

NEW MILFORD BOARD OF EDUCATION
New Milford Public Schools
50 East Street
New Milford, Connecticut 06776

POLICY SUB-COMMITTEE
MEETING NOTICE

DATE:	September 16, 2014
TIME:	6:45 P.M.
PLACE:	Lillis Administration Building, Rm. 2

AGENDA

New Milford Public Schools Mission Statement

The mission of the New Milford Public Schools, a collaborative partnership of students, educators, family, and community, is to prepare each and every student to compete and excel in an ever-changing world, embrace challenges with vigor, respect and appreciate the worth of every human being, and contribute to society by providing effective instruction and dynamic curriculum, offering a wide range of valuable experiences, and inspiring students to pursue their dreams and aspirations.

- 1. Call to Order**
- 2. Public Comment**

The Board welcomes Public Participation and asks that speakers please limit their comments to three minutes. Speakers may offer objective comments of items on this agenda. The Board will not permit any expression of personal complaints or defamatory comments about Board of Education personnel and students, nor against any person connected with the New Milford Public School System.

3. Discussion and Possible Action Items

A. Policies Recommended for Revision and Approval at Initial Board Presentation in accordance with Board Bylaw 9311:

1. 1331 Smoking
2. 4117.41/4217.41 Employee Discipline
3. 4118.232/4218.232 Smoking
4. 4118.25/4218.25 Reporting Child Abuse and Neglect
5. 5113 Truancy
6. 5114 Removal/Suspension/Expulsion
7. 5131.6 Drugs, Alcohol and Tobacco
8. 5131.911 Safe School Climate Plan/Bullying
9. 5141 Student Health Services
10. 6111 School Calendar
11. 6142.1 Exemption from Instruction
12. 6145.2 Interscholastic/Intramural Athletics

4. Item of Information

A. Regulation Revision:

1. 5131.1 Bus Transportation

5. Adjourn

Sub-Committee Members: **Angela C. Chastain, Chairperson**
David A. Lawson
Dave Littlefield
David R. Shaffer

Alternates: **Wendy Faulenbach**
John W. Spatola

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**RECOMMENDED FOR REVISION AND
APPROVAL AT INITIAL BOARD PRESENTATION**

Bold Italicized language constitutes an addition

Commentary, September 2014: The suggested revisions include electronic devices and vapor products in the definition of “smoking.” Effective October 1, 2014, a new law, P.A. 14-76, prohibits (among other things) persons under the age of 18 from possessing electronic nicotine delivery systems or vapor products in a public place. Violators are subject to a fine of \$50 for the first offense and up to \$100 for subsequent offenses. The law defines “public place” as “any area that is used or held out for use by the public.”

Expanding the board’s definition of smoking to include electronic devices and vapor products is not specifically required by state law (i.e., the law that prohibits smoking in schools has not been amended to include these electronic devices), but it is consistent with the new state law mentioned above. And the Board has the discretion to prohibit the use of such devices on school grounds not only to promote a healthy environment for all, but also to protect its property from any potential damage caused by such devices.

1331(a)

Community Relations

Smoking

The Board of Education is convinced, on the basis of substantial scientific and medical evidence, that smoking poses a serious hazard to the health of smokers and non-smokers alike. In addition, the Board believes that a school system, as an institution committed to the positive growth and development of young people that it serves.

For the purpose of this policy, the term “smoking” includes the use of vapor products and electronic devices that simulate smoking by delivering nicotine or other substances by the inhalation of a vapor.

Students

There shall be no smoking or any other unauthorized use of tobacco by students in any school building or school vehicle at any time, or on any school grounds or at any time when the student is subject to the supervision of designated school personnel, such as when the student is at any school function, extracurricular event, field trip, or school related activity such as a work-study program.

An ongoing program of student support and counseling will be offered to provide support for students who wish to break the smoking habit.

Staff and Public

It is the policy of the Board of Education, consistent with Connecticut General Statutes, to prohibit smoking within school buildings at all times, and to prohibit smoking on school grounds while school is in session or student activities are conducted. Breaks by employees to smoke or use tobacco products are considered recreational activities. If an employee takes a break from work to smoke or use tobacco products or leaves school grounds at any time for any reason other than

Community Relations

Smoking (continued)

district business, including to smoke or use tobacco products, he/she will not be considered to be acting within the normal course and scope of employment.

Legal Reference: Connecticut General Statutes

19a-342 Smoking prohibited in certain places. Signs required. Penalties.

21a-242 Schedules of controlled substances.

53-198 No smoking on buses

14-275c-2 Regulations of Department of Transportation

Public Act 14-76, "An Act Concerning the Governor's Recommendations Regarding Electronic Nicotine Delivery Systems and Youth Smoking Prevention."

Policy adopted: May 7, 2001
Policy revised: December 10, 2002
Policy revised: June 9, 2009
Policy reviewed: October 15, 2013

NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut

**RECOMMENDED FOR REVISION AND
APPROVAL AT INITIAL BOARD PRESENTATION**

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Commentary September 2014: Amend bullet regarding smoking (below) to be consistent with Board Policies 1331 and 4118.232.

4117.41(a)

4217.41(a)

Personnel – Certified/Non-Certified

Employee Discipline

Unless otherwise provided by contract or law, the New Milford Board of Education employs individuals “at will”, which means they may be terminated at any time for any reason with or without prior warning. However, the Board has established disciplinary guidelines to promote fairness and consistency. The school administration shall endeavor to follow these guidelines except in circumstances when the administration deems it appropriate to act otherwise. These guidelines set forth below do not in any way create a contract or imply any rights to an employee inconsistent with their at will employment status.

All employees are expected to comply with the administration’s standards of work-related behavior and performance. When noncompliance becomes evident, the administration shall discipline in any manner it sees fit after taking into consideration any contractual and/or legal obligations that may exist, and the following guidelines.

Non-certified employees

At its sole discretion, except where prohibited by contract, the administration may provide a non-certified employee with an opportunity to remedy the problem through a progressive discipline process. The first step in that process shall be an oral warning, which will be documented by the employee’s supervisor and the employee will receive a copy of the documentation. The second step shall be a written warning, and a copy of the written warning and the documentation of the oral warning will be placed in the employee’s personnel file. The third step in the progressive discipline process shall be a suspension. The fourth step shall be termination from employment with the school district. In cases where the nature or pattern of an employee’s behavior or performance is unacceptable to the administration, the series of incidents that subject an employee to the progressive discipline process may not be related, and the administration may bypass a less severe disciplinary step.

In other cases, behavior or performance problems may warrant immediate severe disciplinary action including but not limited to suspension, demotion, or termination with or without prior warning. Some but not all misconduct and nonperformance that fits this category are listed below.

- Theft or inappropriate removal or possession of property;
- Immoral conduct, including but not limited to conviction of crimes involving moral turpitude and/or sex offense;
- Gambling, except school-sponsored bingo, bazaars or raffles;
- Dishonest or unlawful conduct at the workplace or during work time, or outside the workplace during non-work time if it impacts the school or the employee’s ability to perform his or her job;

Personnel – Certified/Non-Certified

Employee Discipline

Non-certified Employees Cont'd.

- Engaging in conduct that interferes with or has the potential of interfering with other employees or school operations, including engaging in political activity during work times;
- Unauthorized use of telephones, mail system, computers or other school-owned equipment or vehicles;
- Possessing or bringing on school premises or to school sponsored activities or on school transportation, any weapon, firearm or dangerous instrument including explosives, electronic defense and martial arts weapons, and chemical or pepper sprays or any device perceived to be a weapon, firearm or dangerous instrument;
- Failure to follow workplace rules, policies or procedures;
- Willful or negligent destruction and/or improper use of school district property or school vehicles, or engaging in violence or other conduct that endangers property;
- Fighting, threatening violence or other conduct endangering staff, students, visitors or others with whom the employee comes into contact with through his or her employment;
- Insubordination or failure to accept or follow work directives;
- Falsification of records or reports whether written or oral, including but not limited to false or misleading information in any application, interview for employment, time record, school record, incident report, or in response to any employment related inquiry during the course of employment with the district;
- Failure to meet job requirements;
- Excessive absenteeism or tardiness, failure to call in an absence, unauthorized absences, false reports of absences, abandonment of job or abuse of leave;
- Working while under the influence of alcohol or illegal drugs, except prescribed medications that do not impact the ability to safely and competently perform job responsibilities;
- Possession, distribution, sale, transfer or use of alcohol or illegal drugs on school premises, on school transportation or during school-related activities, except alcohol when served to staff at a school-related function;
- Smoking or using tobacco products, ***vapor products or electronic devices that simulate smoking in school facilities***, on school ***grounds*** ~~property or during normal school hours~~, on school transportation or during any school-sponsored activity involving students;
- Leaving a job site during the work day without the permission of management;
- Sexual or other harassment;
- Abusive, offensive or unprofessional treatment of other employees, students or visitors.

Certified Employees

The above guidelines shall also pertain to certified employees to the extent permitted by contract and the nature of their job responsibilities, except non-renewal or termination of a certified employee's contract shall be conducted in accordance with section 10-151 of the Connecticut General Statutes. This statutory provision sets forth the grounds and procedures for non-renewal and termination of contracts held by tenured and non-tenured staff, including the employee's right to appeal.

Personnel – Certified/Non-Certified

Employee Discipline

Notice of Disciplinary Action

Notices of written warnings or more severe disciplinary action pursuant to this policy shall state all charges levied and provide a summary of the conduct upon which the discipline is based, and warn of the possible consequences should the same or similar misconduct or non-performance occur in the future.

Complaint Procedure

Nonunion non-certified and certified employees who have been disciplined and have a complaint concerning that discipline should immediately discuss it with his or her supervisor. If he or she is not satisfied with the response of his or her supervisor, he or she may bring the complaint to a higher-level supervisor or administrator, up to the level of the Superintendent. Or such employee may bypass his or her supervisor and bring his or her complaint immediately in writing to a higher-level supervisor or administrator. Complaints that are reasonably made in a timely fashion shall be listened to, investigated and promptly responded to.

Legal References: C.G.S. § 10-151 (Employment of Teachers)

Policy adopted: December 9, 2003
Policy revised: October 18, 2005

NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut

**RECOMMENDED FOR REVISION AND
APPROVAL AT INITIAL BOARD PRESENTATION**

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Commentary, September 2014: The suggested revisions include electronic devices and vapor products in the definition of "smoking." Expanding the board's definition of smoking to include electronic devices and vapor products is not specifically required by state law (i.e., the law that prohibits smoking in schools has not been amended to include these electronic devices), but it is consistent with the new state law (P.A. 14-76) that prohibits the sale to, purchase by, or possession in a public place of vapor products and electronic delivery systems by persons under age 18. And the Board has the discretion to prohibit the use of such devices on school grounds not only to promote a healthy environment for all, but also to protect its property from any potential damage caused by such devices.

4118.232

4218.232

Personnel – Certified/Non-Certified

Smoking

The New Milford Board of Education does not permit smoking or other use of tobacco products in school facilities and on school grounds. Employees are also prohibited from smoking on school transportation or during any school sponsored activity.

For the purpose of this policy, the term "smoking" includes the use of vapor products and electronic devices that simulate smoking by delivering nicotine or other substances by the inhalation of a vapor.

An employee who violates this policy shall be subject to discipline, up to and including discharge.

Legal References: Connecticut General Statutes
 19a-342 Smoking Prohibited
 53-198 No smoking on buses
 Public Act 14-76, "An Act Concerning the Governor's Recommendations
 Regarding Electronic Nicotine Delivery Systems and Youth Smoking
 Prevention."

Policy adopted: October 18, 2005

NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut

**RECOMMENDED FOR REVISION AND
APPROVAL AT INITIAL BOARD PRESENTATION**

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Commentary September 2014: Two new laws impact this policy. The first, effective October 1, 2014, clarifies the circumstances in which DCF must share information with schools regarding employees who are investigated by DCF for abuse/neglect, necessitating changes to the section below entitled “Impact of DCF Finding of Abuse or Neglect by Certified Personnel” and the definition section.

The second new law that may impact this policy requires the development of a sexual abuse and assault awareness and prevention program. Although the Board has until October 1, 2015 to implement the program (and the SDE has yet to develop it), the Board’s policy can be revised now in preparation.

Revisions are highlighted in gray.

4118.25 (a)

4218.25 (a)

Personnel - Certified/Non-Certified

Reporting Child Abuse and Neglect

The Board of Education recognizes the obligation and importance of reporting suspected child abuse and neglect. Many of the school district’s employees are considered mandated reporters and have an independent duty under state law to report suspected abuse and neglect to the Department of Children and Families (“DCF”) or other law enforcement agencies. Regardless of an employee’s status as a mandated reporter, ALL employees of the school district are required to report suspected child abuse or neglect in accordance with this policy and applicable law.

Definitions

For the purposes of this policy, the following definitions shall apply:

“Abused” refers to a child who (a) has had physical injury or injuries inflicted upon him/her other than by accidental means, or (b) has injuries which are at variance with the history given of them, or (c) is in a condition which is the result of maltreatment such as, but not limited to, malnutrition, sexual molestation or exploitation, deprivation of necessities, emotional maltreatment or cruel punishment;

“Neglected” refers to a child who (a) has been abandoned; (b) is being denied proper care and attention, physically, educationally, emotionally, or morally; or (c) is being permitted to live under conditions, circumstances, or associations injurious to the child's well-being;

“Mandated reporters” are **“School Employees”** and specifically include: teachers, substitute teachers, administrators, superintendents, guidance counselors, psychologists, social workers, nurses, physicians, paraprofessionals, coaches or any other person 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 the district.

Personnel - Certified/Non-Certified

Reporting Child Abuse and Neglect

Appendices A and B provide additional guidance regarding the operational definitions of child abuse and neglect, as well as the indicators of same according to DCF.

When to Report Abuse or Neglect

A report must be made whenever an employee, in the ordinary course of his or her employment, has reasonable cause to suspect or believe that a child under the age of 18 has been:

1. Abused or neglected (as defined above);
2. Has had non-accidental physical injury, or injury which is at variance with the history given of such injury, inflicted upon such child; or
3. Has been placed in imminent risk of serious harm.

Reporting Procedure for Mandated Reporters

Oral Report to DCF within 12 hours

Mandated reporters must make an oral report by telephone (24 Hour Careline, 1-800-842-2288) or in person to the Department of Children and Families, or an appropriate law enforcement agency, as soon as practicable but not later than twelve (12) hours after having acquired reasonable cause to suspect or believe that a child has been abused or neglected. The employee shall notify the Building Principal and Superintendent of Schools or designee immediately after the oral report has been made.

Written Report to DCF within 48 hours

Mandated reporters shall submit a written report to DCF within forty-eight (48) hours of making the oral report. The report shall be filed on form DCF-136 or other sufficient form provided by DCF. The reporter shall also provide a copy of the written report to the Building Principal and Superintendent of Schools, except when the Superintendent is the alleged perpetrator of the abuse or neglect. In making all written reports required under this policy, the reporter may use a form provided by DCF. Written reports of abuse or neglect by mandatory reporters shall include the following information, if known:

1. The names and addresses of the child and his or her parents or other person responsible for the child's care;
2. The age of the child;
3. The gender of the child;
4. The nature and extent of the child's injury or injuries, maltreatment or neglect;

Personnel - Certified/Non-Certified

Reporting Child Abuse and Neglect

Reporting Procedure for Mandated Reporters (continued)

5. The approximate date and time the injury or injuries, maltreatment or neglect occurred;
6. Information concerning any previous injuries to, maltreatment of or neglect to the child or his or her siblings;
7. The circumstances in which the injuries, maltreatment or neglect came to be known to the reporter;
8. The name of the person or persons suspected to be responsible for causing such injury or injuries, maltreatment or neglect;
9. The reasons such persons are suspected of causing such injury or injuries, maltreatment or neglect;
10. Any information concerning any prior cases in which such person or persons have been suspected of causing an injury, maltreatment or neglect of a child;
11. Whatever action, if any, was taken to treat, provide shelter or otherwise assist the child.

Cooperation with Investigation

A person reporting child abuse or neglect shall provide any person authorized to conduct an investigation of child abuse or neglect with all information related to the investigation that is in the possession or control of the person reporting the abuse or neglect, except as expressly prohibited by state or federal law.

Notwithstanding the provisions of Connecticut General Statutes §10-151c, upon request and for the purposes of an investigation of suspected child abuse or neglect by a teacher employed by the Board, the Board shall provide the Commissioner of DCF any records maintained or kept on file about said teacher. Such records shall include, but not be limited to, supervisory records, reports of competence, personal character and efficiency maintained in such teacher's personnel file with reference to evaluation of performance as a professional employee of the Board and records of personal misconduct. For the purpose of this requirement, "teacher" is defined as each certified professional employee below the rank of superintendent in a position requiring a certificate issued by the State Board of Education.

Personnel - Certified/Non-Certified

Reporting Child Abuse and Neglect

Reporting Procedure for Employees who are NOT Mandated Reporters

Employees of the school district who are not mandated reporters are required to report suspected abuse or neglect as soon as possible but not later than twelve (12) hours after the employee has reasonable cause to suspect that a child has been abused or neglected. Such reports shall be made in writing to the Superintendent of Schools and the building administrator who shall act in accordance with his or her obligations as a mandated reporter.

Nothing in the reporting procedure outlined by this policy prevents employees who are not mandated reporters from also reporting suspected abuse or neglect directly to DCF or a law enforcement agency.

Procedures When a School Employee is the Alleged Abuser

Notification of Parent or Guardian

Whenever there is a report that a student has been abused or neglected by a school employee, the Superintendent shall immediately notify the child's parent or other person responsible for the child's care that a report has been made.

Investigation by the Board of Education

The Board of Education shall permit and give priority to any investigation conducted by DCF or the appropriate law enforcement agency. The Board may conduct its own investigation of the alleged abuse or neglect by a school employee provided that such investigation does not impede an investigation by DCF. The Superintendent of Schools shall conduct his/her investigation upon receipt of notice from the Commissioner of DCF or the appropriate law enforcement agency that the Board's investigation will not interfere with the investigation of DCF or law enforcement.

When investigating an allegation of abuse or neglect by a school employee, the Superintendent or designee shall endeavor to obtain, when possible, the consent of parents or guardians or other persons responsible for the care of the child, to interview the child. The investigation shall include an opportunity for the suspected perpetrator to be heard with regard to the alleged abuse or neglect. During the course of the investigation, the Superintendent of Schools may suspend the employee with pay or may place the employee on administrative leave with pay pending the outcome of the investigation.

Regardless of the outcome of any investigation by DCF or a law enforcement agency, the Superintendent of Schools may take disciplinary action against any school employee up to and

Personnel - Certified/Non-Certified

Reporting Child Abuse and Neglect

Procedures When a School Employee is the Alleged Abuser (continued)

including termination of employment if the school district's investigation concludes that an employee engaged in abuse or neglect or otherwise violated the terms and conditions of employment.

Impact of DCF Findings on Mandatory Suspension of School Employees-Finding of Abuse or Neglect by Certified Personnel

If *the Commissioner of DCF* determines that there is reasonable cause to believe that a child has been abused or neglected by a school employee, *and* ~~who holds a certificate, permit or authorization issued by the State Board of Education, or if DCF has recommended that such~~

employee be placed on the DCF child abuse and neglect registry, the Superintendent *shall* suspend such employee with pay and without termination of benefits, and, within seventy-two (72) hours after issuance of the suspension, shall notify the Board of Education and the Commissioner of Education or his representative of the reasons for and conditions of the suspension. The suspension *of a school employee who is employed in a position requiring a certificate* shall remain in effect until the Board of Education acts pursuant to §10-151 of the Connecticut General Statutes. The Superintendent shall also disclose those records provided by DCF concerning its investigation to the Commissioner of Education and the Board of Education or its attorney. If the contract of employment of such a certified school employee is terminated as the result of an investigation of abuse or neglect or the employee resigns, the Superintendent shall notify the Commissioner of Education or his representative within seventy-two (72) hours after such termination or resignation. *The suspension of a non-certified school employee shall remain in effect until the Superintendent of Schools or designee determines the appropriate disciplinary response, up to and including termination of employment.*

Impact of DCF Finding of Abuse or Neglect by Non-Certified Personnel

If ~~DCF determines that there is reasonable cause to believe that a child has been abused or neglected by a non-certified school employee, the Superintendent of Schools or designee may take disciplinary action up to and including termination.~~

Personnel - Certified/Non-Certified

Reporting Child Abuse and Neglect

Training

School employees who are mandated reporters and were hired on or after July 1, 2011 shall be required to complete a training program for the accurate and prompt identification and reporting of child abuse and neglect. School employees who are mandated reporters and were hired before July 1, 2011 are required to complete a refresher training program. All mandated reporters shall be required to complete the refresher training program at least once every three years.

Although only mandated reporters are legally required to complete abuse and neglect training and refresher training programs, the Superintendent of Schools, at his or her discretion, may require other school employees to complete such training.

The training and refresher training programs shall be developed and made available by the Commissioner of DCF in accordance with applicable law.

Child Sexual Abuse and Assault Awareness and Prevention

The Superintendent of Schools is authorized to implement a sexual abuse and assault awareness and prevention program developed by the State Department of Education in accordance with state law. The program should include training for teachers regarding the prevention, identification of and response to child sexual abuse and assault, information on resources to promote awareness, age-appropriate educational materials for students in grades K-12, and use of the uniform child sexual abuse and assault response policy and reporting procedure.

Records and Documentation

All records pertaining to allegations, investigations or reports of child abuse or neglect by a school employee shall be maintained in a central location. Such records shall include any reports made to DCF. The Department of Education shall have access to such records.

The Board shall keep records establishing that school employees have completed training and refresher training programs as required by law.

The Board shall document the annual notification of this policy to school employees.

4118.25 (g)

4218.25 (g)

Personnel - Certified/Non-Certified

Reporting Child Abuse and Neglect

Retaliation Prohibited

Retaliation against a mandated reporter is prohibited. The Board will not discriminate, discharge or otherwise retaliate against an employee who acts in good faith to comply with this policy and the individual obligations of applicable state law.

Violation of this Policy

Employees who fail to report child abuse or neglect in a timely manner or otherwise violate the requirements of this policy and/or applicable law may face disciplinary action up to and including termination of employment.

Delegation of Authority

The Superintendent is authorized to delegate his or her responsibilities for receiving and making reports, notifying and receiving notification, and conducting investigations to a designee acting on his or her behalf.

Notification of Policy

This policy shall be distributed annually to all school employees.

Legal References:

Connecticut General Statutes

10-220 Duties of boards of education

10-220a In-service training

10-221s Investigations of child abuse and neglect. Disciplinary action

10-151e Disclosure of teacher records for purposes of an investigation of child abuse or neglect

~~17a-101 et seq. Protection of children from abuse. Mandated reporters.~~

17a-101 Protection of children from abuse. Mandated reporters. Educational and training programs Model mandated reporting policy

17a-101a Report of abuse, neglect or injury of child or imminent risk of serious harm to child. Penalty for failure to report. Notification of Chief State's Attorney

17a-101b Oral report by mandated reporter

17a-101c Written report by mandated reporter

17a-101d Contents of oral and written reports

4118.25 (h)
4218.25 (h)

Personnel - Certified/Non-Certified

Reporting Child Abuse and Neglect

17a-101i Abuse or neglect by school employee or public or private institution or facility providing care for children. Suspension. Termination or resignation. Notification of state's attorney re conviction. Written policy re mandated reporting. Training programs

17a-101o School employee failure or delay in reporting child abuse or neglect

17a-101p Reports by persons not designated as mandated reporters. Notice to Commissioner of Education

17a-103e Reports of child abuse and neglect by a school employee. Review of records and information

53a-65 Definitions

~~Public Act 11-93, An Act Concerning the Response of School Districts and the Departments of Education and Children and Families to Reports of Child Abuse and Neglect and the Identification of Foster Children in a School District.~~

Public Act 14-196, An Act Concerning State-Wide Sexual Abuse and Assault Awareness Program

“Model Policy for the Reporting of Child Abuse and Neglect,” Connecticut Department of Children and Families.

Policy adopted: March 13, 2012
Policy revised: October 9, 2012

NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut

APPENDIX A

Operational Definitions of Child Abuse and Neglect

The purpose of this policy is to provide consistency for staff in defining and identifying operational definitions, evidence of abuse and/or neglect and examples of adverse impact indicators. The following operational definitions are working definitions and examples of child abuse and neglect as used by the Connecticut Department of Children and Families.

For the purposes of these operational definitions,

- child refers to any person under eighteen (18) years of age, or under twenty-one (21) years of age and in DCF care
- a person responsible for a child's health, welfare or care means:
 - the child's parent, guardian, foster parent, an employee of a public or private residential home, agency or institution or other person legally responsible under State law for the child's welfare in a residential setting; or any staff person providing out-of-home care, including center-based child day care, family day care, or group day care
- a person given access to a child is a person who is permitted to have personal interaction with a child by the person responsible for the child's health, welfare or care or by a person entrusted with the care of a child for the purpose of education, child care, counseling, spiritual guidance, coaching, training, instruction, tutoring or mentoring.

Note: Only a "child" as defined above may be classified as a victim of child abuse and/or neglect; only a "person responsible", "person given access", or "person entrusted" as defined above may be classified as a perpetrator of child abuse and/or neglect.

Legal References: Connecticut General Statutes §17a-93; §17a-103a; §17a-101, et. seq., as amended by P.A. 11-93; §46b-120.

Physical Abuse

A child may be found to have been physically abused who:

- has been inflicted with physical injury or injuries other than by accidental means,
- is in a condition which is the result of maltreatment such as, but not limited to, malnutrition, sexual molestation, deprivation of necessities, emotional maltreatment or cruel punishment, and/or
- has injuries at variance with the history given of them.

Evidence of physical abuse includes:

- bruises, scratches, lacerations
- burns, and/or scalds
- reddening or blistering of the tissue through application of heat by fire, chemical substances, cigarettes, matches, electricity, scalding water, friction, etc.
- injuries to bone, muscle, cartilage, ligaments: fractures, dislocations, sprains, strains, displacements, hematomas, etc.
- head injuries
- internal injuries
- death

- misuse of medical treatments or therapies
- malnutrition related to acts of commission or omission by an established caregiver resulting in a child's malnourished state that can be supported by professional medical opinion
- deprivation of necessities acts of commission or omission by an established caregiver resulting in physical harm to child
- cruel punishment.

Sexual Abuse/Exploitation Sexual Abuse/Exploitation

Sexual Abuse/Exploitation is any incident involving a child's non-accidental exposure to sexual behavior.

Evidence of sexual abuse includes, but is not limited to the following:

- rape
- penetration: digital, penile, or foreign objects
- oral / genital contact
- indecent exposure for the purpose of sexual gratification of the offender, or for purposes of shaming, humiliating, shocking or exerting control over the victim
- incest
- fondling, including kissing, for the purpose of sexual gratification of the offender, or for purposes of shaming, humiliating, shocking or exerting control over the victim
- sexual exploitation, including possession, manufacture, or distribution of child pornography. online enticement of a child for sexual acts, child prostitution, child-sex tourism, unsolicited obscene material sent to a child, or misleading domain name likely to attract a child to an inappropriate website
- coercing or forcing a child to participate in, or be negligently exposed to, pornography and/or sexual behavior
- disease or condition that arises from sexual transmission
- other verbal, written or physical behavior not overtly sexual but likely designed to "groom" a child for future sexual abuse.

Legal References: Federal Law 18 U.S.C. 2215 Sexual Exploitation of Children.

Emotional Maltreatment-Abuse

Emotional Maltreatment-Abuse is:

- act(s), statement(s), or threat(s), which
- has had, or is likely to have an adverse impact on the child; and/or
- interferes with a child's positive emotional development.

Evidence of emotional maltreatment-abuse includes, but is not limited to, the following:

- rejecting;
- degrading;
- isolating and/or victimizing a child by means of cruel, unusual, or excessive methods of discipline; and/or
- exposing the child to brutal or intimidating acts or statements.

Indicators of Adverse Impact of emotional maltreatment-abuse may include, but are not limited to, the following:

- depression;
- withdrawal;

- low self-esteem;
- anxiety;
- fear;
- aggression/ passivity;
- emotional instability;
- sleep disturbances;
- somatic complaints with no medical basis;
- inappropriate behavior for age or development;
- suicidal ideations or attempts;
- extreme dependence;
- academic regression;
- and/or trust issues.

Physical Neglect

A child may be found neglected who:

- has been abandoned;
- is being denied proper care and attention physically, educationally, emotionally, or morally;
- is being permitted to live under conditions, circumstances or associations injurious to his well-being; and/or
- has been abused.

Evidence of physical neglect includes, but is not limited to:

- inadequate food;
- malnutrition;
- inadequate clothing;
- inadequate housing or shelter;
- erratic, deviant, or impaired behavior by the person responsible for the child's health, welfare or care; by a person given access to the child; or by a person entrusted with the child's care which adversely impacts the child;
- permitting the child to live under conditions, circumstances or associations injurious to his well-being including, but not limited to, the following:
 - substance abuse by caregiver, which adversely impacts the child physically
 - substance abuse by the mother of a newborn child and the newborn has a positive urine or meconium toxicology for drugs
 - psychiatric problem of the caregiver which adversely impacts the child physically
 - exposure to family violence which adversely impacts the child physically
 - exposure to violent events, situations, or persons that would be reasonably judged to compromise a child's physical safety
 - non-accidental, negligent exposure to drug trafficking and/or individuals engaged in the active abuse of illegal substances
 - voluntarily and knowingly entrusting the care of a child to individuals who may be disqualified to provide safe care, e.g. persons who are subject to active protective or restraining orders; persons with past history of violent/drug/sex crimes; persons appearing on the Central Registry
 - non-accidental or negligent exposure to pornography or sexual acts
 - inability to consistently provide the minimum of child-caring tasks
 - inability to provide or maintain a safe living environment
 - action/inaction resulting in death
 - abandonment
 - action/inaction resulting in the child's failure to thrive
 - transience

- inadequate supervision: creating or allowing a circumstance in which a child is alone for an excessive period of time given the child's age and cognitive abilities
- holding the child responsible for the care of siblings or others beyond the child's ability
- failure to provide reasonable and proper supervision of a child given the child's age and cognitive abilities.

Note: Inadequate food, clothing, or shelter or transience finding must be related to caregiver acts of omission or commission and not simply a function of poverty alone.

Medical Neglect

Medical Neglect is the unreasonable delay, refusal or failure on the part of the person responsible for the child's health, welfare or care or the person entrusted with the child's care to seek, obtain, and/or maintain those services for necessary medical, dental or mental health care when such person knows, or should reasonably be expected to know, that such actions may have an adverse impact on the child.

Evidence of medical neglect includes, but is not limited to:

- frequently missed appointments, therapies or other necessary medical and/or mental health treatments;
- withholding or failing to obtain or maintain medically necessary treatment from a child with life-threatening, acute or chronic medical or mental health conditions; and/or
- withholding medically indicated treatment from disabled infants with life threatening conditions.

Note: Failure to provide the child with immunizations or routine well child care in and of itself does not constitute medical neglect.

Educational Neglect

Except as noted below, **Educational Neglect** occurs when, by action or inaction, the parent or person having control of a child five (5) years of age and older and under eighteen (18) years of age who is not a high school graduate

- fails to register the child in school
- fails to allow the child to attend school or receive home instruction in accordance with CONN. GEN. STAT. §10-184
- failure to take appropriate steps to ensure regular attendance at school if the child is registered.

Exceptions (in accordance with CONN. GEN. STAT. §10-184):

- A parent or person having control of a child may exercise the option of not sending the child to school at age five (5) or age six (6) years by personally appearing at the school district office and signing an option form. In these cases, educational neglect occurs if the parent or person having control of the child has registered the child at age five (5) or age (6) years and then does not allow the child to attend school or receive home instruction.

Note: Failure to sign a registration option form for such a child is not in and of itself educational neglect.

- A parent or person having control of a child sixteen (16) or seventeen (17) years of age may consent to such child's withdrawal from school. Such parent or person shall personally appear at the school district office and sign a withdrawal form.

Emotional Neglect

Emotional Neglect is the denial of proper care and attention, or failure to respond, to a child's affective needs by the person responsible for the child's health, welfare or care; by the person given access to the child; or by the person entrusted with the child's care which has an adverse impact on the child or seriously interferes with a child's positive emotional development.

Evidence of emotional neglect includes, but is not limited to, the following:

- inappropriate expectations of the child given the child's developmental level;
- failure to provide the child with appropriate support, attention and affection;
- permitting the child to live under conditions, circumstances or associations; injurious to his well-being including, but not limited to, the following:
 - substance abuse by caregiver, which adversely impacts the child emotionally;
 - psychiatric problem of the caregiver, which adversely impacts the child emotionally;
 - and
 - exposure to family violence which adversely impacts the child emotionally.

Indicators may include, but are not limited to, the following:

- depression;
- withdrawal;
- low self-esteem;
- anxiety;
- fear;
- aggression/ passivity;
- emotional instability;
- sleep disturbances;
- somatic complaints with no medical basis;
- inappropriate behavior for age or development;
- suicidal ideations or attempts;
- extreme dependence;
- academic regression;
- trust issues.

Moral Neglect

Moral Neglect: Exposing, allowing, or encouraging the child to engage in illegal or reprehensible activities by the person responsible for the child's health, welfare or care or person given access or person entrusted with the child's care.

Evidence of Moral Neglect includes but is not limited to:

- stealing;
- using drugs and/or alcohol;
- and involving a child in the commission of a crime, directly or by caregiver indifference.

Appendix B

INDICATORS OF CHILD ABUSE AND NEGLECT

Indicators of Physical Abuse

HISTORICAL

- Delay in seeking appropriate care after injury.
- No witnesses.
- Inconsistent or changing descriptions of accident by child and/or parent.
- Child's developmental level inconsistent with history.
- History of prior "accidents".]
- Absence of parental concern.
- Child is handicapped (physically, mentally, developmentally) or otherwise perceived as "different" by parent.
- Unexplained school absenteeism.
- History of precipitating crisis

PHYSICAL

- Soft tissue injuries on face, lips, mouth, back, buttocks, thighs or large areas of the torso;
- Clusters of skin lesions; regular patterns consistent with an implement;
- Shape of lesions inconsistent with accidental bruise;
- Bruises/welts in various stages of healing;
- Burn pattern consistent with an implement on soles, palms, back, buttocks and genitalia; symmetrical and/or sharply demarcated edges;
- Fractures/dislocations inconsistent with history;
- Laceration of mouth, lips, gums or eyes;
- Bald patches on scalp;
- Abdominal swelling or vomiting;
- Adult-size human bite mark(s);
- Fading cutaneous lesions noted after weekends or absences;
- Rope marks.

BEHAVIORAL

- Wary of physical contact with adults;
- Affection inappropriate for age
- Extremes in behavior, aggressiveness / withdrawal;
- Expresses fear of parents;
- Reports injury by parent;
- Reluctance to go home;
- Feels responsible (punishment "deserved");
- Poor self-esteem;
- Clothing covers arms and legs even in hot weather.

Indicators of Sexual Abuse**HISTORICAL**

- Vague somatic complaint;
- Excessive school absences;
- Inadequate supervision at home;
- History of urinary tract infection or vaginitis;
- Complaint of pain; genital, anal or lower back/abdominal;
- Complaint of genital itching;
- Any disclosure of sexual activity, even if contradictory.

PHYSICAL

- Discomfort in walking, sitting;
- Evidence of trauma or lesions in and around mouth;
- Vaginal discharge/vaginitis;
- Vaginal or rectal bleeding;
- Bruises, swelling or lacerations around genitalia, inner thighs;
- Dysuria;
- Vulvitis;
- Any other signs or symptoms of sexually transmitted disease;

- Pregnancy.

BEHAVIORAL

- Low self-esteem;
- Change in eating pattern;
- Unusual new fears;
- Regressive behaviors;
- Personality changes (hostile/aggressive or extreme compliance);
- Depression;
- Decline in school achievement;
- Social withdrawal; poor peer relationship;
- Indicates sophisticated or unusual sexual knowledge for age;
- Seductive behavior, promiscuity or prostitution;
- Substance abuse;
- Suicide ideation or attempt;
- Runaway.

Indicators of Emotional Abuse

HISTORICAL

- Parent ignores/isolates/belittles/rejects/scapegoats child
- Parent's expectations inappropriate to child's development
- Prior episode(s) of physical abuse
- Parent perceives child as "different"

PHYSICAL

- (Frequently none);
- Failure to thrive;
- Speech disorder;
- Lag in physical development;
- Signs/symptoms of physical abuse.

BEHAVIORAL

- Poor self-esteem

- Regressive behavior (sucking, rocking, enuresis)
- Sleep disorders
- Adult behaviors (parenting sibling)
- Antisocial behavior;
- Emotional or cognitive developmental delay;
- Extremes in behavior - overly aggressive/compliant;
- Depression;
- Suicide ideation/attempt.

Indicators of Physical Neglect

HISTORICAL

- High rate of school absenteeism;
- Frequent visits to school nurse with nonspecific complaints;
- Inadequate supervision, especially for long periods and for dangerous activities;
- Child frequently unattended; locked out of house;
- Parental inattention to recommended medical care
- No food intake for 24 hours;
- Home substandard (no windows, doors, heat), dirty, infested, obvious hazards;
- Family member addicted to drugs/alcohol.

PHYSICAL

- Hunger, dehydration;
- Poor personal hygiene, unkempt, dirty;
- Dental cavities/poor oral hygiene;
- Inappropriate clothing for weather/size of child, clothing dirty; wears same clothes day after day;
- Constant fatigue or listlessness;
- Unattended physical or health care needs;
- Infestations;
- Multiple skin lesions/sores from infection.

BEHAVIORAL

- Comes to school early, leaves late;
- Frequent sleeping in class;
- Begging for/stealing food;
- Adult behavior/maturity (parenting siblings);
- Delinquent behaviors;
- Drug/alcohol use/abuse.

**RECOMMENDED FOR REVISION AND
APPROVAL AT INITIAL BOARD PRESENTATION**

Bold Italicized language constitutes an addition

Commentary September 2014 – Revision is on page (d), reflects new law that provides another category of excused absences – students who are absent to visit with a parent or guardian called to active duty or on leave from combat.

5113(a)

Students

Truancy

Attendance

Classroom learning experiences are the basis for public school education. Time lost from class is lost instructional opportunity. The attendance policy is intended to promote student success.

The New Milford Board of Education requires parents to ensure that their children attend school regularly during the hours and terms the public schools are in session.

Regular attendance at school is not only required by state law, but is an integral component in student success and a matter of self-discipline which will prove important later in life. Class time is an invaluable opportunity for students and teachers to interact with each other and exchange ideas. It is also the forum for a wide range of learning opportunities which cannot be duplicated outside of the classroom. Therefore, in order to avail themselves of the maximum opportunity for learning, students need to be present in each and every class.

The success of a student is determined by the cooperative effort of the student, parents, school, and the community. Failure of these groups to live up to their responsibilities can result in failure for the student. For this reason, responsibilities must be clearly defined and followed.

The procedures and regulations shall be in accordance with Board policy and Connecticut State law. The Superintendent shall insure that administrative procedures and disciplinary actions for student attendance will be contained in each student/parent handbook.

Procedures and regulations shall be maintained and implemented for the schools to provide age-appropriate measures which promote regular and punctual attendance. Schools that share the same grade levels shall have the same procedures and regulations. The procedures and regulations shall clearly define the responsibilities of parents and students regarding attendance in class and school, tardiness, early dismissal, completion of missed work, and other areas which affect the classroom learning experience.

The Principal will give annual written notice to parents/guardian of their obligations according to Connecticut General Statute 10-184. At the beginning of each academic year -- or, in the case of students who enroll during the school year, at the time of enrollment -- the school district will require from the parents/guardians a telephone number where they can be contacted during the school day (i.e. from first bell to dismissal).

The official school day, during which all students are the responsibility of the high school, begins when the student either boards a school bus to come to school or otherwise when the

Students

Truancy

Attendance (continued)

student arrives on campus for the day. Students may neither get off the bus prior to arrival at school nor may they leave campus once they have arrived, without prior approval of the Principal or the Principal's designee.

Standards

A. Student Responsibilities

1. To attend all classes except for reasons stated under "Excused Absence" and to be punctual.
2. To report directly to the Attendance Office or School Office when tardy to school, in accordance with school procedures.
3. To notify teachers of anticipated absence and to make arrangements to make up work promptly upon return from an excused absence. In the case of an extended absence, to seek faculty assistance if needed and to make up work in a reasonable time frame.
4. To communicate with parents, teachers, and/or school administrators any problems related to lack of attendance and/or tardiness to school or any class.
5. To report one's own absences from school or class in accordance with school procedures if one is legally emancipated.

B. Parent Responsibilities:

1. To communicate and work cooperatively with the school for the benefit of the student.
2. To emphasize the importance of regular attendance and punctuality. To authorize only those absences that are included under "Excused Absence." Also, to make every effort to schedule appointments and vacations outside of school hours.
3. To contact the school regarding an absence or tardy the morning of that absence or tardy.
4. To assist students with arrangements to seek faculty assistance and make up missed work resulting from an absence.

C. School Responsibilities:

1. To take all actions necessary to ensure the success of the student, including parent conferences, counseling, and interaction with the community in making use of community services.
2. To keep accurate attendance records.

Students

Truancy

Standards (continued)

3. To notify parents promptly (when parents have not called the school) of all absences whether, for one class or the entire school day.
4. To arrange opportunities for the students to make up missed tests, quizzes and assignments resulting from absences, upon their return to school. In the case of extended absence, to prepare with the student a plan for faculty assistance and an opportunity to make up work in a reasonable time frame.

D. Community Responsibilities:

1. To realize that the success of students contributes to the success of the community.
2. To encourage regular school attendance as a prerequisite for student employment.
3. To encourage area businesses to refrain from allowing students to congregate during school hours.
4. To encourage medical and dental offices to arrange student appointments outside of school hours.
5. To do all that is possible under current state law to ensure that all students attend school regularly.

Definitions

1. **Truant** - Shall mean a student age 5 – 18 inclusive who has four unexcused absences in any one month or ten unexcused absences in one school year.
2. **Tardy** - A student shall be considered tardy if he/she arrives at class after classes have begun.
3. **Absence** - any non-attendance of an enrolled student. A student is considered to be in attendance if present at his/her assigned school, or an activity sponsored by the school (e.g. field trip), for at least half of the regular school day.
4. **Disciplinary Absence** - an absence that is the result of school or district disciplinary action such as an out-of-school suspension or expulsion. Disciplinary absences are neither excused nor unexcused.
5. **Documentation of absence** – a written explanation of the nature of and the reason for the absence as well as the length of the absence. This 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. Separate documentation must be submitted for each incidence of absenteeism. Non-English speaking parents/guardians may submit documentation in their native language.

Students

Truancy

Definitions (continued)

6. **Excused Absence** - A student's non-attendance from school shall be considered excused if written documentation of the reason for the absence has been submitted within ten school days of the student's return to school or in accordance with Section 10-210 of the Connecticut General Statutes (when the school medical advisor provides notice to a parent or guardian that a student has symptoms of a communicable disease) and meets the following criteria:
 - A. For absences one through nine, a student's absences from school are considered excused when the student's parent/guardian approves such absence and submits appropriate documentation; and
 - B. For the tenth absence and all absences thereafter, a student's absences from school are considered excused for the following reasons:
 1. student illness (all student illness absences must be verified by an appropriately licensed medical professional to be deemed excused, regardless of the length of absence);
 2. student's observance of a religious holiday;
 3. death in the student's family or other emergency beyond the control of the student's family;
 4. mandated court appearances (additional documentation required);
 5. the lack of transportation that is normally provided by a district other than the one the student attends (no parental documentation is required for this reason); or
 6. extraordinary educational opportunities pre-approved by district administrators and in accordance with Connecticut State Department of Education guidance.
 - C. *Up to ten absences will be considered excused for students to visit with parents or legal guardians who are active members of the armed forces and have been called to duty for, are on leave from or have immediately returned from deployment to a combat zone or combat support posting. The Board of Education may grant additional excused absences for such purposes.*
7. **Unexcused absence** – Any absence that does not meet the criteria for an excused absence (including proper documentation) or a disciplinary absence.

Students

Truancy

Definitions (continued)

8. **Dismissal** - No school, grade, or class may be dismissed before the regularly scheduled dismissal time without the approval of the Superintendent or his/her designee.
No teacher may permit any individual student to leave school prior to the regular hour of dismissal without the permission of the Principal.
No student may be permitted to leave school at any time other than at regular dismissal without the approval of the student's parent/guardian. If a court official with legal permission to take custody of a child, or if a police officer arrests a student, the parent/guardian should be notified of these situations by the administration.

Attendance

Connecticut state law requires parents to cause their children, ages five through eighteen inclusive, to attend school regularly during the hours and terms the public school is in session. Parents or persons having control of a child five years of age have the option of not sending the child to school until age six or seven. The parent or person having control of a child of age five or six shall exercise such option by personally appearing at the school district office and signing an option form. At such time, school personnel shall provide the parent or person with information on the educational opportunities available in the school system. Mandatory attendance terminates upon graduation or withdrawal with written parent/guardian consent at age seventeen.

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

Parents and guardians shall be notified when a student has reached nine (9) absences and reminded of the stricter rules that apply to further absences for the remainder of the school year.

The Superintendent of Schools or designee shall periodically audit a small percentage of the documentation provided for student absences in order to ensure general compliance with this policy.

Excessive Absences/Truancy

It is the policy of the Board of Education to monitor school attendance so as to identify students who are truant, and to enlist the cooperation of parents and, when necessary, the juvenile justice system, in order to address the problem when it arises. The following truancy procedures are hereby adopted:

Students

Truancy

Excessive Absences/Truancy (continued)

For purpose of these procedures, “Parent” means the parent, guardian or other person having control of a child.

1. Whenever a student in grade K-8 is absent from school on a regularly scheduled school day and no indication has been received by school personnel that the parent or other person having control of the child is aware of the student’s absence, school personnel or volunteers under the direction of the building principal shall make a reasonable effort to notify the parent of the student’s absence. Notification shall be by telephone and by mail. The mailed notice shall include a warning that two unexcused absences from school in a month or five unexcused absences in a year may result in a complaint filed with the Superior Court that the child’s family is a family with service needs.
2. When a student is identified as a truant, the Superintendent or his/her designee will conduct a meeting with the parent, the student, if appropriate, and with such school personnel where involvement is determined appropriate. The meeting will occur not later than ten (10) school days after the child’s fourth (4th) unexcused absence in a month or the tenth (10th) unexcused absences in a school year and will be for the purpose of reviewing and evaluating the reasons for truancy. In reviewing and evaluating the reasons for the student’s truancy, the participants of the meeting should consider the appropriateness of referring the student to the school’s [Student Assistance Team] or planning and placement team. At the meeting, school personnel shall be designated to coordinate services with and referrals of children to community agencies providing child and family services if appropriate.
3. If the parent of a child who is a truant fails to attend the meeting held pursuant to paragraph 2 above, or fails to otherwise cooperate with the school in attempting to solve the truancy problem, the Superintendent will file not later than fifteen (15) calendar days after such failure to attend or failure to cooperate, a written complaint with the Superior Court pursuant to Connecticut General Statutes §46b-149, alleging that the acts or omissions of the child are such that his/her family is a family with service needs.

Legal References: Connecticut General Statutes
 10-184 Duties of parents
 10-185 Penalty
 10-198a through 10-202 Attendance, truancy - in general
 10-220 Duties of boards of Education
 10-221 Boards of education to prescribe rules, policies and procedures
 46b-149 Child from family with service needs

Students

Truancy

Legal References (continued)

Connecticut State Board of Education Definitions of Excused and Unexcused Absences Adopted June 27, 2012

Connecticut State Board of Education Statewide Definition of Attendance for Public School Districts in Connecticut, Adopted January 2, 2008.

Connecticut State Department of Education's "Guidelines for Implementation of the Definitions of Excused and Unexcused Absences and Best Practices for Absence Prevention and Intervention," April 2013

Policy adopted: June 12, 2001
Policy revised: June 24, 2004
Policy revised: June 12, 2007
Policy revised: June 8, 2010
Policy revised: October 11, 2011
Policy revised: October 9, 2012
Policy revised: October 8, 2013

NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut

NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut

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

Dear (Parent Name),

Connecticut law requires that annually the school district provide you a written notice of your obligations under Connecticut General Statute 10-184. This law requires each parent or guardian of a child five years of age and older and under eighteen years of age to ensure that the child attends school regularly when school is in session — unless such parent or other person shows that the child is receiving equivalent instruction elsewhere, or that the child has graduated from high school. Parents or persons having control of a child five or six years of age have the option of not sending the child to school until age six or seven by personally appearing at the school district office and signing an option form. The parent or person having control of a child seventeen years of age may consent to such child's withdrawal from school by signing a withdrawal form at the school district office.

Regular student attendance is essential to the educational process. So that we can inform you if your child is absent without a previous explanation, Connecticut laws also require that we obtain from you a telephone number or other means of contacting you during the school day. Please complete and return the form attached.

Thanks for your cooperation.

Sincerely,

Principal

**RECOMMENDED FOR REVISION AND
APPROVAL AT INITIAL BOARD PRESENTATION**

Bold Italicized language constitutes an addition

Commentary September 2014: Proposed revisions are on pages (k) and (l) and address expulsion procedures. A new law regarding expulsion does the following:

•*Makes it clear that when an expulsion involves the possession of a firearm or deadly weapon, boards no longer have the discretion to “shorten or waive” the expulsion period as permitted by Conn. Gen. Sta. §10-233d(c)(2). That being said, the Act did not change two other sections of the expulsion law that address the length of expulsions. Therefore, despite the change to section (c)(2), boards appear to retain the discretion to “modify” a mandatory one year expulsion on a “case by case basis” per §10-233d(a)(2) and/or to readmit such expelled student at the discretion of the board per §10-233d(j)). The distinction appears to have some impact on the ability to expunge such expulsions.*

•*Eliminates the ability to expunge the expulsion records of students in grades 9-12 who have been expelled for possession of a firearm or deadly weapon.*

•*Expands the discretion of boards of education to expunge expulsion records from the cumulative records of a student before graduation (including students in grades K-8 who have been expelled for possession of a firearm or deadly weapon) if the student has demonstrated conduct and behavior in the years following the expulsion that warrants expungement.*

5114(a)

Students

Removal/Suspension/Expulsion

SECTION I DEFINITIONS

- A. **“Bullying”** is defined as (A) the repeated use by one or more students of a written, oral or electronic communication directed at or referring to another student in the school district; or (B) a physical act or gesture by one or more students repeatedly directed at another student in the school district that (1) causes physical or emotional harm to such student or damage to the student’s property; (2) places such student in reasonable fear of harm to himself/herself or of damage to his/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 educational process or the orderly operation of the school. Bullying shall include but not be limited to a written, oral or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socio-economic 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.
- B. **“Cyberbullying”** is defined as any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.

Students

Removal/Suspension/Expulsion

SECTION I DEFINITIONS (continued)

- C. **“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 motor vehicle and a dog that has been commanded to attack.
- D. **“Days”** is defined as days when school is in session.
- E. **“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.
- F. **“Emergency”** is defined as a situation under which the continued presence of the student in the school imposes such a danger to persons or property or such a disruption of the educational process that a hearing may be delayed until a time as soon after the exclusion of such student as possible.
- G. **“Exclusion”** is defined as any denial of public school privileges to a student for disciplinary purposes.
- H. **“Expulsion”** is 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 student was assigned at the time such disciplinary action was taken, provided such exclusion shall not extend beyond a period of one (1) calendar year. Such period of exclusion may extend to the school year following the school year in which such exclusion was imposed.
- I. **“Firearm”** means 1) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; 2) the frame or receiver of any such weapon; 3) any firearm muffler or firearm silencer; or 4) any destructive device. Firearm does not include any antique firearm. For purposes of this definition "destructive device" means any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than 4 ounces, missile having an explosive or incendiary charge of more than 1/4 ounce, mine, or device similar to any of the weapons described herein.

Students

Removal/Suspension/Expulsion

SECTION I DEFINITIONS (continued).

- J. **“In-school suspension”** is defined as an exclusion from regular classroom activity for not more than ten (10) consecutive school days, but not an exclusion from school, provided such exclusion shall not extend beyond the end of the school year in which such in-school suspension was imposed. An in-school suspension may be served in the school that the pupil attends, or in any school building under the jurisdiction of the board of education, as determined by such board. An in-school suspension may include reassignment to a regular classroom program in a different school in the school district; such reassignment shall not constitute a "suspension" or "expulsion" under this policy.
- K. **“Martial arts weapon”** means a nunchaku, kama, kasari-fundo, octagon sai, tonfa or chinese star.
- L. **“Possess”** means to have physical possession or otherwise to exercise dominion or control over tangible property.
- M. **“Removal”** is defined as an exclusion from a classroom for all or part of a single class period, provided such exclusion shall not extend beyond 90 minutes.
- N. **“School sponsored activity”** is defined as any activity sponsored, recognized or authorized by the board of education and includes activities conducted on or off school property.
- O. **“Suspension”** is defined as an exclusion from school privileges and/or from transportation services for not 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. Suspensions shall be in-school suspensions unless during the suspension hearing, (1) the administration determines that the pupil being suspended poses such a danger to persons or property or such a disruption of the educational process that the pupil shall be excluded from school during the period of suspension, or (2) the administration determines that an out-of-school suspension is appropriate for such pupil based on evidence of (A) previous disciplinary problems that have led to suspensions or expulsion of such pupil, and (B) efforts by the administration to address such disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies.
- P. **“Vehicle”** means a "motor vehicle" as defined in Section 14-1 of the Connecticut General Statutes, snow mobile, any aircraft, or any vessel equipped for propulsion by mechanical means or sail.

Students

Removal/Suspension/Expulsion

SECTION II REMOVAL FROM CLASS

- A. Each teacher shall have the authority to remove a student from class when such student deliberately causes a serious disruption of the educational process within the classroom, provided that no student shall be removed from class more than six times in any year, nor more than twice in one week unless such student is referred to the building principal, or his/her designee, and granted an informal hearing as set forth in section IV C of this policy.
- B. Whenever any teacher removes a student from the classroom, such teacher shall send the student to a designated area and shall immediately inform the building principal or his/her designee as to the name of the student against whom such disciplinary action was taken and the reason therefore.

SECTION III STANDARDS GOVERNING SUSPENSION AND EXPULSION

- A. Conduct on school grounds or at a school sponsored activity as set forth in Section C below will be cause for suspension and/or expulsion when such conduct:
 - 1. Violates a publicized policy or code of student conduct in effect in the schools; or
 - 2. Seriously disrupts the educational process; or
 - 3. Endangers persons or property
- B. Conduct off school grounds as described in paragraph C below will be cause for suspension and/or expulsion when such conduct:
 - 1. Violates a publicized policy of the Board and
 - 2. Seriously disrupts the educational process
- C. The following conduct is prohibited and will be considered cause for suspension and/or expulsion:
 - 1. Threatening or intimidating another member of the school community in any manner, including orally, in writing, via electronic communication, or by gestures or other physical behavior such as stalking. Members of the school community include any school employee, fellow student, consultant, volunteer, or visitor to a school.
 - 2. Use of physical force against another person which is not reasonably necessary for self-defense;

Students

Removal/Suspension/Expulsion

SECTION III STANDARDS GOVERNING SUSPENSION AND EXPULSION (continued)

3. Theft of personal or school property, or taking or attempting to take personal property or money from another person, or from his/her presence, by means of force or fear;
4. Willfully causing, or attempting to cause, damage to school property;
5. Possession, use, transmission or being under the influence of any narcotic drug, hallucinogenic drug, performance enhancing drug, amphetamine, barbiturate, marijuana, cocaine, alcoholic beverage, or intoxicant of any kind including inhalants, prescription drugs for which the possessor, user or transmitter has no legal prescription, or drug paraphernalia;
6. Possession or transmission of a facsimile of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, or marijuana;
7. Knowingly being in the presence of those who are in possession of, using, transmitting, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind;
8. Possession or transmission of any weapon, including but not limited to any firearm, deadly weapon, dangerous instrument, martial arts weapon, knife, box cutter, razor, blade, chemical sprays, electroshock weapons or facsimile of any weapon or instrument.
9. Using or copying the academic work of another and presenting it as his/her own without proper attribution;
10. Possessing or consuming tobacco products if other than a high school student, or consuming such products if a high school student;
11. Open defiance of the authority of any teacher or person having authority over the student, including verbal abuse;
12. Intentional and successful incitement of truancy by other students;
13. Bullying or cyberbullying, including such conduct that may occur outside of the school setting if such bullying (1) creates a hostile environment at school for the victim; (2) infringes on the rights of the victim at school; or (3) substantially disrupts the education process or the orderly operation of a school.

Students

Removal/Suspension/Expulsion

SECTION III STANDARDS GOVERNING SUSPENSION AND EXPULSION (continued)

14. Any violation of the Board's policies prohibiting sexual, racial and other unlawful harassment including any act of harassment based on an individuals' race, color, national origin, sex, age, disability, sexual orientation, gender identity or expression or religion;
15. Intentional incitement which results in an unauthorized occupation of any part of a school or other facility owned by any school district;
16. Participation in an unauthorized occupancy of any part of any school or school premises or other building owned by any school district and failure to leave such school premises or other facility promptly after having been directed to do so by the principal or other person in charge of such building or facility;
17. Making false bomb threats or other threats to the safety of students, staff members and/or other persons;
18. Unauthorized use of any school computer, computer system, computer software, Internet connection or similar school property system or the use of such property or system for unauthorized or non-school related purposes;
19. Violation of any other board policy, rule, agreement, or directive dealing with student conduct, including that dealing with conduct on school buses and the use of school district equipment and;
20. 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.

Expulsion proceedings pursuant to section V, shall be required whenever there is reason to believe that any student 1) was in possession of a firearm, deadly weapon, dangerous instrument or martial arts weapon, on school grounds or at a school-sponsored activity; 2) off school grounds, did possess a firearm in violation of Connecticut General Statutes §29-35, or did possess and use such a firearm, dangerous instrument, deadly weapon or martial arts weapon in the commission of a crime; or 3) on or off school grounds, offered for sale or distribution a controlled substance as defined in Connecticut General Statutes, §21a-240(9), whose manufacture, distribution, sale, prescription, dispensing, transporting or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under §§21a-277 and 21a-278. A student shall be expelled for a period of one calendar year if the Board of Education finds that the student engaged in any of the conduct described herein, provided the period of expulsion may be modified on a case-by-case basis.

Students

Removal/Suspension/Expulsion

SECTION III STANDARDS GOVERNING SUSPENSION AND EXPULSION (continued)

In the event it is determined by the Superintendent that a student issued a threat against a member of the school community as described in paragraph C.1, above, the matter shall be referred to law enforcement officials for possible criminal prosecution and the Superintendent shall take all available measures to ensure the safety of persons in the school community in the event of the student's return to school.

SECTION IV SUSPENSION PROCEDURE

- A. The administration of each school is authorized to invoke suspension for a period of up to ten (10) days, or to invoke in-school suspension for a period of up to ten (10) days, of any student for one or more of the reasons stated in section III, above, in accordance with the procedure outlined in Paragraph C of this section. Moreover, the administration is authorized to suspend a student from transportation services whose conduct while receiving transportation violates the standards set forth in section III, above. The school administration is authorized to immediately suspend any student when there is an emergency as defined in section I, above. Suspensions shall be in-school suspensions unless during the suspension hearing, (1) the administration determines that the pupil being suspended poses such a danger to persons or property or such a disruption of the educational process that the pupil shall be excluded from school during the period of suspension, or (2) the administration determines that an out-of-school suspension is appropriate for such pupil based on evidence of (A) previous disciplinary problems that have led to suspensions or expulsion of such pupil, and (B) efforts by the administration to address such disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies. If an emergency exists, the hearing outlined in Paragraph C of this section shall be held as soon as possible after the suspension.
- B. In the case of suspension, the school administration shall notify the Superintendent of schools within twenty-four (24) hours of the suspension as to the name of the student who has been suspended and the reason for suspension. Any student who is suspended shall be given an opportunity to complete any class work including but not limited to examinations missed during the period of his/her suspension.
- C. Except in the case of an emergency as defined in section I, above, a student shall be afforded the opportunity to meet with the a member of the administration and to discuss the stated charges prior to the effectuation of any period of suspension or in-school suspension. If at such a meeting the student denies the stated charges he/she may at that time present his/her version of the incident(s) upon which the proposed suspension is based. The school administration shall then determine whether or not suspension or in-school suspension is

Students

Removal/Suspension/Expulsion

SECTION IV SUSPENSION PROCEDURE (continued)

warranted. In determining the length of a suspension period, the school administration may receive and consider evidence of past disciplinary problems which have led to removal from a classroom, in-school suspension, suspension or expulsion.

- D. 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 a hearing as provided in section V B. of this policy is first granted.
- E. No student 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, unless a hearing as provided in Section V(B) of this policy is first granted.
- F. Whenever a student is suspended, notice of the suspension and the conduct for which the student was suspended shall be included on the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record if the student graduates from high school.
- G. The administration may shorten or waive the suspension period of a student who is suspended for the first time and who has never been expelled if the student successfully completes a program and any other conditions specified by the administration. Any such program shall be at no expense to the student or his/her parents/guardians. For a student whose suspension period is shortened or waived, the notice of the disciplinary action must be expunged from the cumulative education record if the student graduates from high school or, if the administration chooses, at the time the student completes the specified program and any other conditions required by the administration, whichever is earlier.

SECTION V EXPULSION PROCEDURES

The Board of Education may expel any student for one or more of the reasons stated in section III if, in the Superintendent's judgment, such disciplinary action is in the best interests of the school system. An expulsion hearing is required in any instance in which the superintendent has reason to believe a student has engaged in the conduct described in section III D. The procedures outlined in Paragraphs A and B, below, shall be followed prior to the effectuation of any expulsion unless an "emergency" as defined in section I, above, exists. If an emergency exists, such a hearing shall be held as soon after the expulsion as possible.

Students

Removal/Suspension/Expulsion

SECTION V EXPULSION PROCEDURES (continued)

- A. The Board of Education shall notify the student concerned and his/her parents, or the student if he/she has attained the age of eighteen (18), that expulsion is under consideration. Such notice shall contain the information required under Paragraph B of this section. Three members of the Board of Education shall constitute a quorum for an expulsion hearing. A student may be expelled if a majority of the Board members sitting in the expulsion hearing vote to expel, except that when only three Board members are presiding at the hearing, a unanimous vote shall be required for expulsion.
- B. The procedure for any hearing conducted under this section shall be determined by the hearing officer or board chairperson, as appropriate, but shall include the right to:
1. Notice of the proposed hearing which shall include:
 - a. a statement of the time, place, and nature of the hearing;
 - b. a statement of the legal authority and jurisdiction under which the hearing is to be held;
 - c. reference to the particular sections of the Connecticut General Statutes or school policies involved;
 - d. a short and plain statement of the matters asserted, if such matters have not already been provided in a statement of reasons requested by the student; 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. Upon request from the student concerned a more definite and detailed statement of the issues shall be furnished;
 - e. a statement, where appropriate, that the Board is not required to offer an alternative educational opportunity to any student between the ages of sixteen and eighteen who (1) has been expelled previously or (2) is found to have engaged in conduct which endangered persons and involved (a) possession on school property or at a school-sponsored activity of a firearm, deadly weapon, dangerous instrument or martial arts weapon, or (b) offering for sale or distribution on school property or at a school sponsored activity a controlled substance as defined by law. (See section VII on Alternative Educational Opportunity);

Students

Removal/Suspension/Expulsion

SECTION V EXPULSION PROCEDURES (continued)

- f. information concerning legal services provided free of charge or at a reduced rate that are available locally and how to access such services.
 2. The opportunity to be heard;
 3. The opportunity to present witnesses and introduce documentary evidence;
 4. The opportunity to cross-examine adverse witnesses and challenge the introduction of documentary evidence;
 5. The opportunity to be represented by counsel; and
 6. Prompt notification of the decision of the Board of Education which decision shall be in writing if adverse to the student concerned.
- C. The record of any hearing held in an expulsion case shall include the following:
 1. All evidence received or considered by the Board of Education, including a copy of the initial letter of notice of proposed expulsion, if any, and a copy of all notices of hearing;
 2. Questions and offers of proof, objections and rulings on such objections;
 3. The decision of the Board of Education rendered after such hearing; and
 4. The official transcript, if any, of proceedings relating to the case or, if these are not transcribed, any recording or stenographic record of the proceedings.
- D. Rules of evidence at expulsion hearings shall include the following:
 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 shall be excluded;
 2. The Board of Education shall give effect to the rules of privilege recognized by law;
 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;

Students

Removal/Suspension/Expulsion

SECTION V EXPULSION PROCEDURES (continued)

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 with the original;
 5. A party to an expulsion hearing may conduct cross-examination of witnesses where examination is required for a full and accurate disclosure of the facts;
 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 noted;
 7. A record of any oral proceedings before the Board of Education at an expulsion hearing shall be made. A transcript of such proceedings shall be furnished upon request of a party with the cost of such transcript to be paid by the requesting party.
- E. In determining the length of an expulsion, the Board of Education may receive and consider evidence of past disciplinary problems, which have led to removal from a classroom, in-school suspension, suspension, or expulsion.
 - F. Decisions shall be in writing if adverse to the student and shall include findings of fact and conclusions necessary for the decision. Findings of fact made by the board after an expulsion hearing shall be based exclusively upon the evidence adduced at the hearing.
 - G. Except as provided for in Section VII, any student who is expelled shall be offered an alternative educational opportunity consistent with the requirements of state law.
 - H. Whenever a student is expelled pursuant to the provisions of this policy, notice of the expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. ***Such notice shall not be expunged at any time if the expulsion was based upon possession of a firearm or deadly weapon and the student was in grade nine through twelve.*** 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 if the student graduates from high school. ***The expulsion notice may be expunged from the student's record prior to graduation if the student has demonstrated to the Board that his/her conduct and behavior in the years following the expulsion warrants expungement.***

Students

Removal/Suspension/Expulsion

SECTION V EXPULSION PROCEDURES (continued)

- I. Whenever a student against whom an expulsion hearing is pending withdraws from school after notification of such hearing but before the hearing is completed and a decision rendered, notice of the pending expulsion hearing shall be included on the student's cumulative educational record and the board of education shall complete the expulsion hearing and render a decision.
- J. *The Except in cases where an expulsion is based upon the possession of a firearm or deadly weapon, the* Board of Education may shorten the length of or waive the expulsion period of a student who is expelled for the first time and who has never been suspended if the student successfully completes a program and any other conditions specified by the Board. Any such program shall be at no expense to the student or his/her parents/guardians. For a student whose expulsion period is shortened or waived, the notice of the disciplinary action must be expunged from the cumulative education record if the student graduates from high school or, if the Board chooses, at the time the student completes the specified program and any other conditions required by the administration, whichever is earlier. Nothing herein shall be deemed to restrict the ability of the Board to shorten or waive the expulsion period, based upon completion of any program or meeting of conditions, for students who have been previously suspended or expelled, as may be permitted by law and as provided in Subsection L, below.
- K. The Board of Education may adopt the decision of a student expulsion hearing conducted by another school district, provided that the board shall hold a hearing pursuant to this policy which shall be limited to a determination of whether the conduct which was the basis for the expulsion would also warrant expulsion under the policies of the board of education. 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 and this policy.
- L. In addition to such rights specified in Section J, above, an expelled pupil may apply for early readmission to school. Such readmission shall be at the discretion of the Board of Education; however, the Board may delegate authority for readmission decisions to the Superintendent. If the Board delegates such authority, readmission shall be at the discretion of the Superintendent. The Board or Superintendent, as appropriate, may condition such readmission on specified criteria.
- M. A student requiring special education and related services as described in Connecticut General Statutes §10-76a(5)(A) shall not be referred to an expulsion hearing until a planning and placement team is convened to determine whether the misconduct was caused by the student's disability. If it is determined that the misconduct was caused by the child's disability, the child shall not be referred to an expulsion hearing and shall not be expelled.

Students

Removal/Suspension/Expulsion

SECTION V EXPULSION PROCEDURES (continued)

The planning and placement team shall reevaluate the child for the purpose of modifying the child's individualized education program to address the misconduct and to ensure the safety of other children and staff in the school. If it is determined that the misconduct was not caused by the student's disability, the student may be expelled in accordance with the provisions of this section applicable to children who do not require special education and related services. Notwithstanding the provisions of Section VII, below, whenever a student requiring such special education and related services is expelled, an alternative educational opportunity, consistent with such child's educational needs shall be provided during the period of expulsion.

- N. 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 using the procedures of this policy. The period of expulsion shall run concurrent with the period of commitment. If a student who committed an expellable offense seeks to return to the school district after having been in a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement and the student has not been expelled for such offense, the district shall allow such student to return and may not expel the student for additional time for such offense.
- O. A student who has been identified as eligible for school accommodations pursuant to Section 504 of the Rehabilitation Act, shall not be referred to an expulsion hearing until the student's Section 504 Team is convened to determine whether the misconduct was caused by the student's disability. If it is determined that the misconduct was caused by the child's disability, the child shall not be referred to an expulsion hearing and shall not be expelled. Where appropriate, the Section 504 Team shall modify and otherwise review the student's accommodations plan to address the misconduct and to ensure the safety of other children and staff in the school. If it is determined that the misconduct was not caused by the student's disability, the student may be expelled in accordance with the provisions of this section applicable to non-disabled students.

SECTION VI NOTIFICATION TO PARENTS OR GUARDIAN

The parents or guardian of any minor student against whom disciplinary action is taken under this policy shall be given notice of such disciplinary action within twenty-four (24) hours of the time the student was excluded.

Students

Removal/Suspension/Expulsion

SECTION VII ALTERNATIVE EDUCATIONAL OPPORTUNITY

The Board of Education recognizes its obligation to offer any student under the age of sixteen (16) who is expelled an alternative educational opportunity during the period of expulsion. Any parent or guardian of such a student who does not choose to have his or her child enrolled in an alternative program shall not be subject to the provisions of section 10-184 of the General Statutes. Any expelled student who is between the ages of sixteen (16) and eighteen (18) and who wishes to continue his or her education shall be offered an alternative educational opportunity if he or she complies with conditions established by the Board of Education. Such alternative may include, but shall not be limited to, the placement of such student in a regular classroom program of a school other than the one from which the student has been excluded and, for students at least sixteen (16) years of age, placement in an adult education program. Any student participating in an adult education program during a period of expulsion shall not be required to withdraw from school. In determining the nature of the alternative educational opportunity to be offered under this section the Board of Education may receive and consider evidence of past disciplinary problems which have led to removal from a classroom, suspension, or expulsion.

State statutes do not require the Board of Education to offer an alternative educational opportunity to a student between the ages of sixteen (16) and eighteen (18) who has been expelled previously or who is expelled because of conduct which endangers persons and it was determined at the expulsion hearing that the conduct for which the student was expelled involved (a) possession on school property or a school-sponsored activity of a firearm, deadly weapon, dangerous instrument, or martial arts weapon or (b) offering for sale or distribution on school property or at a school sponsored activity a controlled substance as defined in subdivision (9) of C.G.S. §21a-240, whose manufacture, distribution, sale, prescription, dispensing, transporting, or possessing with the intent to sell or dispense, offering, or administration is subject to criminal penalties under C.G.S. §§21a-277 and 21a-278.

If the Board expels a student for the sale or distribution of such a controlled substance the Board shall refer the student to an appropriate state or local agency for rehabilitation, intervention or job training, or any combination thereof, and inform the agency of its action. If the Board expels a student for possession of a firearm or deadly weapon, the Board shall report the violation to the local police department. The Board shall give the name of the student and a summary of the Board's action in so referring the student, to the commissioner of education within thirty (30) days after the student is expelled.

The provisions of this section shall not apply to students requiring special education who are described in subdivision (1) of subsection (e) of Connecticut General Statutes §10-76a.

Students

Removal/Suspension/Expulsion

SECTION VIII GUN FREE SCHOOLS ACT

The Board of Education shall submit to the Commissioner of Education such information on expulsions for the possession of weapons as is required for purposes of the Gun Free Schools Act of 1994, 20 U.S.C. §7151, et seq.

Legal references: 20 U.S.C. §7151, et seq., Gun Free Schools Act
20 U.S.C. §1415 Individuals with Disabilities Education Act

Connecticut General Statutes

4-176e	through 4-180a, 4-181a Administrative Procedures Act
10-76a	Definitions
10-76d	Duties and powers of boards of education to provide special education programs and services
10-233a	Definitions
10-233b	Removal of pupils from class
10-233c	Suspension of pupils
10-233d	Expulsion of pupils
10-233e	Notice as to disciplinary policies and action
10-233f	In-school suspension of pupils. Reassignment
10-233g	Reports of principals to police authority concerning physical assaults upon school employees by students
10-233h	Arrested students
21a-240	Definitions
21a-277	Penalty for illegal manufacture, distribution, sale, prescription, dispensing
21a-278	Penalty for illegal manufacture, distribution, sale, prescription or administration by non-drug-dependent person

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Policy revised: June 11, 2013

NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut

**RECOMMENDED FOR REVISION AND
APPROVAL AT INITIAL BOARD PRESENTATION**

Bold Italicized language constitutes an addition

Commentary September 2014: See commentary for Board Policy 1331. Amend consistent with new law regarding vapor products and e-cigarettes.

5131.6(a)

Students

Drugs, Alcohol and Tobacco

The Board of Education is committed to maintaining a drug and alcohol free environment for students in the school district. It is the policy of the Board of Education to take positive action through instruction, counseling, parental involvement, medical referral and law enforcement referral, as appropriate, in handling incidents involving the possession, distribution, sale or use of drugs, alcohol and other substances that affect behavior.

In keeping with this policy, the use, possession, sale or distribution of drugs, controlled substances, drug paraphernalia or alcoholic beverages, including the unauthorized use or possession, or the sale or distribution of a prescription drug, is prohibited on school premises or at any school sponsored activity. Students who violate this policy are subject to disciplinary measures including suspension and expulsion. In addition, the student's parents will be contacted and referrals will be made to the appropriate treatment agency and/or law enforcement agency. Students should also be aware that they are subject to mandatory expulsion proceedings if they engage in the sale or distribution of a controlled substance regardless of whether such conduct occurred on or off school grounds.

The personal privacy rights of students shall be protected as provided by law. Students are on notice that school properties, including lockers and desks, may be searched when there are reasonable grounds to suspect that the search will produce evidence that the student has violated school rules.

Students will be notified annually of the requirements of this policy and potential disciplinary sanctions through the student handbook or other appropriate means of notification.

Smoke Free Environment

There shall be no smoking or any other unauthorized use of tobacco by students in any school building or school vehicle at any time, or on any school grounds during the school day or at any time when the student is subject to the supervision of designated school personnel, such as when the student is at any school function, field trip, extracurricular event, or school related activity such as a work-study program. *For the purpose of this policy, the term "smoking" includes the use of vapor products and electronic devices that simulate smoking by delivering nicotine or other substances by the inhalation of a vapor.* An ongoing program of student support and counseling will be offered to provide support for students who wish to break the smoking habit. Students who violate this policy are subject to discipline.

Students

Drugs, Alcohol and Tobacco

Definitions

For the purposes of this policy, the following definitions shall apply:

1. "Controlled Substance" is a drug, substance, or immediate precursor in schedules I to V, inclusive, of the Connecticut controlled substance scheduling regulations adopted pursuant to section 21a-243 of the Connecticut General Statutes.
2. "Drug" is any quantity of a substance which has been designated as subject to the federal Controlled Substances Act, or which has been designated as a depressant or stimulant drug pursuant to federal food and drug laws, or which has been designated by the Commissioner of Consumer Protection pursuant to section 21a-243 of the Connecticut General Statutes, as having a stimulant, depressant or hallucinogenic effect upon the higher functions of the central nervous system and as having a tendency to promote abuse or psychological or physiological dependence, or both. Such drugs are classifiable as amphetamine-type, barbiturate-type, cannabis-type, cocaine-type, hallucinogenic, morphine-type and other stimulant and depressant drugs.
3. "Drug Paraphernalia" is any equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing into the human body, any controlled substance. This includes, but is not limited to objects used, intended for use or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body, such as: metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with screens, permanent screens, hashish heads or punctured metal bowls; water pipes; carburetion tubes and devices; smoking and carburetion masks; roach clips: meaning objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand; miniature cocaine spoons, and cocaine vials; chamber pipes; carburetor pipes; electric pipes; air-driven pipes; chillums; bongs or ice pipes or chillers.
4. "Professional Communication" is any communication made privately and in confidence by a student to a professional employee of such student's school in the course of the latter's employment.
5. "Professional Employee" means a person employed by a school who (A) holds a certificate from the State Board of Education, (B) is a member of a faculty where certification is not required, (C) is an administration officer of a school, or (D) is a registered nurse employed by or assigned to a school.

Students

Drugs, Alcohol and Tobacco

Disclosure or Discovery of Drug/Alcohol Problem

In this policy, it is the intent of the Board of Education to differentiate between voluntary and involuntary disclosure or of a student's substance abuse problem.

1. Voluntary Disclosure

If a student voluntarily tells a professional employee during a professional communication information concerning the student's alcohol or drug abuse, the following guidelines shall apply:

- (a) The professional employee may, but is not required, to disclose any information acquired through a professional communication with a student when such information concerns alcohol or drug abuse or any alcoholic or drug problem of such student. The professional employee may elect to disclose such information when the employee has a good faith belief that such disclosure is necessary or appropriate, including but not limited to safeguarding the health and well-being of the student. In no event is the professional employee required to do so.
- (b) The professional employee should make every effort to guide the student to obtain the kind of help he/she needs. A staff member may, without disclosing the name of the student, obtain advice and information on the resources available to students and refer the student to such resources.
- (c) If a professional employee obtains physical evidence from a student indicating that a crime has been or is being committed by the student, such employee shall be required to turn such evidence over to school administrators or law enforcement officials within two school days after receipt of such physical evidence. In no such case shall the employee be required to disclose the name of the student from whom he obtained such evidence.
- (d) Any physical evidence surrendered to a school administration pursuant to this section shall be turned over by such school administrator to the Commissioner of Consumer Protection or the appropriate law enforcement agency within three school days after receipt of such physical evidence, for its proper disposition.
- (e) No parent or legal guardian shall be entitled to information concerning drug and alcohol abuse that is considered to be a privileged communication between a student and a professional employee.
- (f) If a student consents to the disclosure of his/her alcohol or drug abuse problem, or if the professional employee deems disclosure to be necessary to safeguard the health and well-being of the student, such employee will make a report to the student's guidance counselor or Department of Student Services mental health professional and the building Principal.

Students

Drugs, Alcohol and Tobacco

Disclosure or Discovery of Drug/Alcohol Problem (continued)

- (g) The guidance counselor or Department of Student Services mental health professional will, upon confirmation of an alcohol or drug abuse problem by a student under the age of eighteen hold a conference with the parent. Corrective plans will be developed with the cooperation and consent of the parents and student. The parents will be given a written copy of the conference minutes and recommendations for corrective plans.
- (h) Copies of the conference minutes will be kept in the guidance counselor or Department of Student Services worker's professional file. The counselor or Department of Student Services mental health professional will maintain contact with the student and his/her family regarding the problem.
- (i) The building principal will be informed of all activity relative to assisting the student to solve his/her alcohol or drug abuse problem.

2. Involuntary Disclosure

When a professional employee obtains information related to a student who, on or off school grounds or at a school sponsored activity, is under the influence of or possesses, uses, dispenses, distributes or sells a controlled substance, drug paraphernalia, or alcohol from a source other than the student's confidential disclosure, such information is considered to have been disclosed involuntarily and the following guidelines apply:

- (a) The employee will report the information immediately to the building principal.
- (b) Any physical evidence in the form of alcohol or drugs obtained from a student must be turned over to the building principal immediately. Because the discovery of the student's drug or alcohol problem was made without the voluntary disclosure of the student, the professional employee must disclose the name of the student from whom evidence was obtained.
- (c) Any physical evidence surrendered to a school administration pursuant to this section shall be turned over by such school administrator to the Commissioner of Consumer Protection or the appropriate law enforcement agency within three school days after receipt of such physical evidence, for its proper disposition.
- (d) Students found in possession and/or use of a drug, controlled substance, or alcoholic beverage in school or on school property are subject to arrest. In the event that a student is to be arrested, the building principal or his/her designee will attempt to contact the parent prior to calling the police and inform them of the potential arrest.

Students

Drugs, Alcohol and Tobacco

Disclosure or Discovery of Drug/Alcohol Problem (continued)

- (e) Students found to have been in possession and/or use of a drug, controlled substance or alcoholic beverage in school are required to meet with the building principal or his/her designee along with the student's parents or guardian, guidance counselor, Department of Student Services mental health professional and school nurse. Corrective plans will be recommended with written notification to the parents. Arrangements for further follow-up will be made. The counselor or Department of Social Services mental health professional will maintain contact with the student and his/her parents regarding the problem.

Use of Alcohol Detection Devices

1. Introduction

In order to promote a safe environment for our students at school and on school buses and for students and their guests at school sponsored and/or Board-authorized activities and events, the school administration is authorized to employ the use of both "passive" and/or active alcohol detection devices.

The Superintendent shall develop a process and timeline to reasonably ensure reliability of the screening instrument used according to manufacturer's guidelines, appropriate training of administrators and designated personnel, and student privacy during the taking of the sample and security of the sample once obtained. Results of any breathalyzer testing will be maintained in a confidential manner, to the extent practicable.

If the Principal and/or other administrator or any law enforcement officer has reasonable suspicion that a student or a guest is under the influence of alcohol, then the trained administrator or law enforcement officer may employ the use of an alcohol detection device.

2. Definitions

- a. Reasonable suspicion shall include, but not be limited to, any of the following:
- Observed use or possession of alcohol; or
 - Odor of an alcoholic beverage or the presence of an alcohol container; or
 - Slurred speech, unsteady gait, lack of coordination, bloodshot or glazed eyes or otherwise impaired motor functions; or
 - Marked change in personal behavior not attributable to other factors; or
 - Behavior that is risky, aggressive or disruptive; or
 - Involvement in or contribution to, an accident where the use of alcohol is reasonably suspected or student involvement in a pattern of repetitive accidents, whether or not they involve actual or potential injury.

Students

Drugs, Alcohol and Tobacco

Use of Alcohol Detection Devices (continued)

- b. A passive alcohol sensor device is a non-invasive high-speed breath alcohol-screening instrument which can be used as a “sniffer” for overt or covert alcohol detection. This device may be used to sample a student’s breath in order to detect alcohol use. An active breathalyzer test is administered when the result of a passive alcohol sensor screening is positive.
- c. A guest is any person who is accompanying a student to a school-sponsored or Board-authorized activity or event. When a guest is a parent/guardian of the student and there is a reasonable basis to believe that the paren/guardian’s condition could jeopardize the safety of the student, police shall be notified and shall administer the alcohol screening when the police deem that such screening is warranted.

3. Screening Procedures

When an administrator has reasonable suspicion that a student or guest is under the influence of alcohol at school, on a school bus or a school-sponsored event, the student or guest shall be given a passive alcohol sensor screening. If the student or guest fails the passive assessment, he/she will be given a fifteen minute wait period after which the passive screening will be re-administered. If screening results are negative, no action shall be taken. However, if the student or guest tests positive, he/she will be given an active breathalyzer test. If the student declines to take the screening, when reasonable suspicion exists, or if such screening proves positive he/she shall be subject to appropriate disciplinary action as set out in the Board’s disciplinary policies.

4. Prior Notification

It is the responsibility of the school administration to provide prior notice of the use of alcohol detection devices to the attendees of Board authorized events. Prior notice will include, but is not limited to, notification in the student/parent-guardian handbook, notification at school-wide assemblies, notification on event specific advertisements and/or tickets, and notification on guest permission forms.

5. Refusal to Screen

Students and/or their guests who refuse to submit to alcohol detection screening at events where prior notice has been given will not be permitted to attend the Board authorized activity. No refunds will be provided to these students or their guests. Parents/Guardians of these students will be contacted and informed of their refusal to screen. Students will be subject to disciplinary action consistent with Board policies and regulations.

Students

Drugs, Alcohol and Tobacco

Use of Alcohol Detection Devices (continued)

6. Testing Positive

Students and/or their guests who test positive for consumption of alcoholic and/or intoxicating beverages will not be allowed to attend the Board-authorized activity. Students will be subject to disciplinary action consistent with Board policies and regulations. Parents/Guardians will be called to pick the student up from school or from the school-sponsored event.

7. Maintenance of Screening Devices and Training

All devices used to screen students shall be checked for accuracy and for full calibration at least as frequently as recommended by the manufacturer. Designated school personnel and/or the school resource officer(s) shall be trained in the use of such devices.

Consequences for the Possession, Use, Sale or Distribution of Drugs, Controlled Substances or Alcohol

1. Any student found to use, possess, sell, distribute or aid in the procurement of drugs, controlled substances, drug paraphernalia or alcohol either on or off school grounds or at a school sponsored function is subject to discipline up to and including expulsion pursuant to the Board's student discipline policy.
2. Students who are expelled for violating this policy may be referred to appropriate counseling and rehabilitation agencies. In such event, assessment and treatment costs will be the responsibility of the parent or guardian.
3. Law enforcement officials will be contacted by the building principal in cases where a student is found to have distributed or sold drugs, controlled substances or alcohol on school property or at a school sponsored activity. In all cases of emergency or of clear danger, the schools will cooperate with local law enforcement officials.

Emergencies

1. If an emergency situation results from a student's drug or alcohol use, the student shall be sent to the school nurse or medical advisor immediately. The parent or guardian will be notified.
2. If the student is in need of immediate medical attention, the student will be transported to an area hospital.
3. If immediate medical attention is not necessary, the parent or guardian will be asked to take the student home.

Students

Drugs, Alcohol and Tobacco

Emergencies (continued)

4. The building principal will be immediately notified when an emergency involving a student's use of drugs or alcohol arises. The school nurse will advise the principal of the severity of the emergency. Written records of the incident will be kept in the principal's confidential file.
5. In the event that a student is hospitalized for alcohol, drug or substance abuse related problems, school personnel will consult with the student's medical and/or psychiatric advisers, his/her parents or guardian and, if feasible, the student to determine an appropriate plan of action. The Board of Education will assume only legitimate educational costs.

Drug Free Awareness Program

The Superintendent of Schools shall direct a drug free awareness program for students regarding the following topics:

1. Dangers of drug abuse;
2. Board of Education policy of maintaining drug free schools;
3. Availability of drug counseling and rehabilitation programs;
4. Penalties for violating the drug and alcohol policy in school.

Instruction

1. The program of instruction in the schools shall include the subject matter of substance abuse prevention.
2. Annually, the teachers in each grade shall emphasize the effect of alcohol, nicotine, tobacco and drugs on health, character and personality development wherever appropriate in the health education program and other such contexts which touch upon the subject.
3. The professional staff shall become more aware of substance abuse issues among students and learn to recognize and address the symptoms of such problems.
4. The administration may make use of in-service training sessions for both certified and non-certified staff in order to achieve the goals of this policy.

Legal Reference: Connecticut General Statutes

§ 10-15b Access of parent or guardian to student's records.

§ 10-16b Prescribed courses of study

§ 10-19 Teaching about alcohol, nicotine or tobacco, drugs and AIDS

Students

Drugs, Alcohol and Tobacco

Legal Reference continued:

§ 10-154 Professional communications between teacher or nurse and student.

§ 10-221(d) Boards of Education to prescribe rules, policies and procedures

§ 10-233d Expulsion of students

§ 19a-342 Smoking prohibited in public buildings

§ 21a-240 Definitions

§ 21a-243 Regulations re: schedules of controlled substances

§ 21a-277 Penalty for illegal manufacture, distribution, sale, prescription, dispensing.

§ 21a-278 Penalty for illegal manufacture, distribution, sale, prescription or administration by non-drug-dependent person.

§ 31-40q Smoking in the workplace.

§ 58-198 Smoking in motor buses, railroad cars and school buses

20 U.S.C.A. § 7101 *et seq.*, Safe and Drug-Free Schools and Communities Act

Policy adopted: June 12, 2001
Policy revised: June 12, 2007
Policy revised: April 8, 2008

NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut

**RECOMMENDED FOR REVISION AND
APPROVAL AT INITIAL BOARD PRESENTATION**

Bold Italicized language constitutes an addition

Commentary September 2014: Three new laws (listed in the legal references) require boards of education to review and revise the safe school climate plan. Changes include: amendments to notice of the policy, the investigatory process, prevention strategies, surveys, and most notably, the addition of “teen dating violence” as an issue to address in school climate plans (in addition to addressing bullying).

5131.911(a)

Students

Safe School Climate Plan/Bullying

I. PURPOSE

The Board of Education is dedicated to promoting and maintaining a positive learning environment where all students are welcomed, supported, and feel safe in school, socially, emotionally, intellectually and physically. The purpose of this policy is to address the existence of bullying in schools ***and teen dating violence*** and to establish the district’s Safe School Climate Plan.

II. BULLYING PROHIBITED

- A. Bullying is prohibited 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.
- B. Bullying is also prohibited outside of the school setting if such bullying results in any of the following: (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. Any form of discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying is also strictly prohibited.
- D. Any student who engages in bullying as defined in this policy may be subject to discipline up to and including expulsion. Any school employee who fails to respond to bullying as required by this policy and the district’s Safe School Climate Plan may be subject to discipline up to and including termination.

Students**Safe School Climate Plan/Bullying****III. DEFINITIONS**

A. "Bullying" means (1) the repeated use by one or more students of a written, oral or electronic communication, such as cyberbullying, directed at or referring to another student attending school in the same school district, or (2) a physical act or gesture by one or more students repeatedly directed at another student attending school in the same school district, that:

- (a) Causes physical or emotional harm to such student or damage to such student's property,
- (b) Places such student in reasonable fear of harm to himself or herself, or of damage to his or her property,
- (c) Creates a hostile environment at school for such student,
- (d) Infringes on the rights of such student at school, or
- (e) Substantially disrupts the education process or the orderly operation of a school.

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

B. "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.

C. "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.

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

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

Students

Safe School Climate Plan/Bullying

DEFINITIONS (continued)

- F. “Outside of the school setting” means at a location, activity or program that is not school related, or through the use of an electronic device or a mobile electronic device that is not owned, leased or used by a local or regional board of education;
- G. “Safe School Climate Coordinator” means the individual appointed by the Superintendent of Schools from existing staff who is responsible for:
1. Implementing the district's Safe School Climate Plan;
 2. Collaborating with the safe school climate specialists, the Board of Education and the Superintendent of Schools to prevent, identify and respond to bullying in the schools of the district;
 3. Providing data and information, in collaboration with the Superintendent of Schools of the district, to the State Department of Education regarding bullying, in accordance with state law; and
 4. Meeting with the safe school climate specialists at least twice during the school year to discuss issues relating to bullying in the school district and to make recommendations concerning amendments to the district's Safe School Climate Plan.
- H. “Safe School Climate Specialist” means the principal of each school, or the principal's designee who is responsible for:
1. Investigating or supervising the investigation of reported acts of bullying in the school in accordance with the district's Safe School Climate Plan;
 2. Collecting and maintaining records of reports and investigations of bullying in the school; and
 3. Acting as the primary school official responsible for preventing, identifying and responding to reports of bullying in the school.
- I. “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

Students

Safe School Climate Plan/Bullying

DEFINITIONS (continued)

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

J. "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;

K. "Teen Dating Violence" means any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, that occurs between two students who are currently in or who have recently been in a dating relationship.

IV. SAFE SCHOOL CLIMATE PLAN

The district's Safe School Climate Plan consists of this policy as well as the administrative regulations developed by the Superintendent of Schools to implement this policy. This policy clarifies the legal mandates regarding the district's response to bullying in its schools. The administrative regulations shall address the broader topic of school climate and may incorporate the National School Climate Standards or other applicable evidence-based standards. Revisions to any part of the Safe School Climate Plan shall be approved by the Board of Education.

A. Reporting Procedures

1. Any student who believes he or she has been the victim of bullying may report the matter to any school employee. Students may anonymously report acts of bullying to school employees.
2. Parents or guardians of students may also file written reports of suspected bullying.
3. School employees who witness acts of bullying or receive reports of bullying are required 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.

B. Investigation

1. The safe school climate specialist 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. *Parents of both the alleged bully and the alleged victim must receive prompt notice that an investigation has begun.*

Students

Safe School Climate Plan/Bullying

SAFE SCHOOL CLIMATE PLAN (continued)

2. The safe school climate specialist shall review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report.

B. Investigation (continued)

3. The investigator shall assess whether there is a necessity to take immediate interim measures to prevent further allegations of bullying or retaliation of any kind while the investigation is pending.
4. The investigator shall remind involved parties that any form of discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying is strictly prohibited.
5. At all times the investigator must be mindful of the requirements regarding the confidentiality of education records.
6. 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.
7. After a prompt investigation, the investigator should ascertain whether the alleged conduct occurred and whether such conduct constitutes bullying as defined by this policy.

C. Response to Verified Acts of Bullying

1. If it is determined that bullying has occurred, the school will take prompt corrective action that is reasonably calculated to stop the bullying and prevent any recurrence of such behavior. As part of such remedial action, the offender may be subject to appropriate disciplinary action which may include, but is not limited to one or a combination of the following: counseling, awareness training, warning, reassignment, transfer, suspension, or expulsion.
2. Each school shall 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. This notification 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.

Students

Safe School Climate Plan/Bullying

Response to verified Acts of Bullying (continued)

3. Each school is required 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. This invitation shall also include the description of the response of school employees to such acts and any consequences that may result from the commission of further acts of bullying. ~~Except in rare circumstances, such meetings with parents and guardians should be held separately.~~ *The meeting with parents of the bully shall be separate and distinct from the meeting with the parents of the victim.*
4. A student safety support plan shall be developed for any student against whom an act of bullying was directed. The plan shall address safety measures the school will take to protect such students against further acts of bullying. *When meeting with the parents of a student who has been the victim of bullying, school officials shall communicate not only the details of the student safety support plan, but also the policies and procedures in place to prevent further acts of bullying.*
5. Case-by-case interventions shall be developed to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline.
6. The principal of a school, or designee, shall notify the appropriate local law enforcement agency when such principal, or designee, believes that any acts of bullying constitute criminal conduct.

D. Prevention and Intervention Strategy

Students shall be provided with a variety of prevention and intervention strategies which may include, but are 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 *and teen dating violence* identified by the State Department of Education;
2. School rules prohibiting bullying, *teen dating violence*, harassment and intimidation and establishing appropriate consequences for those who engage in such acts;
3. Adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying *and teen dating violence* is likely to occur;

Students**Safe School Climate Plan/Bullying****Prevention and Intervention Strategy (continued)**

4. Inclusion of grade-appropriate bullying *and teen dating violence* education and prevention curricula in kindergarten through high school;
5. Individual interventions with the bully, parents and school employees, and interventions with the bullied child, parents and school employees;
6. School-wide training related to safe school climate;
7. Student peer training, education and support;
8. Promotion of parent involvement in bullying *and teen dating violence* prevention through individual or team participation in meetings, trainings and individual interventions;
9. *Culturally competent school-based curriculum focused on social-emotional learning, self-awareness and self-regulation;*
10. *Referrals to a school counselor, psychologist or other appropriate social or mental health service, and periodic follow-up by the safe school climate specialist with the bullied student.*

E. Documentation and Record Keeping

1. Safe school specialists shall establish a procedure for each school to:
 - a. Document and maintain records relating to reports and investigations of bullying in such school.
 - b. Maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection. This public list must not contain any personally identifiable information about any student or information that might reasonably lead to the identification of any student.
2. The district's safe school climate coordinator shall annually report the number of verified acts of bullying in the district's schools to the Department of Education in such manner as prescribed by the Commissioner of Education.
3. *The Safe School Climate Plan shall be submitted for approval by the State Department of Education in accordance with state law.*

Students**Safe School Climate Plan/Bullying****F. Training**

1. All school employees must annually complete training on the prevention, identification and response to bullying, *teen dating violence* and the prevention of and response to youth suicide. The training will be provided to teachers, administrators and pupil personnel who hold the initial educator, provisional educator or professional educator certificate via in-service training. (Such in-service training may not be required if the district implements any evidence-based model approach that is approved by the State Department of Education and is consistent with state law.) All other school employees shall receive such training as provided by the State Department of Education.
2. As part of the prevention and intervention strategies, schools may also implement school-wide training related to safe school climate and student peer training, education and support.

G. Safe School Climate Committee

~~For the school year commencing July 1, 2012, and each school year thereafter,~~ ***Each school year***, the principal of each school shall establish a committee (or designate at least one existing 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 or guardian of a student enrolled in the school appointed by the school principal. Parents or guardians who serve on such committee shall not participate in the activities described in subparagraphs (1) and (2) below or any other activity that may compromise the confidentiality of a student. The safe school climate committee of each school shall:

1. Receive copies of completed reports following investigations of bullying;
2. Identify and address patterns of bullying among students in the school;
3. Review and make recommendations to amend school policies relating to bullying;
4. Review and make recommendations to the district safe school climate coordinator regarding the district's safe school climate plan based on issues and experiences specific to the school;
5. Educate students, school employees and parents and guardians of students on issues relating to bullying;
6. Collaborate with the district safe school climate coordinator in the collection of data regarding bullying, in accordance with the law;
7. Perform any other duties as determined by the school principal that are related to the prevention, identification and response to school bullying for the school.

Students

Safe School Climate Plan/Bullying

H. Periodic Assessment of School Climate

1. On and after July 1, 2012, and biennially thereafter, each school in the district shall complete an assessment using the school climate assessment instruments, including surveys, approved and disseminated by the State Department of Education. The assessments for each school in the district shall be submitted to the State Department of Education so that the state can monitor bullying prevention efforts over time and compare each district's progress to state trends.
2. Assessment tools may also be used by Safe School Climate Committees to review and make recommendations for revisions to the district's Safe School Climate Plan.
3. *Assessment tools shall include student assessment instruments, including surveys that contain uniform grade-level appropriate questions that collect information about students' perspectives and opinions about the school climate at the school and allow students to complete and submit such assessments and survey anonymously.*

I. Notice Requirements

1. At the beginning of each school year, each school will provide all school employees with a written or electronic copy of the school district's Safe School Climate Plan.
2. Students and the parents or guardians of students shall be notified annually *at the beginning of the school year* of the process by which students may make reports of bullying.
3. Students shall be provided with notice of the definition of bullying, cyberbullying and the potential consequences of engaging in such acts by the inclusion of language in student codes of conduct concerning bullying.
4. The district's Safe School Climate Plan shall be made available on the board's and each individual school in the school district's Internet web site and ensure that such 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:

Connecticut General Statutes

- 10-15c Discrimination in public schools prohibited
- 46a-58 Deprivation of rights
- 10-145a Certificates of qualification
- 10-145o Teacher education and mentoring program
- 10-220a In-service training
- 10-222d Policy on bullying behavior

Students

Safe School Climate Plan/Bullying

Legal References: (continued)

10-222g Prevention and intervention strategy re: bullying

10-222h Analysis of bullying policies

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

United States Code

20 U.S.C. 1400 Individuals with Disabilities Education Act

20 U.S.C. 1681 Title IX of the Education Amendments of 1972

29 U.S.C. 794 Section 504 of the Rehabilitation Act of 1973

42 U.S.C. 2000d Title VI of the Civil Rights Act of 1964

42 U.S.C. 12101 Americans with Disabilities Act

Public Act 14-172, An Act Concerning Improving Employment Opportunities Through Education and Ensuring Safe School Climates

Public Act 14-232, An Act Concerning the Review and Approval of Safe School Climate Plans by the Department of Education and a Student Safety Hotline Feasibility Study

Public Act 14-234, An Act Concerning Domestic Violence and Sexual Assault

Policy approved: November 8, 2011

New Milford Public Schools
New Milford CT

**RECOMMENDED FOR REVISION AND
APPROVAL AT INITIAL BOARD PRESENTATION**

Bold Italicized language constitutes an addition

Commentary September 2014: The proposed changes reflect the current language of Conn. Gen. Stat. Section 10-207 describing the duties of the medical advisor.

5141(a)

Students

Student Health Services

School District Medical Advisor

The Board of Education shall appoint a school district medical advisor and appropriate medical support service personnel including nurses.

School health efforts shall be directed toward detection and prevention of health problems and to emergency treatment. ~~including the following student health services:~~

1. ~~Appraising the health status of student and school personnel;~~
2. ~~Counseling students, parents, and others concerning the findings of health examination;~~
3. ~~Encouraging correction of defects;~~
4. ~~Helping prevent and control disease;~~
5. ~~Providing emergency care for student injury and sudden illness;~~
6. ~~Maintaining school health records.~~

The medical advisor shall:

1. ***Plan and administer the health program for each school;***
2. ***Advise on the provision of school health services;***
3. ***Provide consultation on the school health environment;***
4. ***Perform other duties as determined by the Board.***

Health Records

There shall be a health record for each student enrolled in the school district which will be maintained in the school nurse's room. No record of any medical examination made or filed in accordance with Sections 10-205, 10-206, 10-207 or 10-214 of the Connecticut General Statutes ["C.G.S."], or any psychological examination made under the supervision or at the request of a Board of Education, shall be open to public inspection. Furthermore, all other health records maintained by the school district shall be treated in the same manner as the student's cumulative academic record.

Students

Student Health Services

Regular Health Assessments

Prior to enrollment in kindergarten, each child shall have a health assessment by one of the following medical personnel of the parents or guardians choosing to ascertain whether the student has any physical disability or other health problem tending to prevent him or her from receiving the full benefit of school work and to ascertain whether such school work should be modified in order to prevent injury to the student or to secure for the student a suitable program of education:

1. a legally qualified practitioner of medicine;
2. an advanced practice registered nurse, or registered nurse; licensed pursuant to chapter 378
3. a physician assistant licensed pursuant to chapter 370, [or by the]
4. a school medical advisor, or
5. a legally qualified practitioner of medicine, an advanced practice nurse or a physician assistant stationed at any military base.

Students entering from out of state must meet State of Connecticut health requirements. All new students entering school district must fill out a questionnaire with the school nurse to assess the risk to exposure to tuberculosis. Any student who has any risk factors will have Mantoux test prior to entry.

Such health assessment shall include:

1. Physical examination which shall include hematocrit or hemoglobin tests, height, weight, and blood pressure;
2. Updating of immunizations required under C.G.S. §10-204a;
3. Vision, hearing, postural, gross dental screening and a chronic disease assessment, which shall include, but not be limited to, asthma as defined by the Commissioner of Public Health pursuant to C.G.S. §19a-62a;
4. A determination at each mandated examination as determined by the Connecticut Department of Public Health of the risk of exposure to tuberculosis. All students from high-risk countries (as defined by the Connecticut Department of Public Health) who are entering the system for the first time must receive a Mantoux test. A history of bacilli Calmette-Guerin (BCG) is not a contraindication to testing nor should it be considered

Students

Student Health Services

Regular Health Assessments (continued)

interpretation of the skin test results. Test should be read prior to entry. All students who are identified as positive reactors to the Mantoux test for the first time shall consult a physician and bring verification to the school nurse stating that they have had a chest x-ray and are free of active tuberculosis;

5. Any other information including a health and developmental history as the physician believes to be necessary and appropriate.

The assessment form shall include (A) a check box for the provider conducting the assessment to indicate an asthma diagnosis; (B) screening questions relating to appropriate public health concerns to be answered by the parent or guardian; and (C) screening questions to be answered by the medical provider. Health assessments shall also be required at school entry and in grades 6 and 9 (effective school year 2009-10) by a legally qualified physician of each student's parents or guardians own choosing, or by the school medical advisor, or the advisor's designee, to ascertain whether a student has any physical disability or other health problem. Such health assessments shall include:

1. Physical examination which shall include hematocrit or hemoglobin tests, height, weight, and blood pressure;
2. Updating of immunizations required under C.G.S. §10-204a;
3. Vision, hearing, postural, gross dental screening, and a chronic disease assessment which shall include, but not be limited to, asthma as defined by the Commissioner of Public Health pursuant to C.G.S. §19a-62a;
4. Students in high risk groups for TB who have not had a positive test should receive a Mantoux tuberculin skin test;
5. Any other information including a health and developmental history as the physician believes to be necessary and appropriate.

A child will not be allowed, as the case may be, to begin or continue in district schools unless health assessments are performed as required. Students transferring into the district must provide evidence of required Connecticut vaccinations, immunizations, and health assessments at enrollment and prior to school attendance. Students who are homeless will be permitted to attend school even if they are unable to provide proof of required immunizations. Such students shall be referred to the district's homeless liaison who will assist the parent or guardian with obtaining the necessary immunizations and/or records.

Students

Student Health Services

Regular Health Assessments (continued)

Health assessments will be provided by the school medical advisor or the advisor's designee without charge to all students whose parents or guardians meet the eligibility requirement of free and reduced priced meals under the National School Lunch Program or for free milk under the special milk program. The Board may utilize existing community resources and services in the provision of such assessments.

Health assessment results and recommendations signed by the examining physician or authorized medical personnel shall be recorded on forms provided by the Connecticut State Board of Education and kept on file in the school the student attends. If a student permanently leaves the jurisdiction of the board of education, the student's original cumulative health records shall be sent to the chief administrative officer of the school district to which such student moves and a true copy of the student's cumulative health records maintained with the student's academic records. Each physician, advanced practice registered nurse, physician assistant or registered nurse performing health assessments and screenings shall completely fill out and sign each form and any recommendations concerning the student shall be in writing. When in the judgment of appropriate school health personnel, the results and recommendations of such assessment reflect that a student is in need of further testing or treatment, the Superintendent of Schools, or designee, shall notify parents of any health-related problems detected in health assessments and shall make reasonable efforts to assure that further testing and treatment is provided, including advice on obtaining such required testing or treatment.

Students who are in violation of Board requirements for health assessments and immunizations will be excluded from school after appropriate parental notice and warning.

Vision Screening

All students in grades K-6, and grade 9 will be screened annually using a Snellen chart, or equivalent screening, by the school nurse or school health aide. Additional vision screening will also be conducted in response to appropriate requests from parents/guardians or professionals working with the student in question. Results will be recorded in the student's health record on forms supplied by the Connecticut State Board of Education, and the Superintendent or designee shall cause a written notice to be given to the parent or guardian of each student found to have any defect of vision or disease of the eyes, with a brief statement describing such defect or disease.

As necessary, modifications and/or accommodations shall be made for students with physical disabilities.

Students

Student Health Services

Hearing Screening

All students will be screened for possible hearing impairments in grades K-3, grade 5, and grade 8. Additional audiometric screening will be conducted in response to appropriate requests from parents/guardians or professionals working with the student. Results will be recorded in the student's health record on forms supplied by the Connecticut State Board of Education, and the Superintendent or designee shall cause a written notice to be given to the parent or guardian of each student found to have any defect of vision or disease of the eyes, with a brief statement describing such defect or disease.

As necessary, modifications and/or accommodations shall be made for students with physical disabilities.

Postural Screening

School nurses will screen all students in grades 5 through 9 inclusive for scoliosis or other postural problems. Additional postural screening will also be conducted in response to appropriate requests from parents/guardians or professionals working with the student. Results will be recorded in the student's health record on forms supplied by the Connecticut State Board of Education, and the Superintendent or designee shall cause a written notice to be given to the parent or guardian of each student found to have any postural defect of problem, with a brief statement describing such defect or disease.

As necessary, modifications and/or accommodations shall be made for students with physical disabilities.

Immunizations/Vaccinations

Except as required by law, no student will be allowed to enroll in any program operated as part of the district schools without adequate immunization against the following diseases:

1. Measles
2. Rubella
3. Poliomyelitis
4. Diphtheria
5. Tetanus
6. Pertussis
7. Mumps
8. Hemophilus influenza type B

Students

Student Health Services

Immunizations/Vaccinations (continued)

9. Hepatitis B
10. Varicella (chickenpox)
11. Pneumococcal (Pre-K and K students less than 5 years old)
12. Hepatitis A (students who entered Pre-K or K on or after August 1, 2011)
13. Meningococcal (Grades 7-9)
14. Influenza (Pre-K students less than 5 years old)
15. Any other vaccine required by law

Such list and the required number of doses may be amended as required by State of Connecticut guidelines and schedules.

Students shall be exempt from the appropriate provisions of this policy when:

1. they present a certificate from a physician or local health agency stating that initial immunizations have been given and additional immunizations are in process under guidelines and schedules specified by the Commissioner of Health Services; or
2. they present a certificate from a physician stating that in the opinion of such physician, immunization is medically contraindicated because of the physical condition of such child; or
3. they present a statement from their parents or guardians that such immunization would be contrary to the religious beliefs of such child; or
4. in the case of measles, mumps or rubella, present a certificate from a physician or from the Director of Health in such child's present or previous town of residence, stating that the child has had a confirmed case of such disease; or
5. in the case of hemophilus influenza type B has passed his or her fifth birthday; or
6. in the case of pertussis, has passed his or her sixth birthday.

The school nurse will report to the local Director of Health any occurrence of State of Connecticut defined reportable communicable diseases.

Students

Student Health Services

Health Assessments/Interscholastic Sports Programs

Any student participating in an interscholastic sports program must have a health assessment, within thirteen months prior to the first training session for the sport or sports. After the initial examination, repeat examinations are required every year. Each participant in a sport program must complete a health questionnaire before participating in each sport.

Parents are expected to use the services of their private physician. If a student is unable to obtain a health assessment from his/her personal physician for financial or other reasons, an examination can be arranged with school medical advisor. Health assessment results shall be recorded on forms provided by the Connecticut State Board of Education, signed by the examining physician, school medical advisor or advisor's designee, filed in the student's health folder, and maintained up to date by the school nurse.

Coaches and physical education staff shall insure appropriate monitoring of an athlete's physical condition.

Student Medical Care at School

Student medical problems and emergencies are outlined in Categories I through IV in administrative regulation #5143. Schools personnel are responsible for the immediate care necessary for a student whose sickness or injury occurs on the school premises during school hours or in school-sponsored and supervised activities. Depending upon specific circumstances, Category V issues may also be considered emergencies by attending school personnel.

Schools shall maintain files of emergency information cards for each student. If a child's injury requires immediate care, the parent or guardian will be called by telephone by the nurse, the building Principal, or other personnel designated by the principal, and advised of the student's condition. When immediate medical or dental attention is indicated, and when parents or guardians cannot be reached, 911 will be called and the student will be transported to the nearest hospital. In this event, the family physician/dentist and school district medical advisor will be notified of school district actions.

(cf. 5142 - Student Safety)

(cf. 5141.4 - Child Abuse and Neglect)

(cf. 5141.5 - Suicide Prevention)

(cf. 6142.1 - Family Life and Sex Education)

(cf. 6145.2 - Interscholastic/Intramural Athletics)

(cf. 6171 - Special Education)

Students

Legal References: Connecticut General Statutes

10-203 Compliance with public health statutes and regulations.

10-204a-1 et seq, Regulations of Connecticut State Agencies: School-Related Immunizations Immunization Of School Children Against Measles, Mumps, Rubella, Poliomyelitis, Diphtheria, Tetanus, Pertussis, Hemophilus Influenzae Type B (Hib), Hepatitis B, And Varicella.

10-204(a) Required immunizations.

10-204(c) Immunity from liability

10-205 Appointment of school medical advisors.

10-206 Health assessments

10-206(a) Free health assessments.

10-206(c) Health assessments for adolescents

10-207 Duties of medical advisers.

10-208 Exemption from examination or treatment.

10-208(a) Physical activity of student restricted; boards to honor notice.

10-209 Records not to be public.

10-210 Notice of disease to be given parent or guardian.

10-212 School nurses and nurse practitioners.

10-212(a) Administration of medicines by school personnel.

10-213 Dental hygienists.

10-214 Vision, audiometric and postural screening: When required; notification of parents re defects; record of results.

Students

Legal References: continued

10-214(a) Eye protective devices.

10-214(b) Compliance report by local or regional Board of Education

10-217(a) Health services for children in private nonprofit schools. Payments from the state, towns in which children reside and private nonprofit schools.

42 U.S.C. 11432(g) McKinney Vento Act

Policy adopted:	June 12, 2001
Policy revised:	June 11, 2002
Policy revised:	June 10, 2003
Policy revised:	June 24, 2004
Policy revised:	June 12, 2007
Policy revised:	November 18, 2008
Policy revised:	October 11, 2011
Policy revised:	March 12, 2013
Policy revised:	June 11, 2013

NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut

**RECOMMENDED FOR REVISION AND
APPROVAL AT INITIAL BOARD PRESENTATION**

Bold Italicized language constitutes an addition

Commentary: In 2013, the state legislature created a Taskforce to develop guidelines for a uniform regional school calendar (uniform within each Regional Educational Service Center regardless of whether a board of education uses any of the services of its RESC. The guidelines must include the following elements:

- (1) at least one hundred eighty days of actual school sessions during each school year,*
- (2) a uniform start date,*
- (3) uniform days for professional development and in-service training for certified employees,*
- (4) not more than three uniform school vacation periods during each school year, not more than two of which shall be a one week school vacation period and one of which shall be during the summer.*

In 2014, the legislature amended the law so that boards of education are not mandated to implement the uniform regional school calendar until the school year that commences July 1, 2016 (with an exception that such implementation may be delayed one year if the calendar is inconsistent with collective bargaining provisions). The suggested revisions at this point are only to revise the legal reference section.

6111(a)

Instruction

School Calendar

The Superintendent of Schools shall recommend school calendars meeting all statutory requirements to the Board of Education for its review.

The calendars recommended to the Board may include the operation of schools on state holidays providing a suitable nonsectarian educational program is held to observe the holiday, except for those holidays that occur in December and January. If a holiday in January or December occurs on a school day, there shall be no school on such day.

The school calendar shall show school days in each school month, the number of school days in each month, legal and local holidays, staff development days, early closing days, vacation periods, and other pertinent dates, including graduation for students in grade twelve.

The Board, in establishing a graduation date, may establish for any school year a firm graduation date which is no earlier than the one-hundred eighty-fifth day in the adopted school calendar. The graduation date may be modified, if necessary, after April first in any school year by the Board establishing a firm graduation date which, at the time of such establishment, provides for at least 180 days of school.

To benefit children, families, and school staff in their planning, multiple year school calendars are preferable to single year school calendars.

(cf. 6146 - Graduation Requirements)

Instruction

School Calendar

Legal Reference: Connecticut General Statutes
1-4 Days designated as legal holidays
10-15 Towns to maintain schools
10-16 Length of school year
10-16L Establishment of graduation date.
10-29a Certain days to be proclaimed by governor. Distribution and number of proclamations
10-66d. Participation by boards of education and nonpublic schools
10-66q. Development and adoption of uniform regional school calendar.
Report
Section 321 of Public Act 13-247, An Act Implementing Provisions of the State Budget for the Biennium Ending June 30, 2015 Concerning General Government.

Policy adopted: June 10, 2003
Policy revised: June 8, 2010
Policy revised: November 13, 2012

NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut

**RECOMMENDED FOR REVISION AND
APPROVAL AT INITIAL BOARD PRESENTATION**

Bold Italicized language constitutes an addition

Commentary September 2014: Proposed revisions are a consequence of P.A. 14-196, which requires boards of education to implement sexual abuse and assault awareness and prevention programs by October 1, 2015. The right of parents and guardians to request exemption from participation in such programs is part of this Act.

6142.1(a)

Instruction

Exemption from Instruction

Acquired Immune Deficiency Syndrome: The Board of Education shall offer planned, ongoing and systematic instruction on acquired immune deficiency syndrome (AIDS) as required by law. A student may be exempt from this instruction upon the written request to the Superintendent of Schools, or designee, by the student's parent or legal guardian. Students who are exempt from instruction shall be assigned to a supervised study period.

Family Life: The Board of Education recognizes that the purpose of family life education is to help students acquire factual knowledge, attitudes, and values which will contribute to the well-being of the individual, the family, and society. Among other things, family life education provides instruction directed toward enabling students to discuss effectively problems with family members. Such communication shall include the willingness and ability to listen, to accept criticism, and to respond with openness, frankness and honesty.

Helping students attain a mature and responsible attitude toward human sexuality is a continuous task of every generation. Parents have the primary responsibility to assist their children in developing moral values. The schools should support and supplement parents' efforts in the areas of family life and sex education by offering students factual information and opportunities to discuss concerns, issues, and attitudes inherent in family life and sexual behavior, including traditional moral values.

The Board of Education may offer programs of instruction regarding family life that may include family planning, human sexuality, parenting, nutrition, and the emotional, physical, psychological, hygienic, economic, and social aspects of family life. When family life programs are offered in the curriculum, a student shall be exempt from any portion of the instruction upon the written notification by the student's parent or guardian to the Superintendent of Schools or designee. Students who are exempt from instruction shall be assigned to a supervised study period.

Sexual Abuse and Assault Awareness and Prevention Program: *Upon the written request of a parent or guardian, a student shall be exempt from participating in the sexual abuse and assault awareness and prevention program in its entirety or from any portion specified by the parent or guardian. During the period in which the student would otherwise be participating in the program, the student will be provided with an opportunity for other study or academic work.*

Instruction

Exemption from Instruction (continued)

Dissection of Animals in the Classroom: Upon the written request of a parent or guardian, a student shall be excused from participating in or observing the dissection of any animal as part of classroom instruction. Such student shall be required to complete an alternate assignment determined by the administration.

Physical Education: Any student who presents a certificate from a physician stating that, in the opinion of the physician, participation in physical education is medically contraindicated due to the physical condition of such student, shall be excused from the physical education requirement. The credit for physical education required for graduation may be fulfilled by an elective.

Foreign Language: Whenever a course in a foreign language is a required part of the curriculum, the parent or guardian of a student identified as deaf or hearing impaired may request in writing that such student be exempted from such requirement and, if such a request is made, such student shall be exempt from the foreign language requirement.

Legal References:

Connecticut General Statutes: 10-16b Prescribed courses of study
 10-16c through 10-16f, Family life education programs
10-18d. Animal dissection. Students to be excused from participation or observation
 10-19(b) Teaching about alcohol, nicotine or tobacco, drugs and acquired immune deficiency syndrome
 10-221a(c) High school graduation requirements
~~P.A. 13-273, An Act Concerning Dissection Choice~~
Public Act 14-196, An Act Concerning State-Wide Sexual Abuse and Assault Awareness Program

Policy adopted: June 10, 2003
 Policy revised: June 27, 2005
 Policy revised: June 8, 2010
 Policy revised: October 8, 2013

NEW MILFORD PUBLIC SCHOOLS
 New Milford, Connecticut

**RECOMMENDED FOR REVISION AND
APPROVAL AT INITIAL BOARD PRESENTATION**

Bold Italicized language constitutes an addition

Commentary September 2014: Two new state laws that address student concussions and sudden cardiac arrest impact the policies and practices for intramural and interscholastic athletic programs. The laws require schools to develop an education program, address training for staff and require the use of a form (to be developed by the SDE) to document parental informed consent. Although the new programs need not be in place until the 2015-16 school year, the following revisions are suggested in anticipation. Further guidance from the SDE on these topics, if any, can be incorporated into administrative regulations which may be developed at a later date (after the forms have been created, etc.)

6145.2(a)

Instruction

Interscholastic/Intramural Athletics

The Board of Education believes that students benefit physically, intellectually, socially, and emotionally when given opportunities to participate in competitive athletic activities. Further, the Board recognizes that a well-organized, high quality athletic program is a potent factor in the morale of the student body and an important element in positive community relations.

It is the Board's intent to provide students with extracurricular athletic activities in a variety of sports. Interscholastic and intramural athletics are offered by the school district as a privilege and as an enrichment activity, not an entitlement. With budgetary availability, there shall be interscholastic athletic programs at the high and middle/junior high school levels which shall be conducted in accordance with CIAC (Connecticut Interscholastic Athletic Conference) rules and regulations. Coaches of intramural and interscholastic athletics shall have the qualifications required by law. The District's athletic program shall provide equal opportunities for members of both sexes in accordance with law.

Eligibility for participation in athletic activities will be subject to parental permission, CIAC rules, academic standing, physical condition, and any other guidelines established by the Superintendent of Schools or designee. Each student who chooses to participate in an interscholastic athletic program is required to have on file, in the offices of the building administrator and the Athletic Director, a certificate of consent which is signed by the parent or legal guardian. No student may start practice for any athletic team until he or she has submitted certification that he/she has been examined and approved by a medical doctor. This certificate of consent will be in effect for each student for each sports season.

Concussion Education and Sudden Cardiac Arrest Prevention Programs

Effective for the 2015-2016 school year, students who wish to participate in intramural or interscholastic sports and their parents or guardians shall be required to do the following:

- 1. Read written materials, view online training or videos or attend in-person training regarding the school district's concussion education plan;***
- 2. Acknowledge receipt of materials regarding the school district's sudden cardiac arrest awareness education program and applicable policies on sudden cardiac arrest; and***

Instruction

Interscholastic/Intramural Athletics

Concussion Education and Sudden Cardiac Arrest Prevention Programs (continued)

3. *Provide informed consent by signing a form attesting to the receipt of information and/or training on the school district's concussion education and sudden cardiac arrest education programs.*

The Superintendent of Schools is authorized to develop administrative regulations regarding the district's concussion education and sudden cardiac arrest prevention programs.

The athletic program should encourage participation by as many students as possible and should be carried on with the best interests of the participants as the primary consideration. Participation should not cause unreasonable interference with other obligations in the school, community, and home.

Legal Reference:

Connecticut General Statutes: 10-149 Qualifications for coaches of intramural and interscholastic athletics.

Regulations of Conn. State Agencies

10-145d-423. Coaching permits

10-145d-424. Temporary emergency coaching permit requirements

20 U.S.C. 1681 Title IX of the Education Amendments of 1972

Public Act 14-66, "An Act Concerning Youth Athletics and Concussions"

Public Act 14-93, "An Act Concerning Sudden Cardiac Arrest Prevention"

Policy adopted: June 10, 2003
 Policy revised: June 27, 2005
 Policy revised: June 8, 2010

NEW MILFORD PUBLIC SCHOOLS
 New Milford, Connecticut

ITEM OF INFORMATION REGULATION REVISION
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See commentary for Board Policy 1331. Amend consistent with new law regarding vapor products and e-cigarettes.

5131.1(a)

Students

Bus Transportation

Bus transportation is provided, when feasible, to all students who reside beyond reasonable walking distance of the high school. Students riding school buses are bound by the same behavioral expectations in force during the school day. Violations of proper behavior on school buses may result in loss of bus privileges. Smoking, threatening, fighting, disruptions, and use of offensive language are among behaviors that will not be tolerated on buses. Furthermore, any student who inflicts damage upon a bus will be held financially responsible for the cost of that damage.

Code of Discipline: - School Bus Transportation

The following sanctions apply to misbehavior on or around school buses during regular daily bus runs, as well as on field trips and co-curricular bus trips, unless otherwise noted:

Disciplinary actions are defined at three levels given below:

Level I

- * eating food, chewing gum or drinking beverages
- * littering the bus
- * refusing to use an assigned seat
- * refusing to follow reasonable directions of the driver
- * use of profane or obscene language
- * leaving one's seat while bus is moving
- * placing hands, feet or head out of window
- * pushing or shoving others

After an initial warning, the administrator will suspend the student from riding privileges for 3 days, 10 days and 30 days on subsequent infractions.

Level II

- * fighting/assault/battery
- * entering/exiting through rear door
- * interfering with driver controls
- * smoking (*includes the use of vapor products and electronic devices that simulate smoking by delivering nicotine or other substances by the inhalation of a vapor*)
- * throwing articles
- * vandalism

Students

Bus Transportation (continued)

First offense will receive 10 days suspension from riding. Subsequent offenses will be 30 days and 60 days. In all cases involving vandalism the student and/or parents will be assessed for all costs.

Level III

- * using/possessing a dangerous weapon
- * carrying flammable materials

Student will be reported to the Superintendent for possible expulsion for up to one year.

Legal Reference: Connecticut General Statutes

10-186 Duties of local and regional boards of education re school attendance.

10-220 Duties of boards of education

10-221 Boards of education to prescribe rules

10-233c Suspension of students

Regulation approved: June 12, 2001

NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut