paid other teachers in the District with similar training and experience for the same type of service.

Except as indicated above, a certified educator receiving retirement benefits from the TRB may not be employed in a certified position receiving compensation paid out of public money appropriated for school purposes, except that such educator may be employed in such a position and receive no more than forty-five (45%) of the maximum salary level for the assigned position. Any certified educator who receives in excess of such amount shall reimburse the Board for the amount of such excess. Fringe benefits offered by the District, if taken by the employed retired individuals, are included in the maximum compensation calculation.

Applicant Disclosure Requirements

On the application form, an applicant for any position in the school district shall disclose any previous relationship with the Superintendent or any Board member. Previous relationships will include any business, financial, personal, political, or family connections. The Superintendent shall provide the Board with full disclosure of any prior knowledge or relationship with any candidate recommended for employment.

The Board authorizes the Superintendent to employ teachers. (If the Superintendent is not authorized to employ teachers, the Superintendent will submit nominations to the Board of Education, and the Board shall accept or reject such nominations not later than thirty-five (35) calendar days from submission.)

Personnel -- Certified/Non-Certified

Recruitment and Selection

~~The school district recognizes the heterogeneity of the people who live in the school district and believes that this characteristic should have an important bearing on all aspects of the school district's activities.~~

~~The Board of Education believes it is especially important that this heterogeneity of population be recognized in the recruitment and assignment of personnel.~~

~~To this end, the Board of Education shall develop and implement a written plan for minority staff recruitment. The administration is directed to make a serious effort to see that the recruitment procedures of the district produce a total staff representative of the total population of the district and that the assignment procedures of the district bring to each school staff members representative of the population represented by the student membership in each local school.~~

~~The schools shall engage in fair and sound personnel practices in the appointment of all district employees. The administration shall be responsible for establishing recruitment, selection and appointment procedures.~~

~~The Superintendent shall insure that the District is in compliance with the provisions of Title I and the Every Student Succeeds Act. Manuals and handbooks shall comply with federal law as to the qualifications for instructional personnel. Parents/guardians of students in Title I schools shall be informed annually, at the beginning of each school year, of their right to request information about whether their child's teacher has met state qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction; is teaching under emergency or other provisional status through which state qualifications or licensing criteria have been waived; and is teaching in the field of discipline of the certification of the teacher. The qualifications of services provided by paraprofessionals shall also be provided. Timely notices shall also be provided to parents/guardians that the student has been assigned, or has been taught in a Title I school for 4 or more consecutive weeks by a teacher who does not meet applicable state certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.~~

Hiring of Retired Teachers

~~A retired teacher receiving benefits from the Teachers Retirement System (TRS) may be reemployed by the Board for up to one full school year in a position (1) designated by the Commissioner of Education as a subject shortage area, or (2) at a school located in a priority-school district for the school year in which the teacher is being employed. Such employment may be for up to one full school year. Such reemployment may be extended for an additional school year, provided the Board (a) submits a written request for approval to the Teachers' Retirement Board, (b) certifies that no qualified candidates are available prior to the reemployment of such teacher and (c) indicates the type of assignment to be performed, the anticipated date of rehire and the expected duration of the assignment.~~

Personnel -- Certified/Non-Certified

Recruitment and Selection

Hiring of Retired Teachers (continued)

~~The salary of such teacher shall be fixed at an amount at least equal to that paid other teachers in the District with similar training and experience for the same type of service. Upon Board approval of such employment, the retired teacher shall be eligible for the same health insurance benefits provided to active teachers employed by the District. No retirement benefits shall be paid during this period of reemployment.~~

~~Except as indicated below, and in the first paragraph in this section, a certified educator receiving retirement benefits from the Teachers Retirement System (TRS) may not be employed in a certified position receiving compensation paid out of public money appropriated for school purposes except that such educator may be employed in such a position and receive no more than forty five percent of the maximum salary level for the assigned position. Any certified educator who receives in excess of such amount shall reimburse the Board for the amount of such excess.~~

~~Commencing July 1, 2016, to June 30, 2018, the exemption from the limitation on the compensation of a reemployed certified educator apply to an educator who (A) is receiving retirement benefits from TRS based on thirty four or more years of credited service, (B) is reemployed in a district designated as an alliance district (pursuant to C.G.S. 10-262u), and (C) was serving in the district on July 1, 2015.~~

~~On and after July 1, 2016, a certified educator receiving retirement benefits from the system may be employed and receive compensation, health insurance benefits, and other employment benefits provided to active teachers employed by such school system provided such teacher does not receive a retirement income during such employment. Payment of such teacher's retirement income shall resume on the first day of the month following the termination of such employment.~~

(cf. 4111.3 – Increasing Educator Diversity)

(cf. [4115](#) - Evaluation)

Legal Reference: Connecticut General Statutes

[10-151](#) Employment of teachers. Notice and hearing on termination of contract (as amended by P.A. 12-116 An Act Concerning Educational Reform)

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

[10-183v](#) Reemployment of teachers, as amended by P.A. 10-111, An Act Concerning Education Reform in Connecticut, ~~and~~ P.A. 16-91, An Act Making Changes to the Teachers' Retirement System. and [PA 17-173](#) An Act Concerning Minor Revisions and Additions to the Education Statutes and [PA 18-42](#) An Act Concerning a Provision Concerning Reemployment of Certain Teachers.

Personnel -- Certified/Non-Certified

Recruitment and Selection

Legal Reference: Connecticut General Statutes (continued)
[10-220](#) Duties of Boards of Education.
[31-126](#) Unfair Employment Practices.
[46a-60](#) Discriminatory employment practices prohibited.
Title IV Equal Employment Opportunities.
~~20 U.S.C. Section 1119 No Child Left Behind Act.~~
34 C.F.R. 200.55 Federal Regulations.
P.L. 114-95 Every Student Succeeds Act, S.1177-55, 56
[PA 23-167 An Act Concerning Transparency in Education Section 10.](#)
[PA 26-12 An Act Concerning Pay Transparency, Employee Benefits Disclosure, and Workplace Accommodations.](#)

Policy Adopted: July 6, 1994

Policy Revised: December 7, 2016

BRISTOL PUBLIC SCHOOLS

Bristol, Connecticut

Personnel – Certified/Non-Certified

Recruitment and Selection

Recommended Process Overview – Certified/Non-Certified Staff

1. Identify the need for the position and establish the job specification.
2. Draft job posting ensuring compliance with P.A. 26-12 (must include good-faith salary range and general description of benefits).
3. Internally post the position (including notification of promotion or transfer opportunities).
4. Externally post the position.
5. Applications are collected in the District Office or the electronic portal until closing date.
6. Applications are screened by the building Principal and/or department supervisor.
7. Initial screening interview performed by committee:
 - a. K-6 District Committee: Principal and designees, including grade-level representatives.
 - b. 7-12 District Committee: Assistant Principal, department supervisor, content area teacher, team leader.
8. Candidates are asked to teach a sample lesson (where applicable).
9. Finalist (s) interview with building Principal and/or Superintendent.
10. Superintendent notifies the Board of Education or executes hiring pursuant to Board authorization.

Job Posting Disclosure Specifications (P.A. 26-12):

All internal and external job postings generated by the District must contain the following language:

1. **Compensation:** “The salary/wage range set in good faith for this position is (\$X to \$Y per hour/year), depending on experience and collective bargaining placement.”
2. **Benefits Summary:** “This position includes a comprehensive benefits package featuring (health/dental/vision insurance options, CT Teachers’ Retirement System (TRB)/MERS eligibility, paid sick and personal leave, life insurance, and professional development opportunities).”

Initial Application Screening

Initial application screening should be conducted by the building Principal ~~(and other relevant administrators)~~. Screening criteria shall be job-related, objective, and compliant with equal opportunity standards. If automated screen systems (AI) are utilized, candidates must be provided advance notice of the system’s role in the evaluation process.

Personnel – Certified/Non-Certified

Recruitment and Selection

TRB Reemployment Verification

Prior to executing a contract with a retired certified educator under C.G.S. §10-183v:

1. Central Office shall verify whether the position is in a state-designated shortage area or the District is listed as a priority school district.
2. If not, Central Office shall ensure total annual earnings (including district-provided health benefits if accepted) do not exceed 45% of the maximum salary level for the assigned position.
3. Central Office shall submit required reemployment forms to the Teachers' Retirement Board (TRB).

Regulation approved:

Business/Non-Instructional Operations

Medical Reimbursement for Special Education Students (OPTION A)

~~The Board of Education will seek Medicaid reimbursement for eligible medically related services provided to Medicaid eligible special education students in accordance with federal and state law.~~

The Board of Education (Board) will seek Medicaid reimbursement for eligible medically related services* provided to Medicaid eligible special education students in accordance with federal and state law. The Board shall enroll as a provider in the state medical assistance program, participate in the Medicaid School Based Child Health Program administered by the Department of Social Services, and submit billable service information electronically to the Department of Social Services, or its billing agent.* The Board may enter into an agreement with a third party or another board of education to comply with these requirements.

***Optional:** The Board of Education, having a student population of less than one thousand students, may conduct a cost benefit analysis in a form prescribed by the Commissioner of Social Services to determine whether the cost to participate in the medical assistance program exceeds the revenue that would be generated for the Board. The Board, if exempted from the requirements of this policy after such cost benefit analysis, shall complete and submit such analysis to the Commissioner of Social Services every three years in order to remain exempt.

The Board shall provide written notification to all parents and guardians of children who are Medicaid eligible and currently receiving School Based Child Health (SBCH) services under an individualized education plan (IEP) prior to obtaining parental consent and prior to the continuation of billing Medicaid for the services. The Board will obtain parental consent from all parents and guardians who are Medicaid eligible and receiving SBCH services under an IEP, in order to access their public benefits or insurance to pay for services under the IDEA.

**Note: Districts can bill for health-related services that are outlined in the student's IEP. In general, services for which a school district may bill Medicaid are: audiologist services, evaluation and testing, nursing services, occupational therapy, physical therapy, speech therapy, psychological services and social work services.*

Legal Reference: Connecticut General Statutes

10-76d Duties and powers of boards of education to provide special education programs and services. State agency placements; apportionment of costs. (as amended by June 2017 Special Session PA 17-2, Sec. 51 and PA 18-182) ~~Relationship of insurance to special education costs. (As amended by P.A. 99-279 An Act Concerning Programs and Modifications Necessary to Implement the Budget Relative to the Department of Social Services.)~~

42 CFR Parts 431, 433 and 440, Medicaid Program; Elimination of Reimbursement Under Medicaid for School Administration Expenditures and Costs Related to Transportation of School-Age Children Between Home and School

5.299, The Medicare, Medicaid & SCHIP Extension Act of 2007

34 C.F.R. §300.154(d) – Individuals with Disabilities Act (IDEA)-Part B,

P3231(a)

related to parental consent to access public benefits or insurance

Policy adopted: October 6, 1999

BRISTOL PUBLIC SCHOOLS

Revised:

Bristol, Connecticut

Business/Non-Instructional Operations

Medical Reimbursement for Special Education Students (OPTION B)

~~The Board of Education will seek Medicaid reimbursement for eligible medically related services provided to Medicaid eligible special education students in accordance with federal and state law.~~

The District as required shall determine a child's Medicaid enrollment status of each student who requires special education. Not later than December 1, 2017, the Board shall enroll as a provider in the state medical assistance program, participate in the Medicaid School Based Child Health Program administered by the Department of Social Services, and submit billable service information electronically to the Department of Social Services, or its billing agent.

If any child is eligible for Medicaid, but not a current Medicaid recipient, the District shall request that the parent or guardian of that child apply for Medicaid.

If any child is eligible for Medicaid, the District shall request that the parent or guardian of that child give written permission to allow the district to request Medicaid reimbursements for eligible health-related special education costs.

The Board shall provide written notification to the parent/guardian of the student before accessing the student's or parent's or guardian's public benefits or insurance for the first time and prior to the one-time parental or guardian consent and annually thereafter.

The Board shall provide written notification to all parents and guardians of children who are Medicaid eligible and currently receiving School Based Child Health (SBCH) services under an individualized education plan (IEP) prior to obtaining parental consent and prior to the continuation of billing Medicaid for the services. The Board shall obtain parental consent from all parents and guardians who are Medicaid eligible and receiving SBCH services under an IEP, in order to access their public benefits or insurance to pay for services under the IDEA.

If permission described above is received, the district will submit claims to the State Department of Administrative Services for reimbursement of any eligible health-related cost.

If permission described above is denied, the district will terminate its efforts to secure Medicaid reimbursements otherwise applicable to the child.

It is understood that in order to be eligible to receive Medicaid reimbursements, the district must, with prior written parental or guardian permission, bill all financially liable third parties for school-based child health services provided to children. This requirement pertains to all special education students, including, but not limited to Medicaid-eligible students.

If parental or guardian permission described above is denied, the district will terminate its efforts to secure third party insurer reimbursements, including Medicaid.

Note: Districts can bill for health-related services that are outlined in the student's IEP. In general, services for which a school district may bill Medicaid are: audiologist services, evaluation and testing, nursing services, occupational therapy, physical therapy, speech therapy, psychological services and social work services.

P3231(a)

10-76d Duties and powers of boards of education to provide special education programs and services. State agency placements; apportionment of costs. (as amended by June 2017 Special Session PA 17-2, Sec. 51)

42 CFR Parts 431, 433 and 440, Medicaid Program; Elimination of Reimbursement Under Medicaid for School Administration Expenditures and Costs Related to Transportation of School-Age Children Between Home and School

5.299, The Medicare, Medicaid & SCHIP Extension Act of 2007

34 C.F.R. §300.154(d) – Individuals with Disabilities Act (IDEA) Part B, related to parental consent to access public benefits or insurance

Business/Non-Instructional Operations

Medical Reimbursement for Special Education Students

~~The Board of Education will seek Medicaid reimbursement for eligible special education and medically-related services provided to Medicaid-eligible special education students in accordance with federal and state law utilizing the following procedures:~~

- ~~1. The planning and placement team will determine, for each student who requires special education services and for each student who is referred to special education, if that child is enrolled in or eligible for Medicaid.~~
- ~~2. If any child is eligible for Medicaid, but not a current Medicaid recipient, the Board will request and assist the parent or guardian of that child with applying for Medicaid.~~
- ~~3. If any child is eligible for Medicaid, the Board will request that the parent or guardian of the child give written permission to allow the Board to request Medicaid reimbursements for eligible special education and health related special education costs.~~
 - ~~A. If written permission described is received, the Board will submit claims to Medicaid through the regional education resource center (RESC), for reimbursement of any health related costs.~~
 - ~~B. If written permission is denied, the Board will terminate its efforts to secure Medicaid reimbursements otherwise applicable to the child.~~
- ~~4. Whether the parent or guardian refuses or gives consent to the Board to access Medicaid, reimbursement is strictly optional.~~
- ~~5. Whether the parent or guardian refuses or gives consent to the Board to access Medicaid reimbursement, the child will receive all special education services to which he/she is entitled without delay, at no cost to the parent or guardian.~~

The Board of Education (Board) authorizes the superintendent or designee to seek Medicaid reimbursement for eligible medically related services provided to Medicaid-eligible special education students in accordance with federal and state law. The services for which the Board may bill Medicaid include audiologist services, evaluation and testing, nursing services, occupational therapy, physical therapy, speech therapy, psychological services, and social work services.

The Board will utilize the following procedures:

- 1. Eligibility Determination:** The superintendent/designee shall determine, for each student who requires special education services and for each student who is referred to special education, if that child is eligible for Medicaid.
- 2. One-Time Written Consent:** The superintendent/designee shall obtain a one-time written consent from the parent or guardian, after providing the written notification described below, before accessing the student's, the parent's, or the guardian's public benefits or insurance for the first time. This consent must specify:
 - The personal identifiable information (PII) that may be disclosed (records or service information);
 - The purpose of the disclosure (billing for services);
 - The agency to which the disclosure may be made (e.g., Department of Social Services/Medicaid); and
 - That the parent or guardian understands and agrees that the District may access their public benefits or insurance to pay for services.
- 3. Written Notification:** The superintendent/designee shall provide written notification to parents or guardians before accessing public benefits for the first time and annually

R3231(b)

thereafter. The notification must explain all protections available under Part B of the Individuals with Disabilities Act (IDEA). The notice must be in understandable language and in the native language of the parent or guardian unless clearly not feasible.

4. **Application Assistance:** If a child is eligible for Medicaid but not a current recipient, the superintendent/designee shall request and assist the parent or guardian with the application process.
5. **Reimbursement Requests:** For Medicaid-eligible children, the superintendent/designee will request written permission to seek reimbursement for health-related special education costs.
 - If permission is granted, claims will be submitted through the State Department of Administrative Services (DAS).
 - If permission is denied, the Board will terminate efforts to secure Medicaid reimbursements for that child.

Business/Non-Instructional Operations

Medical Reimbursement for Special Education Students (continued)

6. **Voluntary Participation:** Parental consent to access Medicaid is strictly optional. Refusal to provide consent does not relieve the Board of its responsibility to provide all required special education services at no cost to the parent or guardian.
7. **Exemption for Districts with Fewer Than 1,000 Students*:** Per C.G.S. 10-76d(a), a Board with a student population of less than one thousand may elect not to participate in the Medicaid reimbursement program if a cost-benefit analysis determines that administrative costs exceed potential revenue.
 - **Submission Process:** This analysis must be performed on the form prescribed by the Commissioner of Social Services.
 - **Three-Year Re-verification:** To maintain an exempt status, the Board must re-conduct and submit this cost-benefit analysis to the Commissioner of Social Services every three years.
 - **Documentation:** The District shall maintain a record of the most recent submission and approval of exemption to ensure compliance during state audits.

Legal Reference: Connecticut General Statutes

10-76d Duties and powers of boards of education to provide special education programs and services. State agency placements; apportionment of costs. (as amended by P.A. 99-279 An Act Concerning Programs and Modifications Necessary to Implement the Budget Relative to the Department of Social Services and PA 18-182.)

1-266 to 1-286: Uniform Electronic Transactions Act (permitting electronic filing and signatures).

42 CFR Parts 431, 433 and 440, Medicaid Program; Elimination of Reimbursement Under Medicaid for School Administration Expenditures and Costs Related to Transportation of School-Age Children Between Home and School

34 C.F.R. §300.154(d) – Individuals with Disabilities Act (IDEA) Part B, related to parental consent to access public benefits or insurance

This consent form allows the _____ (School District) to bill your or your child's public benefits or insurance for covered health-related services (such as physical therapy or speech therapy) in your child's Individualized Education Program (IEP). The funds received from your or your child's public benefits or insurance help pay for the cost of providing these services.

Student's Rights to Special Education*

- ✓ Your child's right to receive the services listed in his or her IEP will continue, without interruption and at no cost to you, whether or not you sign this form.
- ✓ Giving consent will not impact your or your child's public benefits or insurance coverage.
- ✓ You have the right to refuse consent or withdraw your consent at any time.

This consent form allows the _____ (School District) to Access Parent(s)/Guardian(s) or Student's Public Benefits or Insurance for Student's Health-Related Educational Services

Student's Name: _____
 Last Name *Middle Name* *First Name*

Student's Date of Birth: _____ **Student's SASID#** _____

The school district is seeking permission to access your or your child's public benefits or insurance and to release the following personally identifiable information in order to do so. (*to be filled out by the school district*)

What records are being disclosed? (such as, records or information about the services that may be provided to a particular child)	What is the purpose of the disclosure of the records? (such as, eligibility determination, billing for services and auditing)	To what agency are the records being disclosed? (such as Medicaid)

☐ I have reviewed my child's IEP dated: _____ I understand and agree to give my consent for _____ (School District) to bill my or my child's public benefits or insurance, in accordance with state and federal laws, for health-related educational services in my child's IEP. By signing this consent I authorize the _____ (School District) to release my child's records (as indicated above) to my or my child's public benefits or insurance as necessary for the purposes indicated above. I understand that, upon request, I may receive copies of records disclosed pursuant to this authorization.

☐ I do not give my consent or am withdrawing my consent to the accessing of my or my child's public benefits or insurance and I do not consent or am withdrawing consent to the disclosure of the previously described personal data. I understand that my refusal does not affect my child's access to any service(S) to which he/she is entitled under the Individuals with Disabilities Education Act.*

Parent/Guardian Name and Signature:

Print Name

Signature

Date

Parent/Child's Public Insurance Carrier: _____

Parent/Child's Benefit Identification Number: _____

Parent(s) Address: _____

Parent(s) Phone Number(s) _____

Note:

*Under the Individuals with Disabilities Education Act (IDEA), a school district may ask a parent for consent to access the parent's or their child's public benefits or insurance to pay for health-related services (such as physical therapy or speech therapy) set forth in their child's IEP (Individualized Education Program). Before accessing these benefits for the first time, the school district must provide written notification of information about the consent as well as obtain the parent's written permission to use these benefits. In addition, the school district must provide the parent with the written notification each year. You have the right to refuse such consent; should you refuse consent, your child will still receive all services set forth in their IEP at no cost to you.

***This form must be maintained and made available for audit purposes**

Naloxone Use in the School Setting

~Page 1~

(Background information for Policy Sub-Committee)

Opioid overdoses (OPR) have become epidemic. OPR overdose kills thousands of Americans every year. Many of these deaths are preventable through the timely provision of an inexpensive, safe, and effective drug and the summoning of emergency responders. In Connecticut, on average, one person dies every day from an opioid overdose. Opioids include street drugs, like heroin, and prescription drugs like OxyContin. People do overdose and die from prescription drugs by using too much or mixing them with other pills, street drugs, or alcohol.

Deaths from prescription painkillers (opioid or narcotic pain relievers) have reached epidemic levels in the past decade according to the Centers for Disease Control and Prevention (CDC). A crucial mitigating factor involves the nonmedical use of prescription painkillers, using drugs without a prescription or using drugs to obtain the “high” they produce. In 2010, the CDC stated about 12 million Americans (age 12 or older) reported nonmedical use of prescription painkillers in the past year. The 2013 Partnership Attitude Tracking Study (PATS) stated almost one in four teens (23 percent) reported abusing or misusing a prescription drug at least once in his or her lifetime, and one in six (16 percent) reported doing so within the past year. In Connecticut, on average 1 to 2 people die every day from an opioid overdose. Such overdoses have become the leading cause of adult injury deaths; more than those due to motor vehicle accidents, fires and firearms combined.

According to the Substance Abuse and Mental Health Services Administration’s (SAMHSA) National Survey on Drug Use and Health in 2013, there were 2.2 million adolescents, ages 12 to 17, who were current illicit drug users. Given the magnitude of the problem, in 2014 the CDC added OPR overdose prevention to its list of top five public health challenges.

Although drug overdoses in the school setting are rare, some school nurses are increasingly thinking of the drug Naloxone as an essential part of their first-aid kits. Administered via syringe or a nasal spray, it works almost immediately to get an overdose patient breathing again, and it does not create a “high” or have major side effects.

Naloxone, also known by the brand name Narcan, is the antidote that reverses an opioid overdose. It has been used in ambulances and hospitals for decades to reverse overdose. It’s legal and has been approved by the Food and Drug Administration (FDA). It works by neutralizing the opioids in a person’s system and helping the individual to breathe again. It only works if a person has opioids in their system. It doesn’t work on other drugs. Naloxone (Narcan) was first approved by the Food and Drug Administration in 1971. Advocates of its use say it could save a child, parent or school employee who overdoses on heroin or prescription pain killers.

Some states, including neighboring Rhode Island, have passed legislation permitting the use of naloxone in schools. In Rhode Island, the drug must be available in all middle, junior high and high schools. A survey conducted in Rhode Island last year indicated that 81 school nurses who had participated in a naloxone training program found that 43 percent of high school nurses responded that students in their schools were abusing opioids.

Naloxone Use in the School Setting

~Page 2~

Districts nationwide, are now struggling with whether to add the antidote to their medical supplies. Laws in Kentucky and New York explicitly allow school employees to obtain and administer Naloxone and excuse them from liability for using it in an emergency. Illinois does not require schools to carry the drug but allows nurses to administer it. The cost is estimated to be at \$25 to \$40 per dose.

It is the position of the National Association of School Nurses (NASN) that the safe and effective management of opioid pain reliever (OPR)-related overdose in schools be incorporated into the school emergency preparedness and response plan. The Association believes that the registered professional school nurse provides leadership in all phases of emergency preparedness and response. When emergencies happen, including drug related emergencies, managing incidents at school is vital to positive outcomes. The school nurse is an essential part of the school team responsible for developing emergency response procedures. The Association believes school nurses in this role should facilitate access to Naloxone for the management of OPR-related overdose in the school setting.

Schools must anticipate and prepare to respond to a variety of emergencies. The school nurse is often the first health professional who responds to an emergency in the school setting. The school nurse possesses the education and knowledge to identify emergent situations, manage the emergency until relieved by emergency medical services (EMS) personnel, communicate the assessment and interventions to EMS personnel, and follow up with the healthcare provider.

Current Connecticut Laws Related to Naloxone (Narcan)*:

- In 2011, a “Good Samaritan Law” (P.A. 11-210 codified as C.G.S. 21a-279) was passed in an attempt to address people’s unwillingness to call 911 for an overdose situation. This law protects people who call 911 seeking emergency medical services for an overdose from arrest for possession of drugs/paraphernalia. The law limits protection to this situation. It doesn’t protect someone from other charges or stop the police from serving a search or arrest warrant if that was already in process.
- The 2012 Narcan law (P.A. 12-159 codified as C.G.S. 17a-714) allows prescribers (physicians, surgeons, physicians’ assistants, APRNs, dentists, and podiatrists) to prescribe, dispense or administer Narcan to any person to prevent or treat a drug overdose and the prescriber is protected from civil liability and criminal prosecution.
- In 2014, (P.A. 14-61 codified as C.G.S. 17a-714) protection from civil liability and criminal prosecution was extended to the person administering Narcan in response to an overdose.
- The 2015 legislation (P.A. 15-198) allows pharmacists who have been trained/certified to prescribe and dispense Narcan directly to customers requesting it. The pharmacist is required to educate the person on how to use Narcan. The law also requires one hour of continuing education for physicians, PAs (Physicians’ Assistants), APRNs (Advanced Practice Registered Nurses) and Dentists in a risk management topic that includes prescribing controlled substances and pain management. Prescribers are required to check the electronic Connecticut Prescription Monitoring and Reporting System (CPMRS) before prescribing greater than a 72-hour supply of a controlled substance and, for those persons prescribed opiates long-term, at least every 90 days.

Naloxone Use in the School Setting

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- In 2016, P.A. 16-43, “An Act Concerning Opioids and Access to Overdose Reversal Drugs” was passed. This legislation includes the following:
 - A 7-day limit on opioid prescriptions which applies only to the first outpatient prescription for adults, but always applies to minors. In the case of minors, the prescriber is required to discuss the risks of opioids with them and their parent/caregiver, if they are present. Exceptions to this 7-day limit can be made if the prescriber believes its warranted and documents the reason in the medical record, including why an alternative was not appropriate (effective July 1, 2016).
 - Licensed health care professionals (LHCPs) are allowed to administer Naloxone without fear of civil liability, criminal prosecution, or violating standards of their profession (effective from passage).
 - Each municipality must ensure that their designated first responder(s) are trained on and equipped with Naloxone and that their emergency medical services plan is revised to reflect this by October 1, 2016.
 - Starting July 1, 2016, pharmacies will be required to enter information into the Connecticut Prescription Monitoring and Reporting System (CPMRS) by the next business day for all controlled substances dispensed. Veterinarians will be required to submit information at least weekly on prescriptions dispensed for controlled substances.
 - The two conditions which already require prescribers to check the CPMRS (see 2015 legislation) continue with the following modifications (effective July 1, 2016):
 - The prescriber’s authorized agent is no longer required to be a licensed health care professional (LHCP). The prescriber is responsible for ensuring that his/her authorized agent accesses the protected health information appropriately and safeguards patient confidentiality. When the prescriber is working for a hospital and wishes to designate an authorized agent(s), an approved written protocol must be in place. Whenever an authorized agent is used, the designated prescriber providing the oversight will be held responsible for the authorized agent’s actions with respect to the CPMRS.
 - If the patient is prescribed a Schedule V nonnarcotic long-term, the CPMRS only needs to be checked at least annually, not at least every 90 days.
 - Individual and group health insurers that provide coverage for prescriptions and have naloxone on their formulary cannot require prior authorization for the Naloxone (effective January 1, 2017).

*Source: State of Connecticut Department of Mental Health and Addiction Services, Publication - “Opioid Overdose Prevention/Naloxone (Narcan) Initiative,” accessible at: <http://www.ct.gov/dmhas/cwp/view.asp?q=509650>. This document also contains a link to “Naloxone Prescribing Pharmacists” in Connecticut.

Naloxone Use in the School Setting

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A key component of P.A. 16-43 is Section 1 which allows any licensed health care professional to administer an opioid antagonist to treat or prevent a drug overdose without being (1) civilly or criminally liable for such action or (2) deemed as violating his/her professional standard of care. The law also allows anyone, if acting with reasonable care, to administer an opioid antagonist to a person he/she believes, in good faith, is experiencing an opioid-related drug overdose. It generally gives civil and criminal immunity to such a person regarding the administration of the opioid antagonist. (C.G.S. 17a-714a).

Policy Implications

The question has been raised in some Connecticut school districts pertaining to whether a school nurse is allowed to obtain and administer Naloxone (Narcan) in the school setting in an emergency situation and also be excused from any liability in its use.

The CAFE Policy Service contacted Stephanie Knutson, Education Consultant, Connecticut State Department of Education, Office of Student Supports and Organizational Effectiveness Bureau of Health/Nutrition, Family Services and Adult Education, regarding the above question. She indicated that schools currently have the ability to include Naloxone in their formulary (the official list giving details of medicines that may be administered) for the purpose of emergency administration, as they do with medications such as epinephrine, etc. It was further indicated that medical advisors may write standing orders for emergency medications such as Naloxone, epinephrine, etc. to be administered by school nurses. In short, it is entirely up to the school district to decide which medications they want in their formulary and the corresponding orders so that school nurses may administer them.

The liability of school nurses in administering Naloxone would not be any different from the liability they would assume in administering any emergency drug in the school environment.

The Department of Consumer Protection, Drug Control Division previously provided guidance to school districts regarding the ordering of the emergency medication, epinephrine. The memo is applicable to drugs such as Naloxone and is accessible at:

http://www.sde.ct.gov/sde/lib/sde/pdf/digest/epinephrine_in_public_schools.pdf.

Therefore, based upon the above guidance, school medical advisors may order Naloxone from any properly credentialed wholesaler of drugs and the wholesaler may deliver the Naloxone directly to the respective school health system(s) for the purpose of emergency first aid to students and/or staff.

CAFE's Policy Service encourages local school districts to engage in conversations with the district's school medical advisor, school attorney, representatives of local emergency medical services, school nurses and members of the community to determine whether adopting a policy on administering Naloxone in a drug overdose situation is appropriate for the district. It is important for the school and community to become educated on the issue of opioid overdose and prevention.

Current research about Naloxone and its use appears to indicate that stocking it and using it in accordance with proper procedures, oversight, and training should present a very low risk of harm or liability.

A new sample policy, #5141.213 and an accompanying administrative regulation have been developed on this topic for consideration and possible use, if determined appropriate for the local district. This is considered an optional policy for inclusion in the district's policy manual.

P5141.213(a)



An optional policy to consider.

Students

Administering Medication

Opioid Overdose Prevention (Emergency Administration of Naloxone)

The Board of Education (Board) recognizes that many factors, including the use and misuse of prescription painkillers, can lead to the dependence on and addiction to opioids, and that such dependence and addiction can lead to overdose and death among the general public, including District students and staff. The Board wants to minimize these deaths by the use of opioid overdose prevention measures.

Alternate Language:

The Board of Education (Board) is committed to enhancing the health and safety of individuals within the school environment. The District will identify specific locations for the storage of Naloxone and protocols for its administration in emergency situations to assist individuals suspected to be experiencing an opioid overdose.

Definitions

Drug overdose means an acute medical condition, including, but not limited to, severe physical illness, coma, mania, hysteria or death, which is the result of consumption or use of one or more controlled substances causing an adverse reaction. The signs of opioid overdose include unresponsiveness; nonconsciousness; shallow breathing with rate less than 10 breaths per minute or not breathing at all; blue or gray face, especially fingernails and lips; and loud, uneven snoring or gurgling noises.

Naloxone (Narcan) means a medication that can reverse an overdose caused by an opioid drug. As a narcotic antagonist, Naloxone displaces opiates from receptor sites in the brain and reverses respiratory depression that usually is the cause of overdose deaths.

Opioid means illegal drugs such as heroin, as well as prescription medications used to treat pain such as morphine, codeine, methadone, oxycodone (OxyContin, Percodan, Percocet), hydrocodone (Vicodin), fentanyl, hydromorphone (Dilaudid), and buprenorphine.

Delegation of Responsibility

The Superintendent or his/her designee, in consultation with the school nurse(s) and the school physician/School Medical Advisor shall establish appropriate internal procedures for the acquisition, stocking and administration of Naloxone (Narcan) and related emergency response procedures pursuant to this policy.

The school physician/School Medical Advisor shall be the prescribing and supervising medical professional for the District's stocking and use of Naloxone (Narcan). The Superintendent or his/her designee shall obtain a standing order from the school physician/School Medical Advisor for the administration of Naloxone (Narcan).

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Delegation of Responsibility (continued)

Alternate Language:

The school physician/School Medical Advisor shall provide and annually renew a standing order for the administration of Naloxone to students, staff members or other individuals believed or suspected to be experiencing an opioid overdose on school grounds or at a school-sponsored activity. The standing order shall include at least the following information:

1. Type of Naloxone (intranasal and auto-injector)
2. Date of issuance
3. Dosage
4. Signature of the school physician/School Medical Advisor

The standing order shall be maintained in the Superintendent's office and copies of the standing order shall be kept in each location where Naloxone is stored.

The school nurse shall be responsible for building-level administration and management of Naloxone and management of Naloxone stocks. Each school nurse and any other individual(s) authorized by the Superintendent shall be trained in the administration of Naloxone.

Naloxone shall be safely stored in the school nurse's office or other location designated by the school nurse in accordance with the drug manufacturer's instructions.

Alternate Language:

The Board directs the school physician/School Medical Advisor to issue a non-patient specific order to District school nurses to administer *(select as per the medical order: intranasal or intramuscular)* Naloxone (also known as Narcan, among other names) for the purpose of emergency first aid to students or staff who do not have a prior written order from a qualified medical professional for the administration of Naloxone. The non-patient specific order shall include a written protocol containing the elements required by the regulations of the Department of Consumer Protection.

The Board permits school nurses to administer Naloxone to any person at school or a school event displaying symptoms of an opioid overdose. The District will store the Naloxone kits in a secure but accessible location consistent with the district's emergency response plan, such as the nurse's office. Naloxone shall be accessible during school hours and during on-site school-sponsored activities.

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Acquisition, Storage and Disposal

Naloxone shall be safely stored in the school nurse's office or other location designated by the school nurse in accordance with the drug manufacturer's instructions.

The school nurse shall obtain sufficient supplies of Naloxone pursuant to the standing order in the same manner as other medical supplies acquired for the school health program. The school nurse or designee shall regularly inventory and refresh Naloxone stocks, and maintain records thereof. In accordance with internal procedures, manufacturer's recommendations and any applicable Department of Public Health guidelines.

(cf. 5141.21 – Administering Medications)

Legal Reference: Connecticut General Statutes

10-212 School nurses and nurse practitioners. Administration of medications by parents or guardians on school grounds. Criminal history; records check.

10-212a Administration of medications in schools

17a-714 Immunity for prescribing, dispensing or administering an opioid antagonist to treat or prevent a drug overdose.

21a-279(g)Penalty for illegal possession. Alternate sentences. Immunity.

52-557b Immunity from liability for emergency medical assistance first aid or medication by injection. School personnel not required to administer or render.

Connecticut Regulations of State Agencies 10-212a-1 through 10-212a-10, inclusive, as amended.

PA 22-80 An Act Concerning Childhood Mental and Physical Health Services in School

Policy adopted:

cps 11/16
rev 7/22

An administrative regulation to consider.

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The District's opioid overdose prevention program shall establish and follow appropriate procedures for the use of Naloxone (Narcan), regarding placement, storage, inventory, reordering, documenting and reporting incidents of usage and training.

Communication

Each school stocking Naloxone (Narcan) will have the school nurse, along with the District administration, plan for annually informing all parents/guardians and staff about the policy pertaining to its use and specifically:

- The availability of Naloxone to treat opioid overdoses and what it does;
- The symptoms of opioid drug overdoses;
- The manner in which individuals should report suspected overdoses;
- The protection from criminal prosecution provided by law for persons who report a suspected overdose using their name and remaining with the overdosing person until emergency medical services (EMS) or law enforcement arrive;
- The protection from civil liability provided by law for persons who report overdoses or administer Naloxone (Narcan) in overdose emergencies.

Standing Order from the School Physician/School Medical Advisor

The school physician/School Medical Advisor shall provide and annually renew a standing order for administration of Naloxone (Narcan) to students or staff suspected of experiencing an opioid overdose. The standing order shall be maintained in the Superintendent's office and copies of the standing order shall be kept in each location where Naloxone (Narcan) is stored.

Training

School nurses having custody of Naloxone shall be trained in its use by the _____ EMT Department, school physician/School Medical Advisor, or Department of Public Health (DPH) approved training or from the appropriate division of the Connecticut State Department of Education. Such training program shall include overdose risk factors, recognizing opioid-related overdoses, calling 911, rescue breathing administering Naloxone (Narcan), recovery position and promptly seeking medical attention for drug overdoses.

The following signs may indicate an overdose situation:

- The person is unresponsive or limp.
- The person is awake but unable to talk.
- The person's breathing is slow or erratic or the individual is not breathing.

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Training (continued)

- The person's pulse is slow or erratic or there is no pulse.
- The person's skin is pale gray or blue, especially around the fingernails and lips.
- The person is making deep, slow snoring, choking or gurgling sounds.
- The person is vomiting.

A list of District individuals who successfully completed such training shall be maintained, updated and kept in the school nurse's office and the District's Central Office.

Acquisition, Storage, and Disposal

The school physician/School Medical Advisor shall order for each school site Naloxone (Narcan) from a properly credentialed wholesaler of drugs, cosmetics and medical devices.

Naloxone (Narcan) will be clearly marked and stored in the nurse's office. It will be stored in accordance with the manufacturer's instructions to avoid extreme cold, heat and direct sunlight. It is to be stored in moderate temperatures, out of direct sunlight, and not in a refrigerator.

Inspection of the Naloxone is to be conducted regularly by the school nurse. The expiration date is to be checked. Expiration is generally 12 to 24 months.

There should always be one backup naloxone kit for each kit that is ready to be used (*suggested alternate text: one backup Naloxone kit per building OR one backup Naloxone kit for the District*). When a Naloxone kit is used, another backup kit is to be ordered. Naloxone that is nearing its expiration date should be replaced. The school nurse is to maintain a log of Naloxone supplies containing the following information: lot number, date of receipt, expiration date, and location. The school nurse shall perform an inventory check on a monthly basis.

Administration of Naloxone (Narcan)

When responding to a suspected drug overdose, the school nurse shall:

1. Call for medical help immediately (Dial 911).
2. Check for signs of opioid overdose.
3. Perform initial rescue breathing (or CPR if needed), as instructed in training.
4. Prepare and administer Naloxone (Narcan), as instructed in training.
5. Continue the rescue breathing (or CPR if needed), as instructed in training.

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Administration of Naloxone (Narcan) (continued)

6. Administer second dose of Naloxone (Narcan) in 3 minutes if no response or minimal breathing or responsiveness.
7. Place in recovery position, as instructed in training.
8. Stay with the individual until emergency medical help arrives.
9. Cooperate with EMS personnel responding to the incident.
10. Notify the building administrator or designee of the incident.

Follow-Up

After the administration of Naloxone (Narcan) the school nurse will follow the District's reporting protocols.

The school nurse, or other staff, is also to notify appropriate student services and provide substance abuse prevention resources to the overdose victim and family, as appropriate.

School nurses are to document all administration of Naloxone (Narcan) in the same manner as the administration of other medications under non-patient specific orders. The school nurse must report all administration of Naloxone (Narcan) to the school physician/School Medical Advisor, Building Principal, and Superintendent.

The Superintendent or his/her designee will immediately report incidents involving the use of controlled substances on school property, at any school-sponsored activity or on a school bus to the local police department in accordance with state law and regulations, the procedure set forth in the memorandum of understanding with local law enforcement and Board policies.

The Superintendent or his/her designee will notify the parent/guardian of any student involved in an incident involving the use of controlled substances as soon as practicable. All attempts made to reach the parent/guardian will be documented.

Any student who experiences a drug overdose is to be referred to the District's Student Assistance Program.

Regulation approved:

cps11/16