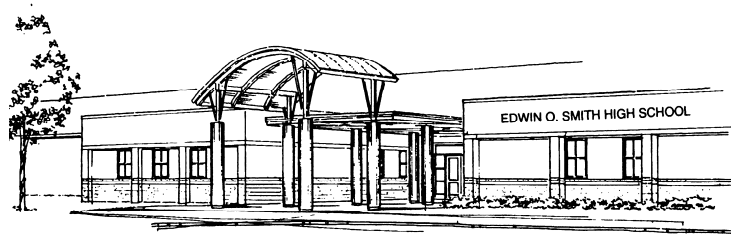


REGIONAL SCHOOL DISTRICT #19  
Edwin O. Smith High School



Edwin O. Smith High School  
Parent/Guardian Annual Notification Booklet

2009-2010

## Purpose of this Parent/Guardian Annual Notification Booklet

This Parent/Guardian Annual Notification Booklet is provided to inform families of those policies required by the State of Connecticut.

Other policies and procedures are published in the 2009 – 2010 E. O. Smith Handbook and Calendar and both documents are available online at [www.eosmith.org](http://www.eosmith.org).

This booklet does not represent all policies and procedures of the Regional School District #19. The complete Regional School District #19 Board of Education Policy Handbook is available in the Office of the Superintendent of Schools, 1235 Storrs Road, Storrs, Connecticut 06268. District policies may also be viewed in their entirety online at <http://www.eosmith.org/index.php/policies-and-regulations>.

Lou DeLoreto, Principal  
Sheila Riffle, Assistant Principal  
Frank Cronin, Assistant Principal  
Debra Hultgren, Special Services Director

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## **Vision**

We are a community of learners engaged in a passionate and imaginative quest for excellence. Genuine learning must inspire lives of personal integrity in which we become agents of positive social change.

## **Core Values and Beliefs**

Edwin O. Smith High School is a community committed to academic excellence, personal achievement and integrity. Students are encouraged to respect diversity and become self-directed learners with a responsibility to contribute as literate members of an interdependent world.

## **Learning Expectations**

### Academic

Students at Edwin O. Smith High School will demonstrate:

- critical and inventive thinking
- decision-making and problem-solving skill
- reading and writing literacy
- interactive communication skills
- visual, technological and information literacy
- curiosity, creativity and collaboration

### Social and Civic Expectations

Students at Edwin O. Smith High School will demonstrate:

- cultural and civic literacy and global awareness
- personal productivity and adaptability
- interpersonal skills that actively support and contribute to the community
- Health literacy

## NON-DISCRIMINATION STATEMENT

The Board of Education complies with all applicable federal, state and local laws prohibiting the exclusion of any person from any of its educational programs or activities, or the denial to any person of the benefits of any of its educational programs or activities because of race, creed, color, national origin, sex, sexual orientation, marital status, age, or disability, subject to the conditions and limitations established by law.

Legal Reference:

Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, et seq.  
Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, et seq.  
Americans with Disabilities Act, 42 U.S.C. § 12101, et seq.  
Connecticut General Statutes § 10-15c and § 46a-81a, et seq. - Discrimination on basis of sexual orientation  
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, et seq.  
Public Act 07-62 An Act Concerning the Deprivation of Rights on Account of Sexual Orientation

### Complaints Concerning Discrimination on the Basis of Disability

The Rehabilitation Act of 1973, commonly referred to as Section 504, is a nondiscrimination statute enacted by the United States Congress. The purpose of the Act is to prohibit discrimination and to assure that disabled students have educational opportunities and benefits equal to those provided to non-disabled students.

An eligible student under Section 504 is a student who (a) has, (b) has a record of having or (c) is regarded as having, a physical or mental impairment which substantially limits a major life activity such as learning, self-care, walking, seeing, hearing, speaking, breathing, working, and performing manual tasks.

Many students will be eligible for educational services under both Section 504 and the Individuals With Disabilities Education Act (IDEA), but entitlement to services under the IDEA or other statutes is not required to receive services under Section 504.

*[The following is a description of the rights and options granted by federal law to students with disabilities under Section 504. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions. You have the right:]*

1. To be informed of your rights under Section 504;
2. To have your child take part in and receive benefits from the Regional School District #19's education programs without discrimination based on his/her disability.
3. For your child to have equal opportunities to participate in academic, nonacademic and extracurricular activities in your school without discrimination based on his/her disability;
4. To be notified with respect to the Section 504 identification, evaluation, and educational placement of your child;
5. To have an evaluation, educational recommendation, and placement decision developed by a team of persons who are knowledgeable of your child, the assessment data, and any placement options;
6. If your child is eligible for services under Section 504, for your child to receive a free appropriate public education. This includes the right to receive reasonable accommodations, modifications, and related services to allow your child an equal opportunity to participate in school and school-related activities;
7. For your child to be educated with peers who do not have disabilities to the maximum extent appropriate;

8. To have your child educated in facilities and receive services comparable to those provided to non-disabled students;
9. To review all relevant records relating to decisions regarding your child's Section 504 identification, evaluation, and educational placement;
10. To obtain copies of your child's educational records at a reasonable cost unless the fee would effectively deny you access to the records;
11. To request changes in the educational program of your child;
12. To an impartial hearing if you disagree with the school district's decisions regarding your child's Section 504 identification, evaluation or educational placement. The costs for this hearing are borne by the local school district. You and the student have the right to take part in the hearing and to have an attorney represent you at your expense.
13. To file a court action if you are dissatisfied with the impartial hearing officer's decision or to request attorney's fees related to securing your child's rights under Section 504.
14. To file a local grievance with the designated Section 504 Coordinator to resolve complaints of discrimination other than those involving the identification, evaluation or placement of your child.
15. To file a formal complaint with the U.S. Department of Education, Office for Civil Rights.

The Section 504 Compliance Coordinator for the Regional School District #19 and E.O. Smith High School is Ms. Sheila Riffle, Assistant Principal at 860-487-0877 x4982.

#### **NOTIFICATION OF RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT ("PPRA")**

The Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. § 1232h, affords parents and eligible students (*i.e.* students over 18 or emancipated minors) certain rights with respect to the administration of student surveys, the collection and use of personal information, and the administration of certain physical exams. These rights include:

1. the right of a parent to inspect, upon request, a survey created by a third party before the survey is administered or distributed by a school to a student;
2. the right of a parent to inspect, upon request, any survey concerning one or more of the following confidential topics:
  - a. political affiliations or beliefs of the student or the student's parent;
  - b. mental or psychological problems of the student or the student's family;
  - c. sex behavior or attitudes;
  - d. illegal, anti-social, self-incriminating, or demeaning behavior;
  - e. critical appraisals of other individuals with whom respondents have close family relationships;
  - f. legally recognized privileged relationships, such as those with lawyers, doctors, physicians, or ministers;
  - g. religious practices, affiliations, or beliefs of the student or the student's parent; or
  - h. income, other than as required by law to determine eligibility for certain programs or for receiving financial assistance under such programs;
3. the right of a parent to inspect, upon request, any instructional material used as part of the educational curriculum. Instructional material means any instructional content that is provided to a student, regardless of its format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet) but does not include academic tests or academic assessments;

4. the right of a parent to inspect, upon request, any instrument used in the collection of personal information from students gathered for the purpose of marketing, selling or otherwise providing that information to others for that purpose. Personal information means individually identifiable information including, a student or parent's first and last name, a home or other physical address; a telephone number or a social security number;
5. the right of a parent to be notified of the specific or approximate dates of the following activities, as well as the right of a parent or eligible student to opt-out of participation in these activities:
  - a. activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or selling that information (or otherwise providing that information to others for that purpose);
  - b. the administration of any survey containing confidential topics (see #2, above, a-h); or
  - c. any non-emergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school and unnecessary to protect the immediate health and safety of a student. Such examinations do not include a hearing, vision, or scoliosis screening or other examinations permitted or required by State law.

Parents and eligible students may not opt-out of activities relating to the collection, disclosure, and/or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing education products or services for, or to students or educational institutions, such as the following:

- a. college or other post-secondary education recruitment, or military recruitment;
- b. book clubs, magazines, and programs providing access to low-cost literary products;
- c. curriculum and instructional materials used by elementary and secondary schools;
- d. tests and assessments used by elementary and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students;
- e. the sale by students of products or services to raise funds for school-related or education-related activities;
- f. student recognition programs.

To protect student privacy in compliance with the PPRA, the Regional School District No. 19 has adopted policies regarding these rights. Parents and/or eligible students who believe their rights have been violated under the PPRA may contact:

Family Policy Compliance Office  
 U.S. Department of Education  
 400 Maryland Avenue, SW  
 Washington, D.C. 20202-4605

Adopted: December 2, 2003

Revised: April 10, 2007

#### NOTIFICATION OF RIGHTS UNDER FERPA

*The following information will be disclosed on an annual basis to all parents of students in attendance or students over 18 ("eligible students") in attendance.*

The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, et seq., affords parents and eligible students certain rights with respect to the student's education records. They are:

- (1) The right to inspect and review the student's education records within 45 days of the day the District receives a request for access.

Parents or eligible students should submit to the school principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

- (2) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading.

Parents or eligible students may ask the District to amend a record that they believe is inaccurate or misleading. They should write the school principal [or appropriate school official], clearly identifying the part of the record they want changed, and specify why it is inaccurate or misleading.

If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

- (3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception that permits disclosure without consent is disclosure to a school official with legitimate interests. A school official is a person employed by the District as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board of Education; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

The District will disclose a student's education record without consent to officials of another school district in which the student seeks or intends to enroll.

- (4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, DC 20202-4605

Unless notified in writing by a parent or eligible student to the contrary within two weeks of the date of this notice, the school district will be permitted to disclose "Directory Information" concerning a student. Directory Information means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to, the parent's name and/or e-mail address, the student's name, address, telephone number, e-mail address, photographic, computer and/or video images, date and place of birth, major field(s) of study, grade level, participation in school-sponsored activities or athletics, weight and height (if the student is a member of an athletic team), dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended.

The written objection to the disclosure of directory information shall be good for only one year. School districts are legally obligated to provide military recruiters and institutions of higher learning, upon request, with the names, addresses and telephone numbers of secondary school students, unless the secondary student or the parent of the student objects to such disclosure in writing. Such objection shall be in writing and shall be effective for one year. In all other circumstances, information designated as directory information will not be released when requested by a third party unless the release of such information is determined by the administration to be in the educational interest of the school district and is consistent with the district's obligations under both state and federal law.

### PARENTAL ACCESS TO INSTRUCTIONAL MATERIAL

In accordance with federal law and Board policy, parents shall be permitted access to instructional material used as part of the educational curriculum for any student.

"Instructional Material" means any instructional content that is provided to a student, regardless of its format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

Upon request, the district shall permit parents to inspect any instructional material. The district shall grant reasonable access to instructional material within a reasonable period of time after a parental request is received.

Adopted: April 10, 2007

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### PARENT INVOLVEMENT POLICY FOR TITLE I STUDENTS

In accordance with Section 1118 of the No Child Left Behind Act of 2001 ("NCLB"), Public Act 107-110, it is the policy of the Regional School District #19 Board of Education to provide parents of students participating in the district's Title I programs substantial and meaningful opportunities to participate in the education of their children within these programs. To facilitate parental participation, the Board encourages parents of Title I eligible students to be involved in regular meetings, communications, and activities that will inform them about the district's Title I programs, to participate in the improvement of such programs and to help improve their child's progress within these programs.

The district shall distribute this written parental involvement policy to parents of participating students in an understandable and uniform format and, to the extent practicable, in a language the parents can understand. The policy shall be made available to the public and updated periodically, as necessary to carry out the requirements of parental involvement under Section 1118 of NCLB.

The Board shall, with the involvement of Title I parents, conduct an annual evaluation of this policy in order to assess its effectiveness in involving parents in the improvement of the Title I programs and to identify barriers to greater parent participation in Title I program activities.

Each year, the Board shall also conduct a meeting, at a convenient time, to involve parents in the planning, review and improvement of programs funded by Title I. All parents of participating children must be invited and encouraged to attend. At this meeting, parents shall be given a description and explanation of the title I programs, the curriculum in use at the school, the forms of academic assessment used, the proficiency levels students are expected to meet and information regarding the importance of parental involvement.

In addition to the required annual meeting, and if requested by parents, the Board shall offer opportunities for regular meetings at flexible times of the day in order to allow parents to formulate suggestions for the Board's Title I programs and their application to their child(ren)'s programs; and to participate, as appropriate, in decisions related to the education of their children. Parents will be given opportunities to participate in the joint development of the district's Title I plan, as required by Section 1112 of NCLB, and in the process of any school review and improvement should a school fail to make adequate annual progress as required by Section 1116 of NCLB. At any time, if a parent is dissatisfied with a school's Title I program, he/she shall have the opportunity to submit comments for review at the district level.

The Board will provide the coordination, technical assistance and other support necessary to assist in planning and implementing effective parent involvement. Parental involvement in Title I programs shall be coordinated with parental involvement strategies under other district programs.

In order to build the schools' and parents' capacity for strong parental involvement, the Board shall:

1. provide assistance to parents of students participating in Title I programs in understanding topics related to their child's progress, such as explanation of state academic standards and assessment tools, the requirements under Title I, and how to monitor their child's progress;
2. provide materials and training to help parents to work with their children, such as literacy training and using technology;
3. educate teachers, staff and administrators about how to better communicate and work with parents;
4. ensure that information related to school and parent programs, meetings and other activities is sent to participating parents in a format and, to the extent practicable, in a language the parents can understand;
5. provide such other reasonable support for parental involvement activities as parents may request; and
6. inform parents and parental organizations of the existence and purpose of parent resource centers within the State.

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#### SCHOOL-PARENT COMPACT

This policy further requires that each school involved in Title I programs shall jointly develop with parents of participating children a school-parent compact that outlines how parents, staff, and students will share the responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership to help children achieve the State's high standards. The school-parent compact shall:

1. describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables Title I students to meet the State's student academic achievement standards;
2. indicate the ways in which each parent will be responsible for supporting their child's learning, such as monitoring attendance, homework completion, and television watching; volunteering in their child's classroom; and participating, as appropriate, in decisions related their child's education and positive use of extra-curricular time;
3. stress the importance of ongoing teacher-parent communication through parent-teacher conferences, frequent reports to parents, reasonable access to school staff, and opportunities to volunteer, participate in and observe their child's classroom activities.

The Board authorizes the Superintendent, or his/her designee, to develop a school-parent compact and other procedures such as those relating to meetings, parent communication and parental involvement activities, as he/she deems necessary in order to ensure compliance with this policy.

Adopted: July 6, 2004

Revised: April 10, 2007

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#### PESTICIDE APPLICATION ON SCHOOL PROPERTY

It is the policy of the Regional School District #19 Board of Education to implement an integrated pest management plan to reduce the amounts of pesticides applied in any building, or the grounds of any Regional School District #19 public school, by using all available pest control techniques including judicious use of pesticides, when warranted, to maintain a pest population at or below an acceptable level, while decreasing the use of pesticides.

The decision to apply pesticide in any building, or the grounds of any of the district's public school is dependent on results of periodic monitoring for pest populations to determine if a pest problem exists that exceeds acceptable threshold levels.

No application of pesticide shall be made in any building, or the grounds of any school during regular school hours or during planned activities at any school except as provided by Connecticut statute or regulation.

Parents or guardians of children in any school and/or staff members in any school may register for prior notice of pesticide application at their school. Each school shall maintain a registry of persons requesting such notice, and shall provide notice to registered individuals in accordance with applicable Connecticut statutory and regulatory provisions.

The Superintendent may direct that an emergency application of a lawn care pesticide be made without prior notice to parents or guardians of children in any school and/or staff members in the event of a threat to human health, subject to applicable Connecticut statutory and regulatory provisions.

The Superintendent may direct that an emergency application of a pesticide be made during regular school hours or during planned activities at school without prior notice to parents or guardians of children and/or staff members in any school in the event of an immediate threat to human health, subject to applicable Connecticut statutory and regulatory provisions.

There shall be no application of any lawn care pesticide on the grounds of any school with students in grade eight (8) or lower, except on an emergency basis, subject to applicable Connecticut statutory and regulatory provisions. Notwithstanding this prohibition, until July 1, 2009, an application of a lawn care pesticide may also be made on the playing fields and playgrounds of a district school with students in grade eight (8) or lower, provided such application is made pursuant to an integrated pest management plan and all applicable statutory and regulatory provisions.

Legal References:

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#### ADMINISTRATIVE REGULATIONS REGARDING PESTICIDE APPLICATION ON SCHOOL PROPERTY

A. Definitions:

1. Pesticide: means a fungicide used on plants, an insecticide, a herbicide or a rodenticide, but does not mean a sanitizer, disinfectant, antimicrobial agent or a pesticide bait.
2. Lawn Care Pesticide: means a pesticide registered by the United States Environmental Protection Agency and labeled pursuant to the federal Insecticide, Fungicide and Rodenticide Act for use in lawn, garden and ornamental sites or areas.
3. Integrated Pest Management: means use of all available pest control techniques including judicious use of pesticides, when warranted, to maintain a pest population at or below an acceptable level, while decreasing the use of pesticides.
4. Restricted Use Pesticide: means any pesticide or pesticide use classified as restricted by the administrator of the United States Environmental Protection Agency or by the Connecticut Commissioner of Environmental Protection.

B. Integrated Pest Management Plan:

1. The district's integrated pest management plan shall be consistent with the model pest control management plan developed by the Connecticut Commissioner of Environmental Protection pursuant to Section 22a-66l of the Connecticut General Statutes.

C. Notice of Pesticide Application:

1. Parents or guardians of children in any school and/or staff members in any school may register for prior notice of pesticide application at their school.
2. Each school shall maintain a registry of persons requesting such notice.
3. Parents or guardians of children in any school and/or staff members in any school who register for prior notice of pesticide application at their school shall be provided notice of each scheduled pesticide application at their school on or before the day that any application of pesticide is to take place.
4. The notice shall include the following information:
  - a. The name of the active ingredient of the pesticide being applied,
  - b. The location of the application on school property,
  - c. The date of the application,
  - d. The name of the school administrator, or designee, who may be contacted for further information.

D. Emergency Pesticide Application:

1. In the event of a threat to human health, the Superintendent may direct that an emergency application of a lawn care pesticide be made without prior notice to parents or guardians of children in any school and/or staff members.
2. In the event of an immediate threat to human health, the Superintendent may direct that an emergency application of a pesticide be made, during regular school hours or during planned activities at school, without prior notice to parents or guardians of children in any school and/or staff members. Such application may only be made if (1) it is necessary to make the application during such period, and (2) such emergency application does not involve a restricted use pesticide.
3. In the event of such emergency application, no child may enter the area of such application until it is safe to do so according to the provisions on the pesticide label.
4. In the event of such emergency application, the provision set forth below in Section F regarding authorized pesticide applicators shall not apply if the Superintendent determines that it is impractical to obtain the services of any such applicator, provided that the application does not involve a restricted use pesticide.

E. Record of Pesticide Application:

1. A copy of the record of each pesticide application at a school shall be maintained at the school for a period of five (5) years, which record shall include the information required by Section 22a-66a of the Connecticut General Statutes, as it may be amended from time to time.

F. Authorized Pesticide Applicator:

1. No person, other than a pesticide applicator with supervisory certification under Section 22a-54 of the Connecticut General Statutes or a pesticide applicator with operational certification under Section 22a-54 under the direct supervision of a supervisory pesticide applicator, may apply pesticide within any building or on the grounds of any school within the district, other than a regional vocational agriculture center.

G. Prohibition on Use of Lawn Care Pesticides at District Schools with Students through Grade 8:

1. There shall be no application of any lawn care pesticide on the grounds of any school with students in grade eight (8) or lower, except on an emergency basis, subject to applicable Connecticut statutory and regulatory provisions and the conditions set forth above.
2. Notwithstanding this prohibition, until July 1, 2009, an application of a lawn care pesticide may also be made on the playing fields and playgrounds of a district school with students in grade eight (8) or lower, provided such application is made pursuant to an integrated pest management plan and all applicable statutory and regulatory provisions.

Adopted: December 4, 2001

Revised: April 10, 2007

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### SCHOOL WELLNESS POLICY

It is the policy of the Region 19 Board of Education to promote the health and well-being of its students and staff at E. O. Smith High School. With an effective health promoting environment, it is our hope that we will support learning and health and foster a lasting lifestyle that promotes good nutrition, regular physical activity, and the maintenance of a healthful environment. The board is committed to providing a school environment that promotes student wellness, proper nutrition, nutrition education, and regular physical activity.

In order to assess the effectiveness of the School Wellness Policy and review any available state or federal guidance on health issues, a School Wellness Committee will be maintained. It will be the charge of this committee to assess the response to the School Wellness Policy and evaluate the changes to the health of the environment, health education, physical activity, and nutrition services that are implemented. The School Wellness Committee involves parents, students, school administrators, school nurse, teachers, and members of the board of education.

- I. Goals and Guidelines - The board, in conjunction with the School Wellness Committee, establishes the following goals and guidelines in order to promote student/staff wellness:
  - A. Nutrition Education and Promotion - The goal is to provide a comprehensive learning environment for developing and practicing lifelong wellness behaviors. This involves not only classroom learning but an environment in which information that is presented in the classroom can be transformed into behaviors.
    1. Standards-Based, Sequential Nutrition Education will be a part of health education and integrated into other course work. Nutrition education shall be based on current science, research, and national guidelines.
    2. Guidelines for marketing and promotion of nutritious food and healthful habits outside the classroom will be established.
    3. An effort will be made to provide reinforcement of health education topics.
    4. Professional development will be provided to teachers and staff to raise their awareness of wellness issues.
  - B. Physical Activity and Other School-Based Activities - In accordance with the National Association for Sports and Physical Education (NASPE), the school will offer a physical education program that will guide students through a process that will enable them to achieve and maintain a high level of personal fitness.
    1. Evaluate the physical education program to insure promotion of personal physical fitness.
    2. The physical education program, in accordance with the recommendations of NASPE, shall guide students through a process that will enable them to achieve and maintain a high level of physical fitness. Students will be taught physical skills to help maintain a lifetime of health and fitness. The

activities will be individualized to meet students' personal abilities and focus will be on doing one's best rather than on a product.

3. Develop opportunities for physical education in all four years of high school
  4. Encourage after school activity programs and community/family programs that encourage healthful habits.
- C. Nutritional Guidelines for School Food - School meals shall offer varied and nutritious food choices that are consistent with USDA nutrition standards and the Dietary Guidelines (which focus on increasing fruits, vegetables and whole grains). The offerings of other foods and beverages will promote the serving of foods of high nutritional value and lower fat and sugar content.
1. *The National School Lunch Program and Dietary Guidelines for Americans* will be utilized in planning and preparation of school meals. The *Connecticut Healthy Snack Standards*, or its equivalent, will be used in the selection and preparation of a la carte food items.
  2. Breakfast will be promoted and access provided, in the knowledge that when students eat breakfast their health and academic performance is improved.
  3. The foods offered in vending machines will be limited to healthful snacks and beverages as listed in the *Connecticut Healthy Snack Standard*, or its equivalent.
  4. The sale of food of healthful, nutritious foods will be encouraged in the school and at school related activities.
  5. It is recommended that snacks offered in the classroom be healthful snacks.
  6. Encourage the sale of alternative, none food items for fund raising events.
- D. Other School-Based Activities to Promote Student/Staff Wellness - It is the goal of the school to provide a healthful environment, surroundings that are clean and pleasant, and to encourage students to make health promoting choices of food and activities.
1. The school will provide appropriate meal times and adequate time to obtain and eat meals.
  2. Encourage responsible behavior among students and staff to promote cleanliness of the cafeteria and common areas.
  3. A plan will be put in place to maintain on a regular basis the cleanliness of physical activity areas and equipment.
- E. Communication and Promotion - The school, in cooperation with the surrounding school districts, will promote clear and consistent messages that explain and reinforce healthful eating and physical activity habits. The school districts will engage students, families, the community, and the media in promoting a healthful school environment.
1. The school will promote programs pertaining to health, nutrition, and physical activity in the community.

## II. Assessing the Implementation of the School Wellness Policy

The School Wellness Committee will meet twice yearly to assess the implementation of the School Wellness Policy. The assessment will include, but not be limited to:

- A. Facilities - The maintenance of a healthful environment, with particular attention to the cleanliness of the physical activity areas and equipment, the cafeteria and common areas.
- B. Curriculum - Working with the Curriculum & Policy Committees:
  - 1. Enhancement of health education to offer course work to reinforce basic health education.
- C. Nutrition Services
  - 1. Assessment of student and staff responses to changes brought about by the School Wellness Policy.
  - 2. Assessment of food offerings in cafeteria which emphasize reduced fat, low trans fat, and increased whole grain products.
  - 3. Assessment of foods and beverages offered in vending machines, student store, and fund raising events to determine to what degree guidelines for nutritious foods are followed.
- D. Wellness Policy Review - The School Wellness Committee will review the policy to determine its effectiveness and whether the policy should be revised to meet the needs of the students more effectively.

Adopted: June 6, 2006

#### BULLYING BEHAVIOR IN THE SCHOOLS

In accordance with state law, it is the policy of the Board of Education that any form of bullying behavior, whether in the classroom, on school property, on a school bus, or at school-sponsored events, is expressly forbidden.

The Superintendent or his/her designee shall be responsible for developing and implementing administrative regulations in furtherance of this policy. As provided by statute, such regulations shall: (1) enable students to anonymously report acts of bullying to teachers and school administrators and require that students to be notified annually of the process by which they may make such anonymous reports, (2) enable the parents or guardians of students to file written reports of suspected bullying, (3) require teachers and other school staff who witness acts of bullying or receive student reports of bullying to notify school administrators in writing, (4) require school administrators to investigate any written reports and to review any anonymous reports (except that no disciplinary action shall be taken solely on the basis of an anonymous report), (5) include prevention and intervention strategy, as defined by this policy, for school staff to deal with bullying, (6) provide for the inclusion of language in student codes of conduct concerning bullying, (7) require school administrators of each school to notify both 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, and to invite them to attend at least one meeting, (8) require each school within the district to maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection, and within available appropriations, report such number annually to the Department of Education, in such manner as prescribed by the Commissioner of Education, (9) direct the development of case-by-case interventions for addressing repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline, and (10) identify the appropriate school personnel, which may include, but shall not be limited to, pupil services personnel, responsible for taking a bullying report and investigating the complaint.

The notification required pursuant to subdivision (7) shall include a description of the response of school staff to such acts and any consequences that may result from the commission of further acts of bullying. Any information provided under this policy shall be provided in accordance with the confidentiality restrictions imposed under the Family Educational Rights Privacy Act ("FERPA") and the district's Confidentiality and Access to Student Information policy and regulations.

For purposes of this policy, "Bullying" shall mean any overt acts by a student or group of students directed against another student with the intent to ridicule, harass, humiliate, or intimidate the other student while on school grounds, on a school bus, or at a school-sponsored activity, which acts are committed more than once against any student during the school year.

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

For the purposes of this policy, "Prevention and Intervention Strategy" may include, but shall not be 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, including any such program identified by the Department of Education; 2) a school survey to determine the prevalence of bullying; (3) establishment of a bullying prevention coordinating committee with broad representation to review the survey results and implement the strategy; (4) school rules prohibiting bullying, harassment and intimidation and establishing appropriate consequences for those who engage in such acts; (5) adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur; (6) inclusion of grade-appropriate bullying prevention curricula in kindergarten through high school; (7) individual interventions with the bully, parents and school staff, and interventions with the bullied child, parents and school staff; (8) school-wide training related to safe school climate; and (9) promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions.

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

Effective July 1, 2009, this policy and the applicable regulations shall be included in the school district's publication of the rules, procedures, and standards of conduct for schools and in all student handbooks.

#### ADMINISTRATIVE REGULATIONS CONCERNING BULLYING BEHAVIOR IN THE SCHOOLS

The following sets forth the procedures to implement the Board Policy concerning the prohibition against bullying. Bullying behavior is strictly prohibited, and students who are determined to have engaged in such behavior are subject to disciplinary action, which may include suspension or expulsion from school, in accordance with the Board's Student Discipline policy. The district's commitment to addressing bullying behavior, however, involves a multi-faceted approach, which includes education and the promotion of a school atmosphere in which bullying will not be tolerated by students or staff.

It is imperative that bullying be identified only when the specific elements of the definition are met, because the designation of conduct as bullying carries with it special statutory obligations. Any misconduct by one student against another student, whether or not appropriately defined as bullying, however, will subject the perpetrator to disciplinary action in accordance with the Board's policies on student discipline, suspension and expulsion.

##### I. Definition:

In accordance with Board policy, "bullying" means any overt acts by a student or group of students directed against another student with the intent to ridicule, harass, humiliate, or intimidate the other student while on school grounds, on a school bus, or at a school-sponsored activity, which acts are committed more than once against any student during the school year.

In accordance with this definition, the following factors should be considered before identifying conduct by a student or group of students as bullying in violation of Board policy. The determination that conduct does not constitute bullying under state law and Board policy, however, does not restrict the right of the Administration and of the Board of Education to impose appropriate disciplinary consequences for student misconduct.

- Location. Bullying behavior in violation of Board policy must occur on school grounds, at a school-sponsored activity, or on a school bus. Conduct that occurs off-campus (*e.g.* harassment over the Internet, physical intimidation in the community) is not bullying under the Board's Policy and this Regulation. While not considered bullying under Board policy, conduct that would otherwise be considered bullying occurring off-campus (and outside of any school-sponsored activity) may subject the perpetrator to disciplinary action. Discipline for such conduct may be imposed if such conduct violates a publicized policy of the Board and is seriously disruptive of the educational process. Unless such conduct triggers a mandatory expulsion under Conn. Gen. Stat. § 10-233d(a), however, school officials are authorized to

impose discipline for such off-campus conduct only if such conduct markedly interrupts or severely impedes the day-to-day operation of the school.

- Misconduct Committed More Than Once. Bullying behavior in violation of Board policy must be “committed more than once against any student during the school year.” An isolated incident, however egregious, is not “bullying” under state law and Board policy. However, where there are multiple incidents of bullying against one student or multiple students by the same individual, during the school year, the responsible administrator shall develop a case-specific intervention to address such repeated incidents of bullying, which may include both counseling and discipline.
- Ridicule, harassment, humiliation, and/or intimidation. Bullying behavior is more than misconduct. Such behavior is marked by the intent to ridicule, harass, humiliate or intimidate the victim. In evaluating whether conduct constitutes bullying, special attention should be paid to the words chosen or actions taken, whether such conduct occurred in front of others or was communicated to others, how the perpetrator interacted with the victim, and the motivation of the perpetrator.
- Types of conduct. Bullying can take many forms and can include many different behaviors having the overt intent to ridicule, harass, humiliate or intimidate another student. Examples of conduct that could constitute bullying include:
  1. Physical violence and/or attacks;
  2. Verbal taunts, name-calling and put-downs, including taunts based on race, ethnicity, gender, religion, sexual orientation, or other protected and/or individual characteristics such as socioeconomic status or physical appearance;
  3. Threats and intimidation (through words and/or gestures);
  4. Extortion or stealing of money and/or possessions;
  5. Cyber bullying, defined as use of computer systems, including email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to commit acts of bullying.

## II. Complaint processes

- A. Publication of the policy and regulations against bullying Effective July 1, 2009, this policy and the applicable regulations shall be included schools and in all student handbooks.
- B. Appropriate school personnel

All school administrators are charged with the responsibility of taking to any building administrator or to the school district’s Bullying Prevention Coordinator, **Mr. Louis DeLoreto, Principal at E.O. Smith High School, 487-0877.**

- C. Formal/written complaints

Students and/or their parents or guardians may file written reports of conduct that they consider to be bullying. Such written reports shall be reasonably specific as to the actions giving rise to the suspicion of bullying, including time and place of the conduct alleged, the number of such incidents, the target of such suspected bullying, and the names of any potential student or staff witnesses. Such reports may be filed with any building administrator or Mr. DeLoreto, for review and action in accordance with Section III below.

D. Informal/verbal complaints by Students

Students may also make informal/verbal complaints of conduct that they consider to be bullying by verbally reporting to a teacher, administrator, or other professional employee such as a guidance counselor, school psychologist, nurse, social worker or therapist. Such informal/verbal complaints shall be reasonably specific as to the actions giving rise to the suspicion of bullying, including time and place of the conduct alleged, the number of such incidents, the target of such suspected bullying, and the names of any potential student or staff witnesses. A teacher, other professional employee, or administrator who receives an informal/verbal complaint shall promptly reduce the complaint to writing, including the information provided. Such written report by the teacher, other professional employee and/or administrator shall be promptly forwarded to the building principal (or other responsible program administrator) for review and action in accordance with Section III below.

E. Anonymous complaints

Students who make complaints of bullying to a teacher, administrator, or other professional employee such as a guidance counselor, school psychologist, nurse, social worker or therapist, may request that their name be maintained in confidence by the staff member who receives the complaint. Should anonymity be requested, the principal or his/her designee shall meet with the student to review the request for anonymity and the impact that maintaining anonymity of the complaint may have on the investigation of the complaint and/or possible remedial action. At such meeting, the student shall be given the choice as to whether to maintain the anonymity of the complaint. Anonymous complaints shall be reviewed and reasonable action will be taken to address the situation, to the extent such action may be taken that (1) does not disclose the source of the complaint, and (2) is consistent with the due process rights of the student(s) alleged to have committed acts of bullying.

III. Staff responsibilities and intervention strategies

A. Teachers and other school staff

1. Teachers and other school staff who witness acts of bullying, as defined above, shall promptly notify the building principal and/or his/her designee in writing of the events observed, and shall promptly file a written incident report concerning the events witnessed. Teachers and other school staff who receive student reports of suspected bullying shall promptly notify the building principal and/or his/her designee of such report(s). If the report is a formal, written complaint, such complaint shall be forwarded promptly (no later than the next school day) to the building principal or his/her designee. If the report is an informal/verbal complaint by a student that is received by a teacher, administrator or other professional employee, he or she shall prepare a succinct written report of the informal complaint, which shall be forwarded promptly (no later than the next school day) to the building principal or his/her designee. If the report is an informal complaint by a student that is received by other school staff, this employee shall verbally report the matter to the principal and/or his/her designee promptly (no later than the next school day).
2. In addition to addressing both informal and formal complaints, teachers and other professional employees are encouraged to address the issue of bullying in other interactions with students. Teachers and other professional employees may find opportunities to educate students about bullying and help eliminate bullying behavior through class discussions, counseling, and reinforcement of socially-appropriate behavior. Teachers and other professional employees should intervene promptly whenever they observe student conduct that has the purpose or effect of ridiculing, harassing, humiliating or intimidating another student, even if such conduct does not meet the formal definition of "bullying."

B. Administrator responsibilities

1. Investigation

- a. The principal (or other responsible program administrator) shall be promptly notified of any formal or informal complaint of suspected bullying received by any building administrator, teacher or other professional employee. Under the direction of the building principal or his/her designee, all such complaints shall be investigated promptly. In order to allow the district to adequately investigate all formal complaints, the parent of the student suspected of being bullied must complete a consent form that permits the district to release that student's name to those third parties who the district contacts as part of its investigation of that complaint. With regard to the investigation of informal complaints, the parent of the student suspected of being bullied must complete the above-referenced consent form so long as that student has not requested anonymity.
- b. A written report of the investigation shall be prepared when the investigation is complete. Such report shall include findings of fact, a determination of whether acts of bullying were verified, and, when acts of bullying are verified, a recommendation for intervention, which may include disciplinary action. Where appropriate, written witness statements shall be attached to the report.
- c. Notwithstanding the foregoing, when a student making an informal complaint has requested anonymity, the investigation of such complaint shall be limited as is appropriate in view of the anonymity of the complainant. Such limitation of investigation may include restricting action to a simple review of the complaint (with or without discussing it with the alleged perpetrator), subject to receipt of further information and/or the withdrawal by the complaining student of the condition that his/her report be anonymous.

2. Remedial actions

- a. Verified acts of bullying shall result in intervention by the building principal (or other responsible program administrator) or his/her designee that is intended to address the acts of the perpetrator and the needs of the victim and to assure that the prohibition against bullying behavior is enforced with the goal that any such bullying behavior will end as a result.
- b. Bullying behavior can take many forms and can vary dramatically in how serious it is, and what impact it has on the victim and other students. Accordingly, there is no one prescribed response to verified acts of bullying. While conduct that rises to the level of "bullying", as defined above, will generally warrant disciplinary action against the perpetrator of such bullying, whether and to what extent to impose disciplinary action (e.g., detention, in-school suspension, suspension or expulsion) is a matter for the professional discretion of the building principal (or responsible program administrator or his/her designee). No disciplinary action may be taken solely on the basis of an anonymous complaint.
- c. The following sets forth possible interventions for building principals (or other responsible program administrators) to enforce the Board's prohibition against bullying.

d. Addressing bullying behavior

i. Non-disciplinary interventions

When verified acts of bullying are identified early and/or when such verified acts of bullying do not reasonably require a disciplinary response, students may be counseled as to the definition of bullying, its prohibition, and their duty to avoid any conduct that could be considered bullying.

If a complaint arises out of conflict between students or groups of students, peer mediation may be considered. Special care, however, is warranted in referring such cases to peer mediation. A power imbalance may make the process intimidating for the

victim and therefore inappropriate. In such cases, the victim should be given additional support. Alternatively, peer mediation may be deemed inappropriate to address the concern.

In any instance in which bullying is verified, the building principal (or other responsible program administrator) shall invite the parents or guardians of the perpetrator and the parents or guardians of the bullied student to attend at least one meeting. In the discretion of the building principal or other responsible program administrator, the meeting(s) described in this section may be held jointly or separately.

ii. Disciplinary interventions

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

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

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

3. Interventions for bullied students

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

- a. Counseling;
- b. Increased supervision and monitoring of student to observe and intervene in bullying situations;
- c. Encouragement of student to seek help when victimized or witnessing victimization;
- d. Peer mediation where appropriate.

4. General Prevention and Intervention Strategies

In addition to the prompt investigation of complaints of bullying and direct intervention when acts of bullying are verified, other district actions may ameliorate potential problems with bullying in school or at school-sponsored activities. While no specific action is required, and school needs for specific prevention and intervention strategies may vary from time to time, the following list of potential prevention and intervention strategies shall serve as a resource for administrators, teachers and other professional employees in each school:

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

- c. Establishment of a bullying prevention coordinating committee with broad representation to review school climate survey results and implement appropriate strategies;
- d. Adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur;
- e. Inclusion of grade-appropriate bullying prevention curricula;
- f. Individual interventions with the perpetrator, parents and school staff, and interventions with the bullied student, parents and school staff;
- g. School-wide training related to safe school climate;
- h. Promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions;
- i. Respectful responses to bullying concerns raised by students, parents or staff;
- j. Planned professional development programs addressing prevention and intervention strategies;
- k. Use of peers to help ameliorate the plight of victims and include them in group activities;
- l. Avoidance of sex-role stereotyping;
- m. Continuing awareness and involvement on the part of staff and parents with regards to prevention and intervention strategies;
- n. Modeling by teachers of positive, respectful, and supportive behavior toward students;
- o. Creating a school atmosphere of team spirit and collaboration that promotes appropriate social behavior by students in support of others;
- p. Employing classroom strategies that instruct students how to work together in a collaborative and supportive atmosphere.

#### IV. Reporting obligations

##### A. Report to the parent or guardian of the perpetrator

If after investigation, acts of bullying by a specific student are verified, the building principal (or other responsible program administrator or his/her designee) shall notify the parent or guardian of the perpetrator in writing of that finding. If disciplinary consequences are imposed against such student, a description of such discipline shall be included in such notification.

##### B. Reports to the victim and his/her parent or guardian

If after investigation, acts of bullying against a specific student are verified, the building principal (or other responsible program administrator or his/her designee) shall notify the parent or guardian of the victim of such finding. In providing such notification, care must be taken to respect the statutory privacy rights of the perpetrator of such bullying. The specific disciplinary consequences imposed on the perpetrator, as reflected in the student's educational records, shall not be disclosed to the parents or guardian of the victim, except as provided by law.

C. List of verified acts of bullying

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

D. Report to Department of Education

Within available appropriations, the principal of each school shall report the number of verified acts of bullying in the school annually to the Department of Education, in such manner as prescribed by the Commissioner of Education.

Adopted: February 4, 2003

Revised: April 10, 2007

Revised: May 5, 2009

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STUDENT DISCIPLINE

I. Definitions

- A. Dangerous Instrument means any instrument, article or substance which, under the circumstances in which it is used or attempted or threatened to be used, is capable of causing death or serious physical injury, and includes a "vehicle" or a dog that has been commanded to attack.
- B. Deadly Weapon means any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon or metal knuckles. A deadly weapon is one which is designed for violence and which is capable of inflicting death or serious bodily harm and may include pellet guns and/or air soft pistols.
- C. Electronic Defense Weapon means a weapon which by electronic impulse or current is capable of immobilizing a person temporarily, but is not capable of inflicting death or serious physical injury.
- D. Emergency means a situation in which the continued presence of the student in school poses such a danger to persons or property or such a disruption of the educational process that a hearing may be delayed until a time as soon after the exclusion of such student as possible.
- E. Exclusion means any denial of public school privileges to a student for disciplinary purposes.
- F. Expulsion means the exclusion of a student from school privileges for more than ten (10) consecutive school days. The expulsion period may not extend beyond one (1) calendar year.
- G. Firearm, as defined in 18 U.S.C § 921, means (a) any weapon that will, is designed to, or may be readily converted to expel a projectile by the action of an explosive, (b) the frame or receiver of any such weapon, (c) a firearm muffler or silencer, or (d) any destructive device. As used in this definition, a "destructive device" includes any explosive, incendiary, or poisonous gas device, including a bomb, a grenade, a rocket having a

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

- H. In-School Suspension means an exclusion from regular classroom activity for no more than ten (10) consecutive school days, but not exclusion from school, provided such exclusion shall not extend beyond the end of the school year in which such in-school suspension was imposed. No student shall be placed on in-school suspension more than fifteen (15) times or a total of fifty (50) days in one (1) school year, whichever results in fewer days of exclusion.
  - I. Martial Arts Weapon means a nunchaku, kama, kasari-fundo, octagon sai, tonfa or chinese star.
  - J. Removal is the exclusion of a student from a classroom for all or part of a single class period, provided such exclusion shall not extend beyond ninety (90) minutes.
  - K. School Days shall mean days when school is in session for students.
  - L. School-Sponsored Activity means any activity sponsored, recognized or authorized by the Board and includes activities conducted on or off school property.
  - M. Seriously Disruptive of the Educational Process, as applied to off-campus conduct, means any conduct that markedly interrupts or severely impedes the day-to-day operation of a school.
  - N. Suspension means the exclusion of a student from school and/or transportation services for not more than ten (10) consecutive school days, provided such suspension shall not extend beyond the end of the school year in which such suspension is imposed; and further provided no student shall be suspended more than ten (10) times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless such student is granted a formal hearing as provided below.
  - O. Weapon means any BB gun, any blackjack, any metal or brass knuckles, any police baton or nightstick, any dirk knife or switch knife, any knife having an automatic spring release devise by which a blade is released from the handle, having a blade of over one and one-half inches in length, any stiletto, any knife the edged portion of the blade of which is four inches and over in length, any martial arts weapon or electronic defense weapon, or any other dangerous or deadly weapon or instrument, unless permitted by law under section 29-38 of the Connecticut General Statutes.
  - P. Notwithstanding the foregoing, the reassignment of a student from one regular education classroom program in the district to another regular education classroom program in the district shall not constitute a suspension or expulsion.
- II. Scope of the Student Discipline Policy

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

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

B. *Conduct off School Grounds:*

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

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

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

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

1. Striking or assaulting a student, members of the school staff or other persons.
2. Theft.
3. The use of obscene or profane language or gestures, the possession and/or display of obscenity or pornographic images or the unauthorized possession and/or display of images, pictures or photographs depicting nudity.
4. Violation of smoking, dress, transportation regulations, or other regulations and/or policies governing student conduct.
5. Refusal to obey a member of the school staff, law enforcement authorities, or school volunteers, or disruptive classroom behavior.
6. Any act of harassment based on an individual's sex, sexual orientation, race, color, religion, disability, national origin or ancestry.
7. Refusal by a student to identify himself/herself to a staff member when asked, misidentification of oneself to such person(s), lying to school officials or otherwise engaging in dishonest behavior.
8. A walk-out from or sit-in within a classroom or school building or school grounds.

9. Blackmailing, threatening or intimidating school staff or students (or acting in a manner that could be construed to constitute blackmail, a threat, or intimidation, regardless of whether intended as a joke).
10. Possession of any weapon, weapon facsimile, deadly weapon, pistol, knife, blackjack, bludgeon, box cutter, metal knuckles, pellet gun, air pistol, explosive device, firearm, whether loaded or unloaded, whether functional or not, or any other dangerous object.
11. Possession of any ammunition for any weapon described above in paragraph 10.
12. Unauthorized entrance into any school facility or portion of a school facility or aiding or abetting an unauthorized entrance.
13. Possession or ignition of any fireworks or other explosive materials, or ignition of any material causing a fire.
14. Unauthorized possession, sale, distribution, use, consumption, or aiding in the procurement of tobacco, drugs, narcotics or alcoholic beverages (or any facsimile of tobacco, drugs, narcotics or alcoholic beverages, or any item represented to be tobacco, drugs or alcoholic beverages), including being under the influence of any such substances. For the purposes of this Paragraph 14, the term "drugs" shall include, but shall not be limited to, any medicinal preparation (prescription and non-prescription) and any controlled substance whose possession, sale, distribution, use or consumption is illegal under state and/or federal law.
15. Sale, distribution, or consumption of substances contained in household items; including, but not limited to glue, paint, accelerants/propellants for aerosol canisters, and/or items such as the aerators for whipped cream; if sold, distributed or consumed for the purpose of inducing a stimulant, depressant, hallucinogenic or mind-altering effect.
16. Possession of paraphernalia used or designed to be used in the consumption, sale or distribution of drugs, alcohol or tobacco, as described in subparagraph (14) above. For purposes of this policy, drug paraphernalia includes any equipment, products and materials of any kind which are used, intended for use or designed for use in growing, harvesting, manufacturing, producing, preparing, packaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing controlled drugs or controlled substances into the human body, including but not limited to items such as "bongs," pipes, "roach clips," vials, tobacco rolling papers, and any object or container used, intended or designed for use in storing, concealing, possessing, distributing or selling controlled drugs or controlled substances.
17. The destruction of real, personal or school property, such as, cutting, defacing or otherwise damaging property in any way.
18. Accumulation of offenses such as school and class tardiness, class or study hall cutting, or failure to attend detention.
19. Trespassing on school grounds while on out-of-school suspension or expulsion.
20. Making false bomb threats or other threats to the safety of students, staff members, and/or other persons.

21. Defiance of school rules and the valid authority of teachers, supervisors, administrators, other staff members and/or law enforcement authorities.
22. Throwing snowballs, rocks, sticks and/or similar objects, except as specifically authorized by school staff.
23. Unauthorized and/or reckless and/or improper operation of a motor vehicle on school grounds or at any school-sponsored activity.
24. Leaving school grounds, school transportation or a school-sponsored activity without authorization.
25. Use of or copying of the academic work of another individual and presenting it as the student's own work, without proper attribution.
26. Possession and/or use of a cellular telephone, radio, walkman, CD player, blackberry, personal data assistant, walkie talkie or similar electronic device on school grounds or at a school-sponsored activity in violation of Board policy and/or administrative regulations regulating the use of such devices.
27. Possession and/or use of a beeper or paging device on school grounds or at a school-sponsored activity without the written permission of the principal or his/her designee.
28. Unauthorized use of any school computer, computer system, computer software, Internet connection or similar school property or system, or the use of such property or system for inappropriate purposes.
29. Possession and/or use of a laser pointer.
30. Hazing.
31. Bullying, defined as any overt acts by a student or a group of students directed against another student with the intent to ridicule, harass, humiliate or intimidate the other student while on school grounds, on a school bus, or at a school-sponsored activity, which acts are repeated against the student over time.
32. Acting in any manner that creates a health and/or safety hazard for staff members, students, or the public, regardless of whether the conduct is intended as a joke.
33. Any action prohibited by any Federal or State law.
34. Any other violation of school rules or regulations or a series of violations which makes the presence of the student in school seriously disruptive of the educational process and/or a danger to persons or property.

#### IV. Procedures Governing Removal from Class

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

- B. A student may not be removed from class more than six (6) times in one school year nor more than twice in one week unless the student is referred to the building principal or designee and granted an informal hearing at which the student should be informed of the reasons for the disciplinary action and given an opportunity to explain the situation.
- C. The parents or guardian of any minor student removed from class shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of such removal from class.

V. Procedures Governing Suspension

- A. The principal of a school, or designee on the administrative staff of the school, shall have the right to suspend any student for breach of conduct as noted in Section II of this policy for not more than ten (10) consecutive school days. In cases where suspension is contemplated, the following procedures shall be followed.
  - 1. Unless an emergency situation exists, no student shall be suspended prior to having an informal hearing before the principal or designee at which the student is informed of the charges and given an opportunity to respond. In the event of an emergency, the informal hearing shall be held as soon after the suspension as possible.
  - 2. If the student is suspended, such suspension shall be an in-school suspension unless, during the informal hearing, the principal or designee determines that the student (a) poses such a danger to persons or property or (b) is so disruptive of the educational process that he or she must serve the suspension out of school.
  - 3. Evidence of past disciplinary problems that have led to removal from a classroom, suspension, or expulsion of a student who is the subject of an informal hearing may be received by the principal or designee, but only considered in the determination of the length of suspensions.
  - 4. By telephone, the principal or designee shall make reasonable attempts to immediately notify the parent or guardian of a minor student following the suspension and to state the cause(s) leading to the suspension.
  - 5. Whether or not telephone contact is made with the parent or guardian of such minor student, the principal or designee shall forward a letter promptly to such parent or guardian to the last address reported on school records (or to a newer address if known by the principal or designee), offering the parent or guardian an opportunity for a conference to discuss same.
  - 6. In all cases, the parent or guardian of any minor student who has been suspended shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the suspension.
  - 7. Not later than twenty-four (24) hours after the commencement of the suspension, the principal or designee shall also notify the Superintendent or his/her designee of the name of the student being suspended and the reason for the suspension.
  - 8. The student shall be allowed to complete any class work, including examinations, without penalty, which he or she missed while under suspension.
  - 9. The school administration may, in its discretion, shorten or waive the suspension period for a student who has not previously been suspended or expelled, if the

student completes an administration-specified program and meets any other conditions required by the administration. Such administration-specified program shall not require the student and/or the student's parents to pay for participation in the program.

10. Notice of the suspension shall be recorded in the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record if the student graduates from high school. In cases where the student's period of suspension is shortened or waived in accordance with Section V.A(9), above, the administration may choose to expunge the suspension notice from the cumulative record at the time the student completes the administration-specified program and meets any other conditions required by the administration.
  11. If the student has not previously been suspended or expelled, and the administration chooses to expunge the suspension notice from the student's cumulative record prior to graduation, the administration may refer to the existence of the expunged disciplinary notice, notwithstanding the fact that such notice may have been expunged from the student's cumulative file, for the limited purpose of determining whether any subsequent suspensions or expulsions by the student would constitute the student's first such offense.
  12. The decision of the principal or designee with regard to disciplinary actions up to and including suspensions shall be final.
  13. During the period of suspension, the student shall not be permitted to be on school property and shall not be permitted to attend or participate in any school-sponsored activities, unless the principal specifically authorizes the student to enter school property for a specified purpose or to participate in a particular school-sponsored activity.
- B. In cases where a student's suspension will result in the student being suspended more than ten (10) times or for a total of fifty (50) days in a school year, whichever results in fewer days of exclusion, the student shall, prior to the pending suspension, be granted a formal hearing before the Board of Education. The principal or designee shall report the student to the Superintendent or designee and request a formal Board hearing. If an emergency situation exists, such hearing shall be held as soon after the suspension as possible.

#### VI. Procedures Governing In-School Suspension

- A. The principal or designee may impose in-school suspension in cases where a student's conduct endangers persons or property, violates school policy, seriously disrupts the educational process or in other appropriate circumstances as determined by the principal or designee.
- B. In-school suspension may not be imposed on a student without an informal hearing by the building principal or designee.
- C. Suspensions shall be considered to be in-school suspensions unless the principal or designee determines through the informal hearing process that the student poses such a danger to persons or property or is so disruptive of the educational process that he or she must serve the suspension out of school.
- D. No student shall be placed on in-school suspension more than fifteen (15) times or for a total of fifty (50) days in one school year, whichever results in fewer days of exclusion.

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

VII. Procedures Governing Expulsion Recommendation

- A. A principal may consider recommendation of expulsion of a student in a case where he/she has reason to believe the student has engaged in conduct described at sections II.A. and II.B., above.
- B. A principal must recommend expulsion proceedings in all cases against any student whom the administration has reason to believe:
  - 1. was in possession on school grounds or at a school-sponsored activity of a deadly weapon, dangerous instrument, martial arts weapon, or firearm as defined in 18 U.S.C. § 921 as amended from time to time; or
  - 2. off school grounds, possessed a firearm as defined in 18 U.S.C. § 921, in violation of Conn. Gen. Stat. § 29-35, or possessed and used a firearm as defined in 18 U.S.C. § 921, a deadly weapon, a dangerous instrument or a martial arts weapon in the commission of a crime under chapter 952 of the Connecticut General Statutes; or
  - 3. was engaged on or off school grounds in offering for sale or distribution a controlled substance (as defined in Conn. Gen. Stat. § 21a-240(9)), whose manufacturing, distribution, sale, prescription, dispensing, transporting, or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under Conn. Gen. Stat. §§21a-277 and 21a-278.
- C. Upon receipt of an expulsion recommendation, the Superintendent may conduct an inquiry concerning the expulsion recommendation.

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

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

VIII. Procedures Governing Expulsion Hearing

- A. Emergency Exception:

Except in an emergency situation, the Board of Education shall, prior to expelling any student, conduct a hearing to be governed by the procedures outlined herein and consistent with the requirements of Conn. Gen. Stat. § 10-233d and the applicable provisions of the Uniform Administrative Procedures Act, Conn. Gen. Stat. §§ 4-176e to 4-180a, and § 4-181a. Whenever an emergency exists, the hearing provided for herein shall be held as soon as possible after the expulsion.
- B. Hearing Panel:
  - 1. Expulsion hearings conducted by the Board will be heard by any three or more Board members. A decision to expel a student must be supported by a majority of the Board members present, provided that no less than three (3) affirmative votes to expel are cast.

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

C. Hearing Notice:

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

D. Hearing Procedures:

1. The hearing will be conducted by the Presiding Officer, who will call the meeting to order, introduce the parties, Board members and counsel, briefly explain the hearing procedures, and swear in any witnesses called by the Administration or the student.
2. The hearing will be conducted in executive session. A verbatim record of the hearing will be made, either by tape recording or by a stenographer. A record of

the hearing will be maintained, including the verbatim record, all written notices and documents relating to the case and all evidence received or considered at hearing.

3. Formal rules of evidence will not be followed. The Board has the right to accept hearsay and other evidence if it deems that evidence relevant or material to its determination. The Presiding Officer will rule on testimony or evidence as to it being immaterial or irrelevant.
4. The hearing will be conducted in two (2) parts. In the first part of the hearing, the Board will receive and consider evidence regarding the conduct alleged by the Administration.
5. In the first part of the hearing, the charges will be introduced into the record by the Superintendent or his/her designee.
6. Each witness for the Administration will be called and sworn. After a witness has finished testifying, he/she will be subject to cross-examination by the opposite party or his/her legal counsel, by the Presiding Officer and by Board members.
7. After the Administration has presented its case, the student will be asked if he/she has any witnesses or evidence to present concerning the charges. If so, the witnesses will be sworn, will testify, and will be subject to cross examination and to questioning by the Presiding Officer and/or by the Board. The student may also choose to make a statement at this time. If the student chooses to make a statement, he or she will be sworn and subject to cross examination and questioning by the Presiding Officer and/or by the Board. Concluding statements will be made by the Administration and then by the student and/or his or her representative.
8. In cases where the student has denied the allegation, the Board must determine whether the student committed the offense(s) as charged by the Superintendent.
9. If the Board determines that the student has committed the conduct as alleged, then the Board shall proceed with the second portion of the hearing, during which the Board will receive and consider relevant evidence regarding the length and conditions of expulsion.
10. When considering the length and conditions of expulsion, the Board may review the student's attendance, academic and past disciplinary records. The Board may not review notices of prior expulsions or suspensions which have been expunged from the student's cumulative record, except as so provided in Section V.A (9), (10), (11), above, and Section XI, below. The Board may ask the Superintendent for a recommendation as to the discipline to be imposed.
11. Evidence of past disciplinary problems which have led to removal from a classroom, suspension or expulsion of a student being considered for expulsion may be considered only during the second portion of the hearing, during which the Board is considering length of expulsion and nature of alternative educational opportunity to be offered.
12. Where administrators presented the case in support of the charges against the student, such administrative staff shall not be present during the deliberations of the Board either on questions of evidence or on the final discipline to be imposed. The Superintendent may, after reviewing the incident with

administrators, and reviewing the student's records, make a recommendation to the Board as to the appropriate discipline to be applied.

13. The Board shall make findings as to the truth of the charges, if the student has denied them; and, in all cases, the disciplinary action, if any, to be imposed. While the hearing itself is conducted in executive session, the vote regarding expulsion must be made in open session and in a manner that preserves the confidentiality of the student's name and other personally identifiable information.
14. The Board may, in its discretion, shorten or waive the expulsion period for a student who has not previously been suspended or expelled, if the student completes a Board-specified program and meets any other conditions required by the Board. The Board-specified program shall not require the student and/or the student's parents to pay for participation in the program.
15. The Board shall report its final decision in writing to the student, or if such student is a minor, also to the parent(s) or guardian(s), stating the reasons on which the decision is based, and the disciplinary action to be imposed. Said decision shall be based solely on evidence presented at the hearing. The parents or guardian or any minor student who has been expelled shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of the period of the expulsion.

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

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

F. Stipulated Agreements:

In lieu of the procedures used in this section, the Administration and the parents (or legal guardians) of a student facing expulsion may choose to enter into a Joint Stipulation of the Facts and a Joint Recommendation to the Board concerning the length and conditions of expulsion. Such Joint Stipulation and Recommendation shall include language indicating that the parents (or legal guardians) understand their right to have an expulsion hearing held pursuant to these procedures, and language indicating that the Board, in its discretion, has the right to accept or reject the Joint Stipulation of Facts and Recommendation. If the Board rejects either the Joint Stipulation of Facts or the Recommendation, an expulsion hearing shall be held pursuant to the procedures outlined herein. If the Student is eighteen years of age or older, the student shall have the authority to enter into a Joint Stipulation and Recommendation on his or her own behalf. If the parties agree on the facts, but not on the disciplinary recommendation, the Administration and the parents (or legal guardians) of a student facing expulsion may also choose to enter into a Joint Stipulation of the Facts and submit only the Stipulation of the Facts to the Board in lieu of holding the first part of the hearing, as described above. Such Joint Stipulation shall include language indicating that the parents understand their right to hold a hearing to determine whether the student engaged in the alleged misconduct and that the Board, in its discretion, has the right to accept or reject the Joint Stipulation of Facts. If the Board rejects the Joint Stipulation of Facts, a full expulsion hearing shall be held pursuant to the procedures outlined herein.

IX. Board Policy Regarding Mandatory Expulsions

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

X. Alternative Educational Programs for Expelled Students

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

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

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

The Board of Education shall provide an alternative education to a sixteen (16) to eighteen (18) year old student expelled for the first time if he/she requests it and if he/she agrees to the conditions set by the Board of Education, except as follows. The Board of Education is not required to offer an alternative program to any student between the ages of sixteen (16) and eighteen (18) who is expelled for the second time, or if it is determined at the hearing that (1) the student possessed a dangerous instrument, deadly weapon, firearm or martial arts weapon on school property or at a school-sponsored activity, or (2) the student offered a controlled substance for sale or distribution on school property or at a school-sponsored activity.

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

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

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

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

XI. Notice of Student Expulsion on Cumulative Record

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

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

If the student has not previously been suspended or expelled, and the administration chooses to expunge the expulsion notice from the student's cumulative record prior to graduation, the administration may refer to the existence of the expunged notice,

notwithstanding the fact that such notice may have been expunged from the student's cumulative file, for the limited purpose of determining whether any subsequent suspension or expulsion by the student would constitute the student's first such offense.

XII. Change of Residence During Expulsion Proceedings

A. *Student moving into the school district:*

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

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

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

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

A. *Suspension of IDEA students:*

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

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

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

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

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

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

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

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

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

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

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

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

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

XV. Early Readmission to School

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

XVI. Dissemination of Policy

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

XVII. Compliance with Reporting Requirements

- A. The Board of Education shall report all suspensions and expulsions to the State Department of Education.
- B. If the Board of Education expels a student for sale or distribution of a controlled substance, the Board shall refer such student to an appropriate state or local agency for rehabilitation, intervention or job training and inform the agency of its action.
- C. If the Board of Education expels a student for possession of a deadly weapon or firearm, as defined in Conn. Gen. Stat. § 53a-3, the violation shall be reported to the local police.

## SEX DISCRIMINATION AND SEXUAL HARASSMENT (STUDENTS)

It is the policy of the Regional School District #19 Board of Education that any form of sex discrimination or sexual harassment is prohibited, whether by students, Board employees or third parties subject to the control of the Board. Students, Board employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of students. Any student or employee who engages in conduct prohibited by this policy shall be subject to disciplinary action.

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

### Definitions:

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

Sexual harassment: While it is difficult to define sexual harassment precisely, it includes any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. submission to or rejection of such conduct by an individual is used and/or threatened to be used as a basis for making any educational decision affecting a student; or
2. such conduct is sufficiently severe, persistent, or pervasive to limit a student's ability to participate in or benefit from the education program, or to create a hostile or abusive educational environment.

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

1. Statements or other conduct indicating that a student's submission to, or rejection of, sexual overtures or advances will affect the student's grades and/or other academic progress.
2. Unwelcome attention and/or advances of a sexual nature, including verbal comments, sexual invitations, leering and physical touching.
3. Display of sexually suggestive objects, or use of sexually suggestive or obscene comments, invitations, letters, notes, slurs, jokes, pictures, cartoons, epithets or gestures.

### Procedure

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

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

Adopted: October 4, 1994

Revised: April 10, 2007

## Complaints Concerning Discrimination on the Basis of Sex or Sexual Harassment

The Regional School District #19 Board of Education seeks to promote and maintain a healthy social and learning environment for all of its students, based on the principle that every individual's dignity must be respected. This policy includes providing that students are protected against sexually harassing behavior while in school or while participating in a school related function. The board of education will not tolerate any form of sexual harassment of students by staff, staff by students, or students by other students. Specific procedures used for reporting sexual harassment are delineated in the *E.O. Smith Policy Booklet* distributed to each family with this handbook.

Any written complaint of sexual harassment will be thoroughly investigated by the school administration or the superintendent of schools. In addition, this board of education will not tolerate reprisals or retaliation of any type from the investigation of sexual harassment complaints.

Sexual harassment is defined as any unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature.

Sexual harassment as a violation of the Civil Rights Act of 1964 (Title VII), Title IX, regulations of the Equal Employment Opportunities Commission and the Connecticut General Statutes.

### SEXUAL HARASSMENT REPORTING PROCEDURES

Step 1: Talk to an adult in the building. This could include, but is not limited to, a guidance counselor, teacher, support service counselor, school psychologist, administrator, school nurse, superintendent of schools, or any combination of these people. This meeting should be done as soon as possible so the situation can be addressed. The student will decide if he/she would like to move on to Step 2 after this meeting. No administrative action can be taken unless the student moves on to Step 2.

Step 2: File a written complaint with a building administrator. This can be done together with the adult(s) at the initial meeting. All written complaints will be investigated. Written complaint should include the date of the incident, type of incident, name(s) of harasser or harassers, and a detailed statement. In the case of sexual assault, we will follow our child abuse guidelines at this time.

Step 3: Meet with a building administrator within five days of your complaint. You will be informed of the action taken on the initial complaint and the proper course of action if the harassment continues or if retaliation or repercussions for filing the initial complaint occurs.

Step 4: Carry the complaint further. If no solution is reached after Step 3 – or if you are not satisfied with the result – the complaint shall be brought to the Affirmative Action Officer and the Superintendent.

This procedure has been established for the benefit of all students to allow you the freedom of expressing your feelings and/or complaints. No student need fear being penalized for using this procedure. Likewise, no student need fear repercussion or retaliation for using this procedure. Any form of repercussion, retaliation, or harassment for using this procedure needs to be reported in a similar manner as the harassment complaint so the appropriate action can be taken.

Administrators involved in responding to complaints of sexual harassment shall:

1. Completely investigate every complaint that is filed in writing. Each written complaint will be treated as a serious matter.
2. Take administrative action if a preponderance of the evidence of the investigation suggests that sexual harassment took place. This action could range from a verbal warning to expulsion from school if the behavior is repeated. In the case of sexual assault, the administrator will additionally follow our child abuse guidelines.
3. Maintain strict confidentiality when handling the investigation. This spirit of confidentiality protection extends to both the alleged perpetrator and the alleged victim. Supervisors may only discuss the matter and consult with individuals who have the right to know.

## ASBESTOS NOTIFICATION

The Regional School District #19 Board of Education, in compliance with federal law, has developed an asbestos management plan, concerning the presence or suspected presence of asbestos-type materials within district school buildings, and required inspections and preventive measures related thereto. In accordance with federal law, members of the public, including parents, teachers and other employees, shall be permitted access to the district's asbestos management plan.

Upon request, the district shall permit members of the public, including parents, teachers and other employees, to inspect any asbestos management plan. The district shall grant access to such management plans within a reasonable period of time after a request from a member of the public is received.

The designated person for the asbestos program is Ralph Pemberton, Director of Buildings and Grounds, and he can be reached at 487-0877 x 4900.

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## PARENTAL RIGHT TO TEACHER/PARAPROFESSIONAL QUALIFICATIONS

As a parent of a student enrolled at E.O. Smith High School, under the No Child Left Behind Act of 2001, you have a right to request the following information concerning the qualifications of teachers and paraprofessionals who work with your child:

1. Whether your child's teacher has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
2. Whether your child's teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived;
3. The baccalaureate degree major of your child's teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree;
4. Whether your child is provided services by paraprofessionals, and, if so, the paraprofessionals' qualifications.

If you wish to obtain this information, please contact the superintendent's office, at (860) 487-1862

**FREE OR LOW COST LEGAL SERVICES**

What follows is a list of organizations which can provide you with low cost legal services:

**State Office of Protection and Advocacy for Persons with Disabilities**

60-B Weston Street  
Hartford, CT 06120-1551  
(860) 297-4300

Jerome N. Frank  
**Legal Services Organization**

Yale Law School  
133 Wall Street  
New Haven, CT 06520  
(203) 432-4800

**Center for Children’s Advocacy, Inc.**

University of Conn. School of Law  
65 Elizabeth Street  
Hartford, CT 06105  
(860) 570-5327

**Greater Hartford Legal Assistance**

999 Asylum Ave, 3<sup>rd</sup> Fl.  
Hartford, CT 06106  
(860) 541-5000

**New Haven Legal Assistance Assoc., Inc.**

426 State Street  
New Haven, CT 06510  
(203) 946-4811

**Connecticut Legal Services, Inc.**

872 Main Street, Willimantic, CT 06226  
Phone: (860) 456-1761  
Fax: (860) 456-7420

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**POLICY REGARDING SECTION 504  
OF THE REHABILITATION ACT OF 1973**

Section 504 of the Rehabilitation Act of 1973 (“Section 504”) is an Act that prohibits discrimination against persons with a disability in any program receiving Federal financial assistance. Section 504 defines a person with a disability as anyone who:

1. has a mental or physical impairment which substantially limits one or more major life activities (major life activities include activities such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working);
2. has a record of such an impairment; or
3. is regarded as having such an impairment.

In order to fulfill its obligation under Section 504, the Regional School District #19 Public Schools recognize a responsibility to avoid discrimination in policies and practices regarding its personnel, students, parents and members of the public who participate in school sponsored programs. In this regard, the Regional School District #19 Public Schools will not knowingly permit discrimination against any person with a disability in any of the programs operated by the school system. Persons who feel that they may have been discriminated against on the basis of disability should contact the Regional School District #19 Public School’s Section 504 Coordinator.

The school district also has specific responsibilities under the Section 504 with respect to providing access to appropriate educational services for students who qualify under Section 504. These

responsibilities include the obligation to identify, to evaluate, and to afford access to appropriate educational services. If the parent or guardian disagrees with the decisions made by the professional staff of the school district with respect to the identification, evaluation, or educational placement of their child, he/she has a right to an impartial hearing. Additional written information about an impartial hearing is available on request from the Section 504 Coordinator.

Please contact Ms. Sheila Riffle, the Section 504 Coordinator for the E.O. Smith High School, at phone number 487-0877 with any additional questions or concerns about this policy.

Legal References:       29 U.S.C. § 794  
                              34 C.F.R. § 104 et seq.  
                              1/19/07  
                              271544 v.011 S1

**NOTICE OF PARENT/STUDENT RIGHTS**  
**UNDER SECTION 504 OF THE REHABILITATION ACT OF 1973**

Section 504 of the Rehabilitation Act of 1973 (commonly referred to as "Section 504") is a nondiscrimination statute enacted by the United States Congress. The purpose of Section 504 is to prohibit discrimination and to assure that disabled students have educational opportunities and benefits equal to those provided to non-disabled students.

An eligible student under Section 504 is a student who (a) has, (b) has a record of having or (c) is regarded as having, a physical or mental impairment which substantially limits a major life activity such as learning, self-care, walking, seeing, hearing, speaking, breathing, working, and performing manual tasks.

Many students will be eligible for educational services under both Section 504 and the Individuals with Disabilities Education Act (IDEA), but entitlement to services under the IDEA or other statutes is not required to receive services under Section 504.

The following is a description of the rights and options granted by federal law to students with disabilities under Section 504. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions. You have the right:

1. To be informed of your rights under Section 504;
2. To have your child take part in and receive benefits from the Regional School District #19's education programs without discrimination based on his/her disability.
3. For your child to have equal opportunities to participate in academic, nonacademic and extracurricular activities in your school without discrimination based on his/her disability;
4. To be notified with respect to the Section 504 identification, evaluation, and educational placement of your child;
5. To have an evaluation, educational recommendation, and placement decision developed by a team of persons who are knowledgeable of your child, the assessment data, and any placement options;
6. If your child is eligible for services under Section 504, for your child to receive a free appropriate public education. This includes the right to receive reasonable accommodations, modifications, and related services to allow your child an equal opportunity to participate in school and school-related activities;

7. For your child to be educated with peers who do not have disabilities to the maximum extent appropriate;
8. To have your child educated in facilities and receive services comparable to those provided to non-disabled students;
9. To review all relevant records relating to decisions regarding your child's Section 504 identification, evaluation, and educational placement;
10. To obtain copies of your child's educational records at a reasonable cost unless the fee would effectively deny you access to the records;
11. To request changes in the educational program of your child;
12. To an impartial hearing if you disagree with the school district's decisions regarding your child's Section 504 identification, evaluation or educational placement. The costs for this hearing are borne by the local school district. You and the student have the right to take part in the hearing and to have an attorney represent you at your expense.
13. To file a court action if you are dissatisfied with the impartial hearing officer's decision or to request attorney's fees related to securing your child's rights under Section 504.
14. To file a local grievance with the designated Section 504 Coordinator to resolve complaints of discrimination other than those involving the identification, evaluation or placement of your child.
15. To file a formal complaint with the U.S. Department of Education, Office for Civil Rights.

The Section 504 Coordinator for this district is:

**Ms. Sheila Riffle, Assistant Principal  
E.O. Smith High School  
1235 Storrs Road  
Storrs, CT 06268**

**Telephone: 860-487-0877**