

**WESTPORT BOARD OF EDUCATION
POLICY COMMITTEE**

NOTICE OF SPECIAL MEETING

AGENDA

(Agenda Subject to Modification in Accordance with Law)

PUBLIC SESSION:

8:00 a.m. Westport Town Hall Room 307

DISCUSSION/ACTION:

1. Review and approval of minutes: April 5, 2018, *pages 1-2*

DISCUSSION

1. Second Reading of the following policies:
 - 6153, Instruction: Field Trips, *pages 3-9*
 - 4118.3, Personnel – Certified: Responsibilities as Field Trip Chaperones, *pages 11-12*
 - 5200, Students: Field Trips, *pages 13-14*

DISCUSSION/ACTION:

1. Second reading and discussion policy 4110/4210, Employment Checks, *pages 15-29*

DISCUSSION:

1. First reading and discussion of the following policies and regulations:
 - 5145.5 Sexual Harassment (Regulation)
 - 5111, Eligibility of Students to Attend the Westport Schools (Policy and Regulation), *pages 31-40*
 - 5131.911, Students: Bullying Prevention and Intervention, *pages 41-51*
 - 5131.912, Students: Safe School Climate Plan, *pages 53-67*
 - 3323 Business/Non-instructional Operations: Soliciting Prices (Bids and Quotations), *page 69*
 - 3400 Business and Non-instructional Operations: Capital Projects, *page 71*

2. Other policy business

ADJOURNMENT

WESTPORT BOARD OF EDUCATION POLICY COMMITTEE MINUTES

Board Members Present:

Karen Kleine, Chair
Mark Mathias
Candice Savin (departed 10:08 a.m.)

Administrators Present:

Colleen Palmer, Superintendent of Schools (arrived 9:00 a.m.,
departed 10:15 a.m.)
Michael Rizzo, Director of Pupil Services
John Bayers, Director of Human Resources
Sue Levasseur, Supervisor of Health Services
Tom Scavone, PreK-12 Music and Visual Arts Coordinator
Maria Zachary, K-12 World Languages Coordinator

PUBLIC CALL TO ORDER: 8:04 a.m. Westport Town Hall, Room 307

DISCUSSION:

1. Discussion of the following policies:
 - 6153, Instruction: Field Trips
 - 4118.3, Personnel – Certified: Responsibilities as Field Trip Chaperones
 - 5200, Students: Field Trips
2. Discussion of the focus group responses to Regulation 5145.5 Sexual Harassment.

The following items were deferred to the May 3 meeting:

1. Second reading and discussion of policy 4110/4210, Employment Checks
2. First reading and discussion of the following policies and regulations:
 - 5131.911, Students: Bullying Prevention and Intervention
 - 5131.912, Students: Safe School Climate Plan
 - 3323 Business/Non-instructional Operations: Soliciting Prices (Bids and Quotations)
 - 3400 Business and Non-instructional Operations: Capital Projects

The following items were deferred to a later date, to be determined:

1. Second reading and discussion of the following bylaws:
 - 9010 Duties of the Board.
 - 9012 Role of Board and Board Members
 - 9121, 9122, 9123 Duties of Officers
 - 9130 Committees
 - 9215 Oath of Office
 - 9221 Filling Vacancies
 - 9270 Conflict of Interest
 - 9280 Reimbursement of Board Member Expenses
1. First reading and discussion of the following bylaws:
 - 9290 Removal Of Officers
 - 9300 Transaction of Business

- 9311 Formulation, Adoption, Amendment, or Deletion of Policies
- 9312 Formulation, Adoption, Amendment, or Deletion of Bylaws
- 9313 Formulation, Adoption, Amendment, or Deletion of Regulations
- 9314 Suspension of Policies, Bylaws, or Administrative Regulations
- 9320 Meetings
- 9321 Time, Place, and Notification of Meetings
- 9322 Public and Executive Sessions
- 9324 Construction and Posting of Agenda
- 9325.3 Meeting Conduct
- 9325.4 Quorum and Voting Procedures
- 9326 Minutes

ADJOURNMENT: Karen Kleine moved to adjourn at 10:20 a.m.

Respectfully submitted,

Jennifer Caputo, Administrative Assistant to the Superintendent

Instruction

Field Trips

The Board of Education considers as part of the Public School program, student trips for educational, cultural or recreational purposes that are approved by the school principal and such other administrators as may be required, and carefully planned and supervised by the teacher in charge. The Board of Education accepts responsibility only for school-sponsored trips that fall within the limits set forth by this policy. The Board of Education accepts no responsibility for any trips that are not officially approved school-sponsored trips. Staff members involved in any other student trips, whether privately sponsored, or sponsored by non-profit organizations, may not discuss them on school time, distribute material about them on school grounds, or use the facilities, equipment or electronic resources of the schools for planning such trips or communicating about them to students or parents. Staff members shall not make statements that might lead students or parents to believe that such a trip is a school-sponsored activity.

School-sponsored trips may include:

- A. Those primarily educational and/or cultural trips which emerge from the classroom and which are so closely related to the instructional program that every effort should be made to insure that each student has the opportunity to participate. Such trips should be designed to help students to a better understanding of their studies by reinforcing, supplementing or extending their learning.
- B. Educational, cultural or recreational trips which may emerge either from the classroom or from an approved extra-curricular club, organization, program or activity but which, while also designed to broaden and enhance students' educational experiences, are not so closely related to the curriculum as to require a student's participation.

All trips require the Principal's approval; approval by Assistant Superintendent and/or Superintendent is required as noted below.

School-sponsored trips may be of three types:

- Type I - Day Trips:** within a radius of 125 miles from Westport.
 - Type II - Extended Trips:** to points beyond the 125-mile radius, which require more than one day.
 - Extended trips that take place during school vacation periods should be limited to three week-days where possible and not more than five weekdays plus possible weekends.
- A. Review by Assistant Superintendent required where cost is unusually high, according to periodically reviewed guidelines,
 - B. All such trips will require special independent insurance arrangements.
 - C. Participation by staff shall be voluntary.

Instruction

Field Trips (continued)

Type I - Special Trips: beyond 500-mile radius from Westport.

- A. Special trips should not exceed five school days plus possible weekends.
- B. All such trips will require special independent insurance arrangements.
- C. Participation by staff shall be voluntary.
- D. Final review and approval by the Assistant Superintendent and Superintendent is required.

Exceptions to any of the above conditions require approval of the Superintendent.

The Superintendent is to establish appropriate ratios of chaperones to students and to develop regulations governing chaperones' responsibilities and conduct.

Careful planning of all trips shall include:

1. A definite statement of the purposes and reason for the trip.
2. A review of insurance needs and coverage especially for trips involving hazardous activities and, if necessary, arrangements for special separate and personally-funded insurance coverage for staff and students made in consultation with the business office.
3. Complete notification about the trip to the parents of students involved.
4. Collaboration with the school nurse so that arrangements can be made for the participation of students with special health needs. The school system must be completely informed about students' health needs. Students whose parents do not provide this information will not be permitted to participate.
5. Arrangements made within the school for students not participating.
6. Provision for lodging, if needed, and safe, insured transportation. If a tour operator is to be engaged, the school district will do business only with a company that will sign an assurance that all drivers and other employees having contact with students have had background checks.
7. An attempt to control the cost of trips so that a student's opportunity to participate shall not be limited by financial circumstances.
8. Means (such as fund-raising, assessment, etc.) by which costs are met.
9. Arrangements for an appropriate number of adult chaperones.

Policy adopted: 1995
Policy amended: July 1979
Policy amended: December 7, 1998

WESTPORT PUBLIC SCHOOLS
Westport, Connecticut

Policy amended: July 9, 2001
Policy amended: April 2002

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Instruction

Field Trips

The Board of Education considers as part of the Public School program, student trips for educational, cultural or recreational purposes that are approved by the school principal and such other administrators as may be required, and carefully planned and supervised by the teacher in charge. The Board of Education accepts responsibility only for school-sponsored trips that fall within the limits set forth by this policy. The Board of Education accepts no responsibility for any trips that are not officially approved school-sponsored trips. Staff members involved in any other student trips, whether privately sponsored, or sponsored by non-profit organizations, may not discuss them on school time, distribute material about them on school grounds, or use the facilities, equipment or electronic resources of the schools for planning such trips or communicating about them to students or parents. Staff members shall not make statements that might lead students or parents to believe that such a trip is a school-sponsored activity.

School-sponsored trips may include:

- A. Field Trips- Those primarily educational and/or cultural trips which emerge from the classroom and which are so closely related to the instructional program that every effort should be made to insure that each student has the opportunity to participate. Such trips should be designed to help students to a better understanding of their studies by reinforcing, supplementing or extending their learning.
- B. Extracurricular Trips- Educational, cultural or recreational trips which are outside of the school day and may emerge either from the classroom or from an approved extra-curricular club, organization, program or activity but which, while also designed to broaden and enhance students' educational experiences, are not part of the educational program and are not so closely related to the curriculum as to require a student's participation.

All trips require the Principal's approval; approval by Assistant Superintendent and/or Superintendent is required as noted below.

School-sponsored trips may be of three types:

Type I - Day Trips: within a radius of 125 miles from Westport.

Type II - Extended Trips: to points beyond the 125-mile radius, which require more than one day.

Extended trips that take place during school vacation periods should be limited to three week-days where possible and not more than five weekdays plus possible weekends.

- A. Review by Assistant Superintendent required where cost is unusually high, according to periodically reviewed guidelines,
- B. All such trips will require special independent insurance arrangements.
- C. Participation by staff shall be voluntary.

Type III - Special Trips: beyond 500-mile radius from Westport.

- A. Special trips should not exceed five school days plus possible weekends.
- B. All such trips will require special independent insurance arrangements.
- C. Participation by staff shall be voluntary.
- D. Final review and approval by the Assistant Superintendent and Superintendent is required.

Exceptions to any of the above conditions require approval of the Superintendent.

The Superintendent is to establish appropriate ratios of chaperones to students and to develop regulations governing chaperones' responsibilities and conduct.

Careful planning of all trips shall include:

1. A definite statement of the purposes and reason for the trip.
2. A review of insurance needs and coverage especially for trips involving hazardous activities and, if necessary, arrangements for special separate and personally-funded insurance coverage for staff and students made in consultation with the business office.
3. Complete notification about the trip to the parents of students involved.
4. Collaboration with the school nurse so that arrangements can be made for the participation of students with special health needs. The school system must be completely informed about students' health needs. Students whose parents do not provide this information will not be permitted to participate.
5. Arrangements made within the school for students not participating.
6. Provision for lodging, if needed, and safe, insured transportation. If a tour operator is to be engaged, the school district will do business only with a company that will sign an assurance that all drivers and other employees having contact with students have had background checks.

7. An attempt to control the cost of trips so that a student's opportunity to participate shall not be limited by financial circumstances.

8. Means (such as fund-raising, assessment, etc.) by which costs are met.

9. Arrangements for an appropriate number of adult chaperones.

Policy adopted: 1995

Policy amended: July 1979

Policy amended: December 7, 1998

Policy amended: July 9, 2001

Policy amended: April 2002

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Personnel -- Certified

Duties of Personnel

Procedures

Responsibilities as Field Trip Chaperones

1. Adult chaperones and/or their spouses are not entitled to student-paid transportation for overnight or extended trips unless parents have been informed in advance that the cost of the trip includes the cost for the chaperones, or that chaperones' expenses must be covered through students' fund-raising activities. Spouses are not entitled to student-paid transportation unless they are willing to undertake the responsibilities of an official chaperone. All chaperones are to work under the supervision of the teacher-sponsor (T-S) and should always notify the teacher in charge of any problems.
2. Chaperones who are not Westport staff members are to be given an orientation session, during which they are to be informed of their responsibilities, given suggestions about managing groups of youngsters, and informed about the extent of and limitations on, their decision-making authority.
3. Students must be chaperoned at all times. Groups or individuals may never go anywhere without the supervision of an official chaperone.
4. During trips lasting only one day, all chaperones are on duty for the entire trip. For longer trips, *all* chaperones are to be considered "on duty" during all official activities, whether day or evening, and during all meals.
5. On overnight trips where chaperones are lodged in the same room, bunk, tent, etc. with students, there must always be at least two chaperones in each unit, one of whom must be a Westport staff member.
6. For overnight trips, there must always be at least 2/3 of all chaperones on duty until all students are in their rooms for the night. The T-S may develop a rotating schedule for chaperones' "off-duty" time.
7. During their off duty time all chaperones must be "on call" in case of emergencies, and therefore the T-S must be informed of their planned whereabouts, and be given a number where they may be contacted.
8. All chaperones are "on duty" during the night and must be available in case of nighttime emergencies. If necessary, the T-S should arrange for spot checks of students during the night.

Personnel -- Certified

Duties of Personnel

Procedures

Responsibilities as Field Trip Chaperones (continued)

Adult chaperones for overnight trips, whether or not they are employees of the Board of Education, must sign an agreement to abide by these regulations and any special rules that may be developed by the administration for a particular trip. This agreement will contain a provision specifying that chaperones are not permitted to smoke, to use controlled substances or to or consume alcoholic beverages while on field trips or to engage in any activity which violates the regulations of the Westport Board of Education.

Students

Field Trips

The Board of Education encourages and sanctions student field trips that are of value in helping achieve each participating student's educational objectives.

All student field trips shall require prior written approval by the building principal. In addition, all student field trips that are scheduled to last more than one day shall require the prior written approval of the Superintendent or his/her designee and the Board of Education.

All student field trips that require public solicitation of funds shall require Board approval prior to any fundraising by involved students or others on their behalf. In addition, any such fundraising activities must comply with the provisions of the Board Policy concerning fundraising activities (Policy No. ____) and any administrative regulations implementing such Board Policy.

The Board of Education will not be responsible for any field trip that is not approved in accordance with the procedures set forth in this policy and the accompanying regulations.

Policy adopted:

WESTPORT PUBLIC SCHOOLS
Westport, Connecticut

**Series 5000
Students**

FIELD TRIPS

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The Board of Education will not be responsible for any field trip that is not approved in accordance with the procedures set forth in this policy and the accompanying regulations.

ADOPTED _____
REVISED: _____

6/1/12

Personnel – Certified/Non-Certified

Employment Checks

As set forth below, each applicant for a position with the district shall be asked whether he/she has ever been convicted of a crime, whether there are any criminal charges pending against him/her and whether the applicant is included on the Abuse and Neglect Registry of the Connecticut Department of Children and Families (“DCF”) (the “Registry”). If the applicant’s current or most recent employment occurred out of state, the applicant will also be asked whether he/she is included on an equivalent database and/or abuse/neglect registry maintained in that other state. Applicants shall not be required to disclose any arrest, criminal charge or conviction that has been erased.

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:

“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” 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,
- (ii) consents to and authorizes disclosure by the Department of Education 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 of Education 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 or 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 of Education, which shall request the following:

a. the employment dates of the applicant, and

b. a statement as to whether the employer has knowledge that the applicant:

- (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 (f) 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 (f), such employer shall respond not later than five (5) business days after receiving such request.

3. Requesting information from the Department of Education concerning:

- a. the eligibility status for employment of any applicant for a position requiring a certificate, authorization or permit,
- b. whether the Department of Education 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 of Education 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 (f) of Conn. Gen. Stat. § 31-51i, if the district receives information that an applicant for a position with or an employee of the board has been disciplined for a finding of abuse or neglect or sexual misconduct, it shall notify the Department of Education of such information.
- 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

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” 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 (f) 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 (f) 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 may work in a position involving direct student contact at any school in the district. No determination by the district that any such employee shall not work under any such contract in any such position shall constitute a breach of such contract.

H. Any applicant 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.

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 (f) 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 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, the district shall require such applicant to submit to a records check of information maintained on the Registry concerning the applicant.

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:

- A. No later than ten (10) calendar days after the Superintendent or his/her designee has notified a job applicant of a decision to offer employment to the applicant, or as soon thereafter as practicable, the Superintendent or 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 his/her 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 his/her designee. Failure of the applicant to submit the signed form to DCF or its out of state equivalent within such 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 his/her 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 designee that that the applicant is listed as a perpetrator of abuse or neglect on the Registry, the Superintendent or 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 designee shall revoke the offer of employment and/or terminate the applicant's employment if he or she 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 record checks within thirty (30) calendar days from the date of employment. Each person otherwise placed within a school under any public assistance employment program, employed by a provider of supplemental services pursuant to federal law or in a nonpaid, noncertified position completing preparation requirements for the issuance of an educator certificate, who performs a service involving direct student contact shall also be required to submit to state and national criminal record checks within thirty (30) calendar days from the date such worker begins to perform such service. Record checks will be processed according to the following procedure:*
1. No later than five (5) calendar days after the Superintendent or his/her designee has notified a job applicant of a decision to hire the applicant, or as soon thereafter as practicable, the Superintendent or his/her designee will provide the applicant with a packet containing all documents and materials necessary for the applicant to be fingerprinted by the Westport 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 record checks. The Superintendent or his/her designee will also provide each applicant with the following notifications before the applicant obtains his/her 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 his/her designee has provided the successful job applicant with the fingerprinting packet, the applicant must arrange to be fingerprinted by the Westport Police Department. 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 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. The affected applicant/employee may notify the Superintendent or his/her designee in writing within

five (5) calendar days that the affected/employee will challenge his/her criminal history record check. Upon written notification to the Superintendent or his/her designee of such a challenge, the affected applicant/employee shall have ten (10) calendar days to provide the Superintendent or his/her designee with necessary documentation regarding the affected applicant/employee's record challenge. The Superintendent or his/her 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 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 record checks according to the procedures outlined above, subject to the following:

1. If the state and national criminal history record 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 record checks to be forwarded to the Superintendent, then the substitute teacher will not be required to submit to another criminal history record check at the time of such hire.
2. If a substitute teacher submitted to state and national criminal history record checks upon being hired by the district, then the substitute teacher will not be required to submit to another criminal history record 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

School district personnel shall cross-reference the Connecticut Department of Public Safety's sexual offender registry prior to hiring any new employee. Registration as a sexual offender constitutes grounds for denial of employment opportunities.

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. Substantially related 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." 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 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 Board of Education receives notice of a conviction of a crime by (1) a person holding a certificate, authorization or permit issued by the State Board of Education, or (2) a person employed by a provider of supplemental services, the Board shall send such notice to the State Board of Education.

VII. School Nurses

School nurses or nurse practitioners appointed by, or under contract with, the Board of Education 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 these Administrative Regulations, "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 Board, 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 Board.

A. During the course of an employment check, the Board may not:

1. request or require that an applicant provide the Board 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 the Board; or
3. require that an applicant invite a supervisor employed by the Board or accept an invitation from a supervisor employed by the Board to join a group affiliated with any personal online account of the applicant.

B. The Board may request or require that an applicant provide the Board with a user name and password, password or any other authentication means for accessing:

1. any account or service provided by Board or by virtue of the applicant's employment relationship with the Board or that the applicant uses for the Board's business purposes, or
2. any electronic communications device supplied or paid for, in whole or in part, by the Board.

C. In accordance with applicable law, the Board maintains the right to require an applicant to allow the Board to access his or her 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:

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 Board'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 Students Employed by the School District

A. This policy shall also not apply to a student employed by the local or regional school district in which the student attends school.

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.

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

Conn. Gen. Stat. § 31-51tt

Public Act 17-68, “An Act Concerning Various Revisions and Additions to the Education Statutes.”

[Public Act 17-220, “An Act Concerning Education Mandate Relief.”](#)

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.*

ADOPTED:

WESTPORT PUBLIC SCHOOLS

Westport, 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 a job or license, immigration or naturalization matter, security clearance, or adoption) are obligated to ensure the applicant is provided certain notice and other information and that the results of the check are handled in a manner that protects the applicant's privacy.

- Officials must provide to the applicant written notice¹ that his/her fingerprints will be used to check the criminal history records of the FBI.
- Officials using the FBI criminal history record (if one exists) to make a determination of the applicant's suitability for the job, license, or other benefit must provide the applicant the opportunity to complete or challenge the accuracy of the information in the record.
- Officials must advise the applicant that procedures for obtaining a change, correction, or updating of an FBI criminal history record are set forth at Title 28, Code of Federal Regulations (CFR), Section 16.34.
- Officials should not deny the job, license, or other benefit based on information in the 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 solely for the purpose requested and cannot disseminate the record outside the receiving department, related agency, or other authorized entity.²

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 his/her 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 notice, what constitutes "a reasonable time" for the applicant to correct or complete the record, and any applicant appeal process that is afforded the applicant. 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:

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

² See 5 U.S.C. 552a(b); 28 U.S.C. 534(b); 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.

- You must be provided written notification³ by Westport Public Schools that your fingerprints will be used to check the criminal history records of the FBI.
- If you have a criminal history record, the officials making a determination of your suitability for the job, license, or other benefit must provide you the opportunity to complete or challenge the accuracy of the information in the record.
- The officials must advise you that the procedures for obtaining a change, correction, or updating of your criminal history record are set forth at Title 28, Code of Federal Regulations (CFR), Section 16.34.
- 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 job, license, or other benefit based on information in the criminal history record.⁴
- 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.⁵
- 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/about-us/cjis/background-checks>.
- 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 at the same address as provided above. 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.)
- If you need additional information or assistance, please contact:

³ Written notification includes electronic notification, but excludes oral notification.

⁴ See 28 CFR 50.12(b).

⁵ See 5 U.S.C. 552a(b); 28 U.S.C. 534(b); 42 U.S.C. 14616, Article IV(c); 28 CFR 20.21(c), 20.33(d) and 906.2(d).

<u>Connecticut Records:</u> <u>Department of Emergency Services and Public Protection</u> <u>State Police Bureau of Identification (SPBI)</u> <u>1111 Country Club Road</u> <u>Middletown, CT 06457</u> <u>860-685-8480</u>	<u>Out-of-State Records:</u> <u>Agency of Record</u> <u>OR</u> <u>FBI CJIS Division-Summary Request</u> <u>1000 Custer Hollow Road</u> <u>Clarksburg, West Virginia 26306</u>
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Federal Bureau of Investigation
United States Department of Justice
Privacy Act Statement

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. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

Social Security Account Number (SSAN). Your SSAN is needed to keep records accurate because other people may have the same name and birth date. Pursuant to the Federal Privacy Act of 1974 (5 USC 552a), the requesting agency is responsible for informing you whether disclosure is mandatory or voluntary, by what statutory or other authority your SSAN is solicited, and what uses will be made of it. Executive Order 9397 also asks Federal agencies to use this number to help identify individuals in agency records.

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.

Additional Information: The requesting agency and/or the agency conducting the application-investigation will provide you additional information pertinent to the specific circumstances of this application, which may include identification of other authorities, purposes, uses, and consequences of not providing requested information. In addition, any such agency in the Federal Executive Branch has also published notice in the Federal Register describing any systems(s) of records in which that agency may also maintain your records, including the authorities, purposes, and routine uses for the system(s).

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Students

Eligibility of Students to Attend the Westport Schools

Resident Students

- A. Children of school age (who are not graduates of a high school or vocational school) who are residents of the Town of Westport, are entitled to all school privileges provided by the Board of Education. For the purposes of determining those students entitled to the privileges described above, the following definitions of resident student shall apply:
1. Any child residing with his or her custodial parent or parents, or in the custody of a legally appointed guardian or guardians, within the boundaries of the Town of Westport; or
 2. A legally emancipated minor or a student 18 years of age or older who is residing independently within the boundaries of the Town of Westport.
 3. In accordance with CGS, Section 10-186, any child residing with parent(s) or guardian(s), or any emancipated minor residing in a domicile that is situated on a Town line.
 4. No student enrolled in the Westport Public Schools can be dually enrolled. Dual enrollment is defined as being enrolled in another public or private school or program during Westport school hours.
- B. The decision regarding the residency status of any student shall be made by the Superintendent of Schools (or his/her designee).

Non-Resident Students

- A. In accordance with State law 10-253, certain non-resident students are entitled to free school privileges in the Westport Public Schools on the following terms and conditions.

Section One

1. A non-resident child who is residing with adult Westport residents who are relatives or non-relatives of the child; or
2. A non-resident child who is residing with a non-custodial parent who is a Westport resident; or
3. A non-resident child who is residing in a group or foster home who has been placed in the home by the Commissioner of Children and Families or some other public agency;

Students

Eligibility of Students to Attend the Westport Schools

Non-Resident Students (continued)

Section One (continued)

Provided that:

1. It is the intention of the Westport resident, and the child's custodial parent(s)/ legal guardian(s) or the child that such residence in Westport shall be permanent, and
2. The residence is provided without pay to the Westport resident (except for the payment of child support by one of the child's parents to the other parent), and
3. The residence arrangement is not for the sole purpose of having the child attend school in Westport, and
4. A notarized statement signed by the custodial parent(s) or legal guardian(s) is submitted to the Superintendent or the Superintendent's designee, attesting to all of the above conditions, and

The Superintendent or the Superintendent's designee may require the Westport resident and/or the custodial parent(s) or legal guardians(s) to submit other supporting documentation as he or she deems necessary.

Section Two

A non-resident child who is residing with adult Westport residents who are either relatives or non-relatives and for whom legal guardianship is in question, shall be entitled to all school privileges provided by the Board of Education to resident students provided that the Westport resident with whom the child is residing shall submit documentation which attests to the fact that a guardianship proceeding with regard to said child is pending, the purpose of which proceeding is to seek legal guardianship in the Westport resident(s) with whom the child is residing.

Section Three

A non-resident child who is residing in a home in Westport as a result of placement by the Commissioner of Children and Families or by some other public agency shall be entitled to school privileges as defined under 10-253 of the General Statutes.

Students

Eligibility of Students to Attend the Westport Schools

Non-Resident Students (continued)

Section Four

A non-resident student who is residing in Westport by arrangement with a sponsoring agency approved by the Board of Education (including the American Field Service, and A Better Chance, Inc.), which agency clearly accepts responsibility for the student's welfare (including responsibility to make educational decisions) for the duration of the school year, *may* be entitled to attend public schools in the Town of Westport. Pursuant to federal law, students in the United States on an F-1 visa are required to furnish evidence to the Superintendent or his/her designee that the Westport Board of Education has been reimbursed in advance for the unsubsidized cost of the student's education in the Westport Public Schools. Full information concerning the details of the arrangement must be supplied to the Superintendent or designee by the sponsoring agency and must be approved by the Superintendent or designee. As the Board of Education is not legally required to furnish this service, the number of such students accepted in any one year is at the discretion of the Superintendent whose decision shall be final.

Section Five

New Students: A family that expects to move to Westport within three (3) months may enroll a child in Westport schools at no cost, provided that the family furnishes a copy of the lease or construction contract or sales contract of the prospective residence in Westport. Transportation is the responsibility of the family.

Section Six

Families That Are Moving:

Grades K-11:

- a. If the family is moving after April 1, the child may be permitted to complete the *current* school year with no tuition charge.
- b. If the family is moving before April 1, the child may apply to complete the *current* school year at 25% tuition.

Grade 12:

Students enrolled as Staples seniors may complete the year at Staples with no tuition charge regardless of whether the family moves before or after April 1.

The parents of such students shall be required to pay the actual cost of providing special education services while such non-resident students are enrolled in the Westport Public Schools.

Students

Eligibility of Students to Attend the Westport Schools

Non-Resident Students (continued)

B. Decisions About Enrollment of Non-Resident Students

1. In all instances the determination to approve the enrollment of a non-resident child shall be made by the Superintendent or the Superintendent's designee. The decision to approve the enrollment of a non-resident child in any school year shall not be binding in any subsequent school years.
2. At the end of each school year, the Superintendent or designee will review the status of each non-resident child enrolled pursuant to this policy for approval or denial for the ensuing school year.
3. The Superintendent of Schools shall periodically advise the Board of Education with regard to the number of students enrolled under this policy.
4. This policy in no way waives the Board of Education's right to seek reimbursement from the State Department of Education or another school district for education provided hereunder.

~~Tuition Payment~~

~~The Board of Education may allow certain non-resident students living within the geographical boundaries of Westport who do not meet the above-described criteria, to attend Westport Public Schools upon the payment of tuition fees as established by the Board, plus any expenses that may be required for special education services. Such non-resident students would also be required to apply for admission as outlined by criteria established by the Board.~~

Right of Appeal

Any decision rendered by the Superintendent shall be in writing and shall be mailed to the parent(s), legal guardian(s), emancipated minor or student eighteen years of age or older, as applicable. The parent(s), legal guardian(s), emancipated minor or student eighteen years of age or older may appeal the Superintendent's decision in accordance with the provisions of Section 10-186 of the Connecticut General Statutes, by making a written request for a hearing with the Board of Education. The Board of Education must grant a hearing within ten days after receipt of a written request, must make a stenographic record or tape recording of the hearing and must make a finding within ten days after the close of the hearing.

Persons wishing to appeal the decision of the Board of Education, shall, upon request, be furnished with a copy of the transcript of the hearing within 30 days after the request. Such persons may make a written request for a hearing to the State Board of Education.

Students

Eligibility of Students to Attend the Westport Schools

Non-Resident Students (continued)

Tuition-Paying Students

The Board of Education authorizes the Superintendent to admit on a tuition basis students who are not otherwise eligible to attend the Westport Public Schools. Admission of such students shall be governed by Regulation established under this Policy.

Legal Reference: Connecticut General Statutes

 10-15 Towns to maintain schools

 10-15c Discrimination in public schools prohibited. School attendance by five-year olds, as amended by PA 97-247

 10-76a - 10-76g re special education

 10-184 Duties of parents (re mandatory schooling for children ages five to sixteen, inclusive) - as amended by PA 98-243, and PA 00-157

 10-186 Duties of local and regional boards of education re school attendance. Hearings. Amended by PA 96-26, An Act Concerning Graduation Requirements and Placement of Older Students

 Appeals to state board. Establishment of hearing board

 10-233a - 10-233f Inclusive; re: suspend, expel, removal of pupils

 10-233c Suspension of pupils

 10-233d Expulsion of pupils

 10-261 Definitions

 State Board of Education Regulations

 10-76a-1 General definitions (c) (d) (q) (t)

 10-76d-7 Admission of student requiring special education (referral)

 10-204a Required immunizations (as amended by PA 98-243)

 United States Statutes

8 U.S.C. § 1184(m)(1)

Students

Eligibility of Students to Attend the Westport Schools

Guidelines For Placement Out Of Regular Attendance Area

Plans for class sizes, staffing and allocation of resources among schools at each level, as well as transportation schedules, are based on enrollment projections, which *already account for movement of families within the Town*. To insure equitability among schools, students are expected to attend the elementary and middle school in the attendance area for their address. A waiver for attendance in another Westport district may be granted under the following circumstances *provided the waiver does not have a negative impact on enrollment/class-size or scheduling at the affected schools*:

- **Early Start in New District:** Children moving to another Westport attendance area may attend the new attendance area, by presenting proof of anticipated move-in date within three months.
- **Terminal Grade:** Children moving to another Westport attendance area, who have *completed* grade 4 or 7, may, if they wish, complete the terminal grade, i.e. grade 5 or 8, in their current school.
- **Move during School Year:** It is strongly suggested that children moving to another attendance area prior to Jan. 30 move to the new school district. However, children will be permitted to complete the year at their current school, *but will attend the new school district for the following year* unless they move while in the 4th or 7th grade, in which case they may remain for the terminal grade, i.e., 5 or 8.
- **Temporary:** Students moving to another Westport school district on a *temporary* basis (e.g., for home renovation, or temporary illness of a parent, etc.) may remain at the current school for the balance of the year. However, if they are residing in the temporary address by the following school year, they will attend school in the new district except if they are then entering grade five or eight.
- **Siblings:** To ensure equitability between those who do and those who do not have siblings, when a child remains for the terminal grade, siblings must attend the school in the new attendance area. In order to stay together siblings must both/all attend the new school.

Middle School Assignment: Children granted a waiver at any grade in elementary school, regardless of the reason or grade, including 5th, when the exception is granted, will still be required to attend the appropriate middle school for their street address

Students

Eligibility of Students to Attend the Westport Schools

Guidelines For Placement Out Of Regular Attendance Area (continued)

- **Unusual Extenuating Circumstances:** While some families ask to remain at their current school when moving, it is our experience that with support from parents and school staff, children adjust very well to a move. Similarly, while a particular situation may prompt a request for a change, we have found that most issues can be resolved at the school level. Therefore, *exceptions for reasons other than those listed above are extremely rare, and will not be granted unless unusual extenuating circumstances exist. Principals do not make the decision and will not be involved in the initial steps.*

Application Process:

1. *All requests* must be submitted on the application form for either permanent or temporary out-of-district placement.
2. During review of the application, the principal will be informed. School and parents will be contacted for additional or supporting information and documentation if necessary.
3. Upon receipt of all relevant information, the Superintendent or designee will inform parents in writing of the decision, *which shall be final.*

R-5111 (c)

Students

Non-Resident Attendance and Tuition Fees

The Westport Board of Education (“the Board”) authorizes the Superintendent of Schools to accept nonresident students on a tuition basis under the following conditions:

1. The Board will set tuition rates on an annual basis. In the case of a student entering school after the first day of school, tuition will be prorated on a per diem basis based on a 182 day school year.
2. The admission of any non-resident student is contingent upon the Superintendent of Schools’ assessment of class size and the availability of school resources. A non-resident student will not be admitted if such admission will require that an additional staff member be hired by the Board or if the Superintendent determines, in his/her sole discretion that admitting the student is not in the best interest of Westport Public Schools.
3. Application for admission on a tuition basis shall be made in writing on a form supplied by Westport Public Schools, and the prospective student and the student’s parents/guardians shall be interviewed by the principal of the school which the students would attend if admitted. The decision to admit a tuition student is in the sole discretion of the Superintendent.
4. Semi-annual tuition shall be paid as follows:
 - (a) One-half of the annual tuition fee is payable by the first day of school or the first day the student is enrolled to attend school;
 - (b) One-half of the annual tuition fee is due and payable on January 15th.
5. Tuition students will not be permitted to attend school until the first tuition payment described in paragraph 4(a) above is received by the Superintendent’s office. Tuition students will not be permitted to continue to attend school past January 15 in a given school year unless the second tuition payment described in paragraph 4(b) is received by

the Superintendent's office by January 15. In the event a student withdraws mid-semester, tuition for the semester in progress will not be refunded.

6. Tuition students will not be provided with transportation services provided by the Board and must make their own transportation arrangements. However, tuition students may, at the Superintendent's sole discretion, be allowed to use district transportation services if they board and disembark at an already established bus stop within the district and there is sufficient space on the bus to accommodate them.

This regulation does not obligate the Board to provide special education programs and/or other services beyond the regular education program. The attendance of a tuition student with disabilities at a Westport public school pursuant to the provisions of this regulation is not an acknowledgement that Westport Public Schools must provide special education or other services beyond the regular program, and Westport Public Schools shall not act as the responsible local educational agency for the purpose of meeting the mandates of federal and state laws that concern the education of disabled children. The tuition student's district of residence remains responsible for the provision of a free, appropriate education and meeting all associated procedural requirements. Tuition students requiring special education and/or other services beyond the regular education program must pay, in addition to the regular tuition fee, the full cost of any such special education services and/or other services. Such costs will be estimated at the beginning of the school year and must be paid in two equal installments when regular tuition is paid as described in paragraph 4 above. To the extent that the costs of such services exceed the estimated amount, Westport Public Schools will send the tuition student's parent(s) or guardian(s) an invoice reflecting the increased amount which must be paid within thirty (30) days of its issuance. If the cost of such services is lower than the estimated amount, the parent(s)/guardian(s) of the tuition student will receive a refund reflecting the difference between the estimated costs and the actual costs.

7. Admission as a student will be for one year or less. Students shall be required to reapply for all subsequent years of attendance, and their continued enrollment will be conditioned on the student's cooperation and compliance with all school requirements and expectations, satisfactory academic process and attendance, and a satisfactory disciplinary record. In addition, the decision to readmit a tuition student for subsequent school years is in the sole discretion of the Superintendent. The Superintendent or his/her designee may ~~commence proceedings to~~ deny further school accommodations at any time if he or she determines, in his or her sole discretion, that the student's continued enrollment is not in the best interest of the school system and/or the student. ***Prior to taking such action, the Superintendent or his/her designee shall provide the student's parent or guardian (1) a written notice of the basis for considering such action, and (2) an opportunity to respond to such notice. Thereafter, the Superintendent or his/her designee shall determine whether to terminate school accommodations or to permit continued school accommodations subject to conditions as the Superintendent or his/her designee may establish.***

Legal References:

Conn. Gen. Stat. 10-261, Definitions

Conn. Gen. Stat. 10-15, Towns to Maintain Schools

Conn. Gen. Stat. 10-220, Duties of Boards of Education

Regulation approved:

WESTPORT PUBLIC
SCHOOLS
Westport,
Connecticut

Series 5000

Students

Bullying Prevention and Intervention Policy

The Westport Board of Education is committed to creating and maintaining an educational environment 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 device or an electronic mobile device owned, leased or used by the Board of Education.

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

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

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

- 1) causes physical or emotional harm to such student or damage to such student's property;
- 2) places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;
- 3) creates a hostile environment at school for such student;
- 4) infringes on the rights of such student at school; or
- 5) substantially disrupts the education process or the orderly operation of a school.

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

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

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

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.

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

- (1) enable 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 student against whom such alleged act or acts were directed receive prompt notice that such investigation has commenced;
- (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; 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 forty-eight hours after the completion of the investigation [described in subdivision \(4\), above](#);
- (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 to prevent further acts of bullying;

- (10) require each school to 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 investigations of bullying in such school and to maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection, and annually report such number to the Department of Education and in such manner as prescribed by the Commissioner of Education;
- (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 to protect such students against further acts of bullying;
- (15) require the principal of a school, or the principal's designee, to notify the appropriate local law enforcement agency when such principal, or the principal's designee, believes that any acts of bullying constitute criminal conduct;
- (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 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](#).

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 Westport Board of Education shall submit its Safe School Climate Plan to the Department of Education 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 school district's web site and ensure that the Safe School Climate Plan is included in the school district's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

Legal References:

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. §§ 10-233a through 10-233f

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

~~Public Act 14-232, "An Act Concerning The Review And Approval Of Safe School
Climate Plans By The Department Of Education And A Student Safety Hotline
Feasibility Study"~~

~~Public Act 14-234, "An Act Concerning Domestic Violence And Sexual Assault"~~

7/28/14

Policy adopted:	December 16, 2002	WESTPORT PUBLIC SCHOOLS
	Amended: 6/18/07; 8/25/08;	Westport, Connecticut
	12/19/11; 9/8/14	



REPORT OF SUSPECTED BULLYING BEHAVIORS OR TEEN DATING VIOLENCE
(School Employees Should File with the School Principal)
(Parents and Students May File with the 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

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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7/28/14



INTERNAL INVESTIGATION NOTES FOR REPORTS OF BULLYING BEHAVIORS

For Staff Use Only:

Has student reporter requested anonymity?	Y	N
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Does the school have parent/guardian consent to disclose the student's name in connection with the investigation?

Administrative Investigation Notes (use separate sheet if necessary):[illegible]

Bullying Verified? Yes ____ No ____

Remedial Action(s)

Taken: _____

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

7/28/14



REPORT OF BULLYING FORM/INVESTIGATION SUMMARY

For Staff Use Only:

School: _____ **Date:** _____

Location(s): _____

Reporter Information:

Anonymous student report _____

Staff Member report _____ Name _____

Parent/Guardian report _____ Name _____

Student report _____ Name _____

Student Reported as Committing Act: _____

Student Reported as Victim: _____

Description of Alleged Act(s): _____

Time and Place: _____

Names of Potential Witnesses: _____

Action of Reporter: _____

Administrative Investigation Notes (use separate sheet if necessary):

Bullying Verified? Yes ____ No ____

Remedial Action(s) Taken: _____

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

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

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

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

Date of Meetings:

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

Y N

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

3/26/12



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 Westport Public Schools may need to disclose the fact that this complaint has been filed in connection with investigation.

(Please check one):

_____ I hereby give permission for the Westport 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 Westport 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)

3.26.12

Date: _____

Name of Student: _____

School: _____

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 Westport Public Schools may wish to disclose the fact that this complaint has been filed in connection with its review.

_____ I hereby give permission for the Westport 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 Westport 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)

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P5131.912

Students

Safe School Climate Plan

The Westport Public Schools adopts this policy that is guided by the fundamental belief that each and every school community member should be treated with dignity, should have the opportunity to learn, work, interact, and socialize in physically, emotionally and intellectually safe respectful and positive school environments as well as the opportunity to experience high quality relationships. Schools, therefore, have the responsibility to promote conditions designed to create maintain, and nurture positive school climate.

The Board is committed to creating and maintaining a physically, emotionally, and intellectually safe educational environment free from bullying, teen dating violence, harassment and discrimination. In order to foster an atmosphere conducive to learning, the Board has developed the following Safe School Climate Plan, consistent with state law and Board Policy. This Plan represents a comprehensive approach to addressing bullying, cyberbullying and teen dating violence and sets forth the Board's 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, however, involves a multi-faceted approach, which includes education and the promotion of a positive school climate in which bullying will not be tolerated by students or school staff.

I. Prohibition Against Bullying, Teen Dating Violence and Retaliation

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

- D. In addition to prohibiting student acts that constitute bullying, the Board also prohibits discrimination and/or retaliation against an individual who reports or assists in the investigation of an act of bullying.
- E. Students who engage in bullying behavior or teen dating violence in violation of Board Policy and the Safe School Climate Plan shall be subject to school discipline, up to and including expulsion, in accordance with the Board's policies on student discipline, suspension and expulsion, and consistent with state and federal law.

II. Definition of Bullying

- A. **“Bullying”** means the repeated use by one or more students of a written, oral 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 district that:
 - 1. causes physical or emotional harm to such student or damage to such student’s property;
 - 2. places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;
 - 3. creates a hostile environment at school for such student;
 - 4. infringes on the rights of such student at school; or
 - 5. substantially disrupts the education process or the orderly operation of a school.
- B. Bullying shall include, but not be limited to, a written, verbal or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

III. Other Definitions

- A. **“Cyberbullying”** means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.
- B. **“Electronic communication”** means any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic or photo-optical system;

- C. **“Hostile environment”** means a situation in which bullying among students is sufficiently severe or pervasive to alter the conditions of the school climate;
- D. **“Mobile electronic device”** means any hand-held or other portable electronic equipment capable of providing data communication between two or more individuals, including, but not limited to, a text messaging device, a paging device, a personal digital assistant, a laptop computer, equipment that is capable of playing a video game or a digital video disk, or equipment on which digital images are taken or transmitted;
- E. **“Outside of the school setting”** means at a location, activity or program that is not school related, or through the use of an electronic device or a mobile electronic device that is not owned, leased or used by a local or regional board of education;
- F. **“Prevention and intervention strategy”** may include, but is not limited to, (1) implementation of a positive behavioral intervention and support process or another evidence-based model approach for safe school climate or for the prevention of bullying identified by the Department of Education, (2) school rules prohibiting bullying, harassment and intimidation and establishing appropriate consequences for those who engage in such acts, (3) adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur, (4) inclusion of grade-appropriate bullying education and prevention curricula in kindergarten through high school, (5) individual interventions with the bully, parents and school employees, and interventions with the bullied child, parents and school employees, (6) school-wide training related to safe school climate, (7) student peer training, education and support, ~~and~~ (8) promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions, and (9) culturally competent school-based curriculum focusing on social-emotional learning, self-awareness and self-regulation.
- G. **“School climate”** means the quality and character of school life with a particular focus on the quality of the relationships within the school community between and among students and adults.
- H. **“School employee”** means (1) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by a local or regional board of education or working in a public elementary, middle or high school; or (2) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle or high school, pursuant to a contract with the local or regional board of education.
- I. **“School-Sponsored Activity”** shall mean any activity conducted on or off school property (including school buses and other school-related vehicles) that is sponsored, recognized or authorized by the Board of Education.

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

~~IV. Declarations~~

~~I. Applicable Standards:~~

~~A. For School Employees:~~

- ~~1. All certified educators in the State of Connecticut are accountable for compliance with the regulations enacted by the Connecticut State Department of Education and the Bureau of Education Standards and Certification, including, but not limited to the Connecticut Code of Professional Responsibility For Teachers, Regulations of Connecticut State Agencies, (Section 10-145d0400a) and the Connecticut Code of Professional Responsibility For Administrators, Regulations of Connecticut State Agencies (Section 10-145d0400b) (collectively “Codes”), as they may be amended from time to time.~~
- ~~2. All school employees are accountable for compliance with the policies and procedures of the Board applicable to personnel, including, but not limited to non-discrimination, conduct and professional rights and responsibilities.~~

~~B. For Students:~~

- ~~1. All students are accountable for compliance with applicable codes of student conduct, policies and procedures for student participation and behavior.~~

~~C. For Board Members:~~

- ~~1. Board Members are accountable for compliance with the Board’s Code of Ethics and applicable Board By-laws governing Board member conduct.~~

~~D. For Persons Contracted to Provide Services to the Board:~~

- ~~1. Persons contracted to provide services to the Board (such as bus drivers, consultants, evaluators or the like) are accountable for compliance with such codes of ethics as may apply professionally, the terms of any such contract, as well as the policies and procedures of the Board generally applicable to persons on school property.~~

~~E. For Other Participants in the School Community:~~

- ~~1. Parents/guardians, family members, visitors and other persons on school property or otherwise participating in programs or services of the Westport Public Schools are accountable for conducting themselves in accordance with applicable policies and procedures pertaining to such participation.~~

IV. Leadership and Administrative Responsibilities

A. Safe School Climate Coordinator

The Superintendent shall appoint, from existing school district staff, a District Safe School Climate Coordinator (“Coordinator”). The Coordinator shall:

1. be responsible for implementing the district’s Safe School Climate Plan (“Plan”);
2. collaborate with Safe School Climate Specialists, the Board, and the Superintendent to prevent, identify and respond to bullying in district schools;
3. provide data and information, in collaboration with the Superintendent, to the Department of Education regarding bullying;
4. meet with Safe School Climate Specialists at least twice during the school year to discuss issues relating to bullying the school district and to make recommendations concerning amendments to the district’s Plan.

B. Safe School Climate Specialist

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 and act as the primary school official responsible for preventing, identifying and responding to reports of bullying in the school.

VI. Development and Review of Safe School Climate Plan

- A. The Principal of each school shall establish a committee or designate at least one existing committee (“Committee”) in the school to be responsible for developing and fostering a safe school climate and addressing issues relating to bullying in the school. Such committee shall include at least one parent/guardian of a student enrolled in the school, as appointed by the school principal.
- B. The Committee shall: 1) receive copies of completed reports following bullying investigations; 2) identify and address patterns of bullying among students in the school; 3) 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 policies relating to bullying; ~~4~~5) review and make recommendations to the Coordinator regarding the Safe School Climate Plan based on issues and experiences specific to the school; ~~5~~6) educate students, school employees and parents/guardians on issues relating to bullying; ~~6~~7) collaborate with the Coordinator in the collection of data regarding bullying; and ~~7~~8) perform any other duties as determined by the Principal that are related to the prevention, identification and response to school bullying.
- C. Any parent/guardian serving as a member of the Committee shall not participate in any activities which may compromise the confidentiality of any student,

including, but not limited to receiving copies of investigation reports, or identifying or addressing patterns of bullying among students in the school.

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

VII. Procedures for Reporting and Investigating Complaints of Bullying

- A. Students and parents (or guardians of students) may file written reports of bullying. Written reports of bullying shall be reasonably specific as to the basis for the report, including the time and place of the alleged conduct, the number of incidents, the target of the suspected bullying, and the names of potential witnesses. Such reports may be filed with any building administrator and/or the Safe School Climate Specialist (i.e. building principal), and all reports shall be forwarded to the Safe School Climate Specialist for review and actions consistent with this Plan.
- B. Students may make anonymous reports of bullying to any school employee. Students may also request anonymity when making a report, even if the student's identity is known to the school employee. In cases where a student requests anonymity, the Safe School Climate Specialist or his/her designee shall meet with the student (if the student's identity is known) to review the request for anonymity and discuss the impact that maintaining the anonymity of the complainant may have on the investigation and on any possible remedial action. All anonymous reports shall be reviewed and reasonable action will be taken to address the situation, to the extent such action may be taken that does not disclose the source of the 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.
- C. School employees who witness acts of bullying or receive reports of bullying shall orally notify the Safe School Climate Specialist or another school administrator if the Safe School Climate Specialist is unavailable, **not later than one (1) school day** after such school employee witnesses or receives a report of bullying. The school employee shall then file a **written report not later than two (2) school days** after making such oral report.
- D. The Safe School Climate 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, that an investigation has commenced. In order to allow the district to adequately

investigate complaints filed by a student or parent/guardian, the parent of the student suspected of being bullied should be asked to provide consent to permit the release of that student's name in connection with the investigation process, unless the student and/or parent has requested anonymity.

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

VIII. Responding to Verified Acts of Bullying

- A. Following investigation, if acts of bullying are verified, the Safe School Climate Specialist or designee shall notify the parents or guardians of the students against whom such acts were directed as well as the parents or guardians of the students who commit such acts of bullying of the finding **not later than forty-eight (48) hours** after the investigation is completed. This notification shall include a description of the school's response to the acts of bullying. In providing such notification, however, The Westport Public Schools will take care ~~must be taken~~ to respect the statutory privacy rights of other students, including the perpetrator of such bullying. The specific disciplinary consequences imposed on the perpetrator, or personally identifiable information about a student other than the parent/guardian's own child, may not be disclosed except as provided by law.
- B. In any instance in which bullying is verified, the Safe School Climate Specialist or designee shall invite the parents or guardians of the student against whom such act was directed to a meeting to communicate the measures being taken by the school to ensure the safety of the student/victim and policies and procedures in place 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 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 support plan will include safety measures to protect against further acts of bullying.
- D. A specific written intervention plan shall be developed to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual. The written intervention plan may include counseling, discipline and other appropriate remedial actions as determined by the Safe School Climate Specialist or designee, and may also incorporate a student safety support plan, as appropriate.
- E. Notice to Law Enforcement

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

- F. If a bullying complaint raises concern about discrimination or harassment on the basis of a legally protected classifications (such as race, religion, color, national origin, sex, sexual orientation, age, 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 to ensure that any such bullying investigation complies with the requirements of such policies regarding nondiscrimination.

IXVIII. Teen Dating Violence

- A. The school strictly prohibits, and takes very seriously any instances of, teen dating violence, as defined above. The school 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 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 shall maintain written reports of bullying, along with supporting documentation received and/or created as a result of bullying investigations, consistent with the Board's obligations under state and federal law. Any educational record containing personally identifiable student information pertaining to an individual student shall be maintained in a confidential manner, and shall not be disclosed to third parties without prior written consent of a parent, guardian or eligible student, except as permitted under Board policy and state and federal law.
- B. The Principal of each school shall maintain a list of the number of verified acts of bullying in the school and this list shall be available for public inspection upon

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

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

XI. 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 of bullying. As discussed below, schools 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 bullying against a single individual or recurrently perpetrated bullying incidents by the same individual. This plan may include safety provisions, as described above, for students against whom acts of bullying have been verified and may include other interventions such as counseling, discipline, and other appropriate remedial or restorative actions as determined by the responsible administrator.
- C. The following sets forth possible interventions which may also be utilized to enforce the Board’s prohibition against bullying and teen dating violence:

i.(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 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 subject to the full range of disciplinary consequences. Anonymous complaints of bullying, however, shall not be the basis for disciplinary action.

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

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

(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.

~~iv.~~(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 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~~~~sexual~~ harassment~~harassment prevention~~ training, Section 504/ADA ~~Training~~training, cultural diversity/multicultural education or other training in federal and state civil rights legislation or other topics relevant to safe school climate;

- f. Student peer training, education and support; and
 - g. Promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions;
 - h. Implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying 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;
 - 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;
 - 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.

XII. Improving School Climate

The Westport Public Schools are committed to improving school climate. District curricula, including a comprehensive social skills curriculum and developmental counseling curriculum instruct students in pro-social behaviors such as respect, tolerance, and safety. These concepts and behaviors are reinforced through our academic curriculum. District Health curriculum addresses developing healthy behaviors and relationships, and respecting others in person and through social media. District staffing includes school psychologists, counselors, social workers, teachers and administrators used to develop relationships with students at all levels and provide a variety of prevention and intervention efforts for all students. Individual schools through their school climate teams review and analyze data from a variety of sources to continuously improve climate and address student, faculty, and parent needs related to fostering a positive school climate. Schools and district level staff members collaborate with community agencies to coordinate efforts for students and families in need.

XIII. Annual Notice and Training

- A. Students, and parents or guardians of students shall be notified annually of the process by which students may make reports of bullying.
- B. The Board shall provide for the inclusion of language in student codes of conduct concerning bullying.
- C. At the beginning of each school year, each school shall provide all school employees with a written or electronic copy of the school district's safe school climate plan and require that all school employees annually complete training on the identification, prevention and response to bullying as required by law.
- D. ~~After July 1, 2014, a~~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.

XIIIIV. 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, approved and disseminated by the Department of Education. The Board shall collect the school climate assessments for each school in the district and submit such assessments to the Connecticut State Department of Education.

~~XV. Accountability:~~

- ~~A. The Board shall establish, foster, support and maintain a "no fault" framework and promote a culture of trust. Such a framework and culture is evident by a shared intent to:~~
 - ~~1. Take collective responsibility for what has been accomplished and/or not accomplished;~~

- ~~2. Learn from what has been done well and not so well;~~
- ~~3. Work together to improve the quality and character of school life;~~
- ~~4. Create a highly effective professional learning community (PLC) whose responsibility it is to:~~
 - ~~• Establish norms, values and goals that encourage and support collaborative and courageous leadership;~~
 - ~~• Model and provide high quality academic, social, emotional and ethical learning; and~~
 - ~~• Engage in ongoing reflection and evaluation.~~
- ~~B. The Board shall hold itself, its individual members, and the Superintendent to the standards of this Policy and promote its intent and goals.~~
- ~~C. The Superintendent shall hold himself/herself, the staff, the students and other members of the school community to the standards of this Policy.~~

Legal References:

Conn. Gen. Stat. § 10-222d

[Conn. Gen. Stat. § 10-222g](#)

[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)

~~Public Act 14-172, “An Act Concerning Improving Employment Opportunities
Through Education And Ensuring Safe School Climates”~~

~~Public Act 14-232, “An Act Concerning The Review And Approval Of Safe School
Climate Plans By The Department Of Education And A Student Safety Hotline
Feasibility Study”~~

~~Public Act 14-234, “An Act Concerning Domestic Violence And Sexual Assault”~~

7/28/14

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Business/Non-Instructional Operations

Soliciting Prices (Bids and Quotations)

Competitive bidding is required as detailed below. This is included in the new purchasing policy 3320. Preference is to be given local suppliers and vendors when quality and price are equal.

Prior to seeking bids on instructional and custodial supplies, the Financial Services Director will make a survey of the quantities and types of material needed. These indicated needs will be sent to prospective vendors. When the bids are returned and the low bidder determined, the Financial Services Director will notify those concerned of the results. Orders may then be processed by the administrators and billing date must be indicated as being on or after July 1 of the fiscal year in which the bills are to be paid.

Policy adopted: July 1964

WESTPORT PUBLIC SCHOOLS
Westport, Connecticut

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Business and Non-Instructional Operations

Capital Projects

Purpose

The Westport Board of Education recognizes the importance of the need for sound business practices in spending public funds for required capital projects. To ensure that capital projects are completed in a timely fashion within approved financial guidelines as determined by the Board of Education, the Board of Finance and the RTM without sacrificing quality or educational purpose, all capital projects undertaken must comply with federal, state, town, and Westport Public Schools requirements, as well as generally accepted business practices.

Definition

Capital projects are those necessitated by a need for the improvement or purchase of a fixed asset classified as property, plant or equipment for which the Board of Education has been granted a special appropriation by the Board of Finance and the Representative Town Meeting (RTM) in an amount of \$100,000 or more.

Authority

The expenditure of funds for capital projects shall be centralized under the Director of School Business Operations who shall be responsible for all capital projects for the district. In accordance with the Westport Town Charter, the Director of School Business Operations is the designated representative of the Board of Education to act with the Finance Director of the Town in accounting for all capital project expenditures.

Bidding

For capital projects meeting the definitional threshold, formal bid(s) must be sought. The Director of School Business Operations will provide a Bid Report annually for all capital projects eligible for bid as defined in Policy 3320, including any explanation for those capital projects eligible for bid that did not go out for bid. Bids for capital projects should include information regarding the possible existence of hazardous materials.

Reference: Connecticut General Statutes

[10-220](#) Duties of boards of education

Policy adopted: October 6, 2014

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Business and Non-Instructional Operations

Purchasing Policy

Purpose

The Westport Board of Education recognizes the importance of maximizing the use of district resources, the need for sound business practices in spending public money, the requirement of complying with state laws governing purchasing, the importance of standardized purchasing regulations, and the need for clear documentation in meeting State of Connecticut and Federal Auditing requirements

Within the framework of applicable laws and regulations, purchases and use of material and other resources shall be accomplished in accordance with good business practices with the primary purpose of serving the program of instruction.

Authority

The duties of purchasing shall be centralized under the Director of School Business Operations who shall be responsible for all purchase transactions for the district. In accordance with the Westport Town Charter, the Director of School Business Operations is the designated representative of the Board of Education to act with the Finance Director of the Town to maximize economies of purchasing through sharing of purchases in all areas practicable. If questions arise, the scope of this provision shall be determined by the Board of Education.

The Superintendent or designee shall sign purchase orders and other purchase obligations. For the purpose of this policy, only the Director of School Business Operations shall be deemed the designee of the Superintendent for the signing of purchase orders and other purchase obligations.

Purchasing Guides

Purchasing services will include personnel and equipment necessary to process promptly all approved requisitions, to deliver goods and services promptly. Purchasing services will have as their criteria for all items and services:

1. Best possible quality;
2. Lowest possible cost; specifications of the user;
3. Availability when needed;
4. Efficient use of time of staff;
5. Compliance of suppliers and staff with equal employment opportunity and other Board policies;

6. Preference to Westport vendors where possible, providing price, quality and availability are equal to or better, than non-Westport vendors.

All purchases of goods and services with district funds must be made on a properly executed district purchase order or contract issued by the Director of School Business Operations.

Quantity Purchasing

To help achieve both quality control and the price advantages of quantity purchasing, the administration is encouraged to:

1. Set specifications for goods and services as needed. Cite several existing, commercially available "standard brands" that meet those qualifications acceptable as examples.
2. Invite and/or advertise for vendors to bid on those examples, or comparable ones which the vendors believe to be acceptable according to the specifications.

Bidding

Competitive bidding is required as detailed below. Preference is to be given to local suppliers and vendors when quality and price are equal.

1. For purchases totaling between \$3,000 and \$4,999, at least three (3) verbal price quotations must be sought and recorded.
2. For purchases totaling between \$5,000 and \$24,999, formal written quotations from at least three (3) separate vendors shall be provided, if available.
3. For purchases above \$25,000, formal bid(s) must be sought.
4. The following purchases are not subject to competitive bidding except as stated in paragraph 7 below:
 - a. Purchases under \$3,000;
 - b. Emergency purchases;
 - c. Goods purchased from state agencies, such as furniture produced by the State Department of Corrections;
 - d. Goods purchased under state contracts;
 - e. Purchasing collaboratives involving federal, state, local governments and regional entities;
 - f. Surplus and secondhand purchases from another governmental entity;

- g. Sole source goods or services;
- h. Purchases to maintain equipment consistency;
- i. Textbooks and other programmed instructional materials as only one source generally exists.

For a requesting administrator to obtain a Waiver, the requesting administrator must make a written request to the Superintendent of Schools or his/her designee. The Waiver must bear the signature of the requesting administrator and state the reason(s) for requesting the Waiver. Upon receipt of such request, the Superintendent of Schools or his/her designee will promptly notify the requesting administrator if such Waiver has been granted.

- 5. Price quotes/bids are not required when items are available from one vendor only (e.g., most educational media, software and services).
- 6. When purchasing from approved vendors using school district, state or purchasing consortium contracts, if multiple price quotes or bids are not obtained from separate vendors, a written explanation and/or documentation must be provided to demonstrate why the purchase from the chosen vendor(s) provides the greatest value and benefit. Value and benefit are not to be measured solely by price level.
- 7. Except as stated in paragraphs 4(b), 4(g), and 5 above, and regardless of any previously listed exceptions, for single item purchases over \$50,000 the formal bid process must be followed.
- 8. There shall be an annual report of collective purchases made from single vendors to ensure that the verbal bid quotation process is consistent with the purchasing policy.
- 9. For capital projects, as defined by Board of Education Policy 3400, the Superintendent or his/her designee will have the Board's attorney review any contracts associated with the project prior to the final awarding of the contract.

Financing

The Board of Education, wherever possible, will seek the advice of the Board of Finance and the Education and Finance committees of the RTM as to manner of financing when considering purchase or lease agreements that obligate the Board of Education to finance the acquisition of goods by multi year periodic payments. A final decision will be made by the Board of Education.

Legal Reference: Connecticut General Statutes

[10-220](#) Duties of boards of education

[10-222](#) Appropriations amid budget

**Policy adopted: March 15, 2004,
November 10, 2014**

Policy modified: June 7, 2004

Policy amended: October 20, 2014

Policy amended: March 12, 2018

**WESTPORT PUBLIC SCHOOLS
Westport, Connecticut**