Windsor BOE Policy Committee Meeting

Monday, May 13, 2013 6:30 PM
Policy Committee, L.P. Wilson Community Center, Room 17, 601 Matianuck Avenue, Windsor, CT 06095

1. **Call to Order, Pledge of Allegiance, Moment of Silence**
2. **Audience to Visitors**
3. **Review BL-9323--Construction of Agenda and Posting of Agenda**
4. **Review P-4115.1 Policy Regarding Sex Discrimination and Sexual Harassment in the Workplace (Personnel)**
5. **Review P-5145.5 Policy Regarding Sex Discrimination and Sexual Harassment (Students)**
6. **Review P-5131.911 Bullying Prevention and Intervention Policy**
7. **Review of Policy for Student Attendance and Truancy and Propose to Replace P-5113.1 Attendance and Unexcused Absence Grades K-8, P-5113.2 Attendance and Unexcused Absence Grades 9-12,and P-5113.3 Truancy**
8. **Review P-5114 Student Discipline and Propose to Replace Exclusion/Suspension/Expulsion/Student Due Process**
9. **Adjournment**

Bylaws of the Board

Construction of Agenda & Posting of Agenda

The Superintendent in cooperation with the President of the Board of Education shall prepare an agenda for each meeting. Any member of the Board of Education may contact the President of the Board of Education or the Superintendent and request that an item to be placed on the agenda prior to the legally required public posting of the agenda. At least three Board of Education members must agree to the additional agenda item before it will be placed on the agenda.

Posting of Agenda

At least twenty-four (24) hours prior to the time of the regular or special meeting, an agenda will be posted by the Superintendent of Schools for the Board of Education.

An agenda will be posted at Town Hall and the Administrative Offices of the Board of Education. Agendas will also be posted on the Board's web site and be placed in each school in a place readily available to parents and teachers, as well as in the Public Libraries. Copies of the agenda will be sent to the newspapers serving the Town of Windsor.

Legal Reference: Connecticut General Statutes

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

Bylaw Adopted: January 19, 2005

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Series 4000
Personnel ~~– Certified/Non-Certified~~

POLICY REGARDING SEX DISCRIMINATION AND SEXUAL HARASSMENT IN THE WORKPLACE (PERSONNEL)

[Note: This policy should be used in conjunction with the attached Administrative Regulations and Notice Regarding Sexual Harassment that have been drafted in accordance with state regulations.]

~~Harassment of an employee by a supervisor or co-worker on the basis of sex creates a harmful working environment.~~ It is the policy of the ~~Windsor Board~~board of ~~Education~~education to maintain a working environment free from harassment, insults or intimidation on the basis of an employee's sex~~.~~ and free from discrimination based on sex. Verbal or physical conduct by a supervisor or co-worker relating to an employee's sex which has the effect of creating an intimidating, hostile or offensive work environment, unreasonably interfering with the employee's work performance, or adversely affecting the employee's employment opportunities is prohibited.

Discrimination

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

Harassment

Sexual harassment is a form of sex discrimination. While it is difficult to define sexual harassment precisely, it does include any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when~~;~~:

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

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

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

Although not an exhaustive list, the following are examples of the type of conduct prohibited by the policy against sexual harassment:

1. Unwelcome sexual ~~relations with~~advances from a co-worker or supervisor, such as unwanted hugs, touches, or kisses;

2. Unwelcome attention of a sexual nature, such as degrading ~~comments, propositions, jokes, tricks~~, suggestive or lewd remarks or noises; ~~or~~

3. Dirty jokes, derogatory or pornographic posters, cartoons or drawings;

~~3.~~ 4. The threat or suggestion that continued employment advancement, assignment or earnings depend on whether or not the employee will submit to or tolerate harassment;

5. Circulating, showing, or exchanging emails, text messages, digital images or websites of a sexual nature;

6. Using computer systems, including email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by this policy.

Any infraction of this policy by supervisors or co-workers should be reported immediately to the ~~Building Principal or Superintendent of Schools. Confidentiality at the time of reporting the infraction is assured.~~Title IX Coordinator, the Superintendent,

or his/her designee in accordance with the district's sex discrimination and sexual harassment grievance procedure. Retaliation against any employee for complaining about sex discrimination or sexual harassment ~~on the basis of sex~~ is prohibited~~.~~ under this policy and illegal under state and federal law. Violations of this policy will not be permitted and may result in discipline up to and including ~~dismissal.~~ discharge from employment. Individuals who engage in acts of sex discrimination or sexual harassment may also be subject to civil and criminal penalties.

Legal References: United States Constitution, Article XIV
Civil Rights Act of 1964, Title VII, 42 U.S.C. 2000-e2(a) .
Equal Employment Opportunity Commission Policy Guidance (N-915.035) on Current Issues of Sexual Harassment, effective 10/15/~~88~~ 88.
Title IX of the Education Amendments of 1972, 20 USCS ~~ss~~§ 1681, *et seq.*
Title IX of the Education Amendments of 1972, 34 CFR ~~ss 196m~~§ 106, *et seq*.
Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)
~~Conn.~~ Connecticut General Statutes ~~ss469~~§ 46a-60 Discriminatory employment practices prohibited .
Conn. Agencies Regs. ~~ss ss 467~~§§ 46a-54-200 through ~~ss~~§ 46a-54-207
Constitution of the State of Connecticut, Article I, Section 20.

~~Policy adopted: January 18, 2006~~

~~4115.1~~

~~Personnel – Certified/Non-Certified~~

ADOPTED:_____
REVISED:_____

7/4/10

Series 4000
Personnel

COMPLAINT FORM REGARDING SEX DISCRIMINATION AND SEXUAL HARASSMENT (PERSONNEL)

Name of the complainant _____

Date of the complaint _____

Date of the alleged discrimination/harassment _____

Name or names of the discriminator(s) or harasser(s) _____

_____

Location where such discrimination/harassment occurred _____

_____

Name(s) of any witness(es) to the discrimination/harassment _____

_____

Detailed statement of the circumstances constituting the alleged discrimination or harassment _____

_____

_____

_____

_____

_____

ADMINISTRATIVE REGULATIONS REGARDING SEX DISCRIMINATION AND SEXUAL HARASSMENT IN THE WORKPLACE (PERSONNEL)

[Note: The following administrative procedures are not part of the sex discrimination and sexual harassment policy and need not be approved by the Board, unless such approval is required per Board policy. However, because a complaint procedure is legally required, these administrative regulations are included for your convenience.]

[_____] Board of Education
Sex Discrimination and Sexual Harassment

~~Definitions~~

~~"Employee" shall mean all teaching, administrative and support personnel.~~ Complaint Procedure

Complaint Procedure

It is the express policy of the Board of Education to encourage victims of sexual discrimination or sexual harassment to promptly report such claims. Timely reporting of complaints facilitates the investigation and resolution of such complaints. Any employee who feels that he/she has been sexually harassed or otherwise discriminated against on the basis of sex should submit any such complaint to the Title IX Coordinator. If the Title IX Coordinator is the subject of the complaint, the complaint should be submitted to the Superintendent, who shall investigate or appoint a designee to do so.

Complaints will be investigated promptly and corrective action will be taken when allegations are verified. Confidentiality will be maintained by all persons involved in the investigation to the extent possible and reprisals or retaliation that occur as a result of the good faith reporting of charges of sex discrimination or sexual harassment will result in disciplinary action against the retaliator.

The school district will provide staff development for new district administrators and will publish its policy and grievance procedures to staff and employees in an effort to maintain an environment free of sex discrimination and sexual harassment.

Any employee who believes that he or she has been discriminated against or sexually harassed in the workplace in violation of this policy may also file a complaint with the [_____] Region Office of the Connecticut Commission on Human Rights and Opportunities, [address], [phone number]. (Your regional CHRO office can be found by accessing http://www.state.ct.us/chro/index.html) and/or the Equal Employment Opportunity Commission, Boston Area Office, 475 Government Center, Boston, MA 02203 (TELEPHONE NUMBER 617-565-3200). Connecticut law requires that a formal

written complaint be filed with the Commission on Human Rights and Opportunities within 180 days of the date when the alleged discrimination/harassment occurred. Remedies for sex discrimination and sexual harassment include cease and desist orders, back pay, compensatory damages, hiring, promotion or reinstatement.

Title IX Coordinator

The Title IX Coordinator for the [_____] Board of Education is:_____, whose office is located at _____ and whose telephone number is _____.

12/28/06

[Note: Although we have included this sample notice in our model policy documents for the convenience of our Board of Education clients, the notice does not need to be approved as a Board policy.]

[To be posted in a conspicuous place readily available for viewing by employees]

SEXUAL HARASSMENT IS ILLEGAL
AND IS PROHIBITED
BY
THE CONNECTICUT DISCRIMINATORY EMPLOYMENT PRACTICES ACT
(Section 46a-60 of the Connecticut General Statutes)
AND
TITLE VII OF THE CIVIL RIGHTS ACT OF 1964
(42 United States Code Section 2000e et seq.)

SEXUAL HARASSMENT MEANS ANY UNWELCOME SEXUAL ADVANCES OR REQUESTS FOR SEXUAL FAVORS OR ANY CONDUCT OF A SEXUAL NATURE WHEN:

1. SUBMISSION TO SUCH CONDUCT IS MADE EITHER EXPLICITLY OR IMPLICITLY A TERM OR CONDITION OF AN INDIVIDUAL'S EMPLOYMENT;

2. SUBMISSION TO OR REJECTION OF SUCH CONDUCT BY AN INDIVIDUAL IS USED AS THE BASIS FOR EMPLOYMENT DECISIONS AFFECTING SUCH INDIVIDUAL; OR

3. SUCH CONDUCT HAS THE PURPOSE OR EFFECT OF SUBSTANTIALLY INTERFERING WITH AN INDIVIDUAL'S WORK PERFORMANCE OR CREATING AN INTIMIDATING, HOSTILE, OR OFFENSIVE WORKING ENVIRONMENT.

Examples of SEXUAL HARASSMENT include:

UNWELCOME SEXUAL ADVANCES
SUGGESTIVE OR LEWD REMARKS
UNWANTED HUGS, TOUCHES, KISSES
REQUESTS FOR SEXUAL FAVORS
DEROGATORY OR PORNOGRAPHIC POSTERS, CARTOONS, OR DRAWINGS.

Remedies for sexual harassment may include:

CEASE AND DESIST ORDERS
BACK PAY
COMPENSATORY DAMAGES
HIRING, PROMOTION, OR REINSTATEMENT

RETALIATION AGAINST ANY EMPLOYEE FOR COMPLAINING ABOUT SEXUAL HARASSMENT IS PROHIBITED UNDER THIS POLICY AND ILLEGAL.

VIOLATION OF THIS POLICY IS GROUNDS FOR DISCIPLINE, INCLUDING DISCHARGE.

INDIVIDUALS WHO ENGAGE IN ACTS OF SEXUAL HARASSMENT MAY ALSO BE SUBJECT TO CIVIL AND CRIMINAL PENALTIES.

AN INFRACTION OF THIS POLICY BY SUPERVISORS OR CO-WORKERS SHOULD BE REPORTED IMMEDIATELY TO _____ **[TITLE IX COORDINATOR, OR SUPERINTENDENT IF THE TITLE IX COORDINATOR IS THE SUBJECT OF THE COMPLAINT].** CONFIDENTIALITY WILL BE MAINTAINED TO THE EXTENT POSSIBLE.

~~"Immediate supervisor" shall mean the person to whom the employee is directly responsible (e.g., Department Head, Building Principal)~~

~~"Sexual harassment" is defined as unwelcome conduct of a sexual nature, whether verbal or physical, including, but not limited to, insulting or degrading sexual remarks or conduct; threats or suggestions that an employee's submission to or rejection of unwelcome conduct will in any way influence an employment decision regarding that employee, or conduct of a sexual nature which substantially interferes with an employee's work performance, or creates an intimidating, hostile or offensive work environment, such as the display in the workplace of sexually suggestive objects or pictures.~~

~~Procedures~~

~~Employees who believe they have been subjected to sexual harassment are to report the incident to their immediate supervisor. Should the immediate supervisor be the alleged harasser, the report shall be made to the next level of management. Incidents of sexual harassment may be reported informally or through the filing of a formal complaint.~~

~~All reports of sexual harassment will be held in confidence subject to all applicable laws.~~

~~Consistent with federal and state law, the following procedures shall be employed in handling any report, investigation and remedial action concerning allegations of sexual harassment.~~

ANY EMPLOYEE WHO BELIEVES THAT HE OR SHE HAS BEEN HARASSED OR DISCRIMINATED AGAINST IN THE WORKPLACE IN VIOLATION OF THIS POLICY MAY ALSO CONTACT:

~~Informal Complaints~~

~~Employees who believe they have been subjected to sexual harassment may request that an informal meeting be held between themselves and the appropriate supervisor. The purpose of such a meeting will be to discuss the allegations and remedial steps available. The supervisor will then promptly discuss the complaint with the alleged harasser. Should the harasser admit the allegations, the supervisor is to obtain a written assurance that the unwelcome behavior will stop. Depending on the severity of the charges, the supervisor may recommend that further disciplinary action be taken. Thereafter, the supervisor is to prepare a written report of the incident and inform the complainant of the resolution. The complainant is to indicate on the supervisor's report whether or not he/she is satisfied with the resolution.~~

~~If the complainant is satisfied with the resolution, the incident will be deemed closed. However, the complaint may be reopened for investigation if a recurrence of sexual harassment is reported. The supervisor is to inform the complainant to report any recurrence of the harassment or any retaliatory action that might occur.~~

~~If during the supervisor's informal attempt to resolve the complaint, the alleged harasser admits the allegations but refuses to give assurance that he/she will refrain from the unwelcome behavior, the supervisor is to file a report with the next appropriate level of management. The report is to indicate the nature of the complaint, a description of what occurred when the supervisor informed the alleged harasser of the allegations against him/her, the harasser's response to the allegations, and a recommendation that stronger corrective measures be taken. This report should be accompanied by a formal complaint.~~

~~Should the alleged harasser deny the allegations, the supervisor is to inform the complainant of the denial and state that a formal written complaint will be required for further formal investigation. The supervisor will file a report with the next level of management on what has transpired to date. If the complainant submits a formal complaint, a copy of it should accompany the supervisor's report with a recommendation for further action.~~

~~Formal Complaints~~

~~Formal complaints may be submitted either to initially report any incidence of sexual harassment, or as a follow-up to an unsatisfactory resolution of an informal attempt to resolve a complaint. In the latter case, the formal written complaint is to be submitted to the supervisor originally consulted, who will then forward it to the next appropriate level of management, e.g., the district's Business Official, the Superintendent, for appropriate action.~~

THE CONNECTICUT COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES
[_____] REGION OFFICE [REGIONAL OFFICES AND THEIR ADDRESSES CAN BE FOUND ON THE CHRO WEBSITE, HTTP://WWW.STATE.CT.US/CHRO/]
[*ADDRESS*]
[*PHONE NUMBER*]

~~The formal written complaint will consist of any appropriate forms and a copy of any applicable supervisor reports. The appropriate forms solicit the specific of the complaint, e.g. date and place of incident, description of sexual misconduct, names of any witnesses, and any previous action taken to resolve the matter.~~

~~Investigating a Complaint~~

~~Upon receipt of a formal or informal complaint, a prompt, thorough and impartial investigation of the allegations must follow. This investigation is to be conducted diligently. Complainants are to be notified of the outcome of the investigation.~~

~~Remedial Action~~

AND/ OR:

~~If the investigation reveals that sexual harassment has occurred, appropriate sanctions will be imposed in a manner consistent with any applicable law. Depending on the gravity of the misconduct, these may range from a reprimand up to and including dismissal from employment.~~

~~Anyone subjecting complainants or witnesses to any form of retaliation will also be subject to disciplinary action in the manner prescribed by law.~~

~~If the investigation reveals that no sexual harassment has occurred, or if the complainant is not satisfied with the remedial action taken after a finding of sexual harassment, the complainant may appeal to the next appropriate level of management, e.g., the School Business Official, up to the Superintendent. The appeal must include a copy of the original complaint, all relevant reports, the specific action being appealed, and an explanation of why the complainant is appealing.~~

~~Post Remedial Action~~

~~Following a finding of sexual harassment, victims will be periodically interviewed by the appropriate supervisory personnel to ensure that the harassment has not resumed and that no retaliatory action has occurred. These follow-up interviews will continue for an appropriate period of time. A report will be made of any victim's response.~~

~~Complaint Records~~

~~Complainants should receive a copy of any resolution reports filed by the supervisor concerning his/her complaint. Copies should also be filed with the employment records of both the complainant and the alleged harasser.~~

~~Investigation in the Absence of a Complaint~~

~~The Board, in the absence of a victim's complaint, must ensure that an investigation is commenced by the appropriate individuals, upon learning of, or having reason to suspect, the occurrence of any sexual misconduct.~~

~~Training~~

~~Each year, or more frequently if the Board deems it appropriate, employees will receive training regarding sexual harassment and related matters pursuant to CGS 46a-54 (15). Such training may include a review of this policy and regulation, discussion, films or other activities.~~

~~Legal References:~~

~~United States Constitution, Article XIV~~
~~Civil Rights Act of 1964, Title VII, 42 U.S.C. 2000e2(a)~~
THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION ~~Policy Guidance (N-915.035) on Current Issues of Sexual Harassment, effective 10/15/88~~
~~Title IX of the Education Amendments of 1972, 20 USCS ss.1681, et. Seq.~~
~~Title IX of the Education Amendments of 1972, 20 USCS ss.106, et seq.~~
~~Meritor Savings Bank, FSB v. Vinson, 477 U.S. 75 (1986)~~
~~Connecticut General Statutes ss. 46a-60 Discriminatory employment practices prohibited~~
~~Conn. Agencies Regs. ss. 46a-54-200 through ss. 46a-54-207~~
~~Constitution of the State of Connecticut, Article I, Section 20.~~
BOSTON AREA OFFICE
475 GOVERNMENT CENTER
BOSTON, MA 02203
PHONE (617) 565-3200
(800) 669-4000

CONNECTICUT LAW REQUIRES THAT A FORMAL WRITTEN COMPLAINT BE FILED WITH THE COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES WITHIN ONE HUNDRED AND EIGHTY (180) DAYS OF THE DATE WHEN THE ALLEGED HARASSMENT/ DISCRIMINATION OCCURRED.

~~Regulation approved: January 18, 2006~~

12/28/06

Document comparison by Workshare Compare on Friday, May 03, 2013 4:20:32 PM

Input:	
Document 1 ID	interwovenSite://SGDMS/SG/2795128/1
Description	#2795128v1<SG> - Windsor Personnel Sexual Harassment Policy
Document 2 ID	interwovenSite://SGDMS/SG/238835/8
Description	#238835v8<SG> - Model Policy - Personnel/Sex Discrimination and Sexual Harassment in the Workplace
Rendering set	Standard

Legend:	
Insertion	
~~Deletion~~	
~~Moved from~~	
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Style change	
Format change	
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Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	127
Deletions	74
Moved from	4
Moved to	4
Style change	0
Format changed	0
Total changes	209

~~Sexual Harassment~~ **Series 5000**

~~It is the policy of the Windsor Board of Education that no member of the Windsor Public School community may sexually harass another. Any employee or student will be subject to disciplinary action for violation of this policy.~~

~~Unwelcome sexual advances, requests for sexual favors, non-verbal (pictures, etc.), verbal and/or physical conduct of a sexual nature constitute sexual harassment when:~~

~~1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education.~~

~~2. Submission to or rejection of such conduct by an individual is used as a basis for academic or employment decisions affecting that individual.~~

~~3. Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance.~~

~~Sexual harassment is illegal under both State and Federal law. In some cases, it may be susceptible to prosecution under the criminal sexual conduct law.~~

Students

POLICY REGARDING SEX DISCRIMINATION AND SEXUAL HARASSMENT (STUDENTS)

~~**Section: Students**~~

~~**Subject: SEXUAL HARASSMENT AR-5145.5**~~

~~**ADMINISTRATION REGULATION**~~
~~**WINDSOR PUBLIC SCHOOLS**~~
~~**WINDSOR, CT**~~

It is the policy of the Board of Education that any form of sex discrimination or sexual harassment is prohibited, whether by students, Board employees or third parties subject to the control of the Board. Students, Board employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of students. Any student or employee who engages in conduct prohibited by this policy shall be subject to disciplinary action.

The Superintendent of Schools shall develop Administrative Regulations implementing this Policy.

Definitions

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

Sexual harassment: In a school setting, sexual harassment is conduct that 1) is sexual in nature; 2) is unwelcome; and 3) denies or limits a student's ability to participate in or benefit from a school's educational program. Sexual harassment can be verbal, nonverbal or physical. Although not an exhaustive list, the following are examples of sexual conduct prohibited by this policy:

1. Statements or other conduct indicating that a student's submission to, or rejection of, sexual overtures or advances will affect the student's grades and/or other academic progress.

2. Unwelcome attention and/or advances of a sexual nature, including verbal comments, sexual invitations, leering and physical touching.

3. Display of sexually suggestive objects, or use of sexually suggestive or obscene remarks, invitations, letters, emails, text messages, notes, slurs, jokes, pictures, cartoons, epithets or gestures.

4. Touching of a sexual nature or telling sexual or dirty jokes.

5. Transmitting or displaying emails or websites of a sexual nature.

Section:	**Students**
Subject:	**SEXUAL HARASSMENT AR-5145.5**

ADMINISTRATION REGULATION
WINDSOR PUBLIC SCHOOLS
WINDSOR, CT

6. Using computer systems, including email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by this policy.

Procedure

It is the express policy of the Board of Education to encourage victims of sex discrimination or sexual harassment to report such claims. Students are encouraged to promptly report complaints of sex discrimination or sexual harassment to the appropriate personnel, as set forth in the Administrative Regulations implementing this Policy. The district will investigate such complaints promptly and will take corrective action where appropriate. The district will maintain confidentiality to the extent appropriate. The district will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting of charges of sexual harassment or sex discrimination. Any such reprisals or retaliation will result in disciplinary action against the retaliator.

The school district will periodically provide staff development for district administrators and periodically distribute this Policy and the implementing Administrative Regulations to staff and students in an effort to maintain an environment free of sexual harassment and sex discrimination.

Legal ~~Reference: Civil Rights Act of 1964, Title VII, 42 U.S.C. §2000-e2(a)~~
References: United States Constitution, Article XIV

~~Equal Employment Opportunity Commission Policy Guidance (N-915.035) on Current Issues of Sexual Harassment, effective 10/15/1988~~

Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, *et seq.*
Title IX of the Education Amendments of 1972, 34 ~~CFR Section 106~~ C.F.R § 106.1, *et seq.*

Section:	**Students**
Subject:	**SEXUAL HARASSMENT AR-5145.5**

ADMINISTRATION REGULATION
WINDSOR PUBLIC SCHOOLS
WINDSOR, CT

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

Faragher v. City of Boca Raton, No. 97-282 (U.S. Supreme Court, June 26, 1998)

Burlington Industries, Inc. v. Ellerth, No. 97-569, (U.S. Supreme Court, June 26, 1998)

GebbserGebser v. Lago Vista IndianaIndependent School District, No. 99-1866, (524 U.S. Supreme Court, June 26, 274 (1998)

Davis v. Monroe County Board of Education, No. 97-843 (526 U.S. Supreme Court, May 24, 629 (1999)

Connecticut General Statutes:

46a-60 Discriminatory employment practices prohibited

Office for Civil Rights, U.S. Department of Education, Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, 66 Fed. Reg. 5512 (Jan. 19, 2001).

Constitution of the State of Connecticut, Article 1,I, Section 20 20.

Policy Adopted: October 21, 2008

Section:	**Students**
Subject:	**SEXUAL HARASSMENT AR-5145.5**

ADMINISTRATION REGULATION
WINDSOR PUBLIC SCHOOLS
WINDSOR, CT

Sexual harassment is forbidden by federal and state law and by the Windsor Board of Education, and will not be tolerated in the Windsor Public Schools. Employees and students are expected to adhere to a standard of conduct that is respectful and courteous to employees of the Windsor Public Schools, fellow students and to the public. Students have the right to be in an educational environment free of sexual harassment whether by employees of the Windsor Public Schools or by other students.

Should sexual harassment be alleged, Board policy dictates that it shall be thoroughly investigated, that there shall be no retaliation against the victim of the harassment, and that the problem/concern shall be appropriately addressed.

ADOPTED:_____
REVISED:_____
7/24/10

Series 5000
Students

~~**Education**~~
[Note: The following administrative procedures are not part of the sex discrimination and sexual harassment policy and need not be approved by the Board. However, because a complaint procedure is legally required, these administrative regulations are included for your convenience.]

~~Each year, students will be informed of their rights and responsibilities under this regulation. Such education will include information regarding the procedure for making a complaint, and may also include discussions, films or other activities deemed appropriate.~~

~~**Definition**~~

~~Sexual harassment is defined as "any unwelcome sexual advances, requests for sexual favors, or other verbal, visual or physical conduct of a sexual nature," made by someone from or in the work or education setting. Sexual harassment occurs when:~~

ADMINISTRATIVE REGULATIONS REGARDING SEX DISCRIMINATION AND SEXUAL HARASSMENT (STUDENTS)

~~1. Submission to the conduct is explicitly or implicitly made a term or condition of an individual's participation, education progress or opportunity.~~

~~2. Submission to, or rejection of, the conduct by the individual is used as the basis of educational or other decisions affecting the individual.~~

It is the policy of the Board of Education that any form of sex discrimination or sexual harassment is forbidden, whether by students, Board employees or third parties subject to the control of the board. Students, Board employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of students. Any student or employee who engages in conduct prohibited by the Board's sex discrimination and sexual harassment policy shall be subject to disciplinary action.

~~3. The conduct has the purpose or effect of having a negative impact upon the individual's academic performance, or of creating an intimidating, hostile, or offensive educational environment.~~

~~4. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution~~

Definitions

~~**Examples**~~

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

~~While an exhaustive list is not possible, the following constitute examples of specific behaviors that if unwelcome and of a sexual nature, could constitute sexual harassment:~~**Sexual harassment:** In a school setting, sexual harassment is conduct that 1) is sexual in nature; 2) is unwelcome; and 3) denies or limits a student's ability to participate in or benefit from a school's educational program. Sexual harassment can be verbal, nonverbal or physical. Although not an exhaustive list, the following are examples of sexual conduct prohibited by this policy:

~~1. Suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, touching, impeding or blocking movement, leering, gestures, noises, pulling at clothes, display of sexually suggestive objects, pictures or cartoons, assault, rape/attempted rape.~~

~~2. Continuing to express sexual interest after learning or being informed that the interest is unwelcome.~~

1. Statements or other conduct indicating that a student's submission to, or rejection of, sexual overtures or advances will affect the student's grades and/or other academic progress.

~~3. Coercive sexual behavior used to control, influence, or affect the educational environment of a student, such as threats of reprisal; implying or withholding support for an appointment, promotion, transfer, or change of assignment; suggesting a poor performance report will be prepared; or suggesting probation will be failed.~~

2. Unwelcome attention and/or advances of a sexual nature, including verbal comments, sexual invitations, leering and physical touching.

~~4. Coercive sexual behavior used to control, influence, or affect the educational opportunities, grades, and/or learning environment of a student, including promises or threats regarding grades, course admission, performance of student benefits or services (e.g. scholarships, financial aid, work study job).~~

3. Display of sexually suggestive objects, or use of sexually suggestive or obscene remarks, invitations, letters, emails, text messages, notes, slurs, jokes, pictures, cartoons, epithets or gestures.

~~5. The deliberate or careless creation of an atmosphere of sexual harassment or intimidation, or a hostile or offensive educational environment.~~

4. Touching of a sexual nature or telling sexual or dirty jokes.

~~6. Inappropriate attention~~

5. Transmitting or displaying emails or websites of a sexual nature ~~from peer(s), i.e., student to student, employee to employee~~.

~~7. It is understood that any sexual or romantic relationships between employees of the Board and Windsor students are illegal, whether or not they constitute sexual harassment as defined in this regulation.~~

6. Using computer systems, including email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by this policy.

~~Questions, complaints and other matters concerning sexual harassment will normally be handled by the Director of Human Resources, who may be reached at 687-2000.~~

Complaint Procedure

1. It is the express policy of the Board of Education to encourage victims of sex discrimination or sexual harassment to promptly report such claims. Timely reporting of complaints facilitates the investigation and resolution of such complaints.

2. As soon as a student~~, or the adult in whom the student has confided,~~ feels that he or she has been subjected to sex discrimination or sexual harassment, he~~ or~~/she should make a written complaint to ~~the Director of Human Resources, the building principal and/or appropriate school personnel. Normally, complaints should be made within thirty (30) days of the act of harassment. Complaint forms are available from the Director of Human Resources, guidance office, and building principal.~~ **[INSERT HERE THE NAMES OF APPROPRIATE SCHOOL PERSONNEL – PREFERABLY ONE OF EACH SEX]** or to the building principal, or his/her designee. The student will be provided a copy of the Board's policy and regulation and made aware of his or her rights.

3. The complaint should state the~~ name~~:

A. Name of the complainant~~ and the date~~,

B. Date of the complaint,~~ the date~~

C. Date(s) of the alleged harassment/discrimination,~~ the name or names~~

D. Name(s) of the harasser(s) or ~~harassers~~discriminator(s),

E. Location where such harassment/discrimination occurred,

F. Names of any witness(es) to the harassment/discrimination, and~~ a~~

G. Detailed statement of the circumstances constituting the alleged harassment/discrimination.

4. Any student who makes an oral complaint of harassment ~~to~~or sex discrimination to any of the above-mentioned personnel~~ other than those listed above~~ will be provided a copy of this regulation~~ and a complaint form~~ and will be requested to make a written complaint pursuant to the above procedure. In appropriate circumstances, due to the age of the student making the complaint, a parent or school administrator may be permitted to fill out the form on the student's behalf.

5. If the complainant is a minor student, the person to whom the complaint is given should consider whether a child abuse report ~~is required by law~~should be completed in accordance with the Board's policy on the Reports of Suspected Child Abuse or Neglect of Children.

6. All complaints are to be forwarded immediately to the ~~Director of Human Resources~~building principal or designee unless that individual is the subject of the complaint, in which case the complaint should be forwarded directly to the ~~superintendent. If possible, within five (5) working days of receipt of a written complaint, the complainant shall be supplied with a copy of this Regulation and Procedure when necessary in order that he or she will be made fully aware of this or his/her rights and the Board's procedure for handling the complaint.~~Superintendent of Schools or designee. In addition, a copy of any complaint filed under this policy shall be forwarded to the Title IX Coordinator.

7. Upon receipt of ~~the~~a sexual harassment or sex discrimination complaint, the ~~Director of Human Resources~~Title IX Coordinator shall either promptly commence an ~~effective, thorough, objective and complete~~ investigation of the complaint~~. The investigator~~, or shall designate a school administrator to investigate the complaint. The Title IX Coordinator or designee shall consult with all individuals reasonably believed to have relevant information, including the complainant ~~and~~, the alleged harasser~~,~~/discriminator and any witnesses to the conduct~~, and victims of similar conduct that the investigator reasonably believes may exist~~. The investigation shall be carried on ~~discretely~~discreetly, maintaining confidentiality insofar as possible while still conducting an effective and thorough investigation. ~~Throughout the entire investigative process, the due process rights of the alleged harasser will be upheld.~~

8. The ~~investigator~~Title IX Coordinator or designee shall make a written report summarizing the results of the investigation and proposed disposition of the matter~~, and, as deemed appropriate, shall provide copies to the complainant, the alleged harasser, and to all other directly concerned~~. Consistent with state and federal law and as deemed appropriate by the Title IX Coordinator or designee, the findings of the investigation shall be shared with persons involved in the investigation.

9. If the student complainant is dissatisfied with the ~~result~~findings of the investigation, he or she may file a written appeal to the ~~superintendent~~Title IX Coordinator, or, if he or she conducted the investigation, to the Superintendent of Schools, who shall review the ~~investigator~~Title IX Coordinator or designee's written report, the information collected by the ~~investigator~~Title IX Coordinator or designee together with the recommended disposition of the complaint to determine whether the alleged conduct constitutes sexual harassment~~. The superintendent may also conduct a reasonable investigation, including interviewing the complainant and alleged harasser and any witnesses with relevant information~~ or sex discrimination. The Title IX Coordinator or Superintendent of Schools may also investigate the complaint further. After completing this review, the ~~superintendent~~Title IX Coordinator or Superintendent of Schools shall respond to the complainant, in writing, as soon as possible.

If after a thorough investigation, there is reasonable cause to believe that sexual harassment or sex discrimination has occurred, the district shall take ~~all reasonable actions~~appropriate corrective action in an effort to ensure that the harassment/discrimination ceases and will not recur. ~~Actions taken in response to sexual harassment may include reassignment, transfer, or disciplinary action deemed appropriate by the Board.~~

Retaliation against any individual who complains pursuant to the Board's policy and regulations is strictly prohibited. The district will take ~~action~~actions necessary to prevent retaliation as a result of filing a complaint.

~~Each year, copies of these regulations~~Copies of this regulation will be distributed to all ~~elementary, middle and high school~~ students.

~~Legal Reference:~~

~~Civil Rights Act of 1964, Title VII, 42 U.S.C. §2000-e2(a)~~

~~Equal Employment Opportunity Commission Policy Guidance (N-915.035) on Current Issues of Sexual Harassment, effective 10/15/1988~~

Title IX ~~of the Education Amendments of 1972, 34 CFR Section 106~~Coordinator

The Title IX Coordinator for the _____ Board of Education is: _____, whose office is located at _____ and whose telephone number is _____.

Regulation approved:

ADOPTED: _____
REVISED: _____

7/24/10

Series 5000
Students

COMPLAINT FORM REGARDING SEX DISCRIMINATION AND SEXUAL HARASSMENT (STUDENTS)

Name of the complainant _____

Date of the complaint _____

Date of the alleged discrimination/harassment _____

Name or names of the discriminator(s) or harasser(s) _____

Connecticut General Statutes:

46a-60 Discriminatory employment practices prohibited
Constitution of the State of Connecticut, Article 1, Section 20

Location where such discrimination/harassment occurred

Name(s) of any witness(es) to the discrimination/harassment.

Regulation approved: October 21, 2008

Detailed statement of the circumstances constituting the alleged discrimination or harassment

Elizabeth E. Feser, Ed.D.
Superintendent of Schools

9/1/09

Document comparison by Workshare Compare on Thursday, May 02, 2013 4:25:46 PM

Input:	
Document 1 ID	interwovenSite://SGDMS/SG/2793516/1
Description	#2793516v1<SG> - Windsor Sexual Harassment Policy
Document 2 ID	interwovenSite://SGDMS/SG/238922/13
Description	#238922v13<SG> - Model Policy - Students/Sex Discrimination and Sexual Harassment (including administrative regulations)
Rendering set	Standard

Legend:	
Insertion	
~~Deletion~~	
~~Moved from~~	
Moved to	
Style change	
Format change	
~~Moved deletion~~	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	144
Deletions	104
Moved from	2
Moved to	2
Style change	0
Format changed	0
Total changes	252

[Please note: this policy and accompanying Safe School Climate Plan have been updated to reflect Public Act 11-232. While the legislation requires the State DOE to recommend a model plan, we understand that the State DOE strongly encourages districts to have safe school climate plans that are specifically tailored to meet individual school/district needs, in addition to the legislative requirements. For that reason, we encourage districts to utilize Section X of the model Safe School Climate Plan to highlight the district and school specific initiatives in your district].

Series 5000
Students

BULLYING PREVENTION AND INTERVENTION POLICY

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

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

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

For purposes of this policy, "**Bullying"** means the repeated use by one or more students of a written, ~~verbal~~oral or electronic communication, such as cyberbullying, directed at or referring to another student attending school in the same school district, or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same school district, that:

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

2) places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;

3) creates a hostile environment at school for such student;

4) infringes on the rights of such student at school; or

5) substantially disrupts the education process or the orderly operation of a school.

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

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

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

(1) ~~enable~~ Enable students to anonymously report acts of bullying to school employees and require students and the parents or guardians of students to be notified annually of the process by which students may make such reports;

(2) enable the parents or guardians of students to file written reports of suspected bullying;

(3) require school employees who witness acts of bullying or receive reports of bullying to orally notify the safe school climate specialist, or another school administrator if the safe school climate specialist is unavailable, not later than one school day after such school employee witnesses or receives a report of bullying, and to file a written report not later than two school days after making such oral report;

(4) require the safe school climate specialist to investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports made under this section;

(5) require the safe school climate specialist to review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report;

(6) include a prevention and intervention strategy for school employees to deal with bullying;

(~~(~~7) provide for the inclusion of language in student codes of conduct concerning bullying;

(8) require each school to notify the parents or guardians of students who commit any verified acts of bullying and the parents or guardians of students against whom such acts were directed not later than forty-eight hours after the completion of the investigation;

(9) require each school to invite the parents or guardians of a student who commits any verified act of bullying and the parents or guardians of the student against whom such act was directed to a meeting to communicate to such parents or guardians the measures being taken by the school to ensure the safety of the student against whom such act was directed and to prevent further acts of bullying;

(10) establish a procedure for each school to document and maintain records relating to reports and investigations of bullying in such school and to maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection, and annually report such number to the Department of Education and in such manner as prescribed by the Commissioner of Education;

(11) direct the development of case-by-case interventions for addressing repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline;

(12) prohibit discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying;

(13) direct the development of student safety support plans for students against whom an act of bullying was directed that address safety measures the school will take to protect such students against further acts of bullying;

(14) require the principal of a school, or the principal's designee, to notify the appropriate local law enforcement agency when such principal, or the principal's designee, believes that any acts of bullying constitute criminal conduct;

(15) prohibit bullying (A) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a local or regional board of education, or through the use of an electronic device or an electronic mobile

device owned, leased or used by the local or regional board of education, and (B) outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;

(16) require, at the beginning of each school year, each school to provide all school employees with a written or electronic copy of the school district's safe school climate plan; and

(17) require that all school employees annually complete the training described in Conn. Gen. Stat. §10-220a.

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

~~Not later than January 1, 2012, the Windsor~~The [ ] Board of Education shall approve the Safe School Climate Plan developed pursuant to this policy and submit such plan to the Department of Education. Not later than thirty (30) calendar days after approval by the Board, the Board shall make such plan available on the Board's and each individual school in the school district's web site and ensure that the Safe School Climate Plan is included in the school district's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

Legal References:

~~Public Act 11-232, *An Act Concerning the Strengthening of School Bullying Laws*~~

Conn. Gen. Stat. 10-145a

Conn. Gen. Stat. 10-145o

Conn. Gen. Stat. 10-220a

Conn. Gen. Stat. § 10-222d

Conn. Gen. Stat. 10-222g

Conn. Gen. Stat. 10-222h

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

~~Policy adopted: January 24, 2012~~

9/10/12

SAFE SCHOOL CLIMATE PLAN

The ~~Windsor~~ Board ~~of Education~~ is committed to creating and maintaining a physically, emotionally, and intellectually safe educational environment free from bullying, harassment and discrimination. In order to foster an atmosphere conducive to learning, the Board has developed the following Safe School Climate Plan, consistent with state law and Board Policy. This ~~plan~~Plan represents a comprehensive approach to addressing bullying and ~~cyberbully in~~cyberbullying and sets forth the Board's expectations for creating a positive school climate and thus preventing, intervening, and responding to incidents of bullying.

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

I. Prohibition ~~against~~Against Bullying and Retaliation

A. The Board expressly prohibits any form of bullying behavior on school grounds; at a school-sponsored or school-related activity, function or program whether on or off school grounds; at a school bus stop; on a school bus or other vehicle owned, leased or used by a local or regional board of education; or through the use of an electronic device or an electronic mobile device owned, leased or used by Board of Education.

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

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

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

II. Definition of Bullying

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

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

2. places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;

3. creates a hostile environment at school for such student;

4. infringes on the rights of such student at school; or

5. substantially disrupts the education process or the orderly operation of a school.

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

III. Other Definitions

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

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

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

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

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

F. **"Prevention and intervention strategy"** may include, but is not limited to~~:~~, (1) implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying identified by the Department of Education~~:~~, (2) school rules prohibiting bullying, harassment and intimidation and establishing appropriate consequences for those who engage in such acts~~:~~, (3) adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur~~:~~, (4) inclusion of grade-appropriate bullying education and prevention curricula in kindergarten through high school~~:~~, (5) individual interventions with the bully, parents and school employees, and interventions with the bullied child, parents and school employees~~:~~, (6) school-wide training related to safe school climate~~:~~, (7) student peer training, education and support, and (8) promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions.

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

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

public elementary, middle or high school, pursuant to a contract with the local or regional board of education.

I. **"School-Sponsored Activity"** shall mean any activity conducted on or off school property (including school buses and other school-related vehicles) that is sponsored, recognized or authorized by the Board of Education.

IV. Leadership and Administrative Responsibilities

A. Safe School Climate Coordinator

~~For the school year commencing July 1, 2012, and each school year thereafter, the~~The Superintendent shall appoint, from existing school district staff, a District Safe School Climate Coordinator ("Coordinator"). The Coordinator shall:

1. be responsible for implementing the district's Safe School Climate Plan ("Plan");

2. collaborate with Safe School Climate Specialists, the Board, and the Superintendent to prevent, identify and respond to bullying in district schools;

3. provide data and information, in collaboration with the Superintendent, to the ~~State~~ Department of Education regarding bullying;

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

B. Safe School Climate Specialist

For the school year commencing July 1, 2012, and each school year thereafter, the principalThe Principal of each school (or principal's designee) shall serve as the Safe School Climate Specialist. The Safe School Climate Specialist shall investigate or supervise the investigation of reported acts of bullying and act as the primary school official responsible for preventing, identifying and responding to reports of bullying in the school.

V. Development and Review of Safe School Climate Plan

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

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

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

D. Not later than January 1, 2012, theThe Board of Education shall approve the Safe School Climate Plan developed pursuant to Board policy and submit such plan to the Department of Education. Not later than thirty (30) calendar days after approval by the Board, the Board shall make such plan available on the Board's and each individual school in the school district's web site and ensure that the Safe School Climate Plan is included in the school district's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

VI. Procedures for Reporting and Investigating Complaints of Bullying

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

B. Students may make anonymous reports of bullying to any school employee. Students may also request anonymity when making a report, even if the student's identity is known to the school employee. In cases where a student requests anonymity, the Safe School Climate Specialist or his/her designee shall meet with the student (if the student's identity is known) to review the request for anonymity and discuss the impact that maintaining the anonymity of the complainant may have on the investigation and on any possible remedial action. All anonymous ~~complaints~~reports shall be reviewed and reasonable action will be taken to address the situation, to the extent such action may be taken that does not disclose the source of the ~~complaint~~report, and is consistent with the due process rights of the student(s) alleged to have committed acts of bullying. No disciplinary action shall be taken solely on the basis of an anonymous ~~complaint~~report.

C. School employees who witness acts of bullying or receive reports of bullying shall orally notify the Safe School Climate Specialist or another school administrator if the Safe School Climate Specialist is unavailable, not later than one (1) school day after such school employee witnesses or receives a report of bullying. The school employee shall then file a written report not later than two (2) school days after making such oral report.

D. The Safe School Specialist shall be responsible for reviewing any anonymous reports of bullying and shall investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports. In order to allow the district to adequately investigate complaints filed by a student or parent/guardian, the parent of the student suspected of being bullied should be asked to provide consent to permit the release of that student's name in connection with the investigation process, unless the student and/or parent has requested anonymity.

E. In investigating reports of bullying, the Safe School Climate Specialist or designee will consider all available information known, including the nature of the allegations and the ages of the students involved. The Safe School Climate Specialist will interview witnesses, as necessary, reminding the alleged perpetrator and other parties that retaliation is strictly prohibited and will result in disciplinary action.

F. If the allegations of bullying involve acts that may also constitute unlawful harassment based upon a student's race, color, national origin, sex, disability, religion, sexual orientation or gender identity or expression, the investigator shall notify the district's Title IX Coordinator. The student who has made a report of bullying and his/her parent or guardian will be provided with information about the district's policies and procedures for making a complaint of unlawful harassment.

VII. Responding to Verified Acts of Bullying

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

B. In any instance in which bullying is verified, the Safe School Climate Specialist or designee shall also invite the parents or guardians of the student who commits any verified act of bullying and the parents or guardian of the student against whom such act was directed to a meeting to communicate the measures being taken by the school to ensure the safety of the student/victim and to prevent further acts of bullying. The invitation may be made simultaneous with the notification described above in Section VII.A., as it must include a description of the school's response to such acts, along with consequences, as appropriate The purpose of the meeting is to communicate to parents/guardians the measures being taken by the school to ensure the safety of the student involved and to prevent further acts of bullying. Normally, separate meetings shall be held with the respective parents; however, at the discretion of the Safe School Climate Specialist and with written consent of the parents/guardians involved, the meeting(s) may be held jointly.

C. If bullying is verified, the Safe School Climate Specialist or designee shall develop a student safety support plan for any student against whom an act of bullying was directed. Such support plan will include safety measures to protect against further acts of bullying.

D. A specific written intervention plan shall be developed to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual. The written intervention plan may include counseling, discipline and other appropriate remedial actions as determined by the

Safe School Climate Specialist or designee, and may also incorporate a student safety support plan, as appropriate.

E. Notice to Law Enforcement

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

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

VIII. Documentation and Maintenance of Log

A. Each school shall maintain written ~~complaints~~reports of bullying, along with supporting documentation received and/or created as a result of bullying investigations, consistent with the Board's obligations under state and federal law. Any educational record containing personally identifiable student information pertaining to an individual student shall be maintained in a confidential manner, and shall not be disclosed to third parties without written prior written consent of a parent, guardian or eligible student, except as permitted under Board policy and state and federal law.

B. The Principal of each school shall maintain a list of the number of verified acts of bullying in the school and this list shall be available for public inspection upon request. Consistent with district obligations under state and federal law regarding student privacy, the log shall not contain any personally identifiable student information, or any information that alone or in combination would allow a reasonable person in the school community to identify the students involved. Accordingly, the log should be limited to basic information such as the number of verified acts, name of school and/or grade level and relevant date. Given that any determination of bullying involves repeated acts, each investigation that results in a verified act of bullying for that school year shall be tallied as one verified act of bullying unless the specific actions that are the subject of each report involve separate and distinct acts of bullying. The list shall be limited to the number of verified acts of bullying in each school and shall not set out the particulars of each verified act, including, but not limited to any personally identifiable student information, which is confidential information by law.

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

IX. Other Prevention and Intervention Strategies

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

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

C. The following sets forth possible interventions~~,~~ which may also be utilized to enforce the Board's prohibition against bullying:

i. Non-disciplinary interventions

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

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

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

ii. Disciplinary interventions

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

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

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

iii. Interventions for bullied students

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

a. Counseling;

b. Increased supervision and monitoring of student to observe and intervene in bullying situations;

c. Encouragement of student to seek help when victimized or witnessing victimization;

d. Peer mediation or other forms of mediation, where appropriate;

e. Student Safety Support plan; and

f. Restitution and/or restorative interventions.

iv. General Prevention and Intervention Strategies

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

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

b. Adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur;

c. Inclusion of grade-appropriate bullying education and prevention curricula in kindergarten through high school, which may include instruction regarding building safe and positive school communities including developing healthy relationships and preventing dating violence as deemed appropriate for older students;

d. Individual interventions with the perpetrator, parents and school employees, and interventions with the bullied student, parents and school employees;

e. School-wide training related to safe school climate, which training may include Title IX/Sexual harassment training, Section 504/ADA Training, cultural diversity/multicultural education or other training in federal and state civil rights legislation or other topics relevant to safe school climate;

f. Student peer training, education and support; and

g. Promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions;

h. Implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying, including any such program identified by the Department of Education;

i. Respectful responses to bullying concerns raised by students, parents or staff;

j. Planned professional development programs addressing prevention and intervention strategies, which training may include school violence prevention, conflict resolution and prevention of bullying, with a focus in evidence based practices concerning same;

k. Use of peers to help ameliorate the plight of victims and include them in group activities;

l. Avoidance of sex-role stereotyping;

m. Continuing awareness and involvement on the part of school employees and parents with regards to prevention and intervention strategies;

n. Modeling by teachers of positive, respectful, and supportive behavior toward students;

o. Creating a school atmosphere of team spirit and collaboration that promotes appropriate social behavior by students in support of others;

p. Employing classroom strategies that instruct students how to work together in a collaborative and supportive atmosphere.

D. In addition to prevention and intervention strategies, administrators, teachers and other professional employees may find opportunities to educate students about bullying and help eliminate bullying behavior through class discussions, counseling, and reinforcement of socially-appropriate behavior. Administrators, teachers and other professional employees should intervene promptly whenever they observe mean-spirited student conduct, even if such conduct does not meet the formal definition of "bullying."

X. Improving School Climate

~~A. Each school in the district has developed a School Improvement Plan, which includes a section on school culture. Within that section schools have identified their work in implementing PBIS (positive behavioral and intervention supports), which is a district-wide initiative to address school climate. PBIS works to increase student positive behaviors and reduce disciplinary referrals. All schools also have in place student assistance teams (SATs) to help address student specific academic and behavioral concerns. Additionally, each school analyzes student behavior referrals to determine types of behaviors that are frequent and to identify and implement strategies to teach pro-active behaviors to students. This is done by~~

~~classroom lessons at the elementary level, as part of developmental guidance lessons at Sage Park, and during advisory periods at the high school level. School climate surveys will be distributed to all parents, staff and students at each school during the 2012-13 school year , and thereafter every two years. These surveys will be compiled and analyzed by school, and the data gathered will be used to inform current practices and revise those practices based on the findings of the surveys. National School Climate Standards provided by the State Department of Education will be utilized to help inform each school's plan and the strategies developed and implemented as part of the school improvement plan for each school.~~

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

XI. Annual Notice and Training

A. Students, and parents or guardians of students shall be notified annually of the process by which students may make reports of bullying.

B. The Board shall provide for the inclusion of language in student codes of conduct concerning bullying.

C. At the beginning of each school year, each school shall provide all school employees with a written or electronic copy of the school district's safe school climate plan and require that all school employees annually complete training on the identification, prevention and response to bullying as required by law.

XII. School Climate Assessments

~~On July 1, 2012, and biennially thereafter~~Biennially, the Board shall require each school in the district to complete an assessment using the school climate assessment instruments, including surveys, approved and disseminated by the Connecticut State Department of Education. The Board shall collect the school climate assessments for each school in the district and submit such assessments to the Connecticut State Department of Education.

Legal References:

~~Public Act 11-232, *An Act Concerning the Strengthening of School Bullying Laws*~~

~~Conn. Gen. Stat. § 10-15c; 46a-58~~
Conn. Gen. Stat. § 10-222d~~-h~~

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

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

~~20 United States Code Title IX of the Education Amendments of 1972~~

~~Regulation revised: December 20, 2011~~

~~Ernest L. Perlini, Ed.D.~~
~~Interim Superintendent of Schools~~

9/10/12

[SAMPLE FORM A]

REPORT OF SUSPECTED BULLYING BEHAVIORS
(School Employees Should File with the School Principal)
(Parents and Students May File with the School Principal or Any Other School Employee)

~~Date:~~

Name of Person Completing Report:

_____

Date: _____

Target(s) of Behaviors:

_____

~~Your relationship to suspected victim of bullying~~Relationship of Reporter to Target (self, parent, teacher, peer, etc.):

_____

_____

~~Oral Report Given To:~~

~~Date:~~

~~Whom do you think is being bullied:~~

~~What students(s) do you think are engaging in bullying behavior against this student:~~

Report Filed Against: _____

Date~~(s)~~ of Incident(s):

_____

Location(s): _____ Time~~(s):~~: _____

Describe the basis for your report. Include information about the incident~~(s), participant(s),~~ participants, background to the incident, and ~~be as specific as possible.~~ any attempts you have made to resolve the problem. Please note relevant ~~date(s), time(s) and place(s). Use separate sheet if necessary~~dates, times and places.

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

Name Address Telephone Number

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

If "yes", please describe the behavior of concern, the approximate dates and the location:

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

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

Was the report verbal or written?

Proposed Solution:

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

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

Signature of Reporter: Date Submitted: Received By:
Date: Received

3/26/12

[SAMPLE FORM B]

INTERNAL INVESTIGATION NOTES

For Staff Use Only:

Has student reporter requested anonymity? Y N

Does the school have parent/guardian consent to disclose that a complaint as to this student has been filed in connection with the investigation? Y N

Administrative Investigation Notes (use separate sheet if necessary):

Bullying Verified? Yes No

Remedial Action(s) Taken:

(Attach bullying complaint and witness statements. If bullying is verified, attach notification to parents of students involved, invitation to parent meetings, and records of parent meetings).

3/26/12

[SAMPLE FORM C]

[ ]PUBLIC SCHOOLS

REPORT OF ~~SUSPECTED~~ BULLYING~~/CONSENT TO RELEASE STUDENT INFORMATION~~ FORM/INVESTIGATION SUMMARY

~~Date:~~

~~Name of Student:~~

For Staff Use Only:

School~~:~~ Date

Location(s)

Reporter Information:

Anonymous student report

Staff Member report Name

Parent/Guardian report Name

Student report Name

Student Reported as Committing Act:

Student Reported as Victim:

Description of Alleged Act(s):

Time and Place:

Names of Potential Witnesses:

Action of Reporter:

Administrative Investigation Notes (use separate sheet if necessary):

Bullying Verified? Yes _____ No ____

Remedial Action(s) Taken: _____

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

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

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

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

Date of Meetings:

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

Y N

(Attach bullying complaint and witness statements. If bullying is verified, attach notification to parents of students involved, invitations to parent meetings, and records of parent meetings).

3/26/12

[SAMPLE FORM D]

[_____] Public Schools
Report of Bullying/Consent to Release Student Information

Date: _____

Name of Student: _____

School: _____

To Parent/Guardian:

A report of bullying has been made on behalf of your child alleging that he/she has been the victim of bullying. In order to facilitate a prompt and thorough investigation of the report, the ~~Windsor~~[_____] Public Schools may ~~need~~wish to disclose the ~~name of your child and/or other information connected to this investigation which may otherwise disclose your child's identity~~fact that this complaint has been filed in connection with investigation.

(Please ~~Check One~~check one):

_____ I ~~DO~~hereby give permission for the ~~Windsor~~[_____] Public Schools to disclose ~~my child's name, along with any other information necessary to permit the district to adequately and appropriately investigate such report, to third parties contacted by the district~~the fact that a complaint concerning my child has been filed as part of its investigation~~.~~ of that complaint.

_____ I ~~DO~~do **NOT** give permission for the ~~Windsor~~[_____] Public Schools to disclose ~~my child's name, along with any other information necessary to permit the district to adequately and appropriately investigate such report, to third parties contacted by the district~~the fact that a complaint concerning my child has been filed as part of its investigation of that complaint.

_____
Signature of Parent/Guardian Date

_____
Name (Please print)

~~11/30/11 5131.911~~

REPORT OF SUSPECTED BULLYING INVESTIGATION SUMMARY

School: _____ Date: _____

Report Completed by:

Name(s) of person(s) investigating alleged bullying act: _ _____

Name(s) of alleged bully(ies): _____ _____

Name(s) of alleged victim:_____ _____

Date of Alleged Incident (s):

Location(s):

Time(s):

Anonymous Report:

Staff Member Report: Name:

Parent/Guardian Report: Name:

Student Report: Name:

Description of Alleged Act(s) (Be as specific as possible and use separate sheet if necessary):

Names of Potential Witnesses:

Has reporter requested anonymity? Yes No

Does the school have parent/guardian consent to disclose the student's name in connection with the investigation? Yes _____ No _____

Administrative Investigation Notes (use separate sheet if necessary):

Bullying Verified? Yes No

Action(s) Taken:

If Bullying Verified, Has Notification Been Made to Parents/Guardians of Students Involved? Yes/No

Parent/Guardian Name: Date Sent:
Parent/Guardian Name: Date Sent:
Parent/Guardian Name: Date Sent:
Parent/Guardian Name: Date Sent:

If Bullying Verified, Have Invitations to Meetings Been Sent to Parents/Guardians of Students? Yes/No

Parent/Guardian Name: Date Sent:
Parent/Guardian Name: Date Sent:
Parent/Guardian Name: Date Sent:
Parent/Guardian Name: Date Sent:

Dates of Meetings:

~~Attach bullying complaint, witness statements, notification to parents of students involved if bullying is verified, invitations to parent meetings, records of parent meetings, student safety support plan for victim, intervention plan for the perpetrator.~~

PRINT ON SCHOOL LETTERHEAD

Date

Parent(s)/Guardian(s)
Address
Windsor, CT 06095

Dear _____:

As I shared with you during our phone conversation on date, an investigation into the alleged act of bullying against Student is complete. The alleged bullying was confirmed and the perpetrator has been given disciplinary consequences and interventions for his actions. He has also been warned of further consequences in the case of future acts of bullying at School.

As you know, we are scheduled to meet at _____ a.m./p.m. on _____, but please contact me if you have any questions or further concerns in the meantime.
OR
As I mentioned during our phone conversation, I would be happy to meet with you to discuss this situation further. Please contact me to confirm a date and time. In the meantime, please let me know if you have any questions or further concerns.

Sincerely,

To be sent to the Parents/Guardians of victim

PRINT ON SCHOOL LETTERHEAD

Date

Parent(s)/Guardian(s)
Address
Windsor, CT 06095

Dear _____:

As I discussed with you on the phone and with Student, an investigation into the alleged act of bullying by Student is complete. Student's actions were confirmed to be in violation of the Windsor Public School's bullying policy. As a result of these actions, Student received the following consequences:

□ Consequences

In addition, Student has stated that he/she will not engage in any of the bullying behaviors with this student or any other students in the future. Future actions by Student identified as bullying activity would result in greater consequences.

In addition, Student is scheduled to participate in the following interventions:

□ Interventions

As you know, we are scheduled to meet at _____ a.m./p.m. on _____, but please contact me if you have any questions or further concerns in the meantime.

OR

As I mentioned during our phone conversation, I would be happy to meet with you to discuss this situation further. Please contact me to confirm a date and time. In the meantime, please let me know if you have any questions or further concerns.

Sincerely,

To be sent to Parents/Guardians of perpetrator

~~VERIFIED ACTS OF BULLYING~~
~~SCHOOL YEAR 2011-2012~~

~~The principal of each school shall maintain a list of the number of verified acts of bullying in the school, and this list shall be available for public inspection upon request. Given that any determination of bullying involves repeated acts over time, each report includes verified acts of bullying and shall be tallied as one verified act of bullying unless the specific actions that are the subject of the report involve separate and distinct acts of bullying. The list shall be limited to the number of verified acts of bullying in the school, and it shall not set out the particulars of each verified act, including but not limited to any personally identifiable student information, which is confidential information by law.~~

~~School Name:_____~~

~~DATE VERIFIED ACTS OF BULLYING ADMINISTRATOR~~

~~Year End Total:_____~~

3.26.12

Document comparison by Workshare Compare on Friday, May 03, 2013 4:00:12 PM

Input:	
Document 1 ID	interwovenSite://SGDMS/SG/2793439/1
Description	#2793439v1<SG> - 5131 911 P (1 24 12) Windsor Policy Bullying
Document 2 ID	interwovenSite://SGDMS/SG/320664/33
Description	#320664v33<SG> - Model Policy - Students/Bullying Behavior In The Schools
Rendering set	Standard

Legend:	
Insertion	
~~Deletion~~	
~~Moved from~~	
Moved to	
Style change	
Format change	
~~Moved deletion~~	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	172
Deletions	168
Moved from	11
Moved to	11
Style change	0
Format changed	0
Total changes	362

SHIPMAN & GOODWIN LLP
COUNSELORS AT LAW

Series 5000
Students

STUDENT ATTENDANCE AND TRUANCY

~~5113~~

~~Attendance~~

~~1. The entire process of education requires regular continuity in instruction, classroom participation, learning experiences and study to maximize educational benefit for each student.~~

~~2. Accordingly, regular attendance is expected of all students. Attendance shall be a criterion for the granting of credit for courses.~~

~~3. The Superintendent of Schools shall develop administrative regulations to implement this policy.~~ Regular and punctual student attendance in school is essential to the educational process. Connecticut state law places responsibility for assuring that students attend school with the parent or other person having control of the child. To assist parents and other persons in meeting this responsibility, the Board of Education, through its Superintendent, will adopt and maintain procedures to implement this policy.

Legal ~~Reference:~~ References:
Connecticut General Statutes §10-220

~~10-220 Duties of Boards of Education~~
~~10-184 Duties of Parents. School attendance age requirements.~~

~~10-198a Policies and Procedures concerning truants.~~

Connecticut General Statutes §10-184

Connecticut General Statutes §10-186

Connecticut General Statutes §10-198a

Guidelines for Reporting Student Attendance in the Public School Information System (Connecticut State Department of Education, January 2008)

Connecticut State Department of Education Circular Letter C-2, *Utilizing Local Support Resources Prior to Referral of Students for Family with Service Needs* (August 4, 2009)

Connecticut State Board of Education Memorandum, *Definitions of Excused and Unexcused Absences* (June 27, 2012)

~~Policy Adopted: March 18, 2008~~ ADOPTED

REVISED: _____

8/20/12

Series 5000
Students

~~5113.1~~

ADMINISTRATIVE REGULATIONS REGARDING ATTENDANCE AND TRUANCY

A. Definitions:

1. "Absence" - any day during which a student is not considered "in attendance" at his/her assigned school, or on a school sponsored activity (e.g. field trip), for at least one half of the school day.

2. "Educational evaluation" - for purposes of this policy, an educational evaluation is an assessment of a student's educational development, which, based upon the student's presenting characteristics, would assess (as appropriate) the following areas: health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities.

3. "Excused absence" - an absence from a regularly scheduled school day for at least one-half of the school day; for which absence, the school has received written documentation describing the reason for the absence within ten days of the student's return to school, or the child has been excluded from school in accordance with section 10-210 of the Connecticut General Statutes, and meets the following criteria:

   A. Any absence before the student's tenth absence, is considered excused when the student's parent/guardian approves such absence and submits appropriate written documentation; and

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

~~Attendance & Unexcused Absence – Grades K-8~~

~~1. In accordance with Board of Education Policy #P 5113 and CT General Statute 10-198a, the following procedures shall be followed for monitoring, reporting and intervening with regard to unexcused student absences:~~

~~A. Definitions:~~

~~1. Student - a child enrolled in the Windsor Public Schools in grades kindergarten through eight.~~

~~2. Excused absence - an absence from a regularly scheduled school day as determined by the building principal or his/her designee, for reasons of:~~

~~a. health, including illness, incapacity or doctor's visits (the district reserves the right to require a physician's certificate or other appropriate certification for health-related reasons).~~

~~a.~~ a. student illness (verified by an appropriately licensed medical professional);

b. religious holidays~~.~~;

c. mandated court ~~appearance.~~ appearances (documentation required);

d. funeral or death in the family~~.~~, or other emergency beyond the control of the student's family;

~~e. approved school activities.~~

~~f. suspension or expulsion.~~

~~g. limited absences from school for special activities or emergencies with parental consent, subject to the approval of the principal.~~

e. extraordinary educational opportunities pre-approved by the district administrators and in accordance with Connecticut State Department of Education guidance;

f. lack of transportation that is normally provided by a district other than the one the student attends.

4. "In Attendance" - any day during which a student is not considered to be absent from his/her assigned school, or from an activity sponsored by the school (e.g. field trip), for at least one half of the school day.

5. "Student" - a student enrolled in the _____ Public Schools

6. "Truant" - any student **five (5) to eighteen (18)** years of age, inclusive, who has **four (4)** unexcused absences from school in any one month or **ten (10)** unexcused absences from school in any school year.

~~3.~~ 7. "Unexcused absence" - any absence from ~~an entire~~a regularly scheduled school day ~~which is not~~for at least one half of the school day, unless the absence an excused absence as defined above ~~as an excused~~or the absence is a disciplinary absence.

The determination of whether an absence is excused ~~or unexcused~~ will be made by the building principal~~.~~ or his/her designee. Parents or other persons having control of the child may appeal that decision to the Superintendent ~~of Schools~~ or his/her designee, whose decision shall be final.

~~4. Truant - any student who has four (4) unexcused absences in any one month or ten (10) unexcused absences in any school year.~~

~~B. Attendance Monitoring:~~

8. "Written Documentation" - includes a signed note from the student's parent/guardian, a signed note from a school official that spoke in person with the parent/guardian regarding the absence, or a note confirming the absence by the school nurse or by a licensed medical professional, as appropriate, that explains the nature of and the reason for the absence as well as the length of the absence.

B. Truancy Exceptions:

1. A student **five (5) or six (6) years of age** shall not be considered truant if the parent or person having control over such student has appeared personally at the school district office and exercised the option of not sending the child to school at five (5) or six (6) years of age.

2. A student **seventeen (17) years of age** shall not be considered truant if the parent or person having control over such student consents to such student's withdrawal from school. Such parent or person shall personally appear at the school district office and sign a withdrawal form indicating such consent. Such withdrawal form

must include an attestation from a guidance counselor or school administrator from the school that the district provided the parent (or person having control of the child) with information on the educational options available in the school system and community.

3. If a parent or guardian of an expelled student chooses not to enroll the student in an alternative program, the student shall not be considered to be "truant."

C. Readmission to School Following Voluntary Withdrawal

1. Except as noted in paragraph 2 below, if a student voluntarily withdraws from school (in accordance with Section B.2, above) and subsequently seeks readmission, the Board may deny school accommodations to the student for up to ninety (90) school days from the date of the student's withdrawal from school.

2. If a student who has voluntarily withdrawn from school (in accordance with Section B.2, above) seeks readmission within ten (10) school days of his/her withdrawal, the Board shall provide school accommodations to the student not later than three (3) school days after the student requests readmission.

D. Determinations of Whether a Student is "In Attendance":

1. A student serving an out of school suspension or expulsion shall be reported as absent unless he or she receives an alternative educational program for at least one half of the regular school day.

2. On early dismissal days and days shortened due to inclement weather, the regular school day for attendance purposes is considered to be the amount of instructional time offered to students on that day. For example, if school is open for four hours on a shortened day scheduled, a student must be present for a minimum of two hours in order to be considered "in attendance."

3. Students placed on homebound instruction due to illness or injury in accordance with applicable regulations and requirements are counted as being "in attendance" for every day that they receive instruction from an appropriately certified teacher for an amount of time deemed adequate by the administration so as to ensure that the student is able to successfully return to the regular classroom setting.

E. Procedures for students in grades K-8*

1. Notification

a. ~~1.~~ Annually at the beginning of the school year ~~or~~and upon the enrollment of ~~a student~~any child during the school year, the ~~building principal~~administration shall notify the parent or other person having control of the student enrolled in grades K - 8 in writing of the obligations

pursuant to ~~CT General Statute~~ Conn. Gen. Stat. §10-184 to assure ~~the~~that such a student attends school regularly or to ~~otherwise~~ show that the child is elsewhere receiving equivalent instruction in the studies taught in the _____ Public Schools.

b. ~~2.~~ Annually at the beginning of the school year and upon the enrollment of ~~a~~any child during the school year, the ~~building principal~~administration shall ~~request~~obtain from the parent or other person having control of ~~a~~the student~~,~~ in grades K-8 a telephone number or other means of contacting such parent or ~~such~~ other person during the school day.

2. Monitoring

~~3.~~ Each school shall ~~maintain~~implement a system of monitoring individual unexcused absences~~.~~ of students in grades K-8. Whenever such a student ~~enrolled in that school~~ fails to report to school on a regularly scheduled school day, school personnel~~,~~ under the direction of the building principal **[or his/her designee~~,~~]** shall make a reasonable effort to notify the ~~student's~~ parent or other person having control of ~~the child,~~such student by telephone and by mail of the student's absence, unless school personnel have received an indication that the parent or other person is aware of the student's absence. ~~A reasonable effort~~ **[Reasonable efforts shall include ~~at least three~~two (2) attempts to reach the parent or other person~~.~~ ~~These~~ at the telephone number provided by the parent or other person. Such attempts shall be ~~logged~~recorded on a form provided by the Superintendent** ~~of Schools. Persons who in good faith attempt but fail~~**.]** Mailed notice of the student's absence shall include a warning that two unexcused absences from school in a month or five unexcused absences in a school year may result in a complaint filed with the Superior Court pursuant to section 46b-149 alleging the belief that the acts or omissions of the child are such that the child's family is a family with service needs. Any person who, in good faith, gives or fails to give such notice shall be immune from liability, civil or criminal, which might otherwise be incurred or imposed~~, and shall otherwise be indemnified from liability in accordance with the provision of CT General Statute 10-235.~~ and shall have the same immunity with respect to any judicial proceeding which results from such notice or failure to give notice.

~~4. Students who exhibit a pattern of excess absenteeism should be reviewed by appropriate staff to assess the need for strategies and interventions to reduce the time out of school.~~

[*Note: State law mandates notification and monitoring only with regard to students in grades K-8. Boards of Education are free, however, to extend the application of monitoring and intervention procedures to students at all grade levels.]

F. Procedures applicable to students ages five (5) to eighteen (18)

1. Intervention

~~C. Truants~~

~~Whenever~~a. When a student is truant ~~as defined above~~, the building principal or his/her designee shall schedule a meeting with the parent (or other person having control of such ~~child~~student) and ~~with~~ appropriate school personnel to review and evaluate the reasons for the student ~~being a truant.~~'s truancy. This meeting shall be held ~~not~~no later than **ten (10)** ~~school~~ **days** after the ~~child~~student becomes ~~a~~ truant. ~~Should such~~ The district shall document the meeting, and if parent or ~~such~~ other person ~~decline~~declines to attend the meeting, or is otherwise is non responsive, that fact shall also be documented and the meeting shall ~~be held.~~ proceed with school personnel in attendance.

~~1. The~~

b. When a student is truant, the Superintendent or his/her designee shall coordinate services with and referrals of students to community agencies providing child and family services, as appropriate. The district shall document efforts to contact and include families and to provide early intervention in truancy matters.

c. If the parent or other person having control of a student who is truant fails to attend the meeting held pursuant to subsection a., above, or otherwise fails to cooperate with the school in attempting to solve the truancy problem, the Superintendent shall file, within fifteen calendar days of such failure to attend the meeting or other failure to cooperate with the school in attempting to solve the truancy problem, for such truant a written complaint with the Superior Court~~, pursuant to CT General Statute 46b-149,~~ pursuant to Conn. Gen. Stat. § 46b - 149 alleging the belief that the acts or omissions of the ~~child~~truant are such that his ~~or~~ /her family is a family with service needs.

~~2. The Superintendent or his/her designee shall coordinate the provisions of any services which the court may order the district to provide.~~

~~D. Tardiness~~

~~Tardiness shall be reviewed as a serious matter. Students are expected to be in their places, ready to work, at the designated time.~~

~~E. Release of Students During the School Day:~~

~~1. Parents/Guardians are discouraged from removing pupils from school during the school day. The Board of Education believes a student belongs in school during the normal school day.~~

~~2. If a parent/guardian must remove a student from school, they must follow the procedures listed below:~~

~~a. The parent/guardian must provide written or oral notification to the school of the date, time and duration of the student's absence. In addition, the name and relationship of the person picking up the pupil shall be included.~~

~~b. The responsibility of granting a student permission to leave the building during the school hours rests with the principal or school nurse. Students requesting early dismissal from school must present a written note from their parent or guardian to the Attendance Clerk or Principal at the start of the day.~~

~~c. Secondary school students permitted to leave early will be issued an early dismissal pass in the school office and the pass must be presented to the classroom teacher at the time of dismissal.~~

~~d. The student will report to the school office if he/she returns to school the same day.~~

~~3. Before releasing a pupil to anyone but the parent/guardian (without an approved note), one of the pupil's parents or guardian's must be telephoned for approval.~~

~~4. Students will be released to divorced or separated parents unless there is a specific court offer provided by the custodial parent prohibiting such action.~~

d. In addition to the procedures specified in subsections a through c above, a regular education student who is experiencing attendance problems should be referred to the building Child Study Team **[or other appropriate school based team]** to consider the need for additional interventions and/or assistance. The Team will also

consider whether the student should be referred to a planning and placement team ("PPT") meeting to review the student's need and eligibility for special education. A special education student who is experiencing attendance problems should be referred to a PPT meeting for program review.

e. If a FWSN petition is filed and the court orders an educational evaluation of the student, the district shall conduct an appropriate educational evaluation if no such evaluation has been performed within the preceding year.

i) For a regular education student, the educational evaluation will be conducted or arranged for by appropriate school personnel and coordinated through the Child Study Team **[or other appropriate school based team].** Upon completion of the evaluation of a regular education student, the Child Study Team **[or other appropriate school based team]** shall review the evaluations and make appropriate recommendations for alternative procedures, programs or interventions. Such recommendations may include a referral of the student for further evaluation and/or consideration for special education eligibility.

ii) In the case of a student who requires or may require special education and related services, the district shall convene a PPT to determine what evaluations may be appropriate to assess any specific areas of concern. The PPT shall reconvene to review the evaluations and make appropriate recommendations regarding the student's need for special education services and the need, if any, to write and/or revise the student's individualized education program ("IEP").

G. Reports to the State Regarding Truancy Data:

Annually, each local and regional board of education shall include information regarding truancy in the strategic school profile report for each school under its jurisdiction and for the school district as a whole submitted to the Commissioner of Education. Measures of truancy include the type of data that is required to be collected by the Department of Education regarding attendance and unexcused absences in order for the department to comply with federal reporting requirements and the actions taken by the board of education to reduce truancy in the school district.

APPROVED: _____
REVISED: _____

8/20/12

SAMPLE NOTIFICATION REGARDING STUDENT ATTENDANCE*

Regular and punctual student attendance is essential to the educational process. Connecticut General Statutes Section 10-184 provides that "[e]ach parent or other person having control of a child five years of age and over and under eighteen years of age shall cause such child to attend a public day school regularly during the hours and terms the public school in the district wherein such child resides is in session, unless such child is a high school graduate or the parent or person having control of such child is able to show that the child is elsewhere receiving equivalent instruction in the studies taught in the public schools. The parent or person having control of a child seventeen years of age may consent, as provided in this section, to such child's withdrawal from school. Such parent or person shall personally appear at the school district office and sign a withdrawal form. The school district shall provide such parent or person with information on the educational options available in the school system and in the community, and shall include an attestation on the withdrawal form from a guidance counselor or school administrator from the school that the district provided the parent (or person having control of the child) with information on the educational options available in the school system and community. The parent or person having control of a child five years of age shall have the option of not sending the child to school until the child is six years of age and the parent or person having control of a child six years of age shall have the option of not sending the child to school until the child is seven years of age. The parent or person shall exercise such option by personally appearing at the school district office and signing an option form. The school district shall provide the parent or person with information on the educational opportunities available in the school system."

In order to assist parents and other persons in meeting this responsibility, the _____ Board of Education monitors unexcused student absences and makes reasonable efforts to notify parents or other persons by contacting them when a student fails to report to school. State law provides that any person who, in good faith, gives or fails to give such notice shall be immune from any liability, civil or criminal, which might otherwise be incurred or imposed and shall have the same immunity with respect to any judicial proceeding which results from such notice or failure to give such notice. The Board, therefore, must obtain a telephone number or other means of contacting parents or other persons during the school day.

Please provide the following information and return the completed form, signed and dated to:

_____

_____

_____

****

Student's Name: _____
Address: _____

_____

_____

School/grade: _____ / _____

Parent/Guardian's Daytime Telephone Number*: _____

Parent/Guardian's Daytime Telephone Number*: _____

Daytime Telephone Number* of
Other Person Having Control
of Student: _____ Relationship to Student: _____

*If no daytime telephone number is available, please specify other means by which school personnel may contact you during the school day. _____

_____

Signature: _____

Date: _____

~~5. Custodial parents will be notified through school notices and newsletters that it is their responsibility to provide the school with the court order in cases where noncustodial parent access is restricted.~~

~~When a parent/guardian telephones a request that a child be released early from school, the identity of the caller should be confirmed before the pupil is permitted to leave.~~

~~Legal References: Connecticut General Statutes~~

~~10-184 Duties of parents. School attendance age requirements~~

~~10-98a Policies and procedures concerning truants~~

~~10-199 through 10-202 Attendance, truancy in general~~

~~10-202e-f Policy on dropout prevention and grant program~~

~~10-221 (b) Board of Education to prescribe rules~~

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

~~Regulation Approved: March 18, 2008~~

[*Note: State law mandates notification only with regard to students in grades K-8. Boards of Education are free, however, to extend the notification to parents of students at all grade levels.]

~~Students~~

~~5113.2~~
8/20/12

UNEXCUSED ABSENCES
DOCUMENTATION LOG

Attendance and Unexcused Absence – Grades 9-12

1. Regular and punctual attendance at school and all classes is an integral component of the student's learning process. The experiences in the classroom are vital to the student's successful learning. Therefore, regular attendance to all classes is essential to fulfill academic and attendance requirements. The following attendance procedures are set forth to implement this philosophy:

2. Absence and Tardiness

Date

A. Policy on absence

1. The term absence is defined as not being present twenty (20) minutes or more of a scheduled class.

2. If ten (10) absences from an individual course occur in a semester, course credit will not be granted. This number will be prorated for courses meeting other than five (5) periods per week, as well as for quarter courses.

a. For purposes of this regulation, all absences will count with the exception of:

i. disciplinary suspensions;

ii. students offered alternative programs as recommended by the special education planning and placement team;

iii. field trips (as required by course curriculum).

3. Definition of Absence:

a. Excused absence - an absence from a regularly scheduled class for reasons of a) health, including illness, incapacity or doctor's visits (the district reserves the right to require a physician's certificate or other appropriate certification for absences in excess of five consecutive days or a total of fifteen days in any school year),

b) religious holidays, c) court appearance, d) funeral or death in the family, e) approved school activities including required field trips, f) suspension or expulsion, and, g) limited absences from school for special activities or emergencies with parental consent, subject to the prior approval of the principal.

b. Unexcused absence - any absence from a regularly scheduled class that is not defined above as an excused absence. A building administrator will make the determination of whether an absence is excused or unexcused.

B. Criteria regarding tardiness

1. Tardy entry to class will be defined as arriving late without a valid pass. Arriving late to class will be defined as not having the student's full body in the classroom or other site at the tardy bell. Three (3) tardy entries to class will count as one (1) absence.

3. Actions of Notification

A. Provisions of this regulation will be publicized annually in the student handbook.

B. After five (5) absences have occurred, the student will be informed in writing of his or her absences to date.

C. Once five (5) absences have occurred, the teacher of that class or those classes will send home notification with the student to be signed by the parent or guardian.

D. Once a student has ten (10) absences during a semester, a first class letter will be sent by an administrator to parents/guardian (or student, if he/she is of age), guidance counselor, and teacher indicating loss of graduation credit for the semester in that course. At this time, the student's parents/guardian or student will be advised of the recourse available to them. Request for a review by the Appeals Committee must be made within ten (10) school days of notification by the administration.

E. Students receiving loss of credit notices within the last two (2) weeks of the semester are urged to file the appeal as quickly as possible.

F. Students who have lost credit must continue in class. Students who have so lost credit but who receive a passing grade will be eligible to enroll in the next course in a sequence for which the former course is a prerequisite.

4. Absences from Class Affecting Grades

A. Absences may adversely affect the students course grade and class rank.

B. Although a student loses credit for excessive absences, he/she will continue to participate in the subject for a term/semester grade which is applied to class rank,

C. Students who pass the course but lose credit due to absences will not be required to repeat that particular course, but will need to fulfill the credit requirements for graduation.

5. Establishment of an Appeals Committee

A. Composition of Appeals Committee

1. Membership will be composed of:

a. One teacher

b. One administrator

c. One guidance counselor or social worker

B. Responsibilities of the Appeals Committee

1. Review loss of credit due to absences

a. It is the responsibility of the student or parent/guardian to apply for review.

b. A student or parent/guardian must apply within ten (10) school days after receiving official administrative notification of loss of credit due to excessive absences.

c. The Appeals Committee may consider the following in reviewing an appeal:

1. Types of absences. Class cutting will be viewed negatively in the Committee's decision to excuse the absence.

2. Extenuating circumstances

3. Make-up work completed by student

4. Absences due to vacations are not a valid reason for appeal

5. A passing grade is not a valid reason for appeal

2. At its discretion, the Appeals Committee may contract with a student and teacher to establish conditions under which credit may be reinstated.

C. Due Process

Each student and his/her parent/guardian have the right of appeal following notification of loss of graduation credit.

D. Procedure

1. The student and his/her parent/guardian must complete the appeal form providing information pertinent to the appeal request, within the allotted time. This includes providing reasons for all absences.

2. The Appears Committee may decide to rescind some of the recorded absences solely on the basis of the written information without a formal hearing. (Appeal Form AR5113).

3. The student and his/her parent/guardian must appear at the Appeals Committee's formal hearing with appropriate documentation and any interested parties on their behalf.

4. It is the responsibility of the student or parent to substantiate the claims presented on the appeal form.

~~5. The student's teacher(s) in those classes where excessive class absence is under appeal, shall be notified regarding the need for information, the date of the appeal hearing, the possible need to appear and the disposition of the case.~~

~~6. Confidential information pertaining to a student may be presented by an interested party to the Appeals Committee. The Appeals Committee in its review of the case may consider this information.~~

~~7. The Appeals Committee will weigh the validity of any appeal by considering all factors.~~

~~8. The Appeals Committee will begin deliberations ten (10) school days prior to the close of each semester.~~

~~9. The student and/or parent/guardian will be notified of the Appeals Committee's decision within two (2) school days of the hearing.~~

~~10. The decision of the Appeals Committee is final.~~

~~Regulation approved: July 23, 2001~~

_____
School

School Staff Member/ Volunteer	Student's Name	Parent or Other Person Having Control of Student	Telephone Number	Outcome*
				Attempt #1_____ Attempt #2_____ Written Notice mailed_____
				Attempt #1_____ Attempt #2_____ Written Notice mailed_____
				Attempt #1_____ Attempt #2_____

				Written Notice mailed_____
				Attempt #1_____ Attempt #2_____ Written Notice mailed_____
				Attempt #1_____ Attempt #2_____ Written Notice mailed_____

Students

Attendance – Call Back Service

Regular attendance is an important part of the educational process. To assist parents in monitoring attendance, and to facilitate home/school communication, the Board adopts the following procedure at the elementary school level. Parents shall be offered the opportunity to participate in a "call back" program as follows: Participating parents shall be required to notify the school when their child is to be absent from school, during a time before school designated by the building principal. If a child is absent from school at the beginning of the day and the parent has not provided prior notification of absence, school personnel will seek to call such parent between 9:00 AM and 10:00 AM to verify that the absence is excused.

In order to participate, the parents shall complete a form with day time telephone number and such other information as the Administration may reasonably require. Continued participation shall be subject to meeting of the parent's duties under the program. If parent fails to notify the school of a known absence on three or more occasions, the Board of Education shall discontinue the parent's participation.

The Board of Education cannot and does not assume responsibility for students prior to their entering the school bus or school building, or responsibility for assuring that parents are notified in every case of absence or tardiness. As a condition of participating in the program, parents shall execute a waiver of any claims against the District for failing to notify the parents under this program. However, this new procedure is intended to assist both parents and school personnel in monitoring student attendance at the elementary school level.

Policy adopted: January 19, 1988

Students

5113.3
* No answer = N
Left Message = LM
Notification made = NM

Truancy

Introduction and Definitions

The district's policy on student truancy shall stress early prevention and inquiry leading to remediation of absences rather than imposition of punitive measures for students. Referral to legal authorities normally shall be made only when local resources are exhausted.

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

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

Remediation of Truancy

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

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

2. Obtain telephone numbers for emergency record cards or other means of contacting parents or other persons having control of the child during the school day.

3. Establish a system to monitor student attendance.

4. Make a reasonable effort to notify parents or other persons having control of such child when a child does not arrive at school and there has been no previous approval or other indication which indicates parents are aware of the absence. (Note: Persons who in good faith give or fail to give notice pursuant to this section shall be immune from any liability, civil, or criminal, which might otherwise be incurred or imposed and shall have immunity with respect to any judicial proceeding which results from such notice or failure to give notice.)

5. Identify a student as "truant" when the student accumulates four unexcused absences in any month or ten in a school year.

6. Appropriate school staff shall meet with parents of a child identified as truant, to review and evaluate the situation, within ten days of such designation.

Students so identified may be subject to:

a. retention in the same grade to acquire necessary skills for promotion or promotion

b. a requirement to complete a summer school program successfully before being promoted to the next grade.

7. If the parent or other person having control of the child fails to attend the required meeting with appropriate school personnel to evaluate why the child is truant or fails to cooperate with the school in trying to solve the child's truancy problem, the Superintendent shall file a written complaint with the Superior Court pursuant to Conn. Gen. Stat. 46b-149 alleging that the acts or omissions of a child identified as "truant" are such that the student's family is a family with service needs.

8. Provide coordination of services and refer "truants" to community agencies which provide family services.

Legal Reference: Connecticut General Statutes

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

10-198a Policies and procedures concerning truants. (as amended by PA 00-157)

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

10-202e-f Policy on dropout prevention and grant program.

10-221 (b) Board of Education to prescribe rules.

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

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

~~Policy adopted: April 21, 2009~~

August 2012

Document comparison by Workshare Compare on Thursday, May 02, 2013 4:46:41 PM

Input:	
Document 1 ID	interwovenSite://SGDMS/SG/2793586/1
Description	#2793586v1<SG> - Windsor Attendance word document
Document 2 ID	interwovenSite://SGDMS/SG/238844/13
Description	#238844v13<SG> - Model Policy - Students/Student Attendance and Truancy
Rendering set	Standard

Legend:	
Insertion	
~~Deletion~~	
~~Moved from~~	
Moved to	
Style change	
Format change	
~~Moved deletion~~	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	192
Deletions	216
Moved from	11
Moved to	11
Style change	0
Format changed	0
Total changes	430

SHIPMAN & GOODWIN LLP
COUNSELORS AT LAW

~~1.~~

Series 5000

Students ~~are expected to comply with school rules and policies.~~

~~2. Students may be removed from class, suspended or expelled from school for conduct that endangers persons or property, is seriously disruptive of the educational process, or that violates a publicized policy of the Board.~~

~~3. The Superintendent shall establish regulations for the effective administration of this policy as necessary.~~

~~Legal Reference: Connecticut General Statutes~~

~~4-176e through 4-180a. Contested Cases. Notice. Record~~
~~10-233a through 10-233f. Suspension, removal and expulsion of students~~
~~53a-3 Definitions.~~
~~53a-217b Possession of Firearms and Deadly Weapons on School Grounds.~~
~~18 U.S.C.921 Definitions~~
~~Title III – Amendments to the Individuals with Disabilities Education Act.~~
~~Sec. 314 (Local Control Over Violence)~~
~~Elemendary and Secondary Act of 1965 as amended by the Gun Free Schools Act of 1994.~~
~~P.L. 105-17 The Individuals with Disabilities Act, Amendment of 1997.~~

STUDENT DISCIPLINE

~~Policy adopted: September 18, 2007~~

~~1.~~I. Definitions

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

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

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

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

~~A. "~~

E. **Exclusion**~~" shall be defined as~~ means any denial of public school privileges to a ~~pupil~~student for disciplinary purposes.

~~B. "Removal" shall be defined as an exclusion from a classroom for all or part of a single class period, provided such exclusion shall not extend beyond 90 (ninety) minutes.~~

F. **Expulsion** means the exclusion of a student from school privileges for more than ten (10) consecutive school days. The expulsion period may not extend beyond one (1) calendar year.

~~C. "In-school suspension" shall be defined as an exclusion from regular classroom activity for no more than five (5) 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.~~

G. **Firearm**, as defined in 18 U.S.C § 921, means (a) any weapon that will, is designed to, or may be readily converted to expel a projectile by the action of an explosive, (b) the frame or receiver of any such weapon, (c) a firearm muffler or silencer, or (d) any destructive device. The term firearm does not

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

~~D. "~~

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

~~E. "Expulsion" shall be defined as an exclusion from school privileges for more than ten (10) consecutive school days and shall be deemed to include, but not be limited to, exclusion from the school to which such pupil is assigned at the time such disciplinary action was taken, provided such exclusion shall not extend beyond a period of one calendar year. Such period of exclusion may extend to the school year following the school year in which such exclusion was imposed~~

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

~~F. "Emergency" shall be defined as a situation under which the continued presence of the pupil in school poses such a danger to persons or property or such a disruption of the educational process that a hearing may be delayed until a time as soon after the exclusion of the pupil as possible.~~

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

K. ~~G. "~~**School Days**~~"~~ shall mean days when school is in session for ~~pupils~~students.

H. "Seriously disruptive of the educational process" means any conduct that markedly interrupts or severely impedes the day-to-day operation of a school.

2. Notice to Pupils of Board Policies

The Board shall assure that all pupils within its jurisdiction are informed, at least annually, of Board policies concerning pupil conduct.

3. Removal from Class

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

A. Each teacher shall have the authority to remove a pupil from class when such pupil deliberately causes a serious disruption of the educational process within the classroom, provided no pupil shall be removed from class more than six (6) times in any year nor more than two (2) times in one (1) week, unless such pupil is referred to the building principal or his/her designee and granted an informal hearing at which such pupil shall be informed of the reasons for the disciplinary action and given an opportunity to explain the situation.

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

B. Whenever any teacher removes a pupil from the classroom for creating a serious disruption of the educational process, such teacher shall send him/her to a designated area and shall immediately inform the building principal or his/her designee, contact the parent by telephone and submit a written report of the incident to the principal.

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

C. In the elementary schools, when students are removed from class after causing a serious disruption of the educational process, such students will be counseled by the principal or his/her designee. When the principal or his/her designee determines that the students are prepared to behave appropriately, they shall be allowed to return to the classroom.

O. **Weapon** means any BB gun, any blackjack, any metal or brass knuckles, any police baton or nightstick, any dirk knife or switch knife, any knife

having an automatic spring release devise by which a blade is released from the handle, having a blade of over one and one-half inches in length, any stiletto, any knife the edged portion of the blade of which is four inches and over in length, any martial arts weapon or electronic defense weapon, or any other dangerous or deadly weapon or instrument, unless permitted by law under section 29-38 of the Connecticut General Statutes.

~~D. In the secondary schools, when students have been removed from class after causing a serious disruption of the educational process, they shall not return to the class from which they were removed until the next session of that class, provided that such students may communicate with the teacher prior to such next class in order to obtain homework, reading and/or other assignments.~~

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

~~E. Students removed from classes for the third time on one day shall not return to class and shall be suspended. In such cases, the principal or his/her designee shall notify the student's parents by telephone and written communication as to the reason for the student's suspension from school.~~

II. Scope of the Student Discipline Policy

~~4. Actions Leading to Suspension or Expulsion~~

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

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

B. ***Conduct off School Grounds:***

1. Students may be ~~disciplined~~suspended or expelled for conduct off school grounds if such conduct **is seriously disruptive of the educational process and violative of a publicized policy of the Board**. In making a determination as to whether such conduct is seriously disruptive of the educational process, the Administration and the Board of Education may consider, but such ~~condition~~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 ~~Connecticut General Statutes, Section~~section Conn. Gen. Stat. § 29-38, and **whether any injuries occurred**; and (4) **whether the conduct involved the use of alcohol**.

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

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

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

1. Striking or assaulting a student, members of the school staff or other persons.

2. Theft.

3. The use of obscene or profane language or gestures, the possession and/or display of obscenity or pornographic images or the unauthorized or inappropriate possession and/or display of images, pictures or photographs depicting nudity.

4. Violation of smoking, dress, transportation regulations, or other regulations and/or policies governing student conduct.

5. Refusal to obey a member of the school staff, law enforcement authorities, or school volunteers, or disruptive classroom behavior.

6. Any act of harassment based on an individual's sex, sexual orientation, race, color, religion, disability, national origin or ancestry.

7. Refusal by a student to identify himself/herself to a staff member when asked, misidentification of oneself to such person(s), lying to school officials or otherwise engaging in dishonest behavior.

8. Inappropriate displays of public affection of a sexual nature and/or sexual activity on school grounds or at a school-sponsored activity.

9. A walk-out from or sit-in within a classroom or school building or school grounds.

10. Blackmailing, threatening or intimidating school staff or students (or acting in a manner that could be construed to constitute blackmail, a threat, or intimidation, regardless of whether intended as a joke).

11. Possession of any weapon, weapon facsimile, deadly weapon, martial arts weapon, electronic defense weapon, pistol, knife, blackjack, bludgeon, box cutter, metal knuckles, pellet gun, air pistol, explosive device, firearm, whether loaded or unloaded, whether functional or not, or any other dangerous object or instrument. The possession and/or use of any object or device that has been converted or modified for use as a weapon.

12. Possession of any ammunition for any weapon described above in paragraph 11.

13. Unauthorized entrance into any school facility or portion of a school facility or aiding or abetting an unauthorized entrance.

14. Possession or ignition of any fireworks, combustible or other explosive materials, or ignition of any material causing a fire.

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

15. Unauthorized possession, sale, distribution, use, consumption, or aiding in the procurement of tobacco, drugs, narcotics or alcoholic beverages (or any facsimile of tobacco, drugs, narcotics or alcoholic beverages, or any item represented to be tobacco, drugs or alcoholic beverages), including being under the influence of any such substances. 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.

~~(1) Conduct causing a threat of danger to the physical well-being of himself/herself or other people; or~~

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

~~(2) Striking or physically assaulting another person where such conduct is not necessary for self-defense; or~~

17. 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.

~~(3) Causing or attempting to cause damage to public property; or stealing or attempting to steal public property; or~~

18. The destruction of real, personal or school property, such as, cutting, defacing or otherwise damaging property in any way.

~~(4) Causing or attempting to cause damage to private property; or~~

19. Accumulation of offenses such as school and class tardiness, class or study hall cutting, or failure to attend detention.

~~(5) Taking or attempting to take, personal property or money from another person or from his/her presence by means of force or fear; or~~

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

~~(6) Possessing or transmitting any deadly weapon, weapon, firearm, firearm facsimile, knife, explosive or other dangerous object; or~~

21. Making false bomb threats or other threats to the safety of students, staff members, and/or other persons.

~~(7) Possessing, using, transmitting or being under the influence of any unprescribed controlled substances, unauthorized, illegal or dangerous drugs, narcotics, hallucinogenic drug, drug paraphernalia, amphetamines, barbiturates, alcoholic beverage, tobacco product, or intoxicant of any kind; or~~

22. Defiance of school rules and the valid authority of teachers, supervisors, administrators, other staff members and/or law enforcement authorities.

~~(8) Knowingly being in the presence of those who are in possession of, using, transmitting, or being under the influence of any unprescribed controlled substance, illegal, unauthorized or dangerous drugs, narcotics, hallucinogenic drug, amphetamines, barbiturates, marijuana, alcoholic beverage, or intoxicant of any kind; or~~

23. Throwing snowballs, rocks, sticks and/or similar objects, except as specifically authorized by school staff.

~~(9) Participation in an unauthorized occupancy by any group of pupils or others of any part of any school or school premises or other building owned by any school district, and failure to leave such premises or other facility promptly after having been directed to do so by the principal or other person then in charge of such building or facility; or~~

24. Unauthorized and/or reckless and/or improper operation of a motor vehicle on school grounds or at any school-sponsored activity.

~~(10) Intentional incitement of unauthorized occupation by any group of pupils or others of any part of a school or other facility owned by any school district; or~~

25. Leaving school grounds, school transportation or a school-sponsored activity without authorization.

~~(11) Using~~26. Use of or copying of the academic work of another individual and presenting it as ~~his/her~~the student's own work,

without proper attribution ~~or allowing such use and/or copying of the pupil's own work by another~~; or any other form of academic dishonesty, cheating or plagiarism.

~~(12) Violation of any Federal or State law which would indicate that the violator presents a danger to any person in the school community or to school property; or~~

~~(13) Open defiance of the authority of any teacher or person having authority over the pupil, including verbal abuse; or~~

~~(14) Repeated unauthorized absence from school in violation of the Board's truancy policy; or~~

~~(15) Intentional incitement of truancy by other pupils; or~~

~~(16) Falsely activating fire alarm or other safety systems; or~~

~~(17) Falsely reporting the presence of a bomb or other explosive device at the school; or~~

27. Possession and/or use of a cellular telephone, radio, walkman, CD player, blackberry, personal data assistant, walkie talkie, Smartphone, mobile or handheld device, or similar electronic device, on school grounds or at a school-sponsored activity in violation of Board policy and/or administrative regulations regulating the use of such devices.

~~(18) Unauthorized possession of paging devices, beepers, cellular phones, or other electronic communication devices.~~

28. Possession and/or use of a beeper or paging device on school grounds or at a school-sponsored activity without the written permission of the principal or his/her designee.

~~(19) Continual or repeated misconduct in and out of class that disrupts the learning environment.~~

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.

~~(20) Inappropriate sexual contact or engagement in sexual misconduct (verbal, physical including gestures).~~

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.

~~(21) Verbal abuse that includes, but is not limited to swearing, screaming, obscene gestures, or threats when directed, either orally, including the telephone or in writing, at an individual, his/her family or a group~~

31. Hazing.

~~(22) Intimidation is an act intended to frighten or coerce someone into submission or obedience.~~

32. Bullying, defined as the repeated use by one or more students of a written, verbal or electronic communication, such as cyberbullying, directed at or referring to another student attending school in the same school district, or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same school district, that:

~~(23) Bullying is the use of physical or verbal coercion to obtain control over others or to be habitually cruel to others who are assumed to be weaker.~~

a) causes physical or emotional harm to such student or damage to such student's property;

~~(24) Terroristic threat is a threat to commit violence communicated with the intent to terrorize another, to cause evacuation of a building, or to cause serious public inconvenience, in reckless disregard of the risk causing such terror or inconvenience.~~

b) places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;

~~(25) Terroristic act is an offense against property or involving danger to another person or persons.~~

c) creates a hostile environment at school for such student;

~~(26) Stalking is the persistent following, contacting, watching or any other such threatening actions that compromise the peace of mind or the personal safety of the individual.~~

d) infringes on the rights of such student at school; or

~~(27) Racial slurs are insulting, disparaging or derogatory comments made directly or by innuendo regarding a person's racial origin.~~

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

~~B. Contraband items may be seized by teachers or administrative staff, and retained until all disciplinary procedures are completed.~~

Bullying shall include, but not be limited to, a written, verbal or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation,

gender identity and expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

~~5. Procedures Governing Suspension~~

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.

~~A. The principal in each school building shall have the authority to invoke suspension, for a period of up to ten (10) days or to invoke in-school suspension for a period of up to five (5) days, of any student for one or more of the reasons stated in subsection 4 above, in accordance with the procedure outlined in paragraph C of this section, provided, however, the principal or the Superintendent of Schools shall have the authority to immediately suspend from school any student or pupil when an emergency exists. If an emergency situation exists, the hearing outlined in paragraph C of this section shall be held as soon after the suspension as possible. For purposes of these procedures, "principal" shall include his/her designee.~~

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.

~~B. In the case of suspension, the principal shall notify the Superintendent of Schools and the parents or guardian of any minor pupil who has been suspended within twenty-four (24) hours of suspension as to the name of the pupil who has been suspended and the reason therefore. Any pupil who is suspended shall be given the opportunity to complete any class work, including, but not limited to, examinations which such pupil missed during the period of suspension.~~

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.

~~C. Except in the case of an emergency, a pupil shall be afforded the opportunity to meet with the principal and to answer the charges against him/her prior to the effectuation of any period of suspension or in-school suspension. If, at such meeting, the pupil denies the charges against him/her, he/she may, at the time, present his/her version of the incident(s) upon which the proposed suspension is based. The principal shall then determine what action, including suspension or in-school suspension, is warranted. In determining the length of a suspension period, the principal may receive and consider evidence of past disciplinary problems which have led to removal from a classroom, in-school suspension, suspension or expulsion of such pupil.~~

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.

~~D. No pupil shall be suspended more than ten (10) times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless a hearing as provided in Section 7(F) is first granted.~~

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.

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

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.

~~F. Notice of a suspension and the conduct for which the pupil is suspended shall be included on the pupil's cumulative educational record, but shall be expunged when the pupil graduates from high school.~~

39. Any action prohibited by any Federal or State law.

~~6. In-School Suspension Center~~

40. Any other violation of school rules or regulations or a series of violations which makes the presence of the student in school seriously disruptive of the educational process and/or a danger to persons or property.

~~The Board authorizes the administration to establish and operate an in-school suspension center(s) designed to reduce the number of students assigned to out-of-school suspensions and help students become better adjusted to the tasks required in the regular school program. The center(s) shall provide controlled and restrictive educational programs for students. Prior to the start of each calendar year, the Principal of each school where such a center will operate will so notify the Superintendent.~~

IV. Discretionary and Mandatory Expulsions

~~7. Procedures Governing Expulsion~~

A. A principal may consider recommendation of expulsion of a student in a case where he/she has reason to believe the student has engaged in conduct described at sections II.A. and II.B., above.

A. The Superintendent of Schools may recommend to the Board of Education the expulsion of any student for one or more of the reasons stated in section 4 if, in his/her judgment, such disciplinary action is in the best interest of the school system. Notwithstanding the foregoing, the Superintendent shall recommend expulsion when he/she reasonably believes that a student:

B. A principal must recommend expulsion proceedings in all cases against any student whom the administration has reason to believe:

(1)1. was in **possession on school grounds** or at a **school-sponsored activity** of a firearm as defined in 18 USC 921, as amended from time to time, a **deadly weapon**, **dangerous instrument** or, **martial arts weapon**, as defined in Connecticut General Statutes, Section 53a-3, as amended.or **firearm** as defined in 18 U.S.C. § 921 as amended from time to time; or

A "firearm" under 18 USC 921 means a "weapon" as defined in Paragraph C below. A '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 deadly weapon is one that is designed for violence and which is capable of inflicting death or serious bodily harm and may include pellet guns and/or air soft pistols. A "dangerous instrument" means any instrument, article or substance which, under the circumstances in which it is used or attempted to threatened to be used, is capable of causing death or serious physical injury, and includes a "vehicle" as that term is defined in Connecticut General Statutes, Section 53a-3 or a dog that has been commanded to attack. A "martial arts weapon" means a nunchaku, kama, kasari-fundo, octagon sai, tonfa or Chinese star; or

(2) was in possession 2. **off school grounds** of, **possessed a firearm** (as defined underin 18 USC 921)U.S.C. § 921, in violation of Connecticut General Statutes, SectionConn. Gen. Stat. § 29-35, or did possess**possessed** and use such**used** **a firearm**, as defined in 18 U.S.C. § 921, a **deadly weapon**, a **dangerous instrument** or a **martial arts weapon** in the **commission of a crime**; or(3) was in possession of a knife on school grounds or at a school-sponsored activity; or under chapter 952 of the Connecticut General Statutes; or

(4)3. was engaged **on or off school grounds** in **offering for sale or distribution a controlled substance** (as defined in Connecticut General Statutes, SectionConn. Gen. Stat. § 21a-240(9)), whose manufacturing, distribution, sale, prescription, dispensing, transporting, or possessing with intent to sell or dispense, offering,

or administering is subject to criminal penalties under ~~Connecticut General Statutes, Sections~~ Conn. Gen. Stat. §§21a-277 and 21a-278.

~~B. Mandatory Expulsion: It shall be the policy of the Board to expel a student who engages in misconduct as described in paragraphs 1, 2 or 4 above for one full calendar year. The Board may modify the period of expulsion on a case-by-case basis.~~

The terms "**dangerous instrument**," "**deadly weapon**," **electronic defense weapon**," "**firearm**," and "**martial arts weapon**," are defined above in Section I.

C. ~~Mandatory Expulsion: In keeping with the intent of the federal Gun Free Schools Act, it shall be the policy of the Board to expel a student for one full calendar year for bringing a "weapon" to school. For the purposes of this paragraph, a "weapon" is defined to mean (1) any weapon that will, is designed to, or may be readily converted to expel a projectile by the action of an explosive, (2) the frame or receiver of any such weapon, (3) a muffler or silencer, or (4) any destructive device (any explosive, incendiary, or poisonous gas device, including a bomb, a rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, grenade or any other similar device, or any weapon (other than a shotgun or shotgun shell particularly suited for sporting purposes) that will or may be converted to expel a projectile by explosive or other propellant having a barrel with a bore of more than 1/2" in diameter). The term "destructive device" also includes any combination of parts either designed or intended for use in converting any device into any destructive device or any device from which a destructive device may be readily assembled. A "destructive device" does not include: an antique firearm; a rifle intended to be used by the owner solely for sporting, recreational or cultural purposes; or any device which is neither designed nor redesigned for use as a weapon.~~ Upon receipt of an expulsion recommendation, the Superintendent may conduct an inquiry concerning the expulsion recommendation.

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

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

V. Procedures Governing Removal from Class

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

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

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

VI. Procedures Governing Suspension

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

1. Unless an emergency situation exists, no student shall be suspended prior to having an informal hearing before the principal or designee at which the student is informed of the charges and given an opportunity to respond. In the event of an emergency, the informal hearing shall be held as soon after the suspension as possible.

2. If suspended, such suspension shall be an in-school suspension unless, during the informal hearing, the principal or designee determines that the student: (a) poses such a danger to persons or property or such a disruption of the educational process that he or should be excluded from school during the period of suspension; or (b) the administration determines that an out-of-school suspension is appropriate based on evidence of (i) the student's previous disciplinary problems that have led to suspensions or expulsion of such student, and (ii) previous efforts by the administration to address the student's disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies.

3. Evidence of past disciplinary problems that have led to removal from a classroom, suspension, or expulsion of a student who is the

subject of an informal hearing may be received by the principal or designee, but only considered in the determination of the length of suspensions.

4. By telephone, the principal or designee shall make reasonable attempts to immediately notify the parent or guardian of a minor student following the suspension and to state the cause(s) leading to the suspension.

5. Whether or not telephone contact is made with the parent or guardian of such minor student, the principal or designee shall forward a letter promptly to such parent or guardian to the last address reported on school records (or to a newer address if known by the principal or designee), offering the parent or guardian an opportunity for a conference to discuss same.

6. In all cases, the parent or guardian of any minor student who has been suspended shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the suspension.

7. Not later than twenty-four (24) hours after the commencement of the suspension, the principal or designee shall also notify the Superintendent or his/her designee of the name of the student being suspended and the reason for the suspension.

8. The student shall be allowed to complete any classwork, including examinations, without penalty, which he or she missed while under suspension.

9. The school administration may, in its discretion, shorten or waive the suspension period for a student who has not previously been suspended or expelled, if the student completes an administration-specified program and meets any other conditions required by the administration. Such administration-specified program shall not require the student and/or the student's parents to pay for participation in the program.

10. Notice of the suspension shall be recorded in the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record if the student graduates from high school. In cases where the student's period of suspension is shortened or waived in accordance with Section VI.A(9), above, the administration may choose to expunge the suspension notice from the cumulative record at the time the student completes the

administration-specified program and meets any other conditions required by the administration.

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

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

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

B. In cases where a student's suspension will result in the student being suspended more than ten (10) times or for a total of fifty (50) days in a school year, whichever results in fewer days of exclusion, the student shall, prior to the pending suspension, be granted a formal hearing before the Board of Education. The principal or designee shall report the student to the Superintendent or designee and request a formal Board hearing. If an emergency situation exists, such hearing shall be held as soon after the suspension as possible.

VII. Procedures Governing In-School Suspension

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

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

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

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

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

VIII. Procedures Governing Expulsion Hearing

A. Emergency Exception:

Except in an emergency situation, the Board of Education shall, prior to expelling any student, conduct a hearing to be governed by the procedures outlined herein and consistent with the requirements of Conn. Gen. Stat. § 10-233d and the applicable provisions of the Uniform Administrative Procedures Act, Conn. Gen. Stat. §§ 4-176e to 4-180a, and § 4-181a. Whenever an emergency exists, the hearing provided for herein shall be held as soon as possible after the expulsion.

B. Hearing Panel:

1. Expulsion hearings conducted by the Board will be heard by any three or more Board members. A decision to expel a student must be supported by a majority of the Board members present, provided that no less than three (3) affirmative votes to expel are cast.

2. Alternatively, the Board may appoint an impartial hearing board composed of one (1) or more persons to hear and decide the expulsion matter, provided that no member of the Board may serve on such panel.

C. Hearing Notice:

1. Written notice of the expulsion hearing must be given to the student, and, if the student is a minor, to his/her parent(s) or guardian(s) within a reasonable time prior to the time of the hearing.

2. A copy of this Board policy on student discipline shall also be given to the student, and if the student is a minor, to his/her parent(s) or guardian(s), at the time the notice is sent that an expulsion hearing will be convened.

3. The written notice of the expulsion hearing shall inform the student of the following:

a. The date, time, place and nature of the hearing.

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

b. The legal authority and jurisdiction under which the hearing is to be held, including a reference to the particular sections of the legal statutes involved.

~~D. The procedures for a hearing, outlined in paragraphs E and F below, shall be provided prior to the effectuation of any expulsion unless an emergency exists. If an emergency situation does exist, such a hearing shall be held as soon after the expulsion as possible.~~

c. A short, plain description of the conduct alleged by the administration.

~~E. Upon recommendation of expulsion by the Superintendent, the Board of Education shall notify the pupil concerned and his/her parents, or the pupil if he/she has attained the age of 18, that expulsion from school will be considered at a hearing to be scheduled as soon as possible. The date for such a hearing may be extended by agreement of the parties or because of an unavoidable emergency. The Board of Education shall hold the hearing, or establish an impartial hearing panel of one or more persons, to conduct the hearing in accordance with the "hearing procedure" set forth in paragraph F below. In cases where expulsion is recommended for a student at the elementary level, the Superintendent shall confer with the student's principal and make a recommendation to the Board concerning whether to establish an impartial hearing panel to conduct the hearing. Should the Board conduct the hearing, three (3) members of the Board shall constitute a quorum for an expulsion hearing. If an impartial hearing panel is established, no member of the Board shall be a member of the hearing panel.~~

d. The student may present as evidence relevant testimony and documents concerning the conduct alleged and the appropriate length and conditions of expulsion; and that the expulsion hearing may be the student's sole opportunity to present such evidence.

~~F. The procedures of any hearing conducted under this section shall be determined by the hearing officer or Board president as appropriate, but shall at least include the right of the pupil to:~~

e. The student may cross-examine witnesses called by the Administration.

~~(1) Notice of the proposed hearing which shall include a statement of the date, time, place and nature of the hearing, a statement of the legal authority and jurisdiction under which the hearing is to be held; a reference to the particular statutes and policies involved; notification that the administration will be represented by a lawyer and that the pupil~~

~~and his or her parents have the right to be represented by a lawyer at their own expense; and 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 pupil. The statement so provided may be limited to a statement of the issues involved, if it is not possible to state the issues in detail at the time such notice is served. Thereafter, upon request from a student concerned, a more definite and detailed statement of the issues shall be furnished. Whenever notice is issued to a pupil between the ages of sixteen (16) and eighteen (18) or the parent or guardian of such pupil that an expulsion hearing will be held, the notification shall include a statement of the conditions under which the Board is not required to offer an alternative educational opportunity to the pupil;~~

f. The student may be represented by any third party of his/her choice, including an attorney, at his/her expense or at the expense of his/her parents.

~~(2) The opportunity to be heard in his/her own defense concerning the conduct alleged and the appropriate length and conditions of expulsion; and that the expulsion hearing may be the student's sole opportunity to present such evidence;~~

g. A student is entitled to the services of a translator or interpreter, to be provided by the Board of Education, whenever the student or his/her parent(s) or guardian(s) requires the services of an interpreter because he/she/they do(es) not speak the English language or is(are) disabled.

~~(3) The opportunity to present witnesses and evidence in his/her defense;~~

h. The conditions under which the Board is not legally required to give the student an alternative educational opportunity (if applicable).

~~(4) The opportunity to cross-examine adverse witnesses; except that the Board may accept hearsay evidence from a witness against the pupil if the Board believes that fear on the part of the witness would prevent the giving of accurate testimony.~~

i. Information about free or reduced-rate legal services and how to access such services.

~~(5) The opportunity to be represented by counsel;~~

D. Hearing Procedures:

~~(6) The prompt notification of the decision of the Board of Education, which decision shall be in writing if adverse to the pupil concerned. A pupil may be expelled if a majority of the Board members sitting in the expulsion hearing vote to expel, provided that there are at least three (3)~~

~~votes cast in favor of expulsion. Alternatively, a student may be expelled by the decision of an impartial hearing panel established pursuant to Connecticut General Statutes, Section 10-233d(b), and Section E of this policy.~~

1. The hearing will be conducted by the Presiding Officer, who will call the meeting to order, introduce the parties, Board members and counsel, briefly explain the hearing procedures, and swear in any witnesses called by the Administration or the student.

~~G. The record of any hearing held in an expulsion case shall include the following:~~

2. The hearing will be conducted in executive session. A verbatim record of the hearing will be made, either by tape recording or by a stenographer. A record of the hearing will be maintained, including the verbatim record, all written notices and documents relating to the case and all evidence received or considered at hearing.

~~(1) All evidence received and considered by the Board of Education;~~

3. Formal rules of evidence will not be followed. The Board has the right to accept hearsay and other evidence if it deems that evidence relevant or material to its determination. The Presiding Officer will rule on testimony or evidence as to it being immaterial or irrelevant.

~~(2) Questions and offers of proof, objections and rulings on such objections;~~

4. The hearing will be conducted in two (2) parts. In the first part of the hearing, the Board will receive and consider evidence regarding the conduct alleged by the Administration.

~~(3) The decision of the Board of Education rendered after such hearing;~~

5. In the first part of the hearing, the charges will be introduced into the record by the Superintendent or his/her designee.

~~(4) Written notices related to the case;~~

6. Each witness for the Administration will be called and sworn. After a witness has finished testifying, he/she will be subject to cross-examination by the opposite party or his/her legal counsel, by the Presiding Officer and by Board members.

~~(5) The official transcript or recording of the proceeding.~~

7. After the Administration has presented its case, the student will be asked if he/she has any witnesses or evidence to present concerning the charges. If so, the witnesses will be sworn, will testify, and will be subject to cross examination and to questioning by the Presiding Officer and/or by the Board. The student may also choose to make a statement at this time. If the student chooses to make a statement, he or she will be sworn and subject to cross examination and

questioning by the Presiding Officer and/or by the Board. Concluding statements will be made by the Administration and then by the student and/or his or her representative.

~~(6) In presenting his/her recommendation for expulsion, the Superintendent shall offer the student an opportunity to provide a written statement explaining his/her perspective on the charges, such statement to be in the student's own words and handwriting. In addition to such written statement, if elected by the student, the student shall have the right to provide oral testimony and evidence related to the incident or incidents in question. The Superintendent may provide oral testimony and evidence related to the incident or incidents in question from witnesses called by the Superintendent. The Superintendent may also provide written statements from such witnesses, and any such written statements shall be in witnesses' own words.~~

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

~~(7) If the Board concludes that grounds for expulsion exist, the Superintendent shall provide the Board with the student's academic records and a summary of the student's disciplinary record, including a record of behavior problems and consequences, including parent contacts.~~

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

~~H. Rules of evidence at expulsion hearings shall include the following:~~

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

11. ~~(1) 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 to other evidence, the Board of Education may receive and consider other evidence~~Evidence of past disciplinary problems which have led to removal from a classroom, ~~in-school suspension,~~ suspension or expulsion of ~~such pupil~~a student being considered for expulsion

may be considered only during the second portion of the hearing, during which the Board is considering length of expulsion and nature of alternative educational opportunity to be offered.

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

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

14. The Board may, in its discretion, shorten or waive the expulsion period for a student who has not previously been suspended or expelled, if the student completes a Board-specified program and meets any other conditions required by the Board. The Board-specified program shall not require the student and/or the student's parents to pay for participation in the program.

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

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

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

F. Stipulated Agreements:

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

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

IX. Alternative Educational Opportunities for Expelled Students

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

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

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

1. The Board of Education shall provide an alternative educational opportunity to a sixteen (16) to eighteen (18) year old student expelled for the first time if he/she requests it and if he/she agrees to the conditions set by the Board of Education. Such alternative educational opportunity may include, but shall not be limited to, the placement of a pupil who is at least sixteen years of age in an adult education program. Any pupil participating in an

adult education program during a period of expulsion shall not be required to withdraw from school as a condition to his/her participation in the adult education program.

2. The Board of Education is not required to offer an alternative educational opportunity to any student between the ages of sixteen (16) and eighteen (18) who is expelled for the second time, or if it is determined at the hearing that (1) the student possessed a dangerous instrument, deadly weapon, firearm or martial arts weapon on school property or at a school-sponsored activity, or (2) the student offered a controlled substance for sale or distribution on school property or at a school-sponsored activity.

3. The Board of Education shall count the expulsion of a pupil when he/she was under sixteen years of age for purposes of determining whether an alternative educational opportunity is required for such pupil when he/she is between the ages of sixteen and eighteen.

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

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

D. *Students identified as eligible for services under the Individuals with Disabilities Education Act ("IDEA"):*

Notwithstanding Sections IX.A. through C. above, if the Board of Education expels a student who has been identified as eligible for services under the Individuals with Disabilities Education Act ("IDEA"), it shall offer an alternative educational opportunity to such student in accordance with the requirements of IDEA, as it may be amended from time to time.

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

The Board of Education may offer an alternative educational opportunity to a pupil for whom such alternative educational opportunity is not required as described in this policy.

X. Notice of Student Expulsion on Cumulative Record

Notice of expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such

notice, except for notice of an expulsion based upon possession of a firearm or deadly weapon, shall be expunged from the cumulative educational record by the Board if the student graduates from high school.

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

~~(2) The Board of Education shall give effect to the rules of privilege by law;~~ If the student has not previously been suspended or expelled, and the administration chooses to expunge the expulsion notice from the student's cumulative record prior to graduation, the administration may refer to the existence of the expunged notice, notwithstanding the fact that such notice may have been expunged from the student's cumulative file, for the limited purpose of determining whether any subsequent suspension or expulsion by the student would constitute the student's first such offense.

~~(3) In order to expedite a hearing, evidence may be received in written form, provided the interest of any party is not substantially prejudiced thereby;~~

XI. Change of Residence During Expulsion Proceedings

~~(4) Documentary evidence may be received in the form of copies or excerpts, if the original is not readily available, provided, however, that any party to a hearing shall be given an opportunity to compare the copy to the original;~~

A. *Student moving into the school district:*

~~(5) A party to an expulsion hearing may conduct cross-examination of witnesses where examination is required for a full and true disclosure of the facts;~~

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.

~~(6) 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 material noticed, including any staff memoranda or data, and an opportunity shall be afforded to any party to contest the material so noticed;~~

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.

~~(7) A tape recording or stenographic record of any oral proceedings before the Board of Education at an expulsion hearing shall be made provided, however, that a transcript of such proceeding shall be provided only upon request of a party, with the cost of such transcript to be paid by the requesting party.~~

B. *Student moving out of the school district:*

~~I. Findings of fact made by the Board after an expulsion hearing shall be based exclusively upon the evidence adduced at the hearing.~~

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.

~~J. Notice of the expulsion and the conduct for which the pupil was expelled shall be included on the pupil's cumulative educational record. Such notice, except for notice of any expulsion based upon possession of a firearm or deadly weapon as described in Section 7(B), shall be expunged from the cumulative educational record if the pupil graduates from high school.~~

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

~~K. The Board may, in a hearing in accordance with Connecticut General Statutes, Section 10-233d(a), adopt the decision of a pupil expulsion hearing conducted by another school district. The pupil shall be excluded from school pending such hearing. The excluded pupil shall be offered an alternative educational opportunity in accordance with sections 9 and 10 of this policy.~~

A. *Suspension of IDEA students:*

~~L.~~ 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 ~~to students who have been identified as having one or more disabilities under the IDEA and/or Section 504 of the Rehabilitation Act (a "student with disabilities")~~:

1. The administration shall make reasonable attempts to immediately notify the parents of the student of the decision to suspend on the date on which the decision to suspend was made, and a copy of the special education procedural safeguards must either be hand-delivered or sent by mail to the parents on the date that the decision to suspend was made.

2. During the period of suspension, the school district is not required to provide any educational services to the IDEA student beyond that which is provided to all students suspended by the school district.

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

Notwithstanding any provision to the contrary, if the administration recommends for expulsion an IDEA student who has violated any rule or code of conduct of the school district that applies to all students, the procedures described in this section shall apply. The procedures described in this section shall also apply for students whom the administration has suspended in a manner that is considered under the IDEA, as it may be amended from time to time, to be a change in placement:

1. The parents of the student must be notified of the decision to recommend for expulsion (or to suspend if a change in placement) on the date on which the decision to suspend was made, and a copy of the special education procedural safeguards must either be hand-delivered or sent by mail to the parents on the date that the decision to recommend for expulsion (or to suspend if a change in placement) was made.

2. The school district shall immediately convene the student's planning and placement team ("PPT"), but in no case later than ten (10) school days after the recommendation for expulsion or the suspension that constitutes a change in placement was made. 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.

~~(1)~~

4. If ~~a student with disabilities engages in conduct that would lead to a recommendation for expulsion, the district shall promptly convene a planning and placement team (PPT) meeting to determine whether the misconduct is a manifestation of~~ the student's PPT finds that the behavior was not a manifestation of the student~~'s disability. A student may be suspended for up to ten (10) days pending a PPT determination.~~'s disability, the Administration may proceed with the recommended expulsion or suspension that constitutes a change in placement.

5. ~~(a) If the PPT finds that the misconduct is not a manifestation of the disability, the Superintendent may proceed with a recommendation for expulsion.~~ During any period of expulsion, ~~a student with disabilities under the IDEA shall receive~~or suspension of greater than ten (10) days per school year, the Administration shall provide the student with an alternative ~~educational plan in accordance with the IEP as modified by the PPT in light of such expulsion. Prior to implementing any expulsion of a student with disabilities, the district shall comply with the procedures set forth in subparagraph (2) below~~education program in accordance with the provisions of the IDEA.

~~(b) If the PPT finds that the misconduct is a manifestation of the disability, the superintendent shall not proceed with the recommendation for expulsion. The PPT shall consider the student's misconduct and revise the IEP to prevent a recurrence of such misconduct and to provide for the safety of other students.~~

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.

~~(2) Should a parent of a student with disabilities who is eligible for services under the IDEA (or the student him- or herself if eighteen years of age or older) file a request for a due process hearing under Connecticut General Statutes, Section 10-76h, to contest an expulsion under subparagraph (a) above or a proposed change in placement under subparagraph (b), the child shall stay in his or her then-current placement pending decision in said due process hearing and any subsequent judicial review proceedings. This "stay put" requirement shall not apply when modified by a court order.~~

C. *Transfer of IDEA students for Certain Offenses:*

~~(3) Notwithstanding the provisions of the preceding subparagraph (2), a student with disabilities may be assigned~~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~~:

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~~

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~~

3. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function. ~~The interim alternative placement shall be determined by the PPT. If a due process hearing is requested, the student shall remain in said interim alternative placement pending a decision in the due process hearing, unless the Board and the parents otherwise agree, or the Board obtains a court order.~~

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

~~(a)~~ "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.

~~(b)~~ "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).

~~(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.

~~(d)~~ "4. **Serious bodily injury**" means a bodily injury which involves: (A) a substantial risk of death; (B) extreme physical pain; (C) protracted and obvious disfigurement; or (D) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

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

~~The provisions of Section 3 are subject to modification in accordance with a student's individualized education plan or accommodation plan.~~

~~M.~~ Notwithstanding any provision to the contrary, if the Administration recommends for expulsion a student identified as eligible for ~~education~~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)~~ 1. The parents of the student must be notified of the decision to recommend the student for expulsion.

~~(2)~~ 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)~~ 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)~~ 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.

~~8. Notification to Parents or Guardian~~

~~A. The parents or guardian of any minor pupil either expelled or suspended or removed from class shall be given notice of such disciplinary action by~~

~~telephone and written communication within twenty-four (24) hours of the time of the institution of the period of expulsion or suspension or removal from class.~~

~~B. The Superintendent of Schools shall forward to the pupil concerned and his/her parents, or the pupil, if he/she has attained the age of 18, a copy of the procedures "Governing Expulsion" (Section 7 A through F at the time of notification per Section 7 A).~~

~~9. Alternate Program~~

~~Subject to the terms of section 10 (below), whenever the Board of Education expels a student under sixteen (16) years of age, it shall offer such student an alternative education program. The parent (s) of such student has the legal right to reject such a program without being subject to the truancy law. Whenever the Board of Education expels a pupil between sixteen (16) and eighteen (18) years of age for the first time, such pupil shall be offered an alternative educational opportunity subject to conditions established by the Board, which alternative educational opportunity may be placement in an adult education program. The age limitations for the provision of an alternative educational opportunity shall not apply to pupils requiring special education as defined by Connecticut law.~~

~~10. Notwithstanding the provisions of section 9 concerning the provision of an alternative educational opportunity for pupils between the ages of sixteen (16) and eighteen (18), the Board of Education shall not be required to offer such alternative to any such pupil who is expelled because of conduct that endangers persons, if it was determined at the expulsion hearing that the conduct for which the pupil was expelled involved possession on school property or at a school-sponsored activity of a firearm as defined in 18 USC 921, as amended from time to time, a dangerous instrument, deadly weapon or martial arts weapon or offering for sale or distribution on school property or at a school-sponsored activity a controlled substance as defined in Connecticut General Statutes, Section 21a-240, Section 21a-277, or Section 21a-278. The Board is not required to offer a student between the ages of sixteen (16) and eighteen (18) an alternative educational opportunity if the student has been expelled previously.~~

XIV. Procedures Governing Expulsions for Students Committed to a Juvenile Detention Center

~~The provisions of this subsection shall not apply to pupils requiring special education.~~

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.

~~11. Whenever a student is expelled for the sale or distribution of a controlled substance, the Board shall thereafter refer the pupil to an appropriate State agency, in accordance with Connecticut General Statutes, Section 10-233d(e).~~

B. If a student who committed an expellable offense seeks to return to a school district after having been 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.

~~12. Whenever a student is expelled for possession of a deadly weapon or firearm, as defined in Connecticut General Statutes, Section 53a-3, the Superintendent shall report the violation to the local police.~~

~~13. Whenever a student is expelled, this action shall be publicized in the manner the Board and/or Superintendent deem appropriate, provided that personally identifiable information concerning students shall not be disclosed except as authorized by law. Such publicity may include a description of the conduct for which the student was expelled in the public Board vote and/or a press release describing the Board's action and the conduct for which the student was expelled.~~

XV. Early Readmission to School

~~14.~~ An expelled ~~pupil~~student may apply for early readmission to school. The Board delegates the authority to make decisions on ~~readmissions~~readmission requests to the Superintendent. Students desiring readmission to school shall direct such readmission requests to the Superintendent. The Superintendent has the discretion to approve or deny such readmission requests, and may condition readmission on specified criteria.

XVI. Dissemination of Policy

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

XVII. Compliance with Reporting Requirements

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

B. 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.

******

~~Cross References:~~
~~(cf.5125/5125.1 - Student Records; Confidentiality)~~
~~(cf. 5131.2 - Classroom, Hall and Grounds Conduct)~~
~~(cf. 5131.4 - Campus Disturbances)~~
~~(cf. 5131.5 - Vandalism)~~
~~(cf. 5131.6 - Drugs, Tobacco, Alcohol)~~
~~(cf. 5131.7 - Weapons and Dangerous Instruments)~~
~~(cf.5244 - Discipline Punishment)~~

C. 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.

Legal References:

Connecticut General Statutes:

~~10-233a Definitions~~
~~10-233b Removal of pupils from class~~
§§ 4-176e through 4-180a and § 4-181a Uniform Administrative Procedures Act)
§§ 10-233~~e~~a through 10-233e Suspension ~~of pupils~~
~~10-233d Expulsion of pupils~~
~~10-233e Notice as to disciplinary policies and action~~and expulsion of students.
§ 10-233f In-school suspension of ~~pupils~~students.
~~176e - 4-180a, inclusive, 4-181a~~
~~Contested Cases. Notice. Record.~~
~~53a-3~~
§29-38 Weapons in vehicles
§53a-3 Definitions
~~53a-217b Possession of firearms and deadly weapons on school grounds~~
~~18 U.S.C. 921 Definitions~~
~~18 U.S.C. 930(g)(2) Definition of "firearm"~~
~~18 U.S.C. 1365(h)(3) Identifying "serous bodily injury"~~
§53a-206 (definition of "weapon")
Packer v. Board of Educ. of the Town of Thomaston, 246 Conn. 89 (1998).
State v. Hardy, 896 A.2d 755, 278 Conn. 113 (2006).
State v. Guzman, 955 A.2d 72, 2008 Conn. App. LEXIS 445 (Sept. 16, 2008).

Federal law:

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

Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., as amended by the Individuals with Disabilities Education Improvement Act of 2004, Pub. L. 108-446446.
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794(a).
18 U.S.C. § 921 (definition of "firearm")
18 U.S.C. § 930(g)(2) (definition of "dangerous weapon")
18 U.S.C. § 1365(h)(3) (identifying "serious bodily injury")
~~21 U.S.C. 812© Identifying "controlled substances" and "illegal drugs"~~21 U.S.C. § 812(c) (identifying "controlled substances")
34 C.F.R. § 300.530 (defining "illegal drugs")
Gun-Free Schools Act, Pub. L. 107-110, Sec. 401, 115 Stat. 1762 (codified at 20 U.S.C. § 7151)

ADOPTED: _____
REVISED: _____

August 13, 2012

[BOE LETTERHEAD]

(Date)

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

(Parent)[1]
(Parent's Address)

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

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

Dear ***(Parent/Guardian)***:

In accordance with the ***(name of district)*** Board of Education Policy ***(policy # & title)***, I am writing to advise you that the ***(name of district)*** Board of Education (the "Board") will hold a formal hearing concerning your ***(son/daughter), (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], 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 (***son/daughter)*** 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).***

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

(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).*** You and your (***son/daughter)*** are asked to attend this hearing. Your (***son/daughter)*** has the right to be represented by an attorney 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 (***son/daughter)*** 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.

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 **(son/daughter)** has a right to be represented, at your own expense, by legal counsel or other representative at the expulsion hearing. 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 (***son/daughter)*** is expelled as a result of the scheduled hearing, and your (***son/daughter)*** is under sixteen (16) years of age, the Board shall offer your child an alternative educational opportunity, to be determined by the Administration, during any period of exclusion from school. If your **(son/daughter)** is between sixteen (16) and eighteen (18) and has not been expelled before, the Board shall also offer to your (***son/daughter)*** an alternative educational opportunity if she/he wishes to continue her/his education. Please know however, that the Board is not required to offer an alternative educational opportunity to any student between sixteen (16) and eighteen (18) years of age who is expelled for possession of a firearm, deadly weapon or dangerous instrument or sale or distribution of a controlled substance on school grounds or at a school-sponsored activity, or to students who are eighteen (18) years of age or older.

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

Sincerely,

(Name of Superintendent)
(Name of District) 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)

3/12/12

AGREEMENT

NAME OF SUPERINTENDENT, (Superintendent of Schools for NAME OF DISTRICT), NAME OF STUDENT and NAME(S) OF PARENTS (the parents of NAME OF STUDENT) agree as follows with respect to the Superintendent's request that NAME OF STUDENT be expelled from _____ School:

1. NAME OF STUDENT (D.O.B. _____) is currently enrolled as a _____ grade student at _____School.

2. NAME OF STUDENT admits that he engaged in the following conduct on or about _____, 2011:

3. NAME OF STUDENT's conduct, as described above, violates _____ Board of Education Policy _____ (Student Discipline).

4. Subject to the approval of the _____ Board of Education (the "Board"), NAME OF STUDENT shall be expelled from school, effective _____, 20__ and continuing through _____, 20____, under the following conditions:

   a) During the period of expulsion, the Board will provide NAME OF STUDENT with an alternative education opportunity deemed appropriate by the Administration.

   b) During the period of expulsion, NAME OF STUDENT will not be permitted to be on school grounds and will not be permitted to attend or participate in any school-sponsored activities, with the sole exception of his/her participation in the alternative education program.

   c) Prior to _____, the Superintendent will review NAME OF STUDENT's conduct, as well as his/her attendance and effort level in the alternative educational program, for the purpose of determining, in the Superintendent's sole discretion, whether NAME OF STUDENT should be readmitted to school on or about _____.

~~Regulation Approved: September 28, 2010~~

   d) If the Superintendent determines that NAME OF STUDENT should be readmitted to school early in accordance with the preceding section, and if NAME OF STUDENT subsequently commits any offense that would warrant suspension and/or expulsion under the policies of the Board, the Superintendent may reinstate NAME OF STUDENT's expulsion for the

remainder of the expulsion period, through _____, without the need for any further proceedings before the Board.

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

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

7. NAME OF STUDENT and NAME OF PARENT enter into this Agreement voluntarily and with a full understanding of the provisions of this Agreement.

~~Elizabeth E. Feser, Ed.D.~~

_____ Date:
NAME OF SUPERINTENDENT
Superintendent of Schools

_____ Date: _____
NAME OF STUDENT
Student

_____ Date: _____
NAME OF MOTHER and/or NAME OF FATHER
Parents of NAME OF STUDENT

Document comparison by Workshare Compare on Thursday, May 02, 2013 4:07:47 PM

Input:	
Document 1 ID	interwovenSite://SGDMS/SG/2793494/1
Description	#2793494v1<SG> - Windsor Exlusion/Suspension/Expulsion/Student Due Process
Document 2 ID	interwovenSite://SGDMS/SG/238924/51
Description	#238924v51<SG> - Model Policy - Students/Student Discipline
Rendering set	Standard

Legend:	
Insertion	
~~Deletion~~	
~~Moved from~~	
Moved to	
Style change	
Format change	
~~Moved deletion~~	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	432
Deletions	249
Moved from	39
Moved to	39
Style change	0
Format changed	0
Total changes	759