



Policy Committee
Avon Board of Education
34 Simsbury Road, Avon, Connecticut

Mission Statement

Our mission is to inspire in each student a joy and passion for learning and a commitment to excellence, personal integrity, and social responsibility.

Tuesday, September 12, 2023 6:00 pm

via virtual meeting

The Board will conduct this meeting remotely. Please email Christine Sardinkas, csardinkas@avon.k12.ct.us not less than twenty-four (24) hours prior to the meeting if you require any electronic equipment necessary to attend such meeting in real-time. In such cases, the Board will provide a physical location and the necessary electronic equipment. Please be advised that the same opportunities to provide comment or testimony and otherwise participate in such meetings if such meetings were held in person will continue to apply.

To join Zoom meeting, click on link below:

<https://avonk12ctus.zoom.us/j/84308222904?pwd=RkdtbE1MdEUrUmFET1BRUkY1UjBDUT09>

To join by phone, call:

646-558-8656 or 301-715-8592

Meeting ID: 843 0822 2904 Passcode: 380930

Agenda

- I. Call to Order
- II. Approval of May 2, 2023 Policy Committee Meeting Minutes
Approval of corrected March 14, 2023 Policy Meeting Minutes
- III. Communication from Public
Communications are generally limited to 15 minutes as a total maximum for all speakers, with each speaker limited to 3 minutes in accordance with standing Board policy. The Board may waive these limits in exceptional circumstances. Members of the public must indicate their desire to speak by contacting the Zoom host, Christine Sardinkas, via Zoom chat once the meeting starts. Guests will be called to speak in order notification is received and speakers must identify themselves with their name and address.
- IV. New Business – Items for Review and Discussion
 - a. Policy 4112.5 – Security/Credit Check (looking to adopt S&G version, which is called *Employment and Student Teacher Checks*- more thorough than our existing policy)
 - b. Policy 5144 (revise) - Discipline
 - c. Policy 5131.911 (revise)- Bullying Prevention and Intervention
 - d. Policy 6146.1 (revise)- Basis for Grading, Weighted Grading and Calculation of Grade Point Averages (Added S&G content to our existing Avon Policy).
 - e. Policy 6146 (revise) - Graduation requirements
- V. Future Items for Review
- VI. Adjournment



Minutes
POLICY COMMITTEE MEETING
Avon Board of Education
34 Simsbury, Avon, Connecticut 06001
Via Zoom
Tuesday, May 2, 2023 – 6:00 p.m.

Attendance

Members Present: Ms. Laura Young, Chair; Ms. Nicole Russo; Ms. Thej Singh;

Member(s) Absent: Ms. Sarah Thompson

Administration Present: Dr. Bridget Heston Carnemolla, Superintendent of Schools; Mr. Jess Giannini, Assistant Superintendent;

Others Present: Ms. Deb Chute, Board Chair; Ms. Christine Sardinkas, Recording Secretary;

I. **Call to Order**

The meeting was called to order at 6:00 pm by Committee Chair, Ms. Laura Young.

II. **Approval of February 13, 2023 Minutes**

Ms. Laura Young moved to table the minutes of the March 14, 2023 Policy Committee meeting, to approve the corrected version at the next Policy Committee Meeting

Ms. Thej Singh seconded.

The motion passed 3-0-0

III. **Communication from Public**

There was no communication from the public.

IV. **Old Business –**

A. **Policy 5141 - Health Assessments/Screening and Oral Health Assessments -**

Dr. Carnemolla recommends adopting Shipman and Goodwin model policy in place of the existing *Student Health Services* policy. DPH/SDE periodically updates recommendations and guidelines. For example, one of the regulations that has changed is the year of age/grade required to get a physical.

Ms. Laura Young moved to bring forward to the full board the replacement policy, 5141 Health Assessments/Screening and Oral Health Assessments for review and possible action

Ms. Thej Singh seconded

The motion passed 3-0-0

B. **Policy 5141.3- Immunization Requirements-** Dr. Carnemolla began by saying that this would be a new policy for the district if adopted. Board counsel recommends separating Immunization Requirements from the Health Assessment policy. Primary changes are related to exemptions and requirements found in the regulation. The religious exemption form was also discussed briefly. A board member questioned possible reasons for exemptions such as proof of immunity due to previous disease and/or titers/lab results indicating immunity. Dr. Carnemolla stated she would seek additional clarification with Board counsel.

Ms. Laura Young moved to bring forward to the full board the new policy 5141.3 Immunization Requirements for review and possible action

Ms. Thej Singh seconded

The motion passed 3-0-0

- C. Policy 5141- Student Health Services- Delete due to Shipman policies 5141 and 5141.3 being adopted in place of this existing policy.

Ms. Laura Young moved to delete policy 5141, Student Health Services

Ms. Nicole Russo seconded

Motion passed 3-0-0

V. New Business-Items for Review and Discussion

- A. Policy 5131.71- Student Use of the District's Computer Systems and Internet Safety-

Dr. Carnemolla stated that this policy needed to be changed due to the changing technology terminology and types of devices that need to be included in the policy.

Ms. Laura Young moved to bring forward to the full board, the revised policy 5131.71 Student Use of the District's Computer Systems and Internet Safety for review and possible action

Ms. Nicole Russo seconded

Motion passed 3-0-0

- B. Policy 5141.25- Management Plan and Guidelines for Students with Food Allergies, Glycogen Storage Disease and/or Diabetes

Dr. Carnemolla stated that this is a new policy for Avon. The district must have a plan in place for students and staff with severe allergies and Glycogen Storage Disease and Diabetes and the associated training. Dr. Carnemolla stated that if a student has a severe food allergy, Glycogen Storage Disease and/or Diabetes, there would virtually always be a 504 plan in place. Additionally, a student may also need an Individualized Health Care Plan (IHCP), or an Emergency Care Plan, which would be part of a 504 plan. The training component of the policy is important, as both adults and age-appropriate students should be trained on the signs of distress potentially resulting from any of these diseases. A board member asked about who else is trained besides regular staff and students, such as parent volunteers and/or substitute staff, etc. Dr. Carnemolla reiterated the importance of who is identified for such training, as well as the timing of professional development to be scheduled in the coming months, including for mid-year hires and substitutes.

Ms. Laura Young moved to bring forward to the full board, new policy 5141.25 Management plan and Guidelines for Students with Food Allergies, Glycogen Storage Disease and/or Diabetes for review and possible action

Ms. Nicole Russo seconded

Motion passed 3-0-0

- C. Policy 5145.4- Nondiscrimination(student) Dr. Carnemolla mentioned this would be a revision to existing policy that was recently updated to provide additional clarification. Proposed changes include adding “transgender” and “gender non-conforming” terminology.

Ms. Laura Young moved to bring forward to the full board, policy 5145.4 Nondiscrimination (Students), revised to reflect changes discussed for review and possible action

Ms. Thej Singh seconded

The motion passed 3-0-0

- D. 4118.11- Nondiscrimination (employee)-Dr. Carnemolla stated this would also be a revision to existing policy that was recently updated to provide additional clarification. Proposed changes include adding “transgender” and “gender non-conforming” terminology.
- E. *Ms. Laura Young moved to bring forward to the full board, policy 4118.11 Nondiscrimination (Employee) for review and possible action*
Ms. Thej Singh seconded
Motion passed 3-0-0
- F. Policy 9222 - Removal of Board Officers
This policy would be new for Avon. Board counsel recommends adopting a policy, in order to have a process in place, should a board officer need to be removed.
Ms. Laura Young moved to bring to the full board, policy 9222 Removal of Board Officers for review and possible action
Ms. Nicole Russo seconded
Motion passed 3-0-0
- G. Policy 9321 - Time, Place and Notice of Meetings
Dr. Carnemolla mentioned that Shipman & Goodman recommends adopting the model policy. One of the updates, for example, pertains to language regarding how meetings are conducted electronically.
Ms. Laura Young moved to bring to the full board, policy 9321 Time, Place and Notice of Meetings to replace Avon’s existing policy, for review and possible action
Ms. Nicole Russo seconded
Motion passed 3-0-0
- H. Policy 9325 - Meeting Conduct
Dr. Carnemolla stated that the recommendation is to replace existing board policy in part to address meetings that are conducted electronically. For example, during an electronic meeting, if someone from the public is in attendance and does not conduct themselves in a manner that is deemed appropriate, there are specific guidelines outlined in this policy addressing how to handle the situation. This policy also complies with the FOIA requirements.
Ms. Laura Young motioned to bring to the full board, policy 9325 Meeting Conduct to replace our existing Avon policy, for review and possible action
Ms. Thej Singh seconded
Motion passed 3-0-0
- I. Policy 9325.1- Quorum and Voting Procedures
Dr. Carnemolla recommends replacement of our existing policy, as the Shipman model policy is more specific and detailed than our existing policy. For example, electronic participation and the requirements for defining a quorum. All FOIA requirements are covered in this policy, as well as language regarding electronic participation at Board meetings. Dr. Carnemolla also addressed abstaining from voting.
Ms. Laura Young motioned to bring to the full board, policy 9325.1 Quorum and Voting Procedures to replace our existing Avon policy, for review and possible action
Ms. Thej Singh seconded
Motion passed 3-0-0

J. Policy 9325.2 - Construction and Posting of Agenda

Dr. Carnemolla stated that there are a few differences between the model policy and current district policy. ‘Order of Business’ in the model Shipman policy does not list the specific order of the agenda, which gives more freedom to the Board to move agenda items around as needed. Our existing policy has agenda items listed out in a particular order, making it more difficult to plan an agenda as needed.

Another change to the policy would be if a Board wants to add items to the agenda that were not originally on the agenda how such a request would be made. A statement currently exists on the bottom of each monthly Board agenda, giving reference to make requests to add agenda items. There is a related reference to this in the current policy. After some discussion, it was decided to amend the policy to reflect verbiage pertaining to Board members adding items to the agenda, and to delete the statement that exists at the end of the monthly agenda referencing Board members being able to add items to the agenda.

Ms. Laura Young motioned to bring to the full board, policy 9325.2 Construction and Posting of Agenda to replace our existing Avon policy, with the revisions discussed, for review and possible action Ms. Nicole Russo seconded

Motion passed 3-0-0

K. Policy 9326 - Minutes

Dr. Carnemolla stated that we will replace our existing policy with Shipman model policy to reflect new FOIA requirements.

Ms. Laura Young motioned to bring to the full board, policy 9326 Minutes to replace our existing Avon policy, for review and possible action

Ms. Nicole Russo seconded

Motion passed 3-0-0

VI. Future Items for Review

Ms. Young stated that there are no items for review at this time, but there may be a special meeting in June for the Policy Committee

VII. Adjournment

Ms. Thej Singh motioned to adjourn the meeting at 7:29 pm

Motion passed 3-0-0

Minutes prepared by Christine Sardinkas, Recording Secretary

Minutes respectfully submitted by Laura Young, Policy Committee Chair

Laura Young May 11, 2023

Minutes approved by Jeffrey S. Fleischman, Board Secretary

Jeffrey S. Fleischman May 11, 2023

Minutes are approved at the next Policy meeting, and any corrections to the minutes, if needed, will be made at that time.



Minutes

Special

POLICY COMMITTEE MEETING

Avon Board of Education

34 Simsbury, Avon, Connecticut 06001

Via Zoom

Tuesday, March 14, 2023 – 6:00 p.m.

Attendance

Members Present: Ms. Laura Young, Chair; Ms. Nicole Russo; Ms. Thej Singh; Ms. Sarah Thompson

Member(s) Absent:

Administration Present: Dr. Bridget Heston Carnemolla, Superintendent of Schools; Mr. Jess Giannini, Assistant Superintendent; Mr. Roberto Medic, Assistant Superintendent

Others Present: Ms. Deb Chute, Board Chair; Ms. Lynn Katz, Board Member; Ms. Sarah Gleason, Shipman & Goodwin Attorney; Ms. Christine Sardinkas, Recording Secretary;

I. **Call to Order**

The meeting was called to order at 6:00 pm by Committee Chair, Laura Young.

II. **Approval of February 13, 2023 Minutes**

Ms. Singh moved to approve the minutes of the February 13, 2023 Policy Committee meeting, with corrections, Ms. Thompson seconded.

The motion passed 4-0-0

III. **Communication from Public**

There was no communication from the public.

IV. **Old Business –Policy 5144 - Student Discipline**

Dr. Carnemolla introduced Ms. Sarah Gleason, an attorney and policy expert with Shipman & Goodwin, who works with the Board of Education and Superintendent. Ms. Gleason discussed numerous policy updates, including some that are required by new legislation and/or Shipman’s recommended legal advice. Ms. Gleason had presented legislative updates to the Board earlier in the year, including parts of the discipline policy. It was mentioned that some Board Member’s individual questions regarding the policy were already answered by the Superintendent and may also be addressed during a second read discussion this evening.

Attorney Gleason explained that there are overarching changes to the discipline policy and that while the existing one has many items found in the Shipman model, changing legislation and regulations at the state level continually require district updates. Adopting the Shipman model at this time will ensure compliance and also allow for straightforward updates in the future. Ms. Gleason stated that the model policy is more comprehensive, including many definitions, which will help parents and administration fully understand terms of the law.

Dr. Carnemolla asked Ms. Gleason to address changing Connecticut legislation of cannabis and any potential effect(s) on this policy. Ms. Gleason talked briefly about how the legalization of cannabis conveys that a student cannot be disciplined more severely for possession of cannabis than for alcohol. A short discussion ensued regarding how consequences for alcohol vs. cannabis would look in practice, as a result of changes in law.

Dr. Carnemolla asked Ms. Gleason to talk about mandatory discipline vs. discretionary discipline. Ms. Gleason reviewed the three mandatory expellable offenses, and then discussed how other discretionary offenses are based on many underlying factors. The policy is written purposely to allow for the discretion of the administration to consider all mitigating and aggravating circumstances to ensure that discipline is fair and equitable.

Ms. Young had a question regarding how “lesser offenses,” such as insubordination, disrespect, and/or foul language etc. would be addressed in the policy. Ms. Gleason responded that the scope of the policy states specific parameters must exist to meet the criteria for certain consequences. For lesser offenses, the goal would be to try to redirect the behavior, but if it keeps happening (repeat offenses), and is “disruptive to the educational process,” this is when more substantial consequences might be administered, which the policy provides guidance for.

Ms. Russo had a follow up question regarding the accumulation of lesser offenses becoming a bigger disruption to class, and potential bullying issues. Ms. Gleason made reference to the phrase “serious disruption of class,” and explained that if the consistent disruptive behavior of a student is interrupting class, and redirection or other interventions are not working, that again is when the discretion of the administration is necessary to determine what discipline to issue a student. Dr. Carnemolla proceeded to give an example of discipline of repeat offenders. Ms. Gleason addressed bullying by referencing the Board’s bullying policy, which requires substantiation, based on numerous criteria as defined in state statute. Once bullying is substantiated, it is then the discipline policy that provides the guidance for disciplinary consequences. Bullying does not have to be based on a “differentiating characteristic.” It includes all types of harassment.

Ms. Thompson had a question about potential liability of not taking action for an offense. Ms. Gleason stated that there is always potential liability no matter what action is taken or if no action is taken. The policy is written to allow compliance with the law and best practices. Therefore, following it reduces the risk of liability. Dr. Carnemolla stated that there are often underlying circumstances as to the reason(s) why some disciplinary actions are not taken; such as special education or 504 needs of an individual student.. Ms. Thompson asked about support services after an expulsion and Dr. Carnemolla answered that the district does provide support, depending on the student’s needs while excluded from school.

Ms. Young brought up the issue of Artificial Intelligence and asked if there is a need to be specific to this factor of academic dishonesty. Dr. Carnemolla and Ms. Gleason concurred that while the methods of cheating in regards to technology will continue to change, the policy covers the district as it stands with sufficient wording regarding academic dishonesty.

***Laura Young moved to bring forward to the full Board Policy 5144-Student Discipline as presented, to the full Board, for a first read and possible action to adopt this new policy, Thej Singh seconded.
The motion passed 4-0-0***

V. New Business-Items for Review and Discussion

A. Policy Gifted and Talented

This is a new policy required by law. The version presented is Shipman’s model policy. Ms. Gleason stated that this policy is being recommended as a result of legislation and state guidelines that need to be followed regarding the identification of gifted and talented students. The law requires identification of gifted and talented students, but districts are not required to accommodate the students identified. The policy is intended to address identification of students through a comprehensive process.

Ms. Singh asked Attorney Gleason if she thinks the law will change to have interventions be included in the law and also policy, rather than just to identify but not provide services. Ms. Gleason answered that she had not heard anything related to changes, but that this issue is often discussed.

Dr. Carnemolla turned over the discussion to Mr. Jess Giannini to discuss programs in place for gifted and talented students.

Mr. Giannini talked about how the district provides enrichment to students, including Workshop Models, where students read and select text at their level; Enrichment Clusters; Maker Spaces and TI (Targeted Instruction) or Flex Time, where there is time embedded into the day to have opportunities for enrichment, as well as Advanced Math.

Dr. Carnemolla mentioned that any of these opportunities may be recommended for a talented and gifted student, but also students who are *not* identified as talented and gifted would not be excluded from them.

Ms. Young asked about the 10% threshold of students who can be identified. Ms. Gleason and Dr. Carnemolla explained that this percentage is written in the law. The district implemented new procedures for identification in 2019, so it is already in compliance with this policy. The district is also working to restart many initiatives that were put in place prior to the pandemic (health regulations caused a temporary pause) that provide opportunities for enrichment.

Ms. Russo asked about what happens once a child is identified, including next steps to support the student. Mr. Giannini answered that each student is supported by what their strengths are and what is right for them, which is decided via discussions with the parent/guardian, student, and teachers.

***Laura Young moved to bring forward Policy 6172.1-Equitable Identification of Talented and Gifted Students to the full Board, for a first read and possible action with change to how the parent is notified of their child’s identification, Thej Singh seconded.
The motion passed 4-0-0***

Policy 3543.31 Retention of Records and Information

This is a new policy for Avon, and it is the Shipman model policy. Dr. Carnemolla stated that this is related to all electronic messages for the district, whereas our other policies speak to records in general. Avon needs a policy to address electronic records as most records are now kept this way. Ms. Gleason explained that guidance in this area changes quickly as technology changes; and with FERPA and FOIA requests, this is an important policy for the BOE to have.

Ms. Young moved to bring forward Policy 3543.31 Retention of Records and Information to the full Board, for a first read and possible action, Ms. Nicole Russo seconded.

The motion passed 4-0-0

Ms. Katz left the meeting at 7:13 p.m.

VI. Future Items for Review

- a. Education Stability Procedures
- b. Use of Private Technological Devices by Students
- c. Student Use of the District's Computer Systems and Internet Safety
- d. Management Plan and Guidelines for Students with Food Allergies, Glycogen Storage Disease and/or Diabetes
- e. Parent - Teacher Communication
- f. Board Bylaws:
 - Meeting Conduct
 - Time, Place and Notice of Meetings
 - Construction and Posting of Agenda
 - Quorum and Voting Procedures
 - Minutes
 - Removal of Board Officers

Ms. Young read over the policies that still need to be revised/adopted under Future Items for Review, and Dr. Carnemolla added that the next Policy meeting is May 2nd.

Ms. Young ended the meeting thanking Ms. Gleason and all the other Administrators who contributed to the meeting tonight to help understand and explain the policies: it was much appreciated.

VII. Adjournment

The meeting adjourned by unanimous consent at 7:19 p.m.

Minutes prepared by Christine Sardinkas, Recording Secretary
Minutes respectfully submitted by Laura Young, Policy Committee Chair

Laura Young

Minutes approved by Jeffrey S. Fleishman, Board Secretary

Jeffrey S. Fleishman

Minutes are approved at the next Policy meeting, and any corrections to the minutes, if needed, will be made at that time.

4112.5**Personnel****EMPLOYMENT AND STUDENT TEACHER CHECKS**

As set forth below, each applicant for a position with the Avon Public Schools (the “District”), and each student who is enrolled in a teacher preparation program with the District, as defined in section 10-10a of the Connecticut General Statutes, and completing a student teaching experience in the District (collectively referred to as “applicants”), shall be asked to provide in writing: (1) whether the applicant has ever been convicted of a crime; (2) whether there are any criminal charges pending against the applicant at the time of the application and, if charges are pending, to state the charges and the court in which such charges are pending; and (3) whether the applicant is included on the Abuse and Neglect Registry of the Connecticut Department of Children and Families (“DCF”) (the “Registry”). *[Optional language: If the applicant’s current or most recent employment occurred out of state, the applicant will also be asked whether the applicant is included on an equivalent database and/or abuse/neglect registry maintained in that other state].**

*[*Note: This language is optional, as out-of-state registry checks are not required under Connecticut law. However, given that the intent of state law is to ensure access to all relevant background information, we have included this provision should districts wish to require this additional information.]*

Applicants shall not be required to disclose any arrest, criminal charge or conviction that has been erased. An employment application form that contains any question concerning the criminal history of the applicant shall contain the following notice, in clear and conspicuous language:

Pursuant to section 31-51i(d) of the Connecticut General Statutes, the applicant is hereby notified that (1) the applicant is not required to disclose the existence of any erased criminal history record information, (2) erased criminal history record information are records pertaining to a finding of delinquency or that a child was a member of a family with service needs, an adjudication as a youthful offender, a criminal charge that has been dismissed or nulled, a criminal charge for which the person has been found not guilty or a conviction for which the person received an absolute pardon or criminal records that are erased pursuant to statute or by other operation of law, and (3) any person with erased criminal history record information shall be deemed to have never been arrested within the meaning of the general statutes with respect to the proceedings so erased and may so swear under oath

In addition, the District shall conduct an employment history check for each applicant for a position, as set forth below.

For the purposes of this policy:

Personnel

EMPLOYMENT AND STUDENT TEACHER CHECKS

“**Sexual misconduct**” means any verbal, nonverbal, written, or electronic communication, or any other act directed toward or with a student that is designed to establish a sexual relationship with the student, including a sexual invitation, dating or soliciting a date, engaging in sexual dialog, making sexually suggestive comments, self-disclosure or physical exposure of a sexual or erotic nature, and any other sexual, indecent, or erotic contact with a student.

“**Abuse or neglect**” means abuse or neglect as described in Conn. Gen. Stat. § 46b-120, and includes any violation of Conn. Gen. Stat. §§ 53a-70 (sexual assault in the first degree), 53a-70a (aggravated sexual assault in the first degree), 53a-71 (sexual assault in the second degree), 53a-72a (sexual assault in the third degree), 53a-72b (sexual assault in the third degree with a firearm), or 53a-73a (sexual assault in the fourth degree).

“**Former employer**” means any person, firm, business, educational institution, nonprofit agency, corporation, limited liability company, the state, any political subdivision of the state, any governmental agency, or any other entity that such applicant was employed by during any of the previous twenty years prior to applying for a position with a local or regional board of education.

I. Employment History Check Procedures

- A. The District shall not offer employment to an applicant for a position, including any position that is contracted for, if such applicant would have direct student contact, prior to the District:
1. Requiring the applicant:
 - a. to list the name, address, and telephone number of each current employer or former employer (please note the definition of “former employer” above, including the applicable twenty year reporting period) during any of the previous twenty years, if:
 - (i) such current or former employer is/was a local or regional board of education, council of a state or local charter school, interdistrict magnet school operator, or a supervisory agent of a nonpublic school, and/or
 - (ii) the applicant’s employment with such current or former employer caused the applicant to have contact with children.
 - b. to submit a written authorization that
 - (i) consents to and authorizes disclosure by the employers listed under paragraph I.A.1.a of this policy of the information requested under paragraph I.A.2 of this policy and the release of related records by such employers,

Personnel**EMPLOYMENT AND STUDENT TEACHER CHECKS**

- (ii) consents to and authorizes disclosure by the Connecticut State Department of Education (the “Department”) of the information requested under paragraph I.A.3 of this policy and the release of related records by the Department, and
 - (iii) releases those employers and the Department from liability that may arise from such disclosure or release of records pursuant to paragraphs I.A.2 or I.A.3 of this policy; and
- c. to submit a written statement of whether the applicant
 - (i) has been the subject of an abuse or neglect or sexual misconduct investigation by any employer, state agency or municipal police department, unless the investigation resulted in a finding that all allegations were unsubstantiated,
 - (ii) has ever been disciplined or asked to resign from employment or resigned from or otherwise separated from any employment while an allegation of abuse or neglect was pending or under investigation by DCF, or an allegation of sexual misconduct was pending or under investigation or due to an allegation substantiated pursuant to Conn. Gen. Stat. § 17a-101g of abuse or neglect, or of sexual misconduct or a conviction for abuse or neglect or sexual misconduct, or
 - (iii) has ever had a professional or occupational license or certificate suspended or revoked or has ever surrendered such a license or certificate while an allegation of abuse or neglect was pending or under investigation by DCF or an investigation of sexual misconduct was pending or under investigation, or due to an allegation substantiated by DCF of abuse or neglect or of sexual misconduct or a conviction for abuse or neglect or sexual misconduct;
- 2. Conducting a review of the employment history of the applicant by contacting those employers listed by the applicant under paragraph I.A.1.a of this policy. Such review shall be conducted using a form developed by the Department, which shall request the following:
 - a. the dates employment of the applicant, and
 - b. a statement as to whether the employer has knowledge that the applicant:

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EMPLOYMENT AND STUDENT TEACHER CHECKS

- (i) was the subject of an allegation of abuse or neglect or sexual misconduct for which there is an investigation pending with any employer, state agency, or municipal police department or which has been substantiated;
 - (ii) was disciplined or asked to resign from employment or resigned from or otherwise separated from any employment while an allegation of abuse or neglect or sexual misconduct was pending or under investigation, or due to a substantiation of abuse or neglect or sexual misconduct; or
 - (iii) has ever had a professional or occupational license, certificate, authorization or permit suspended or revoked or has ever surrendered such a license, certificate, authorization or permit while an allegation of abuse or neglect or sexual misconduct was pending or under investigation, or due to a substantiation of abuse or neglect or sexual misconduct. Such review may be conducted telephonically or through written communication. Notwithstanding the provisions of subsection (g) of Conn. Gen. Stat. § 31-51i, not later than five (5) business days after the District receives a request for such information about an employee or former employee, the District shall respond with such information. The District may request more information concerning any response made by a current or former employer for information about an applicant, and, notwithstanding subsection (g), such employer shall respond not later than five (5) business days after receiving such request.
3. Requesting information from the Department concerning:
- a. the eligibility status for employment of any applicant for a position requiring a certificate, authorization or permit,
 - b. whether the Department has knowledge that a finding has been substantiated by DCF pursuant to Conn. Gen. Stat. § 17a-101g of abuse or neglect or of sexual misconduct against the applicant and any information concerning such a finding, and
 - c. whether the Department has received notification that the applicant has been convicted of a crime or of criminal charges pending against the applicant and any information concerning such charges.
- B. Notwithstanding the provisions of subsection (g) of Conn. Gen. Stat. § 31-51i, if the District receives information that an applicant for a position with or an employee of the District has been disciplined for a finding of abuse or neglect or sexual misconduct, it shall notify the Department of such information.

Personnel**EMPLOYMENT AND STUDENT TEACHER CHECKS**

- C. The District shall not employ an applicant for a position involving direct student contact who does not comply with the provisions of paragraph I.A.1 of this policy.
- D. The District may employ or contract with an applicant on a temporary basis for a period not to exceed ninety (90) calendar days, pending the District's review of information received under this section, provided:
 - 1. The applicant complied with paragraph I.A.1 of this policy;
 - 2. The District has no knowledge of information pertaining to the applicant that would disqualify the applicant from employment with the District; and
 - 3. The applicant affirms that the applicant is not disqualified from employment with the District.
- E. The District shall not enter into a collective bargaining agreement, an employment contract, an agreement for resignation or termination, a severance agreement, or any other contract or agreement or take any action that:
 - 1. Has the effect of suppressing information relating to an investigation of a report of suspected abuse or neglect or sexual misconduct by a current or former employee;
 - 2. Affects the ability of the District to report suspected abuse or neglect or sexual misconduct to appropriate authorities; or
 - 3. Requires the District to expunge information about an allegation or a finding of suspected abuse or neglect or sexual misconduct from any documents maintained by the District, unless, after investigation, such allegation is dismissed or found to be false.
- F. The District shall not offer employment to a person as a substitute teacher, unless such person and the District comply with the provisions of paragraph I.A.1 of this policy. The District shall determine which such persons are employable as substitute teachers and maintain a list of such persons. The District shall not hire any person as a substitute teacher who is not on such list. Such person shall remain on such list as long as such person is continuously employed by the District as a substitute teacher, as described in paragraph III.B.2 of this policy, provided the District does not have any knowledge of a reason that such person should be removed from such list.
- G. In the case of an applicant who is a contractor, the contractor shall require any employee with such contractor who would be in a position involving direct student contact to supply to such contractor all the information required of an applicant under paragraphs I.A.1.a and I.A.1.c of

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EMPLOYMENT AND STUDENT TEACHER CHECKS

this policy and a written authorization under paragraph I.A.1.b of this policy. Such contractor shall contact any current or former employer (please note the definition of “former employer” above, including the applicable twenty year reporting period) of such employee that was a local or regional board of education, council of a state or local charter school, interdistrict magnet school operator, or a supervisory agent of a nonpublic school, or if the employee’s employment with such current or former employer caused the employee to have contact with children, and request, either telephonically or through written communication, any information concerning whether there was a finding of abuse or neglect or sexual misconduct against such employee. Notwithstanding the provisions of subsection (g) of Conn. Gen. Stat. § 31-51i, such employer shall report to the contractor any such finding, either telephonically or through written communication. If the contractor receives any information indicating such a finding or otherwise receives any information indicating such a finding or otherwise has knowledge of such a finding, the contractor shall, notwithstanding the provisions of subsection (g) of Conn. Gen. Stat. § 31-51i, immediately forward such information to the District, either telephonically or through written communication. If the District receives such information, it shall determine whether such employee of the contractor may work in a position involving direct student contact at any school in the District. No determination by the District that any such employee of the contractor shall not work under any such contract in any such position shall constitute a breach of such contract.

- H. Any applicant/employee who knowingly provides false information or knowingly fails to disclose information required in subdivision (1) of subsection (A) of this section shall be subject to discipline by the District that may include:
1. denial of employment, or
 2. termination of the contract of a certified employee, in accordance with the provisions of Conn. Gen. Stat. § 10-151, or
 3. termination of a non-certified employee in accordance with applicable law and/or any applicable collective bargaining agreement, contract or District policy.
- I. If the District provides information in accordance with paragraph I.A.2 or I.G of this policy, the District shall be immune from criminal and civil liability, provided the District did not knowingly supply false information.
- J. Notwithstanding the provisions of Conn. Gen. Stat. § 10-151c and subsection (g) of Conn. Gen. Stat. § 31-51i, the District shall provide, upon request by another local or regional board of education, governing council of a state or local charter school, interdistrict magnet school operator, or supervisory agent of a nonpublic school for the purposes of an inquiry pursuant to paragraphs I.A.2 or I.G of this policy or to the Commissioner of Education pursuant to

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EMPLOYMENT AND STUDENT TEACHER CHECKS

paragraph I.B of this policy any information that the District has concerning a finding of abuse or neglect or sexual misconduct by a subject of any such inquiry.

- K. Prior to offering employment to an applicant, the District shall make a documented good faith effort to contact each current and any former employer (please note the definition of “former employer” employer above, including the applicable twenty year reporting period) of the applicant that was a local or regional board of education, governing council of a state or local charter school, interdistrict magnet school operator, or supervisory agent of a nonpublic school, or if the applicant’s employment with such current or former employer caused the applicant to have contact with children in order to obtain information and recommendations that may be relevant to the applicant’s fitness for employment. Such effort, however, shall not be construed to require more than three telephonic requests made on three separate days.
- L. The District shall not offer employment to any applicant who had any previous employment contract terminated by a local or regional board of education, council of a state or local charter school, interdistrict magnet school operator, or a supervisory agent of a nonpublic school, or who resigned from such employment, if the person has been convicted of a violation of Conn. Gen. Stat. § 17a-101a, when an allegation of abuse or neglect or sexual assault has been substantiated.

II. DCF Registry Checks

Prior to hiring any person for a position with the District, and before a student who is enrolled in a teacher preparation program in the District, as defined in section 10-10a of the Connecticut General Statutes, and completing a student teaching experience with the District, begins such student teaching experience, the District shall require such applicant or student to submit to a records check of information maintained on the Registry concerning the applicant.

[Optional: For any applicant whose current or most recent employment occurred out of state, the District shall request that the applicant provide the District with authorization to access information maintained concerning the applicant by the equivalent state agency in the state of most recent employment, if such state maintains information about abuse and neglect and has a procedure by which such information can be obtained. Refusal to permit the District to access such information shall be considered grounds for rejecting any applicant for employment.]

The District shall request information from the Registry **[or its out of state equivalent]** promptly, and in any case no later than thirty (30) calendar days from the date of employment. Registry checks will be processed according to the following procedure:

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- A. No later than ten (10) calendar days after the Superintendent or the Superintendent's designee has notified a job applicant of a decision to offer employment to the applicant, or as soon thereafter as practicable, the Superintendent or the Superintendent's designee will either obtain the information from the Registry or, if the applicant's consent is required to access the information, will supply the applicant with the release form utilized by DCF (or its out of state equivalent when available), for obtaining information from the Registry.
- B. If consent is required to access the Registry, no later than ten (10) calendar days after the Superintendent or the Superintendent's designee has provided the successful job applicant with the form, the applicant must submit the signed form to DCF (or its out of state equivalent), with a copy to the Superintendent or the Superintendent's designee. Failure of the applicant to submit the signed form to DCF (or its out of state equivalent) within such a ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.
- C. Upon receipt of Registry (or out-of-state registry) information indicating previously undisclosed information concerning abuse or neglect investigations concerning the successful job applicant/employee, the Superintendent or the Superintendent's designee will notify the affected applicant/employee in writing of the results of the Registry check and will provide an opportunity for the affected applicant/employee to respond to the results of the Registry check.
- D. If notification is received by the Superintendent or the Superintendent's designee that that the applicant is listed as a perpetrator of abuse or neglect on the Registry, the Superintendent or the Superintendent's designee shall provide the applicant with an opportunity to be heard regarding the results of the Registry check. If warranted by the results of the Registry check and any additional information provided by the applicant, the Superintendent or the Superintendent's designee shall revoke the offer of employment and/or terminate the applicant's employment if the applicant has already commenced working for the District.

III. Criminal Records Check Procedure

- A. Each person hired by the District shall be required to submit to state and national criminal records checks within thirty (30) calendar days from the date of employment. Each student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing a student teaching experience with the District, shall be required to submit to state and national criminal records checks within sixty (60) calendar days from the date such student begins to perform such student teaching experience. Record checks will be processed according to the following procedure:
 1. No later than five (5) calendar days after the Superintendent or the Superintendent's designee has notified a job applicant of a decision to hire the applicant, or as soon thereafter as practicable, the Superintendent or the Superintendent's designee will

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2. provide the applicant with a packet containing all documents and materials necessary for the applicant to be fingerprinted by the Avon CT Police Department. This packet shall also contain all documents and materials necessary for the police department to submit the completed fingerprints to the State Police Bureau of Identification for the processing of state and national criminal records checks. The Superintendent or the Superintendent's designee will also provide each applicant with the following notifications before the applicant obtains the applicant's fingerprints: (1) Agency Privacy Requirements for Noncriminal Justice

Applicants; (2) Noncriminal Justice Applicant's Privacy Rights; (3) and the Federal Bureau of Investigation, United States Department of Justice Privacy Act Statement.

2. No later than ten (10) calendar days after the Superintendent or the Superintendent's designee has provided the successful job applicant with the fingerprinting packet, the applicant must arrange to be fingerprinted by the Avon CT Police Department. Failure of the applicant to have the applicant's fingerprints taken within such ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.
3. Any person for whom criminal records checks are required to be performed pursuant to this policy must pay all fees and costs associated with the fingerprinting process and/or the submission or processing of the requests for criminal records checks. Fees and costs associated with the fingerprinting process and the submission and process of requests are waived for student teachers, in accordance with state law.
4. Upon receipt of a criminal records check indicating a previously undisclosed conviction, the Superintendent or the Superintendent's designee will notify the affected applicant/employee in writing of the results of the record check and will provide an opportunity for the affected applicant/employee to respond to the results of the criminal records check. The affected applicant/employee may notify the Superintendent or the Superintendent's designee in writing within five (5) calendar days that the affected applicant/employee will challenge such individual's criminal history records check. Upon written notification to the Superintendent or the Superintendent's designee of such a challenge, the affected applicant/employee shall have ten (10) calendar days to provide the Superintendent or the Superintendent's designee with necessary documentation regarding the affected applicant/employee's record challenge. The Superintendent or the Superintendent's designee may grant an extension to the preceding ten-day period during which the affected applicant/employee may provide such documentation for good cause shown.
5. Decisions regarding the effect of a conviction upon an applicant/employee, whether disclosed or undisclosed by the applicant/employee, will be made on a case-by-case basis. Notwithstanding the foregoing, the falsification or omission of any information

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EMPLOYMENT AND STUDENT TEACHER CHECKS

on a job application or in a job interview, including but not limited to information concerning criminal convictions or pending criminal charges, shall be grounds for disqualification from consideration for employment or discharge from employment.

6. Notwithstanding anything in paragraph III.A.5 of this policy, above, no decision to deny employment or withdraw an offer of employment on the basis of an applicant/employee's criminal history record shall be made without affording the applicant/employee the opportunities set forth in paragraph III.A.4 of this policy, above.

B. Criminal Records Check for Substitute Teachers:

A substitute teacher who is hired by the District must submit to state and national criminal history records checks according to the procedures outlined above, subject to the following:

1. If the state and national criminal history records checks for a substitute teacher have been completed within one year prior to the date the District hired the substitute teacher, and if the substitute teacher arranged for such prior criminal history records checks to be forwarded to the Superintendent or the Superintendent's designee, then the substitute teacher will not be required to submit to another criminal history records check at the time of such hire.
2. If a substitute teacher submitted to state and national criminal history records checks upon being hired by the District, then the substitute teacher will not be required to submit to another criminal history records check so long as the substitute teacher is continuously employed by the District, that is, employed for at least one day of each school year, by the District, provided a substitute teacher is subjected to such checks at least once every five years.

IV. Sex Offender Registry Checks

District personnel shall cross-reference the Connecticut Department of Public Safety's sexual offender registry prior to hiring any new employee and before a student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing a student teaching experience with the District, begins such student teaching experience. Registration as a sexual offender constitutes grounds for denial of employment opportunities and opportunities to perform student teaching experiences in the District.

V. Credit Checks

The District may also ask a prospective employee for a credit report for employment for certain District positions, where the District's receipt of a credit report is substantially related to the employee's potential job.

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“Substantially related to the current or potential job” is defined to mean “the information contained in the credit report is related to the position for which the employee or prospective employee who is the subject of the report is being evaluated because of the position.” Prior to asking for a credit report, the District will determine whether the position falls within one of the categories as described in this paragraph. The position must: (1) be a managerial position which involves setting the direction or control of the District; (2) involve access to employees’ personal or financial information; (3) involve a fiduciary responsibility to the District, including, but not limited to, the authority to issue payments, collect debts, transfer money or enter into contracts; (4)

provide an expense account or District debit or credit card; or (5) involve access to the District’s nonfinancial assets valued at two thousand five dollars or more.

When a credit report will be requested as part of the employment process, the District will provide written notification to the prospective employee regarding the use of credit checks. That notification must be provided in a document separate from the employment application. The notification must state that the District may use the information in the consumer credit report to make decisions related to the individual’s employment.

The District will obtain consent before performing the credit or other background checks. If the District intends to take an action adverse to a potential employee based on the results of a credit report, the District must provide the prospective employee with a copy of the report on which the District relied in making the adverse decision, as well as a copy of “A Summary of Your Rights Under the Fair Credit Reporting Act,” which should be provided by the company that provides the results of the credit check. The District will notify the prospective employee either orally, in writing or via electronic means that the adverse action was taken based on the information in the consumer report. That notice must include the name, address and phone number of the consumer reporting company that supplied the credit report; a statement that the company that supplied the report did not make the decision to take the unfavorable action and cannot provide specific reasons for the District’s actions; and a notice of the person’s right to dispute the accuracy or completeness of any information the consumer reporting company furnished, and to get an additional free report from the company if the person asks for it within sixty (60) calendar days.

VI. Notice of Conviction

If, at any time, the District receives notice of a conviction of a crime by a person holding a certificate, authorization or permit issued by the State Board of Education, the District shall send such notice to the State Board of Education. In complying with this requirement, the District shall not disseminate the results of any national criminal history records check.

Personnel**EMPLOYMENT AND STUDENT TEACHER CHECKS**VII. School Nurses

School nurses or nurse practitioners appointed by, or under contract with, the District shall also be required to submit to a criminal history records check in accordance with the procedures outlined above.

VIII. Personal Online Accounts

For purposes of this policy, “personal online account” means any online account that is used by an employee or applicant exclusively for personal purposes and unrelated to any business purpose of the District, including, but not limited to, electronic mail, social media and retail-based Internet web sites. “Personal online account” does not include any account created, maintained, used or accessed by an employee or applicant for a business purpose of the District.

- A. During the course of an employment check, the District may not:
1. request or require that an applicant provide the District with a user name and password, password or any other authentication means for accessing a personal online account;
 2. request or require that an applicant authenticate or access a personal online account in the presence of District personnel; or
 3. require that an applicant invite a supervisor employed by the District or accept an invitation from a supervisor employed by the District to join a group affiliated with any personal online account of the applicant.
- B. The District may request or require that an applicant provide the District with a user name and password, password or any other authentication means for accessing:
1. any account or service provided by District or by virtue of the applicant’s employment relationship with the District or that the applicant uses for the District’s business purposes, or
 2. any electronic communications device supplied or paid for, in whole or in part, by the District.
- C. In accordance with applicable law, the District maintains the right to require an applicant to allow the District to access the applicant’s personal online account, without disclosing the user name and password, password or other authentication means for accessing such personal online account, for the purpose of:

Personnel**EMPLOYMENT AND STUDENT TEACHER CHECKS**

1. conducting an investigation for the purpose of ensuring compliance with applicable state or federal laws, regulatory requirements or prohibitions against work-related employee misconduct based on the receipt of specific information about activity on an applicant's personal online account; or
2. conducting an investigation based on the receipt of specific information about an applicant's unauthorized transfer of the District's proprietary information, confidential information or financial data to or from a personal online account operated by an applicant or other source.

IX. Policy Inapplicable to Certain Individuals

This policy shall not apply to:

- A. A student employed by the District who attends a District school.
- B. A person employed by the District as a teacher for a noncredit adult class or adult education activity, as defined in Conn. Gen. Stat. § 10-67, who is not required to hold a teaching certificate pursuant to Conn. Gen. Stat. § 10-145b for such position.

X. Falsification of Records

Notwithstanding any other provisions of this policy, the falsification or omission of any information on a job application or in a job interview, including but not limited to information concerning abuse or neglect investigations or pending criminal applications, shall be grounds for disqualification from consideration for employment or discharge from employment.

Note: This policy is designed to provide compliance with the provisions of Connecticut General Statutes §§ 10-221d and 10-222c.

Legal References: Conn. Gen. Stat. § 10-212
 Conn. Gen. Stat. § 10-221d
 Conn. Gen. Stat. § 10-222c
 Conn. Gen. Stat. § 31-40x
 Conn. Gen. Stat. § 31-51i

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EMPLOYMENT AND STUDENT TEACHER CHECKS

Conn. Gen. Stat. § 31-51tt

Elementary and Secondary Education Act, reauthorized as the Every Student Succeeds Act, Pub. L. 114-95, codified at 20 U.S.C. § 1001 *et seq.*

Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.*

Policy adopted: March 21, 2017

Policy revised:

Avon Public Schools
AVON, CONNECTICUT

Agency Privacy Requirements for Noncriminal Justice Applicants

Authorized governmental and non-governmental agencies/officials that conduct a national fingerprint-based criminal history record check on an applicant for a noncriminal justice purpose (such as employment or a license, immigration or naturalization matter, security clearance, or adoption) are obligated to ensure the applicant is provided certain notices and that the results of the check are handled in a manner that protects the applicant’s privacy. All notices must be provided in writing.¹ These obligations are pursuant to the Privacy Act of 1974, Title 5, United States Code (U.S.C.), Section 552a, and Title 28, Code of Federal Regulations (CFR), Section 50.12, among other authorities.

- Officials must ensure that each applicant receives an adequate written FBI Privacy Act Statement (dated 2013 or later) when the applicant submits the applicant’s fingerprints and associated personal information.²
- Officials must advise all applicants in writing that procedures for obtaining a change, correction, or update of an FBI criminal history record are set forth at 28 CFR 16.34. Information regarding this process may be found at <https://www.fbi.gov/services/cjis/identity-history-summary-checks> and <https://www.edo.cjis.gov>.
- Officials must provide the applicant the opportunity to complete or challenge the accuracy of the information in the FBI criminal history record.
- Officials should not deny the employment, license, or other benefit based on information in the FBI criminal history record until the applicant has been afforded a reasonable time to correct or complete the record or has declined to do so.
- Officials must use the criminal history record for authorized purposes only and cannot retain or disseminate it in violation of federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Council.³

The FBI has no objection to officials providing a copy of the applicant’s FBI criminal history record to the applicant for review and possible challenge when the record was obtained based on positive fingerprint identification. If agency policy permits, this courtesy will save the applicant the time and additional FBI fee to obtain the applicant’s record directly from the FBI by following the procedures found at 28 CFR 16.30 through 16.34. It will also allow the officials to make a more timely determination of the applicant’s suitability.

Each agency should establish and document the process/procedures it utilizes for how/when it gives the applicant the FBI Privacy Act Statement, the 28 CFR 50.12 notice, and the opportunity to correct the applicant’s record. Such documentation will assist State and/or FBI auditors during periodic compliance reviews on use of criminal history records for noncriminal justice purposes.

If you need additional information or assistance, contact:

<p>Connecticut Records: Department of Emergency Services and Public Protection State Police Bureau of Identification (SPBI) 1111 Country Club Road Middletown, CT 06457 860-685-8480</p>	<p>Out-of-State Records: Agency of Record OR FBI CJIS Division-Summary Request 1000 Custer Hollow Road Clarksburg, West Virginia 26306</p>
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¹ Written notification includes electronic notification, but excludes oral notification.

² See <https://www.fbi.gov/services/cjis/compact-council/privacy-act-statement>

³ See 5 U.S.C. 552a(b); 28 U.S.C. 534(b); 34 U.S.C. § 40316 (formerly cited as 42 U.S.C. § 14616), Article IV(c); 28 CFR 20.21(c), 20.33(d), 50.12(b) and 906.2(d).

Noncriminal Justice Applicant’s Privacy Rights

As an applicant who is the subject of a national fingerprint-based criminal history record check for a noncriminal justice purpose (such as an application for a job or license, an immigration or naturalization matter, security clearance, or adoption), you have certain rights which are discussed below. All notices must be provided to you in writing.⁴ These obligations are pursuant to the Privacy Act of 1974, Title 5, United States Code (U.S.C.) Section 552a, and Title 28 Code of Federal Regulations (CFR), 50.12, among other authorities.

- You must be provided an adequate written FBI Privacy Act Statement (dated 2013 or later) when you submit your fingerprints and associated person information. This Privacy Act Statement must explain the authority for collecting your fingerprints and associated information and whether your fingerprints and associated information will be searched, shared, or retained.⁵
- You must be advised in writing of the procedures for obtaining a change, correction, or updating of your criminal history record as set forth at 28 CFR 16.34.
- You must be provided the opportunity to complete or challenge the accuracy of the information in your FBI criminal history record (if you have such a record).
- If you have a criminal history record, you should be afforded a reasonable amount of time to correct or complete the record (or decline to do so) before the officials deny you the employment, license, or other benefit based on information in the criminal history record.
- If agency policy permits, the officials may provide you with a copy of your FBI criminal history record for review and possible challenge. If agency policy does not permit it to provide you a copy of the record, you may obtain a copy of the record by submitting fingerprints and a fee to the FBI. Information regarding this process may be obtained at <http://www.fbi.gov/services/cjis/identity-history-summary-checks> and <https://www.edo.cjis.gov>.
- If you decide to challenge the accuracy or completeness of your FBI criminal history record, you should send your challenge to the agency that contributed the questioned information to the FBI. Alternatively, you may send your challenge directly to the FBI by submitting a request via <https://www.edo.cjis.gov>. The FBI will then forward your challenge to the agency that contributed the questioned information and request the agency to verify or correct the challenged entry. Upon receipt of an official communication from that agency, the FBI will make any necessary changes/corrections to your record in accordance with the information supplied by that agency. (See 28 CFR 16.30 through 16.34.)
- You have the right to expect that officials receiving the results of the criminal history record check will use it only for authorized purposes and will not retain or disseminate it in violation of federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council.⁶
- If you need additional information or assistance, please contact:

<p>Connecticut Records: Department of Emergency Services and Public Protection State Police Bureau of Identification (SPBI) 1111 Country Club Road Middletown, CT 06457 860-685-8480</p>	<p>Out-of-State Records: Agency of Record OR FBI CJIS Division-Summary Request 1000 Custer Hollow Road Clarksburg, West Virginia 26306</p>
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⁴ Written notification includes electronic notification, but excludes oral notification.

⁵ <https://www.fbi.gov/services/cjis/compact-council/privacy-act-statement>

⁶ See 5 U.S.C. 552a(b); 28 U.S.C. 534(b); 34 U.S.C. § 40316 (formerly cited as 42 U.S.C. § 14616), Article IV(c); 28 CFR 20.21(c), 20.33(d), 50.12(b) and 906.2(d).

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Federal Bureau of Investigation
Privacy Act Statement

This privacy act statement is located on the back of the FD-258 fingerprint card.

Authority: The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub. L. 92-544, Presidential Executive Orders, and federal regulations. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

Principal Purpose: Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

Routine Uses: During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

As of 3/30/2018

Personnel -- Certified/Non-Certified

Security Check/Fingerprinting

In order to create a safe and orderly environment for students, all offers of employment will be conditional upon the successful outcome of a criminal record check. In addition, any person applying for employment with the Avon Board of Education shall submit to a record check of the Department of Children and Families (DCF) Child Abuse and Neglect Registry before the person may be hired.

Applicants for all positions, certified or non-certified, must submit to a check of DCF's Child Abuse and Neglect Registry.

District employees shall within 30 days after they are hired submit to state and national criminal checks. District students employed by the school system are exempted from this requirement.

Workers placed in a school under a public assistance employment program shall also submit to the criminal check if such individuals will have direct contact with students.

School nurses and nurse practitioners appointed by the Avon Board of Education or under contract with the Board shall also submit to a criminal history check pursuant to C.G.S. 29-17a.

Student teachers placed in District schools as part of completing preparation requirements for the issuance of an educator certificate shall also be required to undergo the same criminal background checks already required for school employees.

Legal Reference: Connecticut General Statutes

10-221d Criminal history records checks of school personnel. Fingerprinting. Termination or dismissed. (as amended by PA 01-173, PA 04-181 and June 19 Special Session, Public Act No. 09-1 and PA 11-93)

29-17a Criminal history checks. Procedure. Fees.

Policy adopted: March 21, 2017

AVON PUBLIC SCHOOLS
Avon, Connecticut

Personnel – Certified/Non-Certified

Security Check/Fingerprinting

Each applicant for a position within the public school system shall be asked whether he/she has ever been convicted of a crime and whether there are any criminal charges pending against him/her at the time of application. Each person hired by the school system shall be required to submit to state and national criminal record checks. In order to process such record checks, the following procedure will be followed:

1. No later than ten calendar days after the Superintendent of Schools or his/her designee has notified a job applicant of a decision to hire the applicant, or as soon thereafter as practicable, the Superintendent of Schools or his/her designee will supply the applicant with a packet containing all documents and materials necessary for the applicant to be fingerprinted by the Regional Service Center. This packet shall also contain all documents and materials necessary for the Regional Service Center to submit the completed fingerprints to the State Police Bureau of Identification for the processing of state and national criminal record checks.
2. No later than ten calendar days after the Superintendent of Schools or his/her designee has provided the successful job applicant with the fingerprinting packet, the applicant must arrange to be fingerprinted. Failure of the applicant to have his/her fingerprints taken within such ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.
3. Any person for whom criminal records checks are required to be performed pursuant to this policy must pay all fees and costs associated with the fingerprinting process and/or the submission or processing of the requests for criminal record checks.
4. Upon receipt of a criminal record check indicating a previously undisclosed conviction, the Superintendent of Schools or his/her designee will notify the affected applicant/employee in writing of the results of the record check and will provide an opportunity for the affected applicant/ employee to respond to the results of the criminal record check.
5. Decisions regarding the effect of a conviction upon an applicant/employee, whether disclosed or undisclosed by the applicant/employee, will be made on a case-by-case basis. Notwithstanding the foregoing, the falsification or omission of any information on a job application or in a job interview, including, but not limited to information concerning criminal convictions or pending criminal charges, shall be grounds for disqualification from consideration for employment or discharge from employment.
6. Adult education teachers and substitute teachers, if they are continuously employed by the district, do not have to be refingerprinted after fulfilling the initial requirement.

Personnel – Certified/Non-Certified

Security Check/Fingerprinting (continued)

7. School nurses and nurse practitioners appointed by the Avon Board of Education or under contract with the Board shall also submit to a criminal history check pursuant to C.G.S. 29-17a.
8. Student teachers placed in District schools as part of completing preparation requirements for the issuance of an educator certificate shall also submit to a criminal history check. The criminal history check shall be done prior to being placed in a school for clinical experiences such as field experiences, student teaching or internship. Candidates are required to be fingerprinted at one of the Regional Educational Service Centers (RESC) and not through local police stations or the school district. The District is required to notify the State Board of Education if notice is received that a student teacher has been convicted of a crime.
9. Applicants for all positions, certified and non-certified, must submit to a records check of the Department of Children and Families (DCF) Child Abuse and Neglect Registry established pursuant to C.G.S. 17a-101k before the applicant may be hired. The Superintendent of Schools or his/her designee shall request the required records check of DCF in accordance with the procedures established by DCF.

Legal Reference: Connecticut General Statutes

10-221d Criminal history records checks of school personnel. Fingerprinting. Termination or dismissed. (as amended by PA 01-173, PA 04-181, June 19 Special Session, Public Act No. 09-1, and PA 11-93)

17a-101k Registry of findings of abuse or neglect of children maintained by Commissioner of Children and Families. Notice of finding of abuse or neglect of child. Appeal of finding. Hearing procedure. Appeal after hearing. Confidentiality. Regulations.

29-17a Criminal history checks. Procedure. Fees.

Regulation approved: March 21, 2017

AVON PUBLIC SCHOOLS
Avon, Connecticut

CRIMINAL HISTORY RECORD CHECK

Connecticut requires that any person (teacher, administrator, special service staff member, teacher's aide, custodian, cafeteria employee, etc.) who is hired by a local or regional board of education submit to a state and national criminal history record check within the first 30 days of the date of employment. The process includes the checking of fingerprints by the State Police Bureau of Identification and the F.B.I. The results of the criminal history record checks (both state and federal) are reported to the employing school district. If the district receives notice of a conviction of a crime by a person holding a certificate, authorization or permit issued by the State Board of Education, the district shall notify the Bureau Educator Standards and Certification.

Locations Offering Fingerprinting Services	
Area Cooperative Educational Services (ACES) 350 State Street North Haven, CT 06473-3108 (203) 498-6800 http://www.aces.org	Capitol Region Education Council (CREC) 111 Charter Oak Avenue Hartford, CT 06106 (860) 524-4003 http://www.crec.org/fp/fingerprinting.php
Cooperative Educational Services (CES) 40 Lindeman Drive Trumbull, CT (203) 365-8831 http://www.ces.k12.ct.us/page.cfm?p=2523	EASTCONN 376 Hartford Turnpike Hampton, CT 06247 (860) 455-0707 www.eastconn.org
Education Connection 355 Goshen Road PO Box 909 Litchfield, CT 06759-0909 (860) 567-0863 http://www.educationconnection.org/	LEARN 44 Hatchetts Hill Road Old Lyme, CT 06371 (860) 434-4800 http://www.learn.k12.ct.us

An appointment may be necessary for fingerprinting services offered by the RESCs. We suggest that you call the RESCs for specific details.

Students

STUDENT DISCIPLINE

It is the policy of the Avon Board of Education (the “Board”) to create a school environment that promotes respect of self, others, and property within the Avon Public Schools (the “District”). Compliance with this policy will enhance the Board and the District’s ability to maintain discipline and reduce interference with the educational process that can result from student misconduct.

I. Definitions

- A. **Cannabis** means marijuana, as defined by Conn. Gen. Stat. § 21a-240.
- B. **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.
- C. **Deadly Weapon** means any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon or metal knuckles. A weapon such as a pellet gun and/or airsoft pistol may constitute a deadly weapon if such weapon is designed for violence and is capable of inflicting death or serious bodily harm. In making such determination, the following factors should be considered: design of weapon; how weapon is typically used (e.g., hunting); type of projectile; force and velocity of discharge; method of discharge (e.g., spring v. CO2 cartridge) and potential for serious bodily harm or death.
- D. **Electronic Defense Weapon** means a weapon which by electronic impulse or current is capable of immobilizing a person temporarily, but is not capable of inflicting death or serious physical injury, including a stun gun or other conductive energy device.
- E. **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.
- F. **Exclusion** means any denial of public school privileges to a student for disciplinary purposes.

Students

STUDENT DISCIPLINE

Definitions (cont'd)

- G. **Expulsion** means the exclusion of a student from school privileges for more than ten (10) consecutive school days and shall be deemed to include, but not be limited to, exclusion from the school to which such pupil was assigned at the time such disciplinary action was taken. The expulsion period may not extend beyond one (1) calendar year.
- H. **Firearm**, as defined in 18 U.S.C § 921, means (a) any weapon (including a starter gun) that will, is designed to, or may be readily converted to expel a projectile by the action of an explosive, (b) the frame or receiver of any such weapon, (c) a firearm muffler or silencer, or (d) any destructive device. The term firearm does not include an antique firearm. As used in this definition, a "**destructive device**" includes any explosive, incendiary, or poisonous gas device, including a bomb, a grenade, a rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, or any other similar device; or any weapon (other than a shotgun or shotgun shell which the Attorney General finds is generally recognized as 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 and 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.
- I. **Protected Class Harassment** is a form of discrimination on the basis of any protected characteristic (or protected class) including race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, veteran status, status as a victim of domestic violence, or any other basis prohibited by state or federal law ("Protected Class"). Harassment constitutes unlawful discrimination when it creates a hostile environment, which occurs when the harassment is sufficiently severe, pervasive, or persistent so as to interfere with or limit a student's ability to participate in or benefit from the services, activities, or opportunities offered by a school. Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Harassment against any individual on the basis of that individual's association with someone in a Protected Class may be a form of Protected Class harassment.
- J. **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.

Students

STUDENT DISCIPLINE

Definitions (cont'd)

- K. **Martial Arts Weapon** means a nunchaku, kama, kusari-fundo, octagon sai, tonfa or Chinese star.
- L. **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.
- M. **School Days** shall mean days when school is in session for students.
- N. **School-Sponsored Activity** means any activity sponsored, recognized or authorized by the Avon Board of Education (the “Board”) and includes activities conducted on or off school property.
- O. **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.
- P. **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.
- Q. **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 device 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 edge 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.
- R. Notwithstanding the foregoing definitions, the reassignment of a student from one regular education classroom program in the district to another regular education classroom program in the district shall not constitute a suspension or expulsion.
- S. For purposes of this policy, references to “school”, “school grounds” and “classroom” shall include physical educational environments, as well as environments in which students are engaged in remote learning, which means instruction by means of one or more Internet-based software platforms as part of a remote learning model.

Students

STUDENT DISCIPLINE

II. Scope of the Student Discipline Policy

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

1. Suspension. Students may be **suspended** for conduct on school grounds, on school transportation, or at any school-sponsored activity that **violates a publicized policy of the Board or is seriously disruptive of the educational process or endangers persons or property.**
2. Expulsion. Students may be **expelled** for conduct on school grounds, on school transportation, or at any school-sponsored activity that either **(1) violates a publicized policy of the Board and is seriously disruptive of the educational process, or (2) endangers persons or property.**

B. *Conduct off School Grounds:*

Discipline. Students may be disciplined, including suspension and/or expulsion, for conduct off school grounds if such conduct **violates a publicized policy of the Board and is seriously disruptive of the educational process.**

C. *Seriously Disruptive of the Educational Process:*

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 29-38 of the Connecticut General Statutes, and whether any injuries occurred; and (4) whether the conduct involved the use of alcohol.** The Administration and/or the Board of Education may also consider **(5) whether the off-campus conduct involved the illegal use of drugs.**

- D. ~~On and after January 1, 2022,~~ a A student shall not have greater discipline, punishment, or sanction for the use, sale, or possession of cannabis on school property than a student would face for the use, sale, or possession of alcohol on school property, except as otherwise required by applicable law.

Students

STUDENT DISCIPLINE

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

Conduct that is considered to violate a publicized policy of the Board of Education includes the offenses described below. Any such conduct may lead to disciplinary action (including, but not limited to, removal from class, suspension and/or expulsion in accordance with this policy):

1. Striking or assaulting a student, member of the school staff or other person(s).
2. Theft.
3. The use of obscene or profane language or gestures, the possession and/or display of obscenity or pornographic images or the unauthorized or inappropriate possession and/or display of images, pictures or photographs depicting nudity.
4. Violation of smoking/vaping, 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, alienage, ancestry, gender identity or expression, marital status, age, pregnancy, veteran status or any other characteristic protected by law.~~ **Protected Class Harassment or reprisal or retaliation against any individual for reporting in good faith incidents of Protected Class Harassment, or who participate in the investigation of such reports.**
7. Refusal by a student to respond to a staff member's request for the student to provide the student's name to a staff member when asked, misidentification of oneself to such person(s), lying to school officials or otherwise engaging in dishonest behavior.
8. Inappropriate displays of public affection of a sexual nature and/or sexual activity on school grounds, on school transportation, or at a school-sponsored activity.
9. A walk-out from or sit-in within a classroom or school building or school grounds.

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10. Blackmailing, threatening or intimidating school staff or students (or acting in a manner that could be construed to constitute blackmail, a threat, or intimidation, regardless of whether intended as a joke).
11. Possession of any weapon, weapon facsimile, deadly weapon, martial arts weapon, electronic defense weapon, pistol, knife, blackjack, bludgeon, box cutter, metal knuckles, pellet gun, air pistol, explosive device, firearm, whether loaded or unloaded, whether functional or not, or any other dangerous object or instrument. The possession and/or use of any object or device that has been converted or modified for use as a weapon.
12. Possession of any ammunition for any weapon described above in Paragraph 11.
13. Unauthorized entrance into any school facility or portion of a school facility or aiding or abetting an unauthorized entrance.
14. Possession or ignition of any fireworks, combustible or other explosive materials, or ignition of any material causing a fire. Possession of any materials designed to be used in the ignition of combustible materials, including matches and lighters.
15. Possession, sale, distribution, use, or consumption of tobacco, electronic nicotine delivery systems (e.g., e-cigarettes), electronic cannabis delivery system, or vapor products, or the unlawful possession, sale, distribution, use or consumption of drugs, narcotics or alcoholic beverages (or any facsimile of tobacco, drugs, narcotics or alcoholic beverages), including being under the influence of any such substances or aiding in the procurement of any such substances. For the purposes of this Paragraph 15, the term “electronic nicotine delivery system” shall mean an electronic device used in the delivery of nicotine or other substances to a person inhaling from the device, and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device, including, but not limited to, electronic cigarette liquid. For purposes of Paragraph 15, the term “electronic cannabis delivery system” shall mean an electronic device that may be used to simulate smoking in the delivery of cannabis to a person inhaling the device and includes, but is not limited to, a vaporizer, electronic pipe, electronic hookah and any related device and any cartridge or other component of such device.

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For the purposes of Paragraph 15, the term “vapor product” shall mean any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not include nicotine and is inhaled by the user of such product. For the purposes of this Paragraph 15, the term "drugs" shall include, but shall not be limited to, any medicinal preparation (prescription and non-prescription) and any controlled substance whose possession, sale, distribution, use or consumption is illegal under state and/or federal law, including cannabis.

16. Sale, distribution, or consumption of substances contained in household items; including, but not limited to glue, paint, accelerants/propellants for aerosol canisters, and/or items such as the aerators for whipped cream; if sold, distributed or consumed for the purpose of inducing a stimulant, depressant, hallucinogenic or mind-altering effect.
17. Possession of paraphernalia used or designed to be used in the consumption, sale or distribution of drugs, alcohol or tobacco, as described in Paragraph 15 above. For purposes of this policy, drug paraphernalia includes any equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing 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, including cannabis.
18. The destruction of real, personal or school property, such as, cutting, defacing or otherwise damaging property in any way.
19. Accumulation of offenses such as school and class tardiness, class or study hall cutting, or failure to attend detention.
20. Trespassing on school grounds while on out-of-school suspension or expulsion.
21. Making false bomb threats or other threats to the safety of students, ~~staff members~~, **employees** and/or other persons.

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22. Defiance of school rules and the valid authority of teachers, supervisors, administrators, other ~~staff members~~ **employees** and/or law enforcement authorities.
23. Throwing snowballs, rocks, sticks and/or similar objects, except as specifically authorized by school ~~staff.~~ **employees responsible for student supervision.**
24. Unauthorized and/or reckless and/or improper operation of a motor vehicle on school grounds or at any school-sponsored activity.
25. Leaving school grounds, school transportation or a school-sponsored activity without authorization.
26. Use of or copying of the academic work of another individual and presenting it as the student's own work, without proper attribution; or any other form of academic dishonesty, cheating or plagiarism.
27. Possession and/or use of a cellular telephone, radio, portable audio player, CD player, blackberry, **tablet,** personal data assistant, walkie talkie, Smartphone, mobile or handheld device, or similar electronic device, on school grounds, on school transportation, or at a school-sponsored activity in violation of Avon Board policy and/or administrative regulations regulating the use of such devices.
28. Possession and/or use of a beeper or paging device on school grounds, on school transportation, or at a school-sponsored activity without the written permission of the principal or designee.
29. Unauthorized use of or tampering with any school computer, computer system, computer software, Internet connection or similar school property or system, or the use of such property or system for inappropriate purposes.
30. Possession and/or use of a laser pointer, unless the student possesses the laser pointer temporarily for an educational purpose while under the direct supervision of a responsible adult.
31. Hazing.

Students

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Definitions (cont'd)

32. Bullying, defined as an act that is direct or indirect and severe, persistent or pervasive, which:
- a. causes physical or emotional harm to an individual;
 - b. places an individual in reasonable fear of physical or emotional harm; or
 - c. infringes on the rights or opportunities of an individual at school; or
- Bullying shall include, but need not be limited to, a written, oral or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.
33. Cyberbullying, defined as any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.
34. Acting in any manner that creates a health and/or safety hazard for ~~staff members~~, employees, students, third parties on school property, or the public, regardless of whether the conduct is intended as a joke, including but not limited to violating school or District health and safety protocols.
35. Engaging in a plan to stage or create a violent situation for the purposes of recording it by electronic means; or recording by electronic means acts of violence for purposes of later publication (other than to school officials).
36. Engaging in a plan to stage sexual activity for the purposes of recording it by electronic means; or recording by electronic means sexual acts for purposes of later publication (other than to school officials).
37. Using computer systems, including email, remote learning platforms, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by this policy.

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38. Use of a privately owned electronic or technological device in violation of school rules, including the unauthorized recording (photographic or audio) of another individual without permission of the individual or a school ~~staff member~~. **employee**
39. Engaging in teen dating violence, defined as any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, which occurs between two students who are currently in or who have recently been in a dating relationship.
40. Any action prohibited by any Federal or State law.
41. Any other violation of school rules or regulations or a series of violations which makes the presence of the student in school seriously disruptive of the educational process and/or a danger to persons or property.

IV. Discretionary and Mandatory Expulsions

- A. ~~A principal~~ **An administrator responsible for a school program (“responsible administrator”)** may consider recommendation of expulsion of a student in **grades three to twelve, inclusive**, in a case where the ~~principal~~ **responsible administrator** has reason to believe the student has engaged in conduct described at Sections II.A. or II.B., above.
- B. ~~A principal~~ **responsible administrator** must recommend expulsion proceedings in all cases against any student in **grades kindergarten to twelve, inclusive**, whom the Administration has reason to believe:
 1. was in **possession on school grounds, on school transportation, 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 or school transportation 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

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dispense, offering or administering is subject to criminal penalties under Conn. Gen. Stat. §§21a-277 and 21a-278. **Sale or distribution of less than one (1) kilogram of cannabis is not subject to mandatory expulsion.**

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

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

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

- E. In keeping with Conn. Gen. Stat. § 10-233d and the Gun-Free Schools Act, it shall be the policy of the Board to expel a student in grades kindergarten to twelve, inclusive, for one (1) full calendar year for the conduct described in Section IV.B(1), (2) and (3) of this policy and to expel a student enrolled in a preschool program for one (1) calendar year for the conduct described in Section IV.C. For any mandatory expulsion offense, the Board may modify the term of expulsion on a case-by-case basis.
- V. Procedures Governing Removal from Class
- A. A student may be removed from class by a teacher or administrator if the student deliberately causes a serious disruption of the educational process. When a student is removed by a teacher, the teacher must send the student to a designated area and notify the ~~principal or the principal's~~ **responsible administrator or the administrator's** designee at once.

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STUDENT DISCIPLINE

- 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~~ **responsible administrator or the administrator's designee** and granted an informal hearing at which the student should be informed of the reasons for the disciplinary action and given an opportunity to explain the situation.
- C. The parents or guardian of any minor student removed from class shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of such removal from class.

VI. Procedures Governing Suspension

- A. The ~~principal of a school, or~~ **responsible administrator or the administrator's designee** ~~on the administrative staff of the school,~~ shall have the right to suspend a student for breach of conduct as noted in Section II of this policy for not more than ten (10) consecutive school days. In cases where suspension is contemplated, the following procedures shall be followed.
1. Unless an emergency situation exists, no student shall be suspended prior to having an informal hearing before the ~~principal or~~ **responsible administrator or the administrator's** designee at which the student is informed of the charges and given an opportunity to respond. In the event of an emergency, the informal hearing shall be held as soon after the suspension as possible.
 2. If suspended, such suspension shall be an in-school suspension, except the ~~principal or~~ **responsible administrator or the administrator's** designee may impose an out-of-school suspension on any pupil:
 - a. in grades three to twelve, inclusive, if, during the informal hearing, (i) the ~~principal or~~ **responsible administrator or the administrator's** designee determines that the student poses such a danger to persons or property or such a disruption of the educational process that the student should be excluded from school during the period of suspension; or (ii) the ~~principal or~~ designee determines that an out-of-school suspension is appropriate based on evidence of (A) the student's previous disciplinary problems that have led to suspensions or expulsion of such student, and (B) previous efforts by the Administration to

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address the student's disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies, or

- b. in grades preschool to two, inclusive, if the **principal responsible administrator or the administrator's** designee determines that an out-of-school suspension is appropriate for such student based on evidence that such student's conduct on school grounds or on school transportation is of a violent or sexual nature that endangers persons.
3. Evidence of past disciplinary problems that have led to removal from a classroom, suspension, or expulsion of a student who is the subject of an informal hearing may be received by ~~the principal~~ **responsible administrator or the administrator's** designee, but only considered in the determination of the length of suspensions.
4. By telephone, ~~the principal~~ **responsible administrator or the administrator's** 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~~ **responsible administrator or the administrator's** designee shall forward a letter promptly to such parent or guardian in an email and a mailed letter to the last address reported on school records (or to a newer address if known by the ~~principal~~ **responsible administrator or the administrator's** 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~~ **responsible administrator or the administrator or** designee shall also notify the Superintendent or designee of the name of the student being suspended and the reason for the suspension.
8. The student shall be allowed to complete any classwork, including examinations, without penalty, which the student missed while under suspension.

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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 programs shall not require the student and/or the student's parents to pay for participation in the program.
 10. Notice of the suspension shall be recorded in the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record if the student graduates from high school. In cases where the student's period of suspension is shortened or waived in accordance with Section VI.A(9), above, the Administration may choose to expunge the suspension notice from the cumulative record at the time the student completes the Administration-specified program and meets any other conditions required by the Administration.
 11. If the student has not previously been suspended or expelled, and the Administration chooses to expunge the suspension notice from the student's cumulative record prior to graduation, the Administration may refer to the existence of the expunged disciplinary notice, notwithstanding the fact that such notice may have been expunged from the student's cumulative file, for the limited purpose of determining whether any subsequent suspensions or expulsions by the student would constitute the student's first such offense.
 12. The decision of the ~~principal~~ **responsible administrator or the administrator or** designee with regard to disciplinary actions up to and including suspensions shall be final.
 13. During any period of suspension served out of school, the student shall not be permitted to be on school property and shall not be permitted to attend or participate in any school-sponsored activities, unless the ~~principal~~ **responsible administrator or the administrator 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~~ **responsible administrator or the administrator's** designee shall

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report the student to the Superintendent or designee and request a formal Board hearing. If an emergency situation exists, such hearing shall be held as soon after the suspension as possible.

VII. Procedures Governing In-School Suspension

- A. The ~~principal~~ **responsible administrator or the administrator'** designee may impose in-school suspension in cases where a student's conduct endangers persons or property, violates school policy or seriously disrupts the educational process as determined by the ~~principal~~ **responsible administrator or the administrator designee**.
- B. In-school suspension may not be imposed on a student without an informal hearing by the building ~~principal or~~ **responsible administrator or the administrator's** designee.
- C. In-school suspension may be served in the school or program that the student regularly attends or in any other school building within the jurisdiction of the Board.
- D. No student shall be placed on in-school suspension more than fifteen (15) times or for a total of fifty (50) days in one school year, whichever results in fewer days of exclusion.
- E. The parents or guardian of any minor student placed on in-school suspension shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the period of the in-school suspension.

VIII. Procedures Governing Expulsion Hearing

A. ***Emergency Exception:***

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

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

Students**STUDENT DISCIPLINE****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 a panel.

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

1. Written notice of the expulsion hearing must be given to the student, and, if the student is a minor, to the student's parent(s) or guardian(s) at least five (5) business days before such hearing.
2. A copy of this Board policy on student discipline shall also be given to the student, and if the student is a minor, to the student's 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, including if the hearing will be held virtually, via video conference.
 - 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.

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- e. The student may cross-examine witnesses called by the Administration.
- f. The student may be represented by an attorney or other advocate of the student's choice at the student's expense or at the expense of the student's parent(s) or guardian(s).
- g. A student is entitled to the services of a translator or interpreter, to be provided by the Board of Education, whenever the student or the student's parent(s) or guardian(s) requires the services of an interpreter because they do not speak the English language or are disabled.
- h. The conditions under which the Board is not legally required to give the student an alternative educational opportunity (if applicable).
- i. Information concerning the parent's(s') or guardian's(s') and the student's legal rights and about free or reduced-rate legal services and how to access such services.
- j. The parent(s) or guardian(s) of the student have the right to have the expulsion hearing postponed for up to one week to allow time to obtain representation, except that if an emergency exists, such hearing shall be held as soon after the expulsion as possible.

D. *Hearing Procedures:*

1. The hearing will be conducted by the Presiding Officer, who will call the meeting to order, introduce the parties, Board members and ~~counsel~~, **others participating in the hearing (if applicable)** briefly explain the hearing procedures, and swear in any witnesses called by the Administration or the student. **If an impartial board or more than one person has been appointed, the impartial board shall appoint a Presiding Officer.**
2. The hearing will be conducted in executive session. A verbatim record of the hearing will be made, either by tape or digital recording or by a stenographer. A record of the hearing will be maintained, including the verbatim record, all written notices and documents relating to the case and all evidence received or considered at hearing.
 1. The Administration shall bear the burden of production to come forward with evidence to support its case and shall bear the burden of persuasion. The standard of proof shall be a preponderance of the evidence.

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2. Formal rules of evidence will not be followed. The Board (or the impartial 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, irrelevant and/or any other objections to its submission.
3. The hearing will be conducted in two (2) parts. In the first part of the hearing, the Board (or impartial board) will receive and consider evidence regarding the conduct alleged by the Administration.
4. In the first part of the hearing, the charges will be introduced into the record by the Superintendent or designee.
5. Each witness for the Administration will be called and sworn. After a witness has finished testifying, the witness will be subject to cross-examination by the opposite party or the witness' legal counsel, by the Presiding Officer and by Board members (or the impartial board).
6. The student shall not be compelled to testify at the hearing.
7. After the Administration has presented its case, the student will be asked if the student 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 (or the impartial board).. The student may also choose to make a statement at this time. If the student chooses to make a statement, the student will be sworn and subject to cross examination and questioning by the Presiding Officer and/or by the Board (or the impartial board). Concluding statements will be made by the Administration and then by the student and/or the student's representative.
8. In cases where the student has denied the allegation, the Board (or impartial board) must determine whether the student committed the offense(s) as charged by the Superintendent or designee.
9. If the Board (or the impartial board)determines that the student has committed the conduct as alleged, then the Board (or the impartial board)shall proceed with the second portion of the hearing, during which the Board (or the impartial board) will receive and consider relevant evidence regarding the length and conditions of expulsion.

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10. When considering the length and conditions of expulsion, the Board(or the impartial board) may review the student's attendance, academic and past disciplinary records. The Board(or the impartial board) may not review notices of prior expulsions or suspensions which have been expunged from the student's cumulative record, except as so provided in Section VI.A (9), (10), (11), above, and Section X, below. The Board (or the impartial board) may ask the Superintendent or designee for a recommendation as to the discipline to be imposed.
11. Evidence of past disciplinary problems that 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(or the impartial board) is considering length of expulsion and nature of alternative educational opportunity to be offered.
12. Where administrators present the case in support of the charges against the student,neither such administrative staff **nor the Superintendent or designee** shall not be present during the deliberations of the Board (or the impartial board) either on questions of evidence or on the final discipline to be imposed. The Superintendent or designee may, after reviewing the incident with administrators, and reviewing the student's records, make a recommendation to the Board (or the impartial board)as to the appropriate discipline to be applied.
13. The Board (or the impartial 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. Except for a student who has been expelled based on possession of a firearm or deadly weapon as described in subsection IV.B(1) and (2) above, the Board(or the impartial 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.

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15. The Board (or the impartial 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.
16. The hearing may be conducted virtually, via video conference, at the direction of the Board,(or the impartial board) in the event school buildings are closed to students or individuals are provided limited access to school buildings due to a serious health emergency. Any virtual hearing must provide the student the due process rights identified in this Subsection D.

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

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

F *Stipulated Agreements:*

In lieu of the procedures used in this Section, the Administration and the parent(s) or legal guardian(s) of a student facing expulsion may choose to enter into a Joint Stipulation of the Facts and a Joint Recommendation to the Board concerning the length and conditions of expulsion. Such Joint Stipulation and Recommendation shall include language indicating that the parent(s) or legal guardian(s) understand their right to have an expulsion hearing held pursuant to these procedures, and language indicating that the Board, in its discretion, has the right to accept or reject the Joint Stipulation of Facts and Recommendation. If the Board (or the impartial 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 the student's own behalf.

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

IX. Alternative Educational Opportunities for Expelled Students

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

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

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

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

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

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

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D. Content of Alternative Educational Opportunity

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

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

Notwithstanding Subsections IX.A. through D. above, if the Board of Education expels a student who has been identified as eligible for services under the Individuals with Disabilities Education Act (“IDEA”), it shall offer an alternative educational opportunity to such student in accordance with the requirements of IDEA, as it may be amended from time to time, and in accordance with the *Standards for Educational Opportunities for Students Who Have Been Expelled*, adopted by the CSBE.

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

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

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X. Notice of Student Expulsion on Cumulative Record

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

In cases where the student's period of expulsion is shortened or waived in accordance with Section VIII.D(16), above, the Board may choose to expunge the expulsion notice from the cumulative record at the time the student completes the Board-specified program and meets any other conditions required by the Board.

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

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

XI. Change of Residence During Expulsion Proceedings

A. *Student moving into District:*

1. If a student enrolls in the District while an expulsion hearing is pending in another public school, 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

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in accordance with statutory requirements. The Board (or the impartial board) shall make its determination **pertaining to expulsion** based upon a hearing held by the Board (or the impartial 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 District:*

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

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

Notwithstanding the foregoing, if the Administration suspends a student identified as eligible for services under the IDEA (an "IDEA student") who has violated any rule or code of conduct of the 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 District is not required to provide any educational services to the IDEA student beyond that which is provided to all students suspended by the 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 District that applies to all students, the procedures described in this section shall apply. The procedures described in this section shall also apply for students whom the Administration has suspended in a manner that is considered under the IDEA, as it may be amended from time to time, to be a change in educational placement:

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1. Upon the decision by the Administration to recommend expulsion or impose a suspension that would constitute a change in educational placement, the Administration shall promptly notify the parent(s)/guardian(s) of the student of the recommendation of expulsion or the suspension that would constitute a change in educational placement, and provide the parents(s)/guardian(s) a copy of the special education procedural safeguards either by hand-delivery or by mail (unless other means of transmission have been arranged).
2. The 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 the student's 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 responsible administrator (or designee) should consider the nature of the misconduct and any relevant educational records of the student.

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

1. ~~School personnel~~ **A responsible administrator** may remove a student eligible for special education under the IDEA to an appropriate interim alternative educational setting for not more than forty-five (45) school days if the student:

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- a. Was in possession of a dangerous weapon, as defined in 18 U.S.C. 930(g)(2), as amended from time to time, on school grounds, on school transportation, or at a school-sponsored activity, or
 - b. Knowingly possessed or used illegal drugs or sold or solicited the sale of a controlled substance while at school, on school transportation, or at a school-sponsored activity; or
 - c. Has inflicted serious bodily injury upon another person while at school, on school premises, on school transportation, or at a school function.
2. The following definitions shall be used for this subsection XII.C.:
- a. **Dangerous weapon** means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2.5 inches in length.
 - b. **Controlled substance** means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act, 21 U.S.C. 812(c).
 - c. **Illegal drug** means a controlled substance but does not include a substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of federal law.
 - d. **Serious bodily injury** means a bodily injury which involves: (A) a substantial risk of death; (B) extreme physical pain; (C) protracted and obvious disfigurement; or (D) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

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

- A. Except as provided in subsection B below, notwithstanding any provision to the contrary, if the Administration recommends for expulsion a student identified as eligible for educational accommodations under Section 504 who has violated any

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

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

- A. Any student who commits an expellable offense and is subsequently placed in a juvenile detention center or any other residential placement for such offense may be expelled by the Board in accordance with the provisions of this section. The period of expulsion shall run concurrently with the period of placement in a juvenile detention center or other residential placement.
- B. If a student who committed an expellable offense seeks to return to the District after participating in a diversionary program or having been placed in a juvenile detention center or any other residential placement and such student has

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not expelled by the board of education for such offense under subdivision (A) of this subsection, the Board shall allow such student to return and may not expel the student for additional time for such offense.

XV. Early Readmission to School

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

XVI. Dissemination of Policy

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

XVII. Compliance with Documentation and Reporting Requirements

- A. The District shall include on all disciplinary reports the individual student's state-assigned student identifier (SASID).
- B. The District shall report all suspensions and expulsions to the State Department of Education.
- C. If the Board expels a student for sale or distribution of a controlled substance, as defined in Conn. Gen. Stat. § 21a-240(9), whose manufacture, distribution, sale, prescription, dispensing, transporting or possessing with the intent to sell or dispense, offering, or administration is the subject to criminal penalties under Conn. Gen. Stat. §§ 21a-277 and 21a-278, the District shall refer such student to an appropriate state or local agency for rehabilitation, intervention or job training and inform the agency of its action.
- D. If the Board expels a student for possession of a firearm, as defined in 18 U.S.C. § 921, or deadly weapon, dangerous instrument or martial arts weapon, as defined in Conn. Gen. Stat. § 53a-3, the District shall report the violation to the local police.

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Legal References:

Connecticut General Statutes:

- § 10-16 Length of school year
- § 10-74j Alternative education
- §§ 4-176e through 4-180a and § 4-181a Uniform Administrative Procedures Act
- § 10-222d Safe school climate plans. Definitions. Safe school climate assessments
- §§ 10-233a through 10-233f Suspension and expulsion of students
- § 10-233l Expulsion and suspension of children in preschool programs
- § 10-253 School privileges for children in certain placements, nonresident children, children in temporary shelters, homeless children and children in juvenile detention facilities. Liaison to facilitate transitions between school districts and juvenile and criminal justice systems.
- § 19a-342a Use of electronic nicotine delivery systems or vapor products is prohibited. Exceptions. Signage required. Penalties
- § 21a-240 Definitions
- § 21a-277 Penalty for illegal manufacture, distribution, sale, prescription, dispensing
- § 21a-278 Penalty for illegal manufacture, distribution, sale, prescription, or administration by non-drug-dependent person
- §§ 21a-408a through 408p Palliative Use of Marijuana
- § 29-35 Carrying of pistol or revolver without permit prohibited. Exceptions
- § 29-38 Weapons in vehicles
- § 53a-3 Definitions
- § 53-206 Carrying of dangerous weapons prohibited
- § 53-344 Sale or delivery of cigarettes or tobacco products to persons under twenty-one.
- § 53-344b Sale and delivery of electronic nicotine delivery system or vapor products to persons under twenty-one years or age

Public Act No. 21-46, “An Act Concerning Social Equity and the Health, Safety and Education of Children.”

Packer v. Board of Educ. of the Town of Thomaston, 717 A.2d 117 (Conn. 1998).
State v. Hardy, 896 A.2d 755 (Conn. 2006).
State v. Guzman, 955 A.2d 72 (Conn. App. Ct. 2008).

Students

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

Federal law:

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

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

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

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

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

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

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

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

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

ADOPTED: February 26, 2019

REVISED: March 21, 2023

AVON PUBLIC SCHOOLS
Avon, Connecticut

[BOE LETTERHEAD]

(Date)

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

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

(Parent's/Student's Address)

(Non-custodial Parent, if applicable)

(Parent's Address)

Re: Expulsion Hearing Concerning Student Name; D.O.B.; State-Assigned Student Identifier (SASID)

Dear *(Parent/Guardian)*:

In accordance with the *(name of district)* Board of Education Policy (*policy # & title*), I am writing to advise you that the *(name of district)* Board of Education (the "Board") will hold a formal hearing concerning your child, *(name of student)* to consider the recommendation of *(name of administrator)* that your child be expelled from school. *[In cases where the district uses an impartial hearing board, add the following: Please be advised that the Board has appointed an Attorney [Name], to serve as an impartial hearing board in this matter.]* This hearing is being held pursuant to Section 10-233d *[In cases where a preschool student is recommended for expulsion, add the following: and Section 10-233I]* and Sections 4-176e to 4-180a, inclusive, and Section 4-181a of the Connecticut General Statutes and the *(name of district)* Board of Education Policy (*policy # & title*), a copy of which is enclosed. The Board (*OR the impartial hearing board*) intends to conduct the hearing in executive session, due to the confidential nature of this hearing.

The hearing will address the allegations that your child (*for on or off-campus conduct*: violated Board Policy *cite Student Discipline Policy number and any other specific policy number on date* and seriously disrupted the educational process) (*and/or, for on-campus conduct*: endangered persons or property) by engaging in the following conduct:

(The law governing these hearings requires a short, plain statement of the facts to be included within this notice letter, and should be inserted here.

Example: carrying a knife on the school bus on a specified date and brandishing it at other students on the bus).

(If the student has admitted to this conduct, note the admission here).

The hearing has been scheduled for (*date, time, place [note: unless an emergency exists, this notice must be given to the student/parent/guardian at least five (5) business days before the hearing]*). (*If a manifestation determination must be held prior to the expulsion hearing, add the following language: Prior to the expulsion hearing, your child's [planning and placement (PPT) team OR Section 504 team] will determine if your child's conduct constitutes a manifestation of the child's disability. The expulsion hearing will be canceled if the [PPT OR Section 504 team] determines that the conduct was a manifestation of your child's disability; otherwise, the hearing will proceed as scheduled.*) You and your child are asked to attend this hearing. Your child has the right to be represented by an attorney or other advocate at your expense, has the right to cross-examine administration witnesses, and may present relevant evidence, both documentary and testimonial, concerning the allegations. The hearing will be the parties' sole opportunity to present such evidence. The Board (***OR the impartial hearing board***) may also question witnesses. An opportunity will also be given for the administration and your child or your child's representatives to present arguments concerning the evidence presented at the hearing. If you need the services of a translator or an interpreter for this hearing, please let me know as soon as possible.

Unless the administration has determined that an emergency exists, you have the right to have the expulsion hearing postponed for up to one week to allow time to obtain representation. If you would like to request a postponement, please let me know as soon as possible.

The administration may recommend expulsion from school for up to one calendar year. The Board (***OR the impartial hearing board***) has discretion to adopt any period of expulsion up to one calendar year.

As mentioned above, your child has a right to be represented, at your own expense, by an attorney or other advocate at the expulsion hearing. Obtaining an attorney or other advocate is the responsibility of the family. Very low income families may be able to obtain free or reduced rate advice or legal representation through Statewide Legal Services, Inc. ("SLS"). To apply for such assistance, those families should contact SLS immediately at 1-800-453-3320.

In the event your child is expelled as a result of the scheduled hearing, and your child is under sixteen (16) years of age, the Board will offer your child an alternative educational opportunity during any period of exclusion from school as determined by the Administration in accordance with applicable law and Board policy. If your child is between sixteen (16) and eighteen (18) and has not been expelled before, the Board shall also offer to your child an alternative educational opportunity if your child wishes to continue their education. Please know however, that the Board is not required to offer an alternative educational opportunity to any student between sixteen (16) and

eighteen (18) years of age who have previously been expelled or to students who are eighteen (18) years of age or older.

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

Sincerely,

(Name of Superintendent)
(Name of District) Public Schools

Cc: *(Name of District)*, Chairman, *(Name of District)* Board of Education
(Name of Special Education Director, where applicable)
(Name of Principal at school that student attends)
(Name of Board of Education Attorney, where applicable)
(Name of Administration's Attorney, where applicable)

11/10/202111/10/2021

Students

Bullying Prevention and Intervention

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

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

Students who engage in bullying behavior or teen dating violence shall be subject to school discipline, up to and including expulsion, in accordance with the Avon Board of Education’s policies on student discipline, suspension and expulsion, and consistent with state and federal law

For purposes of this policy, “**Bullying**” means, an act that is in direct or indirect and severe, persistent or pervasive, which:

- (1) causes physical or emotional harm to an individual;
- (2) places an individual in reasonable fear of physical or emotional harm; or
- (3) infringes on the rights or opportunities of an individual at school.

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

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

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For purposes of this policy, “**Teen Dating Violence**” means any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, that occurs between two students who are currently in or who have recently been in a dating relationship.

For purposes of this policy, “**Discrimination**” means unlawful discrimination that occurs when a student is denied participation in, or the benefits of, a program or activity of the Board because of such student’s actual or perceived race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, veteran status, status as a victim of domestic violence or any other basis prohibited by state or federal law (“Protected Class”).

For purposes of this policy “**Harassment**” is a form of Protected Class discrimination that is prohibited by law and by this policy. Harassment constitutes unlawful discrimination when it creates a hostile environment, which occurs when the harassment is sufficiently severe, pervasive, or persistent so as to interfere with or limit a student’s ability to participate in or benefit from the services, activities, or opportunities offered by a school. Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Harassment may be an act of bullying.

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

- (1) Enable students to anonymously report acts of bullying to school employees and require students and the parents or guardians of students to be notified at the beginning of each school year of the process by which students may make such reports;
- (2) enable the parents or guardians of students to file written reports of suspected bullying;
- (3) require school employees who witness acts of bullying or receive reports of bullying to orally notify the safe school climate specialist, or another school administrator if the safe school climate specialist is unavailable, not later than one school day after such school employee witnesses or receives a report of bullying, and to file a written report not later than two school days after making such oral report;
- (4) require the safe school climate specialist to investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports made under this section and that the parents or guardians of the student alleged to have committed an act or acts of bullying and the parents or guardians of the

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student against whom such alleged act or acts were directed receive prompt notice that such investigation has commenced within one (1) school day from the onset of the investigation;

- (5) require the safe school climate specialist to review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report;
- (6) include a prevention and intervention strategy for school employees to deal with bullying and teen dating violence;
- (7) provide for the inclusion of language in student codes of conduct concerning bullying;
- (8) require each school to notify the parents or guardians of students who commit any verified acts of bullying and the parents or guardians of students against whom such acts were directed not later than one (1) school day following the completion of the investigation described in subdivision (4), above (A) of the results of such investigation and (B) verbally or by electronic mail, if such electronic email addresses are known, that such parents may refer to the plain language explanation of rights and remedies available under Conn. Gen. Stat. Section 10-4a and 10-4b published on the Internet website of the Board;
- (9) require each school to invite the parents or guardians of a student against whom such act was directed to a meeting to communicate to such parents or guardians the measures being taken by the school to ensure the safety of the student against whom such act was directed and policies and procedures in place **designed** to prevent further acts of bullying;
- (10) require each school invite the parents or guardians of a student who commits any verified act of bullying to a meeting, separate and distinct from the meeting required in subdivision (9) above, to discuss specific interventions undertaken by the school to prevent further acts of bullying.
- (11) establish a procedure for each school to document and maintain records relating to reports and investigation of bullying in such school and to maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection, and annually report such number to the Department of Education and in such manner as prescribed by the Commissioner of Education;
- (12) 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;
- (13) prohibit discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying;
- (14) direct the development of student safety support plans for students against whom an act of bullying was directed that address safety measures the school will take **designed** to protect such students against further acts of bullying;

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- (15) require the ~~principal~~ **responsible administrator** of a school, ~~or the principal's~~ or designee, to notify the appropriate local law enforcement agency when such ~~principal, or the principal's~~ **responsible administrator, or** designee, believes that any acts of bullying constitute criminal conduct;
- (16) prohibit bullying (A) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a local or regional board of education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the local or regional board of education, and (B) outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, or (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;
- (17) require, at the beginning of each school year, each school to provide all school employees with a written or electronic copy of the ~~school district's~~ **District's** safe school climate plan and;
- (18) require that all school employees annually complete the training described in Conn. Gen. Stat. §§ 10-220a or 10-222j related to the identification, prevention and response to bullying; and

The notification required pursuant to subdivision (8) (above) and the invitation required pursuant to subdivisions (9) and (10) (above) shall include a description of the response of school employees to such acts and any consequences that may result from the commission of further acts of bullying. Any information provided under this policy or accompanying Safe School Climate Plan shall be provided in accordance with the confidentiality restrictions imposed under the Family Educational Rights Privacy Act ("FERPA") and the District's Confidentiality and Access to Student Information policy and regulations.

The Avon Board of Education shall submit its Safe School Climate plan to the State Department of Education (the "Department") for review and approval. Not later than thirty (30) calendar days after approval by the Department, the Board shall make such plan available on the Board's and each individual school in the District's web site and ensure that the Safe School Climate Plan is included in the District's publication of the rules, procedures and standards of conduct for schools in all student handbooks.

As required by state law, the Board, after consultation with the Department and the Connecticut Social and Emotional Learning and School Climate Advisory Collaborative (the Collaborative"), shall provide on the Board's website training materials to school administrators regarding the prevention of and intervention in discrimination against targeted

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harassment of students based on such students' (1) actual or perceived differentiating characteristics, such as race, color, religion ancestry, national origin, socioeconomic status,

academic status, physical appearance or mental, physical, developmental or sensory disability, or (2) association with individuals or groups who have or are perceived to have one or more of such characteristics.

As required by state law, the Board shall post on its website the plain language explanation of rights and remedies under Connecticut General Statutes 10-4a and 10-4b, as developed and provided to the Board by the ~~Connecticut Social and Emotional Learning School Climate Advisory~~ Collaborative.

Legal Reference: ~~Public Act 19-166~~
Conn. Gen. Stat. § 10-145a
Conn. Gen. Stat. § 10-145o
Conn. Gen. Stat. § 10-220a
Conn. Gen. Stat. § 10-222d
Conn. Gen. Stat. § 10-222g
Conn. Gen. Stat. § 10-222h
Conn. Gen. Stat. § 10-222j
Conn. Gen. Stat. § 10-222k
Conn. Gen. Stat. § 10-222l
Conn. Gen. Stat. § 10-222q
Conn. Gen. Stat. § 10-222r
Conn. Gen. Stat. §10-233a through 10-233f

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AVON PUBLIC SCHOOLS
Avon, Connecticut

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The Avon Board of Education is committed to creating and maintaining a physically, emotionally, and intellectually safe educational environment **within the Avon Public Schools (the “District”)** free from bullying, teen dating violence, harassment and discrimination in order to foster an atmosphere conducive to learning, the Avon Board of Education has developed the following Safe School Climate Plan (the “Plan”), consistent with state law and Avon Board of Education Policy. This Plan represents a comprehensive approach to addressing bullying, cyberbullying and teen dating violence and sets forth the Avon Board of Educations’ expectations for creating a positive school climate and thus preventing, intervening, and responding to incidents of bullying and teen dating violence.

Bullying behavior and teen dating violence are strictly prohibited, and students who are determined to have engaged in such behavior are subject to disciplinary action, which may include suspension or expulsion from school. The District’s commitment to addressing bullying behavior and teen dating violence, shall also involve a multi-faceted approach, which includes education and the promotion of a positive school climate in which bullying will not be tolerated by students or school staff.

I. Prohibition Against Bullying, Teen Dating Violence and Retaliation

- A. The Avon Board of Education expressly prohibits any form of bullying behavior and teen dating violence on school grounds; at a school-sponsored or school-related activity, function or program whether on or off school grounds; at a school bus stop; on a school bus or other vehicle owned, leased or used by a local or regional Board of Education; or through the use of an electronic device or an electronic mobile device owned, leased or used by Avon Board of Education.
- B. The Avon Board of Education also prohibits any form of bullying behavior outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;
- C. The Avon Board of Education further prohibits any form of teen dating violence outside of the school setting if such violence substantially disrupts the educational process;

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

E. Students who engage in bullying behavior or teen dating violence in violation of Avon Board of Education Policy and the Plan shall be subject to school discipline, up to and including expulsion, in accordance with the Avon Board of Education's policies on student discipline, suspension and expulsion, and consistent with state and federal law.

II. Definition of Bullying

A. **"Bullying"** means an act that is direct or indirect and severe, persistent or pervasive, which: ~~the repeated use by one or more students of a written, verbal or electronic communication, such as cyberbullying, directed at or referring to another student attending school in the same district, or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same school district that:~~

1. Causes physical or emotional harm to an individual ~~such student or damage to such student's property;~~
2. Places ~~such student~~ **an individual** in reasonable fear of **physical or emotional** harm ~~to himself or herself, or of damage to his or her property;~~
3. ~~Creates a hostile environment at school for such student;~~
4. Infringes on the rights of ~~such student~~ **an individual** at school; or
5. ~~Substantially disrupts the education process or the orderly operation of a school.~~

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

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III. Other Definitions

- A. **“Cyberbullying”** means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.
- B. **“Discrimination”** means unlawful discrimination that occurs when a student is denied participation in, or the benefits of, a program or activity of the Board because of such student’s actual or perceived race, color, religion, age, sex sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, veteran status, status as a victim of domestic violence or any other basis prohibited by state or federal law (“Protected Class”).
- C. **“Emotional Intelligence”** means the ability to (1) perceive, recognize and understand emotions in oneself or others, (2) use emotions to facilitate cognitive activities, including, but not limited to, reasoning, problem solving and interpersonal communications, (3) understand and identify emotions, and (4) manage emotions in oneself and others.
- D. **“Harassment”** is a form of Protected Class discrimination that is prohibited by law and by this policy. Harassment constitutes unlawful discrimination when it creates a hostile environment, which occurs when the harassment is sufficiently severe, pervasive, or persistent so as to interfere with or limit a student’s ability to participate in or benefit from the services, activities, or opportunities offered by a school. Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Harassment may be an act of bullying.
- E. **“Electronic communication”** means any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system.
- F. **“Hostile environment”** means a situation in which acts of bullying among students are sufficiently severe or pervasive to alter the conditions of the school climate.
- G. **“Mobile electronic device”** means any hand-held or other portable electronic equipment capable of providing data communication between two or more individuals, including, but not limited to, a text messaging device, a paging device, a personal digital assistant, a laptop computer, equipment that is capable of playing a video game or a digital video disk, or equipment on which digital images are taken or transmitted.

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III. Other Definitions

H. **“Outside of the school setting”** means at a location, activity or program that is not school related, or through the use of an electronic device or a mobile electronic device that is not owned, leased or used by a local or regional Board of Education.

I. **“Positive School Climate”** Means a school climate in which (1) the norms, values, expectations and beliefs that support feelings of social, emotional and physical safety are promoted, (2) students, parents, and guardians of students and school employees feel engaged and respected and work together to develop and contribute to a shared school vision, (3), educators model and nurture attitudes that emphasize the benefits and satisfaction gained from learning, and (4) each person feels comfortable contributing to the operation of the school and care of the physical environment of the school.

J. **“Prevention and intervention strategy”** may include, but is not limited to:

1. implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying identified by the Department of Education,
2. school rules prohibiting acts of bullying and establishing appropriate consequences for those who engage in such acts,
3. adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where acts of bullying could occur,
4. inclusion of grade- appropriate bullying education and prevention curricula in kindergarten through high school,
5. individual interventions with the bully, parents and school employees, and interventions with the bullied child, parents and school employees,
6. school-wide training related to safe school climate,
7. student peer training, education and support,

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8. promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions, and
9. culturally competent school-based curriculum focusing on social emotional learning, self-awareness and self-regulation.

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

L. **“School employee”** means:

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

M. **“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 Avon Board of Education.

N. **“Social and emotional learning”** means the process through which children and adults achieve emotional intelligence through the competencies of self-awareness, self-management, social awareness, relationship skills and responsible decision-making.

O. **“Teen dating violence”** means any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, that occurs between two students who are currently in or who have recently been in a dating relationship.

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IV. Leadership and Administrative Responsibilities

A. Safe School Climate Coordinator

The Superintendent of Schools or his/her designee shall appoint, from existing District staff, a District Safe School Climate Coordinator (“Coordinator”). The Coordinator shall:

1. Be responsible for implementing the District’s Safe School Climate Plan;
2. Collaborate with Safe School Climate Specialists, the Avon Board of Education, and the Superintendent of Schools or his/her designee to prevent, identify and respond to acts of bullying in District schools and programs;
3. Provide data and information, in collaboration with the Superintendent of Schools or his/her designee, to the Department regarding acts of bullying;
4. Meet with Safe School Climate Specialists at least twice during the school year to discuss issues relating to acts of bullying ~~in the school~~ District and to make recommendations concerning amendments to the Plan.

B. Safe School Climate Specialist

The Principal of each school (or Principal’s designee) shall serve as the Safe School Climate Specialist. The Safe School Climate Specialist shall investigate or supervise the investigation of reported acts of bullying, collect and maintain records of reports and investigations of bullying in the school and act as the primary school official responsible for preventing, identifying and responding to reports of bullying in the school.

V. Development and Review of Safe School Climate Plan

- A. The Principal of each school **or responsible administrator** shall establish a committee or designate at least one existing committee (“Committee”) in the school to be responsible for developing and fostering a safe school climate and addressing issues relating to bullying in the school. Such a committee shall include:

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1. at least one parent/guardian of a student enrolled in the school, as appointed by the school Principal or responsible administrator,
2. school personnel, including, but not limited to, at least one teacher selected by the exclusive bargaining representative for certified employees;
3. medical and mental health personnel assigned to such school ; and
4. In the case of a committee for high school, at least one student enrolled at such high school is selected by the students of such school in a manner determined by the school principal or responsible administrator.

B. The Committee shall:

1. receive copies of completed reports following acts of bullying investigations;
2. identify and address patterns of acts of bullying among students in the school;
3. implement the provisions of the school security and safety plan, regarding the collection, evaluation and reporting of information relating to instances of disturbing or threatening behavior that may not meet the definition of bullying,
4. review and amend school or program policies relating to acts of bullying;
5. review and make recommendations to the Coordinator regarding the Plan based on issues and experiences specific to the school;
6. educate students, school employees and parents/guardians on issues relating to acts of bullying;
7. collaborate with the Coordinator in the collection of data regarding acts of bullying; and
8. perform any other duties as determined by the Principal or responsible administrator that are related to the prevention, identification and response to school bullying.

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- C. Any parent/guardian serving as a member of the Committee shall not participate in any activities that may compromise the confidentiality of any student, including, but not limited to receiving copies of investigation reports, or identifying or addressing patterns of acts of bullying among students in the school.
- D. The Avon Board of Education shall approve the Plan developed pursuant to Board policy and submit such Plan to the Department of Education no later than thirty (30) calendar days after approval by the Board. The Avon Board of Education shall make such Plan available on the Avon Public Schools District's web site and ensure that the Plan is mentioned on the District's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

VI. Procedures for Reporting and Investigating Complaints of Bullying

- A. Students and parents (or guardians of students) may file written reports of bullying. Written reports of bullying shall be reasonably specific as to the basis for the report, including the time and place of the alleged conduct, the number of incidents, the target of the suspected bullying, and the names of potential witnesses. Such reports may be filed with any building administrator and/or the Safe School Climate Specialist (i.e. building Principal or his/her designee), and all reports shall be forwarded to the Safe School Climate Specialist for review and actions consistent with this Plan.
- B. Students may make anonymous reports of acts of bullying to any school employee. Students may also request anonymity when making a report, even if the student's identity is known to the school employee. In cases where a student requests anonymity, the Safe School Climate Specialist or his/her designee shall meet with the student (if the student's identity is known) to review the request for anonymity and discuss the impact that maintaining the anonymity of the complainant may have on the investigation and on any possible remedial action. All anonymous complaints shall be reviewed and reasonable action will be taken to address the situation, to the extent such action may be taken that does not disclose the source of the report, and is consistent with the due process rights of the student(s) alleged to have committed acts of bullying. No disciplinary action shall be taken solely on the basis of an anonymous report.

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- C. School employees who witness acts of bullying or receive reports of acts of bullying shall orally notify the Safe School Climate Specialist or another school administrator if the Safe School Climate Specialist is unavailable, not later than one (1) school day after such school employee witnesses or receives a report of acts of bullying. The school employee shall then file a written report not later than two (2) school days after making such oral report.
- D. The Safe School Specialist shall be responsible for reviewing any anonymous reports of bullying and shall investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports. The Safe School Climate Specialist shall also be responsible for promptly notifying the parents or guardians of the student alleged to have committed an act or acts of bullying, and the parents or guardians of the student against whom such alleged act or acts were directed within one (1) school day from the onset of the investigation. In order to allow the District to adequately investigate complaints filed by a student or parent/guardian, the parent of the student suspected of being bullied should be asked to provide consent to permit the release of that student's name in connection with the investigation process, unless the student and/or parent has requested anonymity.
- E. In investigating reports of acts of bullying, the Safe School Climate Specialist or designee will consider all available information known, including the nature of the allegations and the ages of the students involved. The Safe School Climate Specialist will interview witnesses, as necessary, reminding the alleged perpetrator and other parties that retaliation is strictly prohibited and may result in disciplinary action.

VII. Responding to Verified Acts of Bullying

- A. Following investigation, if acts of bullying are verified, the Safe School Climate Specialist or designee shall notify the parents or guardians of the students against whom such acts were directed as well as the parents or guardians of the students who commit such acts of bullying of the finding not later than ~~one (1) school day~~ **forty-eight hours (48)** following the completion of the investigation. This notification shall include a description of the school response to the acts of bullying; the results of such investigation; and verbally or by **electronic mail, if such parents' or guardians' electronic mail addresses are known, that such parents of guardians may refer to the plain language explanation of the rights and remedies available under Conn. Gen. Stat. Sections 10-4a and 10-4b once such explanation has been provided to the Board by the Connecticut Social and Emotional Learning and School Climate Advisory Collaborative and**

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published on the Internet website of the Board. In providing such notification, however, at the District will take care to respect the statutory privacy rights of other students, including the perpetrator of such bullying. The specific disciplinary consequences imposed on the perpetrator, or personally identifiable information about a student other than the parent/guardian's own child, may not be disclosed except as provided by law.

- B. In any instance in which bullying is verified, the Safe School Climate Specialist or designee shall also invite the parents or guardians of the student whom such act was directed to a meeting to communicate the measures being taken by the school to ensure the safety of the student/victim and policies and procedures in place designed to prevent further acts of bullying. The Safe School Climate Specialist or designee shall also invite the parents or guardians of a student who commits any verified act of bullying to a meeting, separate and distinct from the previously described meeting, to discuss specific interventions undertaken by the school designed to prevent further acts of bullying. The invitation may be made simultaneous with the notification described above in Section VII.A.
- C. If bullying is verified, the Safe School Climate Specialist or designee shall develop a student safety support plan for any student against whom an act of bullying was directed. Such a support plan will include safety measures designed to protect against further acts of bullying.
- D. A specific written intervention plan shall be developed to address repeated incidents of acts of bullying against a single individual or recurrently perpetrated act of bullying incidents by the same individual. The written intervention plan may include counseling, discipline and other appropriate remedial actions as determined by the Safe School Climate Specialist or designee, and may also incorporate a student safety support plan, as appropriate.
- E. Notice to Law Enforcement

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

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- G. If an act of bullying complaint raises concern about Protected Class discrimination or harassment ~~on the basis of a legally protected classification (such as race, religion, color, national origin, sex, sexual orientation, age, disability or gender identity or expression)~~, The Safe School Climate Specialist or designee shall also coordinate any bullying investigation with other appropriate personnel within the District as appropriate (e.g. Title IX Coordinator, Section 504 Coordinator, etc.) ~~so as~~ **in a manner designed** to ensure that any such bullying investigation complies with the requirements of such policies regarding nondiscrimination.

VIII. Teen Dating Violence

- A. The District strictly prohibits, and takes very seriously any instances of, teen dating violence, as defined above. The District recognizes that teen dating violence may take many different forms and may also be considered bullying and/or sexual harassment.
- B. Students and parents (or guardians of students) may bring verbal or written complaints regarding teen dating violence to any building administrator. The building administrator ~~shall review and address the complaint, which may include referral of~~ **promptly refer** the complaint to the ~~Safe School Climate Specialist and/or~~ Title IX Coordinator.
- C. Prevention and intervention strategies concerning teen dating violence shall be implemented in accordance with Section X below. Discipline, up to and including expulsion, may be imposed against the perpetrator of teen dating violence, whether such conduct occurs on or off campus, in accordance with Board policy and consistent with federal and state law.

IX. Documentation and Maintenance of Log

- A. Each school **operated by the Board** shall maintain written reports of bullying, along with supporting documentation received and/or created as a result of bullying investigations, consistent with the Avon Board of Education's obligations under state and federal law. Any educational record containing personally identifiable student information pertaining to an individual student shall be maintained in a confidential manner, and shall not be disclosed to third parties without the prior written consent of a parent, guardian or eligible student, except as permitted under Avon Board of Education policy and state and federal law.
- B. The Principal of each school **or responsible administrator** shall maintain a list of the number of verified acts of bullying in the school or program and this list shall be available for public inspection upon request. Consistent with District obligations under state and federal law

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

- C. The Principal of each school **or responsible administrator** shall report the number of verified acts of bullying in the school or program annually to the Avon Board of Education and to the Department of Education in such manner as prescribed by the Connecticut Commissioner of Education.

X. Other Prevention and Intervention Strategies

- A. Bullying behavior and teen dating violence can take many forms and can vary dramatically in the nature of the offense and the impact the behavior may have on the victim and other students. Accordingly, there is no one prescribed response to verified acts of bullying or to teen dating violence. While conduct that rises to the level of “bullying” or “teen dating violence”, as defined above, will generally warrant traditional disciplinary action against the perpetrator of such bullying or teen dating violence, whether and to what extent to impose disciplinary action (e.g., detention, in-school suspension, suspension or expulsion) is a matter for the professional discretion of the building Principal (or responsible program administrator or his/her designee). No disciplinary action may be taken solely on the basis of an anonymous complaint. As discussed below, schools and programs may also consider appropriate alternatives to traditional disciplinary sanctions, including age appropriate consequences and other restorative or remedial interventions.
- B. A specific written intervention plan shall be developed to address repeated incidents of acts of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual. This intervention plan may include safety provisions, as described above, for students against whom acts of bullying have been verified and may include other interventions such as counseling, discipline, and other appropriate remedial or restorative actions as determined by the responsible administrator.

Regulation Students

Bullying Prevention and Intervention

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C. The following sets forth possible interventions which may also be utilized to enforce the Avon Board of Education's prohibition against acts of bullying:

1. 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 acts of bullying.

Students may also be subject to other forms of restorative discipline or remedial actions, appropriate to the age of the students and nature of the behavior.

If a complaint arises out of conflict between students or groups of students, peer or other forms of mediation may be considered. Special care, however, is warranted in referring such cases to peer mediation. A power imbalance may make the process intimidating for the victim and therefore inappropriate. In such cases, the victim should be given additional support. Alternatively, peer mediation may be deemed inappropriate to address the concern.

When an act or acts of teen dating violence are identified, the students involved may be counseled as to the seriousness of the conduct, the prohibition of teen dating violence, and their duty to avoid any such conduct. Students may also be subject to other forms of restorative discipline or remedial actions, appropriate to the age of the students and nature of the behavior.

2. Disciplinary Interventions

When acts of bullying are verified or teen dating violence occurs, and a disciplinary response is warranted, students ~~are~~ **may be** 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 ~~an~~ **accused perpetrator student** of the reasons for the proposed suspension and giving ~~him/her~~ **the accused student** an opportunity to explain the situation, in accordance with the Avon Board of Education's Student Discipline policy.

Regulation Students

Bullying Prevention and Intervention

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

3. Interventions for bullied students and victims of teen dating violence

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

- (a) Referral to a school counselor, psychologist or other appropriate social or mental health service;
- (b) Increased supervision and monitoring of student to observe and intervene in bullying situations or instances of teen dating violence;
- (c) Encouragement of student to seek help when victimized or witnessing victimization;
- (d) Peer mediation or other forms of mediation, where appropriate;
- (e) Student Safety Support plan;
- (f) Restitution and/or restorative interventions; and
- (g) Periodic follow-up by the Safe School Climate Specialist and/or Title IX Coordinator with the bullied student or victim of teen dating violence.

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. Additional District actions may also ameliorate potential problems with teen dating violence. 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

Regulation Students

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resource for administrators, teachers and other professional employees in each school. Such prevention and intervention strategies may include, but are not limited to:

- (a) School rules prohibiting bullying, teen dating violence, harassment and intimidation and establishing appropriate consequences for those who engage in such acts;
- (b) Adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying or teen dating violence are likely to occur;
- (c) Inclusion of grade-appropriate bullying and teen dating violence education and prevention curricula in kindergarten through high school, which may include instruction regarding building safe and positive school communities including developing healthy relationships and preventing dating violence as deemed appropriate for older students;
- (d) Individual interventions with the perpetrator, parents and school employees, and interventions with the bullied student, parents and school employees;
- (e) School-wide training related to safe school climate, which training may include Title IX sex discrimination/sexual harassment prevention training, Section 504/ADA training, cultural diversity/multicultural education or other training in federal and state civil rights legislation or other topics relevant to safe school climate;
- (f) Student peer training, education and support;
- (g) Promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions;
- (h) Implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying and teen dating violence, including any such program identified by the Department of Education;
- (I) Respectful responses to bullying and teen dating violence concerns raised by students, parents or staff;

**Regulation
Students**

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Safe School Climate Plan

- (j) Planned professional development programs addressing prevention and intervention strategies, which training may include school violence prevention, conflict resolution and prevention of bullying and teen dating violence, with a focus in evidence-based practices concerning same;
 - (k) Use of peers to help ameliorate the plight of victims and include them in group activities;
 - (l) Avoidance of sex-role stereotyping;
 - (m) Continuing awareness and involvement on the part of school employees and parents with regards to prevention and intervention strategies;
 - (n) Modeling by teachers of positive, respectful, and supportive behavior toward students;
 - (o) Creating a school atmosphere of team spirit and collaboration that promotes appropriate social behavior by students in support of others;
 - (p) Employing classroom strategies that instruct students how to work together in a collaborative and supportive atmosphere; and
 - (q) Culturally competent school-based curriculum focusing on social emotional learning, self-awareness and self-regulation.
- D. In addition to prevention and intervention strategies, administrators, teachers and other professional employees may find opportunities to educate students about bullying and help eliminate bullying behavior through class discussions, counseling, and reinforcement of socially appropriate behavior. Administrators, teachers and other professional employees should intervene promptly whenever they observe mean-spirited student conduct, even if such conduct does not meet the formal definition of “bullying.”
- E. Funding for the school-based bullying intervention and school climate improvement strategy may originate from public, private, federal or philanthropic sources.

XI. Improving School Climate

Avon Public Schools recognizes that a positive school climate is crucial in reducing or eliminating bullying conduct and teen dating violence in its schools. The

**Regulation
Students**

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Safe School Climate Plan

measures described in this Safe School Climate Plan are designed to promote a positive school climate, and their successful implementation involves a partnership among administrators, teachers, other staff members, parents and students themselves. This Plan is subject to periodic review and revision to assure that it effectively promotes a positive school climate. All members of the school community are encouraged to participate in that effort by conveying to the Safe School Climate Coordinator their questions, concerns, and recommendations regarding this Plan and its implementation.

XII. Annual Notice and Training

- A. Students, and parents or guardians of students shall be notified annually of the process by which students may make reports of acts of bullying.
- B. The Board shall provide for the inclusion of language in student codes of conduct concerning acts of bullying.
- C. At the beginning of each school year, each school shall provide all school employees with a written or electronic copy of the District's Safe School Climate Plan and require that all school employees annually complete training on the identification, prevention and response to bullying as required by law.
- D. The Board shall also provide on its website training materials to school administrators regarding the prevention of and intervention in discrimination against and targeted harassment of students based on such students' (1) actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance or mental, physical, developmental or sensory disability, or (2) association with individuals or groups who have or are perceived to have one or more of such characteristics.
- E. Any person appointed by the District to serve as District safe school climate coordinator shall complete mental health and first aid training offered by the Commissioner of Mental Health and Addiction Services.

XII. School Climate Assessments

Biennially, the Board shall require each school in the District to complete an assessment using the school climate assessment instruments, including surveys,

**Regulation
Students**

Bullying Prevention and Intervention

Safe School Climate Plan

approved and disseminated by the Department of Education. Board shall collect the school climate assessments for each school in the District and submit such assessments to the Connecticut

State Department of Education.

Legal Reference:

~~Public Act 19-166~~

Conn. Gen. Stat. § 10-222d

Conn. Gen. Stat. § 10-222 g

Conn. Gen. Stat. § 10-222k

Conn. Gen. Stat. § 10-222l

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

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

Connecticut State Department of Education Circular Letter C-3, Series 2011-2012
(September 12, 2011)

Connecticut State Department of Education Circular Letter C-2, Series 2014-2015
(July 14, 2014)

Connecticut State Department of Education Circular Letter C-1, Series 2018-2019
(July 12, 2018)

Connecticut State Department of Education Circular Letter C-1, Series 2019-2020
(July 16, 2019)

Regulation approved: September 21, 2021

Regulation revised:

**REPORT OF SUSPECTED BULLYING BEHAVIORS OR TEEN DATING
VIOLENCE**

(School Employees Should File with the **any School Principal)
(Parents and Students May File with the **Any** School Principal or Any Other School
Employee)**

Name of Person Completing Report: _____

Date: _____

Target(s) of Behaviors/Violence:

Relationship of Reporter to Target (self, parent, teacher, peer, etc.)

Report Filed Against:

Date of Incident(s): _____

Location(s): _____ Time: _____

Describe the basis for your report. Include information about the incident, participants, background to the incident, and any attempts you have made to resolve the problem. Please note relevant dates, times and places.

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

Name	Address	Telephone	Number	Email
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

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

If “yes”, please describe the behavior of concern, or the violence that occurred; include the approximate date(s) and the location(s):

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

If “Yes”, to whom was it reported and when? _____

Was the report verbal or written?

Proposed Solution:

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

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

Signature of Reporter	Date Submitted	Received by	Date Received
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INTERNAL INVESTIGATION NOTES FOR REPORTS OF BULLYING

BEHAVIORS

For Staff Use Only:

Has the student reporter requested anonymity? Y N

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

Administrative Investigation Notes (use separate sheet if necessary):

Bullying Verified? Yes ___ No ___

Remedial Action(s)

Taken: _____

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

AVON PUBLIC SCHOOLS

REPORT OF BULLYING FORM/INVESTIGATION SUMMARY

For Staff Us Only: _____

School _____ **Date** _____

Location(s) _____

Reporter Information:

Anonymous student report _____

Staff Member report _____ Name _____

Parent/Guardian report _____ Name _____

Student report _____ Name _____

Student Reported as Committing Act: _____

Student Reported as Victim: _____

Description of Alleged Act(s): _____

Time and Place: _____

Names of Potential Witnesses: _____

Action of Reporter: _____

Administrative Investigation Notes (use separate sheet if necessary):

Bullying Verified? Yes ___ No ____

Remedial Action(s) Taken: _____

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

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

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

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

Date of Meetings:

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

Plan? Yes ___ No ____

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

Avon Public Schools

Report of Bullying/Consent to Release Student Information

Date: _____

Name of Student: _____

School: _____

To Parent/Guardian:

A report of bullying has been made on behalf of your child alleging that he/she has been the victim of bullying. In order to facilitate a prompt and thorough investigation of the report, the [_____] Public Schools may wish to disclose the fact that this complaint has been filed in connection with the investigation.

(Please check one):

_____ I hereby give permission for the [_____] Public Schools to disclose the fact that a complaint concerning my child has been filed as part of its investigation of that complaint.

_____ I do **NOT** give permission for the [_____] Public Schools to disclose the fact that a complaint concerning my child has been filed as part of its investigation of that complaint.

Signature of Parent/Guardian Date

Name (Please print)

Avon Public Schools

Report of Teen Dating Violence/Consent to Release Student

Information Date: _____

Name of Student: _____

School: _____

To Parent/Guardian:

A report of teen dating violence has been made on behalf of your child alleging that he/she has been the victim of teen dating violence. In order to facilitate a prompt and thorough review of the report, the [_____] Public Schools may wish to disclose the fact that this complaint has been filed in connection with its review.

(Please check one):

_____ I hereby give permission for the [_____] Public Schools to disclose the fact that a complaint concerning my child has been filed as part of its review of that complaint.

_____ I do **NOT** give permission for the [_____] Public Schools to disclose the fact that a complaint concerning my child has been filed as part of its review of that complaint.

Signature of Parent/Guardian Date

Name (Please print)

Instruction

Basis For Grading, Weighted Grading, and Calculation of Grade Point Average – Avon High School

The Avon Board of Education (the “Board”) recognizes the importance of parents and students understanding the manner in which grade point averages are calculated within the Avon Public Schools (the “District”). In accordance with Connecticut law, this policy shall explain the manner in which grade point averages are calculated within Avon High School.

Statement

Students at Avon High School are afforded the privilege of pursuing a subject as deeply as their individual imagination, initiative, and intellectual ability permit. To realize this goal, subjects are offered at several levels of pace and difficulty. A student is allowed to select the level which will be most appropriate in tandem with a teacher recommendation process and parent input and pursuant to the Board’s Policy Addressing Enrollment in an Advanced Course or Program and Challenging Curriculum Courses will provide an appropriate degree of challenge for all learners. All courses, including electives, will be calculated in a student’s GPA. Pass/Fail grades earned are not calculated as part of the weighted GPA.

Descriptive Statement of Levels

College Preparatory	Courses at the College Preparatory Level are designed for students who are proficient in communication and critical thinking skills. These courses presume skill in written expression and critical thinking. Support is provided both in and out of the classroom for students requiring additional support with content and/or skill development.
Honors	Courses at the Honors Level are designed for students with strong communication and critical thinking skills, the ability to work independently, and have a high level of self-motivation.
Advanced Placement/ Early College Experience	Advanced Placement and Early College Experience (ECE) courses offer college level learning. Students in these courses are expected to demonstrate college level work and are held to the highest level of academic expectations. Due to the testing timeline set forth by the College Board, some AP courses may require students to complete summer coursework and/or participate in after-school or evening review sessions during the school year.

Instruction

Basis For Grading, **Weighted Grading, and Calculation of Grade Point Average** – Avon High School

Grading and Grade Point Average

A weighted grade calculation determines a student's grade point average. Each grade has an associated quality point value depending upon the phase level of the course as follows:

Grade	Advanced Placement/ ECE	Honors	College Preparatory
A+	5.33	5.00	4.33
A	5.00	4.67	4.00
A-	4.67	4.34	3.67
B+	4.33	4.00	3.33
B	4.00	3.67	3.00
B-	3.67	3.34	2.67
C+	3.33	3.00	2.33
C	3.00	2.67	2.00
C-	2.67	2.34	1.67
D+	2.34	2.00	1.34
D	2.00	1.67	1.00
D-	1.67	1.34	.67
F	0.00	0.00	0.00

Reporting of Grades

Report Cards: At the end of each marking period, parents/guardians receive a report of their student's academic progress. The system of grading uses the following numeric/letter grade equivalents:

Instruction

Basis For Grading, Weighted Grading, and Calculation of Grade Point Average – Avon High School

A	(90-100)	A+	97-100	B	(80-89)	B+	87-89
		A	93-96			B	83-86
		A-	90-92			B-	80-82
C	(70-79)	C+	77-79	D	(60-69)	D+	67-69
		C	73-76			D	63-66
		C-	70-72			D-	60-62
				F		0-59	

Scholastic Honors

At the conclusion of each marking period, the administration will publish a list of students who have attained scholastic honors. Computation is made on the basis of a simple grade point average (A=4 points; B=3 points; C=2 points; D=1 point) with honors equivalent as follows:

Honors 3.0 – 3.59

High Honors 3.6 – 3.79

Highest Honors 3.8 – 4.0

Class Rank

Class rank is determined by a weighted grade point system, computed at the end of each semester. Class rank will only be reported for students in the top 10 percent of the graduating class through the school counselor's letter of recommendation.

Calculation of Grade Point Average and Class Rank Percentile for Purposes of the Connecticut Automatic Admissions Program Only

The Board understands its obligation under state law to identify students in the District who are eligible for the Connecticut Automatic Admissions Program (“CAAP”)

Instruction

Basis For Grading, Weighted Grading, and Calculation of Grade Point Average – Avon High School

In accordance with state law, for each student who completes eleventh grade, the District will: (1) calculate a grade point average using the standardized method established by the Board of Regents for Higher Education (“BOR”) for purposes of the CAAP (“CAAP GPA”), and (2) determine whether such student’s class rank percentile is above or below the minimum established by the BOR. The District shall share a student’s CAAP GPA and whether the student is above or below the minimum class rank percentile for the CAAP with the student, the student’s parent or guardian, the Connecticut State Department of Education (“CSDE”), and, upon request, a participating institution for purposes of applying to such institution under the CAAP.

The District shall notify each student enrolled in the student’s final year of high school, and the parent or guardian of such student, whether the student may be admitted to at least one participating institution under the CAAP based on the academic threshold established by such institution.

The District shall calculate each student’s CAAP GPA, identify institutions to which students are eligible for automatic admission under the CAAP, and generate student letters in accordance with guidance issued by the CSDE, as such guidance may be amended from time to time.

Legal Reference:

Connecticut General Statutes § 10-220g

Connecticut General Statutes § 10-220q

Connecticut General Statutes § 10a-11h

Connecticut State Department of Education, *Information and Resources to Support Connecticut School for the Connecticut Automatic Admissions Program (CAAP)*, available at <https://portal.ct.gov/SDE/Performance/Information-and-Resources-to-Support-Connecticut-Schools-for-CT-Automatic-Admissions-Program>

Policy adopted: April 18, 2017

Policy revised: September 27, 2022

AVON PUBLIC SCHOOLS

Avon, Connecticut

Instruction

Graduation Requirements

Graduation from Avon Public Schools means (1) that students have satisfactorily completed the prescribed courses of study in accordance with their respective abilities to achieve, (2) that they have satisfactorily passed any examinations and satisfactorily demonstrated the district’s performance standards, assessed in part by the statewide mastery examinations, established by the faculty and approved by the Avon Board of Education, and (3) that they have fulfilled the legally mandated number and distribution of credits.

Ending with Class of 2022

Statement

To graduate from the Avon Public Schools, a student must earn a minimum of 22.5 course credits to graduate.

Guidelines

A. Course Credit Requirements for Graduation

1. The total number of course credits must include the following:

English	4.0 credits
Social Studies	3.5 credits ¹
Mathematics	3.0 credits
Science	3.0 credits ²
STEM Elective	1.0 credit
Wellness	1.0 credit
Fine Arts	1.0 credit
World Language	1.0 credit
Capstone	0.5 credit
Personal Finance	0.5 credit
Elective Courses	4.0 credits

Ending with the Class of 2022:

¹The social studies requirement includes 1.0 credit in US History, 2.0 credits in World History and .5 credit in Civics.

²The science requirement includes 1.0 credit in life science (Biology), 1.0 credit in physical science (Chemistry or Physics) and 1.0 credit in Environmental Science.

Instruction

Graduation Requirements

Ending with Class of 2022 (continued)

- 2. Students who transfer to Avon High School following their sophomore year may be allowed to graduate with less than the number of required credits provided that they were meeting the promotion requirements at the school they were attending in grades 9 and 10. However, the students must meet the graduation requirements specified by Connecticut General Statutes and the course and credit requirements for grades 11 and 12 at Avon High School.

- 3. All high school students are required to take a minimum of five courses each semester excluding physical education. The principal may permit a student to carry fewer courses for a defensible reason. Seniors may designate up to .5 credit each semester on a pass/fail basis as long as the course is not required for graduation and the credit for the course exceeds the total number of course credits required for graduation.

Beginning with Class of 2023

Statement

To graduate from the Avon Public Schools, a student must earn a minimum of 25 course credits to graduate.

Guidelines

A. Course Credit Requirements for Graduation

- 1. The total number of course credits must include the following:

English	4.0 credits
Social Studies	3.5 credits ¹
Mathematics	3.0 credits
Science	3.0 credits ²
STEM Elective	2.5 credit
Wellness	1.0 credit
Health & Safety Education	1.0 credit
Fine Arts	1.0 credit
World Language	1.0 credit
Capstone	0.5 credit
Mastery Based Learning	0.5 credit
Personal Finance	0.5 credit
Elective Courses	3.5 credits ³

Instruction

Graduation Requirements

Beginning with Class of 2023 (continued)

2. Students who transfer to Avon High School following their sophomore year may be allowed to graduate with less than the number of required credits provided that they were meeting the promotion requirements at the school they were attending in grades 9 and 10. However, the students must meet the graduation requirements specified by Connecticut General Statutes and the course and credit requirements for grades 11 and 12 at Avon High School.
3. ~~All high school students are required to take a minimum of five~~ All high school students in grades 9-11 are required to take a minimum of six and a half (6.5) credits each year. All students in grade 12 are required to take a minimum of five and a half (5.5) credits, including senior capstone. Mastery Based Credit (MBC) can count towards the credit requirement. Seniors may designate up to .5 credit each semester on a pass/fail basis as long as the course is not required for graduation and the credit for the course exceeds the total number of course credits required for graduation. ~~each semester excluding physical education. The principal may permit a student to carry fewer courses for a defensible reason. Seniors may designate up to .5 credit each semester on a pass/fail basis as long as the course is not required for graduation and the credit for the course exceeds the total number of course credits required for graduation.~~

The Avon Board of Education will provide adequate student support and remedial services for students beginning in grade seven. Such student support and remedial services shall provide alternate means for a student to complete any of the high school graduation requirements, previously listed, or end of the school year examinations, if such student is unable to satisfactorily complete any of the required courses or exams. Such student support and remedial services shall include, but not be limited to (1) allowing students to retake courses in summer school or through an on-line course; (2) allowing students to enroll in a class offered at a constituent unit of the state system of higher education, (3) allowing students who received a failing score, as determined by the Commission of Education, on an end of the school year exam to take an alternate form of the exam; and (4) allowing those students whose individualized education plans state that such students are eligible for an alternate assessment to demonstrate competency on any of the five core courses through success on such alternate assessment.

The Avon Board of Education shall create a student success plan for each enrolled student, beginning in grade six. Such a plan shall include a students' career and academic choices in grades six to twelve, inclusive.

Instruction

Graduation Requirements

Beginning with the Class of 2023:

¹The social studies requirement includes 1.0 credit in US History, 2.0 credits in World History and .5 credit in Civics.

²The science requirement includes 1.0 credit in life science (Biology), 1.0 credit in physical science (Chemistry or Physics) and 1.0 credit in Environmental Science.

³The elective requirement includes 0.5 credit in Humanities (English, Social Studies, Fine Arts)

A credit shall consist of not less than the equivalent of a forty-minute class period for each school day of a school year except for a credit or part of a credit toward high school graduation earned (1) at an institution accredited by the Board of Regents for Higher Education or State Board of Education or regionally accredited or (2) through online course work, in accordance with guidelines adopted by the State Board of Education.

The Avon Board of Education, shall award high school credit to middle school students who successfully complete the course requirements for any level I or II course, e.g., Algebra I, Spanish I, Spanish II, French I or French II. Upon receiving a passing grade, each course completed and the grade level it was taken will be reflected on the student's high school transcript, with a pass, but will not be calculated in the high school GPA or count towards the high school graduation requirements.

(cf. 5121 – Examination/Grading/Rating

(cf. 6111 – School Calendar)

(cf. 6146.2 – Statewide Proficiency/Mastery Examinations)

(cf. 6172.6 – Virtual/On-line Courses)

Legal Reference: Connecticut General Statutes

10-5c Board examination series pilot program. Issuance of certificate (as amended by P.A. 13-247)

10-14n State-wide mastery examination. Conditions for reexamination.

Limitation on use of test results. (As amended by Section 115 of PA 14-217)

10-16(l) Graduation exercises. (As amended by P.A. 96-108, An Act Concerning Student Use of Telecommunication Devices and the Establishment of Graduation Dates)

10-221a High school graduation requirements. (As amended by P.A. 00-124, An Act Concerning High School Diplomas and Veterans of World War II, P.A. 00-156, An Act Requiring A Civics Course for High School Graduation, P.A. 08-138, An Act Concerning High School Credit for Private World Language Courses and Other Subject

Instruction

Graduation Requirements

Areas, P.A. 10-111, An Act Concerning Education Reform in Connecticut, P.A. 11-135, An Act Concerning Implementation Dates for Secondary School Reform, P.A. 13-57, An Act Concerning Honorary Diplomas for Vietnam Veterans, P.A. 13-122, An Act Concerning Minor Revisions to the Education Statutes, P.A. 13-247, Budget Implementer Bill and P.A. 15-237, An Act Concerning High School Graduation and P.A. 16-4(SS), section 310.)

10-233(a) Promotion and graduation policies. (As amended by P.A. 01-166)

P.A. 13-108 An Act Unleashing Innovation in Connecticut Schools.

P.A. 13-247 An Act Implementing Provisions of the State Budget.

P.A. 15-237 An Act Concerning High School Graduation.

Policy adopted: June 16, 2020

Policy revised:

AVON PUBLIC SCHOOLS

Avon, Connecticut