

**Special Darien Board of Education**

**Policy Committee Meeting**

**Friday, September 17, 2021**

**8:30 a.m.**

**Darien Public Schools' Administrative Offices  
35 Leroy Avenue  
Board of Education Meeting Room**

**AGENDA**

- 1. Proposed Revised Board Policy 1075, Green Cleaning Protocols**
- 2. Proposed Revised Board Policy 1200, Use of School Facilities**
- 3. Proposed Revised Board Policy 1225, Visitors**
- 4. Proposed Revised Board Policy 1250, School Volunteers, Student Interns and other Non-Employees**
- 5. Proposed Revised Board Policy 5220, Student Discipline**
- 6. Proposed Revised Board Policy 5175, Bullying Prevention and Intervention**
- 7. Proposed New Board Policy 9280, Student Representatives on the Board of Education**
- 8. Proposed Re-Adoption of Board Policy C-19-1, Health and Safety Protocols**
- 9. Proposed Revised Board Policy 9310, Meeting Conduct**
- 10. Public Comment\***
- 11. Adjournment**

**\* \* The Board of Education meeting will be available to the public in person and via Zoom. In-Person attendance at the Board meeting is limited by room capacity and social distancing requirements. All members of the community must wear masks regardless of vaccination status. Only 14 seats are available for the public which will be available on a first come, first serve basis. Doors**

open at 8:15 a.m. for the 8:30 a.m. meeting. If you are present and wish to give public comment but are unable to get a seat, you will be required to wait outside and you will be invited into the room when it is your turn to speak. Those members of the community wishing to participate in public comment may join the meeting via Zoom:

<https://darienps.zoom.us/j/99060931109>

Those members of the community wishing to view only, should do so through the Darien Youtube link: <https://www.youtube.com/channel/UCUnnvYKBFbFrTWQRuoB6OZA>

In order to reduce audio interference, members of the community are requested not to simultaneously view by Youtube while participating on Zoom.

# Memorandum

To: Board of Education

From: Kathrine Stein  
Marjorie Cion

Date: September 17, 2021

Re: Revisions to Board Policies

We are recommending that the Policy Committee consider revisions to Board of Education Policies 1075, 1200, 1225, 1250, 5220, 5175 and 9310 and the adoption of new Board of Education Policies C-19-1 and 9280. Changes to policies highlighted in “Blue” or “Red” represent changes made by the District Administration and Shipman and Goodwin.

**Board Policy 1075, Green Cleaning Protocols** reflects a revision to our current green cleaning policy to clarify that current law permits school districts to use any “disinfectant, disinfecting cleaner, sanitizer or antimicrobial product” approved by federal law to clean school buildings in addition to the those previously approved for the District’s green cleaning program. This provision was added last year when the Board of Education revised its policies in response to the COVID pandemic but the provision expired on June 30, 2021. Shipman and Goodwin is recommending that we make this change permanent.

**Policy 1200, Use of School Facilities** puts those individuals and organizations that use our facilities on notice that they must comply with all health and safety protocols currently in place. A similar provision in this policy expired on June 30, 2021. Shipman and Goodwin is recommending that we make this change permanent.

**Policy 1225, Visitors and Policy 1250, School Volunteers, Student Interns and other Non-Employees** make clear that all visitors, volunteers, student interns and other non-employees must comply with the Board’s health and safety protocols while in school buildings. Similar provisions in these policies last year expired on June 30, 2021. Shipman and Goodwin is recommending that we make these changes permanent. Policy 1250 also requires that certain school volunteers submit to background checks every five years.

**Policy 5220, Student Discipline** now incorporates certain changes initially introduced as part of the COVID-19 temporary policies concerning remote learning and the possibility of virtual hearings. Those provisions expired on June 30, 2021. Shipman and Goodwin is recommending that we make this change permanent. Several other technical changes are also included.

**Policy 5175, Bullying Prevention and Intervention** has been revised to conform with Public Act No. 19-166, regarding bullying and safe school climate. The law, which passed two years ago, contained various provisions that recently went into effect. Effective July 1, 2021, the law changes the definition

of “bullying” and “school climate,” adds new statutory definitions, and expands on the parental notification requirements surrounding verified acts of bullying. The policy has also been revised to reflect a board’s statutory obligation to post the following on their websites: 1) training materials for school administrators; and 2) a plain language explanation of rights and remedies under Connecticut General Statutes 10-4a and 10-4b. The law requires that the training materials be posted after consultation with the State Department of Education and the Connecticut Social and Emotional Learning and School Climate Advisory Collaborative. The law also provides that the plain language explanation of rights and remedies will be developed and provided to boards of education by the Connecticut Social and Emotional Learning and School Climate Advisory Collaborative. Finally, this policy has also been revised in light of Public Act No. 21-95, which identifies additional individuals who must serve on a safe school climate committee, effective July 1, 2021.

**Policy 9280, Student Representatives on the Board of Education** codifies the Board’s decision to appoint two student representatives to be non-voting members of the Board of Education and also describes the qualifications, duties and selection process related to those positions.

**Policy C-19-1, Health and Safety Protocols.** Last year the Board of Education adopted a policy directing the Superintendent to implement health and safety protocols related to the COVID 19 pandemic consistent with laws, regulations and the recommendations of health officials. That policy expired on June 30, 2021. Shipman and Goodwin is advising that we adopt the policy again in its entirety so that students, families and staff are aware that such protocols will be in place.

**Policy 9310, Meeting Conduct.** Under the Freedom of Information Act, public agencies, including boards of education, must make their meetings, other than executive sessions, open to the public. Section 149 of June Special Session, Public Act No. 21-2 allows public agencies, until April 30, 2022, to hold public meetings that are accessible to the public through electronic equipment, or through electronic equipment in conjunction with an in-person meeting. The Act establishes several requirements for meetings held using electronic equipment, including that votes generally be conducted by roll call and that members of the public have the same participation opportunities as they would for an in-person meeting. The Act requires public agencies to provide its members the opportunity to participate by means of electronic equipment. Sections 152 and 153 of the Act also expand a public agency’s authority to remove disorderly individuals attending a meeting by electronic equipment. The revisions to Policy 9310 include these changes. In addition, the policy makes clear that smoking is not allowed in any room in which a Board meeting is being conducted.

**DARIEN PUBLIC SCHOOLS**  
**Darien, Connecticut**

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**SERIES 1000: COMMUNITY/BOARD OPERATION**  
**POLICY 1075**

**GREEN CLEANING PROGRAMS**

It is the policy of the Darien Board of Education to implement a green cleaning program in which the Board procures and properly uses environmentally preferable cleaning products in school buildings and facilities.

The Darien Board of Education shall provide the staff of each school and, upon request, the parents and guardians of each child enrolled in each school with a written statement of the school district's green cleaning program. Such notice shall include (1) the types and names of environmentally preferable cleaning products being applied in schools, (2) the location of the application of such cleaning products in the school buildings and facilities, (3) the schedule of when such cleaning products are applied in the school buildings and facilities, (4) the statement, "No parent, guardian, teacher or staff member may bring into the school facility any consumer product which is intended to clean, deodorize, sanitize or disinfect.", and (5) the name of the school administrator, or a designee, who may be contacted for further information. Such notice shall be provided to the parents or guardians of any child who transfers to a school during the school year and to staff hired during the school year.

*Pursuant to subsection (a)(2)(A) of section 10-231g of the Connecticut General Statutes, any disinfectant, disinfecting cleaner, sanitizer or any other antimicrobial product approved by federal law may be used by the Darien Board of Education.*

The Darien Board of Education shall make such notice, as well as the report submitted to the Department of Education pursuant to subsection (a) of section 10-220 of the general statutes (i.e. required report on condition of facilities, action taken to implement the Board's long-term school building program, indoor air quality and green cleaning program), available on its web site and the web site of each school under such board's jurisdiction. If no such web site exists, the board shall make such notice otherwise publicly available.

Legal References:

Connecticut General Statutes:

§10-220(a)

§10-231g APPROVED BY THE BOARD OF EDUCATION: January 27, 2015

REVISED: October 13, 2020

**DARIEN PUBLIC SCHOOLS**  
**Darien, Connecticut**

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**SERIES 1000: COMMUNITY/BOARD OPERATION**  
**POLICY 1200**

**USE OF SCHOOL FACILITIES**

**A. Application Procedures**

In accordance with Conn. Gen. Stat. § 10-239, the Board of Education may permit the use of any school facility for nonprofit educational or community purposes whether or not school is in session. The Board of Education may also grant the temporary use of any school facility for public, educational or other purposes, including the holding of political discussion, at such time the facility is not in use for school purposes. In addition, the Board shall grant such use for any purpose of voting under the provisions of Title 9 of the Connecticut General Statutes whether or not school is in session. In accordance with 20 U.S.C. § 7905, the Board of Education shall not deny equal access to or a fair opportunity to meet, or otherwise discriminate, against any group officially affiliated with the Boy Scouts of America (or any other youth group listed as a patriotic society in Title 36 of the United States Code) that wishes to conduct a meeting using school facilities pursuant to this policy. Such uses shall be governed by the following rules and procedures, and shall be subject to such restrictions as the Superintendent or his/her designee considers expedient.

Consistent with this policy, the Superintendent shall develop and promulgate Administrative Regulations and associated forms governing use of school buildings and facilities by community and other groups. Since the primary purpose of school facilities is for educational activities, such activities will have priority over all other requested uses and rentals during school hours will not be allowed without written permission from the Superintendent or his/her designee.

Applications for the use of facilities related to school-based athletics shall be submitted, in accordance with the Administrative Regulations, to the Director of Athletics at Darien High School, 80 High School Lane, Darien CT 06820. All other applications for the use of facilities should be submitted, in accordance with the Administrative Regulations, to the Director of Facilities, Board of Education Offices, 35 Leroy Avenue, Darien, CT 06820.

Groups requesting use of school buildings and facilities must identify the specific facilities desired, and approval will be for those specific facilities only. All school equipment on the premises shall remain in the charge and control of the building principal or responsible administrator, and shall not be used without the express written permission of the administrator.

Approval of school facilities usage may be revoked at any time by the Superintendent or his/her designee.

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**Darien, Connecticut**

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**B. Eligible Organizations and Priority of Use**

Administrators responsible for approving/disapproving requests for use of school district facilities will use the following guidelines regarding priority of usage of such facilities:

Order of priority:

1. School sponsored curricular programs and activities
2. School-sponsored extracurricular programs and activities
3. Activities of school-related organizations (e.g. PTO, Booster Clubs, After Graduation Committees, and similar organizations)
4. Town department or agency activities
5. Darien YMCA programs and activities, as per contractual arrangement with the Board of Education
6. Activities of non-profit organizations operating within the Town, other than school-related organizations covered by category #3 above
7. Activities of for-profit organizations operating within the Town
8. Out-of-Town organizations (first priority to non-profit institutions)

***NOTE: To be considered a Local Non-Profit or Local Youth Sports group, the following criteria apply:***

- ***The group must have 501-C-3 certification***
- ***The group must be based in Darien***
- ***66% or more of the participants must be Darien residents***
- ***Roster must be submitted to the Facilities Department***

**C. Restrictions on Use of School Facilities**

The following restrictions shall apply to the use of school facilities:

1. Illegal activities will not be tolerated.
2. Use or possession of tobacco, e-cigarettes, alcoholic beverages or unauthorized controlled substances shall not be permitted on school property.

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**Darien, Connecticut**

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3. Refreshments may not be prepared, served or consumed without the prior approval of the responsible administrator. Notwithstanding, only those beverages permitted by state law may be sold during the school day. The responsible administrator may permit other beverages to be sold at the location of events occurring after the end of the regular school day or on the weekend as long as they are not sold from a vending machine or at a school store. Upon approval by the administrator, refreshments may be prepared, served and consumed only in areas designated by the responsible administrator.
4. Obscene advertising, decorations or materials shall not be permitted on school property.
5. Advertising, decorations or other materials that promote the use of illegal drugs, tobacco products, e-cigarette products or alcoholic beverages shall not be permitted.
6. Activities that are disruptive of the school environment are not permitted.

Any violation of this Policy or any applicable Administrative Regulations may result in permanent revocation of the privilege to use school facilities against the organization and/or individuals involved.

**D. Fees and Other Costs**

Users of school facilities shall be responsible for the fees and costs set out in a fee schedule established by the Superintendent with the approval of the Board of Education. The fee schedule, including associated costs, is reviewed annually and shall be available in the office of the Director of Facilities and on the district's website.

"Associated costs" shall include, but shall not be limited to, fees for the services of any custodial personnel, food service personnel, security personnel or other personnel deemed by the responsible administrator to be necessary in connection with the use of a school district facility. Such costs shall be at the rates set forth in the fee schedule. Rental fees and/or associated costs otherwise applicable may be waived by the Superintendent or his/her designee if such waiver is deemed by the Superintendent or his/her designee to be in the best interest of the school system and/or the Town.

**E. Responsibility for Damage to Property or Loss of Property**

In order to use school district facilities, any organization or individual requesting such use must agree to assume responsibility for any damage to and/or theft or loss of any school district property arising out of the use of the facilities.



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*F. Health and Safety Protocols*

*In order to use school district facilities, any organization or individual requesting such use must agree to abide by all health and safety protocols in place by the school district at the time of use, including but not limited to protocols relating to cleaning of the facilities, signage, and health screenings of individuals requesting access to the facilities.*

**Legal References:**

Connecticut General Statutes §10-239	Use of School Facilities for Other Purposes
Connecticut General Statutes 10-215f	Certification that food meets nutrition standards
Connecticut General Statutes §10-221q	Sale of beverages
Connecticut General Statutes Title 9	Elections
20 U.S.C. § 7905	Equal Access to Public School for the Boy Scouts of America
26 U.S.C § 101 et seq.	Patriotic and National Organizations

APPROVED BY THE BOARD OF EDUCATION ON: September 19, 1999

REVISED : February 24, 2015, (Effective July 1, 2015)  
November 10, 2020

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Darien, Connecticut

**SERIES 1000: COMMUNITY/BOARD OPERATION**

**SERIES 1000: COMMUNITY/BOARD OPERATION**

**POLICY R-1200 FACILITY USE**  
**APPLICATION**  
Darien Public Schools

School Requested: \_\_\_\_\_  
Organization: \_\_\_\_\_

Nonprofit or For Profit (Please circle one)

Name of the Event: \_\_\_\_\_

Area Within School \_\_\_\_\_

Or

Field (s) Requested \_\_\_\_\_

Date of Use \_\_\_\_\_ Hours of Use \_\_\_\_\_

Date of Use \_\_\_\_\_ Hours of Use \_\_\_\_\_

Date of Use \_\_\_\_\_ Hours of Use \_\_\_\_\_

Approx. # Users \_\_\_\_\_

**Individual in Charge**

Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone (h) \_\_\_\_\_ (cell) \_\_\_\_\_

Email address \_\_\_\_\_

Police required \_\_\_Yes\_\_\_No Fire watch required \_\_\_Yes\_\_\_No

Sound/Lighting Manager required \_\_\_Yes\_\_\_No

**FOR DARIEN BOARD OF EDUCATION USE ONLY:**

Approved by:

**DARIEN PUBLIC SCHOOLS**  
**Darien, Connecticut**

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\_\_\_\_\_  
**School Principal**

\_\_\_\_\_  
**Facilities Dept.**

**Comments/Special Instructions:**

\_\_\_\_\_

\_\_\_\_\_

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**INSURANCE REC'D** \_\_\_\_\_ **POLICE ORDERED** \_\_\_\_\_ **CHARGE** \_\_\_\_\_

***GUIDELINES for School Events & Rentals – Please read***

- MAJOR school functions take priority (i.e., fairs, concerts, etc.) All outside requests for DHS, are not available until **90 days** prior to the event.
- Notify the school principal of the proposed activity and obtain verbal approval.
- Call the Facilities Department (656-7417) at least 72 hours in advance to tentatively schedule activity.
- Complete application and submit to Facilities Department after obtaining Principal's signature.
- Custodial services may be required for all weekday elementary school functions after 4:30 p.m. and for all weekday secondary school functions after 6:00 p.m. as well as all school functions on weekends and holidays. Police and fire services may be required and will be scheduled by the Facilities Department. **CANCELLATION OF POLICE DUE TO ACTIVITY CANCELLATION IS THE RESPONSIBILITY OF THE EVENT CHAIRPERSON. EIGHT (8) HOUR PRIOR NOTICE MUST BE GIVEN. OTHERWISE POLICE WILL CHARGE SCHEDULED FEE.**
- For student activities where an admission fee is charged, there will be no fee for the use of the facility; but there will be a fee charged for each custodian as well as the actual cost of fire and police required.
- Notification of cancellation of the activity must be received by the Facilities Department 24 hours in advance of the scheduled event.
- Faculty and students must provide work crews to set up, take down, clean up and return all borrowed items such as chairs and tables to their original locations at the end of every scheduled event.
- Any damage to school property as a result of this event must be reported to the Director of Facilities and through the building principal as soon as possible.

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- **OUTSIDE RENTALS-** Please submit this form to Sheila Flinn to [sflinn@darienps.org](mailto:sflinn@darienps.org). Once your event has been approved by the Administrators, you will receive a Contract and Cost Estimate. You will be required to submit a Certificate of Liability Insurance and deposit.

**PLEASE NOTE: ANY TABLES/CHAIRS NEEDED IN ADDITION TO WHAT IS AVAILABLE FOR USE ON SCHOOL PREMISES NEED TO BE RENTED AND IS THE RESPONSIBILITY OF THE EVENT COORDINATORS**

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**USE OF SCHOOL FACILITIES**  
**(Administrative Regulations)**

**INDEMNIFICATION AND RELEASE**

This form is valid for a period of one calendar year from the date signed for each application of usage which is made.

In consideration of the permission granted to it by the Board of Education to use the school building, grounds, facilities, and/or equipment, the undersigned, does hereby indemnify and hold harmless the Board of Education and the Town of Darien, their employees, agents, contractors and assigns against any and all loss or expense, including attorneys fees, court costs, damages, liability and any other amounts for any and all bodily injuries, including death, and/or for any and all property damage sustained accidentally or otherwise sustained by any person arising out of or connected with the undersigned's use of the school building, grounds, facilities, and/or equipment.

The undersigned further waives the right to initiate and/or pursue in any manner any and all lawsuits and any other claims in any forum against the Board of Education or the Town of Darien, its individual Board members, officers, employees, agents, contractors and assigns for any injury or harm connected to the undersigned's use of the Board's facilities, including but not limited to claims for negligent acts or omissions and/or claims for death and/or serious bodily injury and/or claims for property damage.

The undersigned assumes responsibility for any damage to and/or theft or loss of any school district property arising out of the use of the buildings, grounds, facilities, and/or equipment.

The undersigned has read and agrees to abide by the terms of the Board of Education policies pertaining to use of Board buildings, grounds, facilities, and/or equipment.

IN WITNESS WHEREOF, I hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

February 2015

REVISED: November 10, 2020

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**SERIES 1000: COMMUNITY/BOARD RELATION**  
**POLICY 1225**

**VISITORS**

The Board of Education encourages visits by citizens, taxpayers, and parents to all school buildings. In order to promote a safe and productive educational environment for all students and staff, the Board of Education requires all visitors to receive prior approval from the school Principal or his/her designee before being permitted to visit any school building. The Board of Education, through the administration, reserves the right to limit visits in accordance with administrative regulations.

Upon arrival, all visitors must comply with any and all applicable building security procedures, including but not limited to utilizing security buzzers for access, complying with requests for photo identification, reporting directly to and signing in and out at the visitors' reception area of the school office, prominently displaying visitors' badges or other identification required for visitors to the school buildings, limiting access to those areas of the buildings and grounds for which the visitors have authorized access, and complying with directives of school officials at all times . *All visitors and observers permitted into school buildings or on school grounds must comply with all school health and safety protocols in place at the time, including but not limited to any health screening protocols.*

APPROVED BY THE BOARD OF EDUCATION: February 25, 2003

REVISED BY THE BOARD OF EDUCATION: February 24, 2015, (Effective July 1, 2015)  
November 10, 2020

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**SERIES 1000: COMMUNITY/BOARD RELATION**  
**POLICY R-1225**

**VISITORS**  
**(Administrative Regulations)**

1. Any person wishing to visit a school building, and/or observe any student program, must obtain prior approval from the Principal or responsible administrator of the respective school building or program.
2. A visitor to any school building or program must be able to articulate a legitimate reason for his/her proposed visit and/or observation. Where the visitation involves direct contact with district students, or observation of an identified student or student program, the visitor must have a sufficient educational nexus with the district, its educational programs or the student to support such request.
3. All visits must be reasonable in length and conducted in a manner designed to minimize disruption to the district's educational programs.
4. When determining whether to approve a request to visit and/or observe student programs, the building Principal or responsible administrator shall consider the following factors:
  - a. the frequency of visits;
  - b. the duration of the visit;
  - c. the number of visitors involved;
  - d. the effect of the visit on a particular class or activity;
  - e. the age of the students;
  - f. the nature of the class or program;
  - g. the potential for disclosure of confidential personally identifiable student information;
  - h. whether the visitor/observer has a legitimate educational interest in visiting the school;

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- i. whether the visitor/observer has professional ethical obligations not to disclose any personally identifiable student information; and
  - j. any safety risk to students and school staff.
5. The building Principal or responsible administrator has the discretion to limit, or refuse, requests for visits and/or observations of student programs in light of the above criteria.
6. If a building Principal or responsible administrator approves a request to visit a school building and/or observe a student program, arrangements must be made in advance to ensure that the visit will not disrupt educational programs. The length and scope of any visit shall be determined by the building Principal or responsible administrator in accordance with these regulations and accompanying Board policy.
7. Upon arrival, all visitors must comply with any and all applicable building security procedures, including but not limited to utilizing security buzzers for access, complying with requests for photo identification, reporting directly to and signing in and out at the visitors' reception area of the school office, prominently displaying visitors' badges or other identification required for visitors to the school buildings, limiting access to those areas of the buildings and grounds for which the visitors have authorized access, and complying with directives of school officials at all times.
8. The district has an obligation to maintain the confidentiality of personally identifiable student information. All visitors and observers must restrict their visits and observations to the purpose identified in the request to visit or observe and are strictly prohibited from observing or collecting information on other students within the school. If the visitor/observer views, accesses or otherwise obtains personally identifiable student information concerning another student, the visitor/observer must notify the building Principal or responsible administrator as soon as possible.
9. All visitors and observers permitted inside school buildings or on school grounds must comply with all school health and safety protocols in place at the time, including any health screening protocols.
10. A refusal to comply with any of the Board's policy provisions and/or regulation concerning visitors shall constitute grounds for denial of the visitor's privileges, as determined appropriate by the building Principal or designee. Such refusal may also result in a referral to law enforcement personnel, as determined appropriate by the building Principal or designee.



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Legal References:

REVIEWED BY THE BOARD OF EDUCATION: February 25, 2003

REVISED BY THE BOARD OF EDUCATION: February 24, 2015, (Effective July 1, 2015)  
November 10, 2020

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**Darien, Connecticut**

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**SERIES 1000: COMMUNITY/BOARD OPERATION**  
**POLICY 1250**

**SCHOOL VOLUNTEERS, STUDENT INTERNS AND OTHER NON-EMPLOYEES**

The Board of Education recognizes the importance of school volunteers at all levels of schooling. Volunteers can enhance collaboration between the school and community, broaden the school's educational environment and ultimately enrich students' school experience. The Board further acknowledges that it may, from time to time, be asked to provide learning experiences for student interns within the school environments. In recognition of the benefit of having volunteers, interns and other such non-employees providing services within the schools, the Board supports the involvement of these individuals in accordance with suitable regulations and safeguards to be developed by the Administration.

Volunteers, interns and other such non-employees working within the schools ("volunteers") must work under the supervision of the Darien Public Schools staff. Volunteers are held to the same standards of conduct as school staff and must observe all Board of Education policies, including applicable policies on the confidentiality of student information.

Volunteers may be required to submit to state and federal criminal record checks and a record check of the Department of Children and Families ("DCF") Child Abuse and Neglect Registry. No person who is required to register as a sex offender under state or federal law, or whose name is currently listed on the DCF registry, may volunteer in the Darien Public Schools.

All volunteers must comply with all school health and safety protocols in place at the time, including but not limited to any health screening protocols.

No employee of the Darien Public Schools shall serve as a volunteer in any capacity, except as may be approved by the Superintendent or his/her designee based on the specific situation.

Persons interested in volunteering their services should contact the school principal.

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Legal References:

- Connecticut General Statutes § 10-4g
- Connecticut General Statutes § 10-220
- Connecticut General Statutes § 10-235
- Connecticut General Statutes § 54-250 et seq.

APPROVED BY THE BOARD OF EDUCATION: February 10, 2015  
REVISED: November 10, 2020

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**Darien, Connecticut**

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**SERIES 1000: COMMUNITY/BOARD OPERATION**  
**POLICY R-1250**

**SCHOOL VOLUNTEERS, INTERNS AND OTHER NON-EMPLOYEES**  
**(Administrative Regulations)**

**Screening Procedure**

The following procedure has been established for screening volunteers, interns and other non-employees (“volunteers”) within the Darien Public Schools. For the purpose of this procedure, volunteers are defined as those individuals who volunteer their time to assist in schools for the benefit of the student body with the express knowledge, consent and direction of a Darien Public Schools employee. Student interns are defined as individuals currently enrolled in a post-secondary program for which an authorized internship is required or for which the student may be granted credit as part of an approved course of study. As with other volunteers, all student interns must be approved in advance by the building administrator or his/her designee and must be under the direction of a Board employee.

This procedure identifies those situations in which an individual may be required to submit to state and federal criminal record checks and a record check of the Department of Children and Families (“DCF”) Child Abuse and Neglect Registry within 10 days of application and/or request to volunteer within the Darien Public Schools. All results must be received by the Human Resources Office before the volunteer may commence his or her services. Volunteers required to submit to such checks shall be subject to such checks at least every five (5) years, or more frequently in the discretion of the District. The results of such checks shall be maintained by the Human Resources Office for a period of five (5) years. No person who is a required to register as a sex offender under state or federal law, or whose name is currently listed on the DCF registry, may volunteer in the Darien Public Schools.

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**Screening Procedure Definitions**

The District has identified two classifications of volunteers: Group I and Group II.

**Group I**

Volunteers will be classified in Group I when they assist school staff members with school activities in the presence of a Darien Public Schools employee. Background checks will not be required of Group I volunteers. Group I volunteers are those who assist school staff members with school activities such as those listed below:

- a. assisting in a classroom, cafeteria, or library when a staff member is present; or
- b. accompanying a class on a field trip during the school day with a staff member; or

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- c. helping in the school office during regular school hours; or
- d. assisting in the cafeteria or library during regular school hours; or
- e. assisting during extracurricular events, i.e., dances, fairs, open house, sporting events, etc.

**Group II**

Volunteers will be classified in Group II when they provide services to students when not in the direct presence of a Darien Public Schools employee. Group II volunteers will be required to complete a consent form regarding the release of information concerning any prior or pending criminal offenses, and such volunteers will be required to submit to a record check of the Department of Children and Families (DCF) Abuse and Neglect Registry. Group II volunteers are those who engage in activities such as those listed below:

- a. accompanying a class on a field trip in which the plans include that students be divided into small groups supervised solely by the volunteer chaperone for any length of time; or
- b. chaperoning an overnight field trip; or
- c. working in direct contact with students without the direct presence of a Darien Public Schools employee;
- d. working as a student intern; or
- e. coaching.

Upon receipt of DCF Abuse and Neglect Registry results indicating that the volunteer is involved in an abuse or neglect investigation or that the volunteer is listed as a perpetrator of abuse or neglect on the Registry, the Superintendent or his or her designee will notify the volunteer of the results of the Registry check and will provide an opportunity for the volunteer to respond to the results of the Registry check. No person who is a required to register as a sex offender under state or federal law, or whose name is currently listed on the DCF registry, may be approved to volunteer within the Darien Public Schools.

When a criminal record check of a volunteer reveals a criminal conviction, whether disclosed or undisclosed on the volunteer's consent form, the Superintendent will make a case-by-case determination as to whether to allow the individual to volunteer in the Darien Public Schools. Prior to any such decision by the Superintendent or designee, the Superintendent or designee shall inform the volunteer and shall provide an opportunity for the volunteer to respond. Notwithstanding the foregoing, the falsification or omission of any information on a volunteer consent form, including, but not limited to, information concerning criminal convictions or pending criminal charges, may be grounds for the Superintendent or designee to prohibit the individual from becoming a volunteer.

**Prior Approval Required**

All school volunteers (including student interns or other non-employee working in the schools) must be approved in advance by the building principal or other administrative designee. The school district, acting through the appropriate building administrator or his/her designee, reserves

**DARIEN PUBLIC SCHOOLS**  
**Darien, Connecticut**

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the right to discontinue or disallow the services of any volunteer at any time at the discretion of the administration.

**Sign-in Procedure**

All volunteers must report to the school office upon arrival to sign in and must report to the office prior to departure to sign out. A sign-in/sign-out log will be maintained in each school office. Volunteers must indicate the purpose of their visit and include any other information (i.e. destination; provide proof of identification etc.) as may be required by the log. Additionally, volunteers will be provided with identification badges, which must be displayed during each visit. All volunteers must comply with all school health and safety protocols in place at the time, including but not limited to any health screening protocols.

Legal Reference:

- Connecticut General Statutes § 10-4g
- Connecticut General Statutes § 10-220
- Connecticut General Statutes § 10-235
- Connecticut General Statutes § 54-250 et seq.

REVIEWED BY THE BOARD OF EDUCATION: February 10, 2015

REVISED: November 10, 2020

DARIEN PUBLIC SCHOOLS  
Darien, CT

POLICY

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Series 5000 Students  
Policy 5220

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STUDENT DISCIPLINE

I. Definitions

- A. **Dangerous Instrument** means any instrument, article or substance which, under the circumstances in which it is used or attempted or threatened to be used, is capable of causing death or serious physical injury, and includes a "vehicle" or a dog that has been commanded to attack.
- B. **Deadly Weapon** means any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon or metal knuckles. A weapon such as a pellet gun and/or air soft pistol may constitute a deadly weapon if such weapon is designed for violence and is capable of inflicting death or serious bodily harm. In making such determination, the following factors should be considered: design of weapon; how weapon is typically used (e.g. hunting); type of projectile; force and velocity of discharge; method of discharge (i.e. spring v. CO2 cartridge) and potential for serious bodily harm or death.
- C. **Electronic Defense Weapon** means a weapon which by electronic impulse or current is capable of immobilizing a person temporarily, but is not capable of inflicting death or serious physical injury, including a stun gun or other conductive energy device.
- D. **Emergency** means a situation in which the continued presence of the student in school poses such a danger to persons or property or such a disruption of the educational process that a hearing may be delayed until a time as soon after the exclusion of such student as possible.
- E. **Exclusion** means any denial of public school privileges to a student for disciplinary purposes.

- F. **Expulsion** means the exclusion of a student from school privileges for more than ten (10) consecutive school days and shall be deemed to include, but not be limited to, exclusion from the school to which such pupil was assigned at the time such disciplinary action was taken. The expulsion period may not extend beyond one (1) calendar year.
- G. **Firearm**, as defined in 18 U.S.C § 921, means (a) any weapon (including a starter gun) that will, is designed to, or may be readily converted to expel a projectile by the action of an explosive, (b) the frame or receiver of any such weapon, (c) a firearm muffler or silencer, or (d) any destructive device. The term firearm does not include an antique firearm. As used in this definition, a "**destructive device**" includes any explosive, incendiary, or poisonous gas device, including a bomb, a grenade, a rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, or any other similar device; or any weapon (other than a shotgun or shotgun shell which the Attorney General finds is generally recognized as particularly suited for sporting purposes) that will, or may be readily converted to, expel a projectile by explosive or other propellant, and which has a barrel with a bore of more than ½" in diameter. The term "destructive device" also includes any combination of parts either designed or intended for use in converting any device into any destructive device and from which a destructive device may be readily assembled. A "destructive device" does not include: an antique firearm; a rifle intended to be used by the owner solely for sporting, recreational, or cultural purposes; or any device which is neither designed nor redesigned for use as a weapon.
- H. **In-School Suspension** means an exclusion from regular classroom activity for no more than ten (10) consecutive school days, but not exclusion from school, provided such exclusion shall not extend beyond the end of the school year in which such in-school suspension was imposed. No student shall be placed on in-school suspension more than fifteen (15) times or a total of fifty (50) days in one (1) school year, whichever results in fewer days of exclusion.
- I. **Martial Arts Weapon** means a nunchaku, kama, kasari-fundo, octagon sai, tonfa or chinese star.
- J. **Removal** is the exclusion of a student from a classroom for all or part of a single class period, provided such exclusion shall not extend beyond ninety (90) minutes.
- K. **School Days** shall mean days when school is in session for students.



- L. **School-Sponsored Activity** means any activity sponsored, recognized or authorized by the Board and includes activities conducted on or off school property.
- M. **Seriously Disruptive of the Educational Process**, as applied to off-campus conduct, means any conduct that markedly interrupts or severely impedes the day-to-day operation of a school.
- N. **Suspension** means the exclusion of a student from school and/or transportation services for not more than ten (10) consecutive school days, provided such suspension shall not extend beyond the end of the school year in which such suspension is imposed; and further provided no student shall be suspended more than ten (10) times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless such student is granted a formal hearing as provided below.
- O. **Weapon** means any BB gun, any blackjack, any metal or brass knuckles, any police baton or nightstick, any dirk knife or switch knife, any knife having an automatic spring release device by which a blade is released from the handle, having a blade of over one and one-half inches in length, any stiletto, any knife the edged portion of the blade of which is four inches and over in length, any martial arts weapon or electronic defense weapon, or any other dangerous or deadly weapon or instrument, unless permitted by law under Section 29-38 of the Connecticut General Statutes.
- P. Notwithstanding the foregoing definitions, the reassignment of a student from one regular education classroom program in the district to another regular education classroom program in the district shall not constitute a suspension or expulsion.

Q. For purposes of this policy, references to "school" and "classroom" shall include physical educational environments, as well as virtual educational environments, whether synchronous or asynchronous, which occur on Internet-based platforms that allow students to engage in remote learning.

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II. Scope of the Student Discipline Policy

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

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

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

**B. Conduct off School Grounds:**

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

**C. Seriously Disruptive of the Educational Process:**

In making a determination as to whether such conduct is seriously disruptive of the educational process, the Administration and the Board of Education may consider, but such consideration shall not be limited to, the following factors: (1) whether the incident occurred within close proximity of a school; (2) whether other students from the school were involved or whether there was any gang involvement; (3) whether the conduct involved violence, threats of violence, or the unlawful use of a weapon, as defined in Section ~~Conn. Gen. Stat. § 29-38~~ [of the Connecticut General Statutes](#), and whether any injuries occurred; and (4) whether the conduct involved the use of alcohol. The Administration and/or the Board of Education may also consider (5) whether the off-campus conduct involved the illegal use of drugs.

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

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

1. Striking or assaulting a student, members of the school staff or other person(s).
2. Theft.
3. The use of obscene or profane language or gestures, the possession and/or display of obscenity or pornographic images or the unauthorized or inappropriate possession and/or display of images, pictures or photographs depicting nudity.

4. Violation of smoking, dress, transportation regulations, or other regulations and/or policies governing student conduct.
5. Refusal to obey a member of the school staff, law enforcement authorities, or school volunteers, or disruptive classroom behavior.
6. Any act of harassment based on an individual's sex, sexual orientation, race, color, religion, disability, national origin ~~or~~ alienage, ancestry, gender identity or expression, marital status, age, pregnancy, veteran status or any other characteristic protected by law.
7. Refusal by a student to identify himself/herself to a staff member when asked, misidentification of oneself to such person(s), lying to school officials or otherwise engaging in dishonest behavior.
8. Inappropriate displays of public affection of a sexual nature and/or sexual activity on school grounds or at a school-sponsored activity.
9. A walk-out from or sit-in within a classroom or school building or school grounds.
10. Blackmailing, threatening or intimidating school staff or students (or acting in a manner that could be construed to constitute blackmail, a threat, or intimidation, regardless of whether intended as a joke).
11. Possession of any weapon, weapon facsimile, deadly weapon, martial arts weapon, electronic defense weapon, pistol, knife, blackjack, bludgeon, box cutter, metal knuckles, pellet gun, air pistol, explosive device, firearm, whether loaded or unloaded, whether functional or not, or any other dangerous object or instrument. The possession and/or use of any object or device that has been converted or modified for use as a weapon.
12. Possession of any ammunition for any weapon described above in ~~P~~ Paragraph 11.
13. Unauthorized entrance into any school facility or portion of a school facility or aiding or abetting an unauthorized entrance.
14. Possession or ignition of any fireworks, combustible or other explosive materials, or ignition of any material causing a fire. Possession of any materials designed to be used in the ignition of combustible materials, including matches and lighters.

15. Possession, sale, distribution, use, or consumption, of tobacco, electronic nicotine delivery systems (e.g. e-cigarettes), or vapor products, or the unlawful possession, sale, distribution, use or consumption of drugs, narcotics or alcoholic beverages (or any facsimile of tobacco, drugs, narcotics or alcoholic beverages, or any item represented to be tobacco, drugs or alcoholic beverages), including being under the influence of any such substances or aiding in the procurement of any such substances. For the purposes of this Paragraph 15, the term “electronic nicotine delivery system” shall mean an electronic device used in the delivery of nicotine or other substances to a person inhaling from the device, and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device, including, but not limited to, electronic cigarette liquid. For the purposes of Paragraph 15, the term “vapor product” shall mean any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not include nicotine and is inhaled by the user of such product. For the purposes of this Paragraph 15, the term "drugs" shall include, but shall not be limited to, any medicinal preparation (prescription and non-prescription) and any controlled substance whose possession, sale, distribution, use or consumption is illegal under state and/or federal law.
16. Sale, distribution, or consumption of substances contained in household items; including, but not limited to glue, paint, accelerants/propellants for aerosol canisters, and/or items such as the aerators for whipped cream; if sold, distributed or consumed for the purpose of inducing a stimulant, depressant, hallucinogenic or mind-altering effect.
17. Possession of paraphernalia used or designed to be used in the consumption, sale or distribution of drugs, alcohol or tobacco, as described in ~~Paragraph~~ <sup>Sub</sup>paragraph (15) above. For purposes of this policy, drug paraphernalia includes any equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing controlled drugs or controlled substances into the human body, including but not limited to items such as "bongs," pipes, "roach clips," vials, tobacco rolling papers, and any object or container used, intended or designed for use in storing,

concealing, possessing, distributing or selling controlled drugs or controlled substances.

18. The destruction of real, personal or school property, such as, cutting, defacing or otherwise damaging property in any way.
19. Accumulation of offenses such as school and class tardiness, class or study hall cutting, or failure to attend detention.
20. Trespassing on school grounds while on out-of-school suspension or expulsion.
21. Making false bomb threats or other threats to the safety of students, staff members, and/or other persons.
22. Defiance of school rules and the valid authority of teachers, supervisors, administrators, other staff members and/or law enforcement authorities.
23. Throwing snowballs, rocks, sticks and/or similar objects, except as specifically authorized by school staff.
24. Unauthorized and/or reckless and/or improper operation of a motor vehicle on school grounds or at any school-sponsored activity.
25. Leaving school grounds, school transportation or a school-sponsored activity without authorization.
26. Use of or copying of the academic work of another individual and presenting it as the student's own work, without proper attribution; or any other form of academic dishonesty, cheating or plagiarism.
27. Possession and/or use of a cellular telephone, radio, portable audio player, CD player, blackberry, personal data assistant, walkie talkie, Smartphone, mobile or handheld device, or similar electronic device, on school grounds or at a school-sponsored activity in violation of Board policy and/or administrative regulations regulating the use of such devices.
28. Possession and/or use of a beeper or paging device on school grounds or at a school-sponsored activity without the written permission of the principal or his/her designee.
29. Unauthorized use of or tampering with any school computer, computer system, computer software, Internet connection or

similar school property or system, or the use of such property or system for inappropriate purposes.

30. Possession and/or use of a laser pointer, unless the student possesses the laser pointer temporarily for an educational purpose while under the direct supervision of a responsible adult.
31. Hazing.
32. Bullying, defined as the repeated use by one or more students of a written, oral or electronic communication, such as cyberbullying, directed at another student attending school in the same district, or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same school district, which:
  - a. causes physical or emotional harm to such student or damage to such student's property;
  - b. places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;
  - c. creates a hostile environment at school for such student;
  - d. infringes on the rights of such student at school; or
  - e. substantially disrupts the education process or the orderly operation of a school.

Bullying includes, but is not limited to, repeated written, oral or electronic communications or physical acts or gestures based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.
33. Cyberbullying, defined as any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.

34. Acting in any manner that creates a health and/or safety hazard for staff members, students, or the public, regardless of whether the conduct is intended as a joke, including but not limited to violating school or district health and safety protocols.
35. Engaging in a plan to stage or create a violent situation for the purposes of recording it by electronic means; or recording by electronic means acts of violence for purposes of later publication.
36. Engaging in a plan to stage sexual activity for the purposes of recording it by electronic means; or recording by electronic means sexual acts for purposes of later publication.
37. Using computer systems, including email, distance learning platforms, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by this policy.
38. Use of a privately owned electronic or technological device in violation of school rules, including the unauthorized recording (photographic or audio) of another individual without permission of the individual or a school staff member.
39. Engaging in teen dating violence, defined as 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.
40. Any action prohibited by any Federal or State law.
41. Any other violation of school rules or regulations or a series of violations which makes the presence of the student in school seriously disruptive of the educational process and/or a danger to persons or property.

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#### IV. Discretionary and Mandatory Expulsions

- A. A principal may consider recommendation of expulsion of a student in grades three to twelve, inclusive, in a case where he/she has reason to believe the student has engaged in conduct described at Sections II.A or II.B., above.
- B. A principal must recommend expulsion proceedings in all cases against any student in grades kindergarten to twelve, inclusive, whom the Administration has reason to believe:

1. was in possession on school grounds or at a school-sponsored activity of a deadly weapon, dangerous instrument, martial arts weapon, or firearm as defined in 18 U.S.C. § 921 as amended from time to time; or
2. off school grounds, possessed a firearm as defined in 18 U.S.C. § 921, in violation of Conn. Gen. Stat. § 29-35, or possessed and used a firearm as defined in 18 U.S.C. § 921, a deadly weapon, a dangerous instrument or a martial arts weapon in the commission of a crime under chapter 952 of the Connecticut General Statutes; or
3. was engaged on or off school grounds in offering for sale or distribution a controlled substance (as defined in Conn. Gen. Stat. § 21a-240(9)), whose manufacturing, distribution, sale, prescription, dispensing, transporting, or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under Conn. Gen. Stat. §§21a-277 and 21a-278.

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

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

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

- E. In keeping with Conn. Gen. Stat. § 10-233d and the Gun-Free Schools Act, it shall be the policy of the Board to expel a student in grades



kindergarten to twelve, inclusive, for one (1) full calendar year for— the conduct described in Section IV B(1), (2) and (3) of this policy and to expel a student enrolled in a preschool program for one (1) calendar year for the conduct described in Section IV.C. For any mandatory expulsion offense, the Board may modify the term of expulsion on a case-by-case basis.

V. Procedures Governing Removal from Class

- A. A student may be removed from class by a teacher or administrator if he/she deliberately causes a serious disruption of the educational process. When a student is removed, the teacher must send him/her to a designated area and notify the principal or his/her designee at once.
- B. A student may not be removed from class more than six (6) times in one school year nor more than twice in one week unless the student is referred to the building principal or designee and granted an informal hearing at which the student should be informed of the reasons for the disciplinary action and given an opportunity to explain the situation.
- C. The parents or guardian of any minor student removed from class shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of such removal from class.

VI. Procedures Governing Suspension

- A. The principal of a school, or designee on the administrative staff of the school, shall have the right to suspend a student for breach of conduct as noted in Section II of this policy for not more than ten (10) consecutive school days. In cases where suspension is contemplated, the following procedures shall be followed.
  - 1. Unless an emergency situation exists, no student shall be suspended prior to having an informal hearing before the principal or designee at which the student is informed of the charges and given an opportunity to respond. In the event of an emergency, the informal hearing shall be held as soon after the suspension as possible.
  - 2. If suspended, such suspension shall be an in-school suspension, except the principal or designee may impose an out-of-school suspension on any pupil:
    - a. in grades three to twelve, inclusive, if, during the informal hearing, (i) the principal or designee determines that the student poses such a danger to persons or property or such

a disruption of the educational process that he or she should be excluded from school during the period of suspension; or (ii) the principal or designee determines that an out-of-school suspension is appropriate based on evidence of (A) the student's previous disciplinary problems that have led to suspensions or expulsion of such student, and (B) previous efforts by the Administration to address the student's disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies, or

b. in grades preschool to two, inclusive, if the principal or designee determines that an out-of-school suspension is appropriate for such pupil based on evidence that such pupil's conduct on school grounds is of a violent or sexual nature that endangers persons.

3. Evidence of past disciplinary problems that have led to removal from a classroom, suspension, or expulsion of a student who is the subject of an informal hearing may be received by the principal or designee, but only considered in the determination of the length of suspensions.
4. By telephone, the principal or designee shall make reasonable attempts to immediately notify the parent or guardian of a minor student following the suspension and to state the cause(s) leading to the suspension.
5. Whether or not telephone contact is made with the parent or guardian of such minor student, the principal or designee shall forward a letter promptly to such parent or guardian to the last address reported on school records (or to a newer address if known by the principal or designee), offering the parent or guardian an opportunity for a conference to discuss same.
6. In all cases, the parent or guardian of any minor student who has been suspended shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the suspension.
7. Not later than twenty-four (24) hours after the commencement of the suspension, the principal or designee shall also notify the Superintendent or his/her designee of the name of the student being suspended and the reason for the suspension.

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8. The student shall be allowed to complete any classwork, including examinations, without penalty, which he or she missed while under suspension.
  9. The school Administration may, in its discretion, shorten or waive the suspension period for a student who has not previously been suspended or expelled, if the student completes an Administration-specified program and meets any other conditions required by the Administration. Such Administration-specified program shall not require the student and/or the student's parents to pay for participation in the program.
  10. Notice of the suspension shall be recorded in the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record if the student graduates from high school. In cases where the student's period of suspension is shortened or waived in accordance with Section VI.A(9), above, the Administration may choose to expunge the suspension notice from the cumulative record at the time the student completes the Administration-specified program and meets any other conditions required by the Administration.
  11. If the student has not previously been suspended or expelled, and the Administration chooses to expunge the suspension notice from the student's cumulative record prior to graduation, the Administration may refer to the existence of the expunged disciplinary notice, notwithstanding the fact that such notice may have been expunged from the student's cumulative file, for the limited purpose of determining whether any subsequent suspensions or expulsions by the student would constitute the student's first such offense.
  12. The decision of the principal or designee with regard to disciplinary actions up to and including suspensions shall be final.
  13. During any period of suspension served out of school, the student shall not be permitted to be on school property and shall not be permitted to attend or participate in any school-sponsored activities, unless the principal specifically authorizes the student to enter school property for a specified purpose or to participate in a particular school-sponsored activity.
- B. In cases where a student's suspension will result in the student being suspended more than ten (10) times or for a total of fifty (50) days in a school year, whichever results in fewer days of exclusion, the student shall, prior to the pending suspension, be granted a formal hearing before

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

## VII. Procedures Governing In-School Suspension

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

## VIII. Procedures Governing Expulsion Hearing

### A. **Emergency Exception:**

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

### B. **Hearing Panel:**

- 1. Expulsion hearings conducted by the Board will be heard by any three or more Board members. A decision to expel a student must

be supported by a majority of the Board members present, provided that no less than three (3) affirmative votes to expel are cast.

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

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

1. Written notice of the expulsion hearing must be given to the student, and, if the student is a minor, to his/her parent(s) or guardian(s) at least five (5) business days before such hearing.
2. A copy of this Board policy on student discipline shall also be given to the student, and if the student is a minor, to his/her parent(s) or guardian(s), at the time the notice is sent that an expulsion hearing will be convened.
3. The written notice of the expulsion hearing shall inform the student of the following:
  - a. The date, time, place and nature of the hearing, including if the hearing will be held virtually, via video conference.
  - b. The legal authority and jurisdiction under which the hearing is to be held, including a reference to the particular sections of the legal statutes involved.
  - c. A short, plain description of the conduct alleged by the Administration.
  - d. The student may present as evidence relevant testimony and documents concerning the conduct alleged and the appropriate length and conditions of expulsion; and that the expulsion hearing may be the student's sole opportunity to present such evidence.
  - e. The student may cross-examine witnesses called by the Administration.
  - f. The student may be represented by an attorney or other advocate of his/her choice; at his/her expense or at the expense of his/her parent(s) or guardian(s).

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

**D. Hearing Procedures:**

1. The hearing will be conducted by the Presiding Officer, who will call the meeting to order, introduce the parties, Board members and counsel, briefly explain the hearing procedures, and swear in any witnesses called by the Administration or the student.
2. The hearing will be conducted in executive session. A verbatim record of the hearing will be made, either by tape recording or by a stenographer. A record of the hearing will be maintained, including the verbatim record, all written notices and documents relating to the case and all evidence received or considered at hearing.
3. The Administration shall bear the burden of production to come forward with evidence to support its case and shall bear the burden of persuasion. The standard of proof shall be a preponderance of the evidence.
4. Formal rules of evidence will not be followed. The Board has the right to accept hearsay and other evidence if it deems that evidence relevant or material to its determination. The Presiding Officer will rule on testimony or evidence as to it being immaterial or irrelevant.

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5. The hearing will be conducted in two (2) parts. In the first part of the hearing, the Board will receive and consider evidence regarding the conduct alleged by the Administration.
6. In the first part of the hearing, the charges will be introduced into the record by the Superintendent or his/her designee.
7. Each witness for the Administration will be called and sworn. After a witness has finished testifying, he/she will be subject to cross-examination by the opposite party or his/her legal counsel, by the Presiding Officer and by Board members.
8. The student shall not be compelled to testify at the hearing.
9. After the Administration has presented its case, the student will be asked if he/she has any witnesses or evidence to present concerning the charges. If so, the witnesses will be sworn, will testify, and will be subject to cross examination and to questioning by the Presiding Officer and/or by the Board. The student may also choose to make a statement at this time. If the student chooses to make a statement, he or she will be sworn and subject to cross examination and questioning by the Presiding Officer and/or by the Board. Concluding statements will be made by the Administration and then by the student and/or his or her representative.
10. In cases where the student has denied the allegation, the Board must determine whether the student committed the offense(s) as charged by the Superintendent.
11. If the Board determines that the student has committed the conduct as alleged, then the Board shall proceed with the second portion of the hearing, during which the Board will receive and consider relevant evidence regarding the length and conditions of expulsion.
12. When considering the length and conditions of expulsion, the Board may review the student's attendance, academic and past disciplinary records. The Board may not review notices of prior expulsions or suspensions which have been expunged from the student's cumulative record, except as so provided in Section VI.A (9), (10), (11), above, and Section X, below. The Board may ask the Superintendent for a recommendation as to the discipline to be imposed.
13. Evidence of past disciplinary problems which have led to removal from a classroom, suspension or expulsion of a student being considered for expulsion may be considered only during the

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

14. Where administrators presented the case in support of the charges against the student, such administrative staff shall not be present during the deliberations of the Board either on questions of evidence or on the final discipline to be imposed. The Superintendent may, after reviewing the incident with administrators, and reviewing the student's records, make a recommendation to the Board as to the appropriate discipline to be applied.
15. The Board shall make findings as to the truth of the charges, if the student has denied them; and, in all cases, the disciplinary action, if any, to be imposed. While the hearing itself is conducted in executive session, the vote regarding expulsion must be made in open session and in a manner that preserves the confidentiality of the student's name and other personally identifiable information.
16. Except for a student who has been expelled based on possession of a firearm or deadly weapon as described in subsection IV.B(1) and (2) above, the Board may, in its discretion, shorten or waive the expulsion period for a student who has not previously been suspended or expelled, if the student completes a Board-specified program and meets any other conditions required by the Board. The Board-specified program shall not require the student and/or the student's parents to pay for participation in the program.
17. The Board shall report its final decision in writing to the student, or if such student is a minor, also to the parent(s) or guardian(s), stating the reasons on which the decision is based, and the disciplinary action to be imposed. Said decision shall be based solely on evidence presented at the hearing. The parents or guardian of any minor student who has been expelled shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of the period of the expulsion.

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

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

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

F. **Stipulated Agreements:**

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

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

IX. **Alternative Educational Opportunities for Expelled Students**

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

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

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

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

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

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

**D. Content of Alternative Educational Opportunity**

1. For the purposes of Section IX, and subject to Subsection IX.E, below, any alternative educational opportunity to which an expelled student is statutorily entitled shall be (1) alternative education, as defined by Conn. Gen. Stat. § 10-74j and in accordance with the Standards for Educational Opportunities for Students Who Have Been Expelled, adopted by the State Board of Education, with an individualized learning plan, if the Board provides such alternative education, or (2) in accordance with the Standards for Educational Opportunities for Students Who Have Been Expelled, adopted by the State Board of Education.

2. The Superintendent, or his/her designee, shall develop administrative regulations concerning alternative educational opportunities, which administrative regulations shall be in compliance with the standards adopted by the State Board of Education. Such administrative regulations shall include, but not limited to, provisions to address student placement in alternative education; individualized learning plans; monitoring of students placements and performance; and a process for transition planning.

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

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

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

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

**X. Notice of Student Expulsion on Cumulative Record**

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

In cases where the student’s period of expulsion is shortened or waived in accordance with Section VIII.D(164), above, the Board may choose to expunge the expulsion notice from the cumulative record at the time the student completes the Board-specified program and meets any other conditions required by the Board.

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

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

#### **XI. Change of Residence During Expulsion Proceedings**

##### **A. Student moving into the school district:**

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

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

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

expulsion hearing and render a decision. If the Board subsequently renders a decision to expel the student, a notice of the expulsion shall be included on the student's cumulative record.

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

**A. Suspension of IDEA students:**

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

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

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

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

1. Upon the decision by the Administration to recommend expulsion or impose a suspension that would constitute a change in educational placement, the Administration shall promptly notify the parent(s)/guardian(s) of the student of the recommendation of expulsion or the suspension that would constitute a change in educational placement, and provide the parents(s)/guardian(s) a copy of the special education procedural safeguards either by hand

delivery or by mail (unless other means of transmission have been arranged).

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

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

1. School personnel may remove a student eligible for special education under the IDEA to an appropriate interim alternative educational setting for not more than forty-five (45) school days if the student:
  - a. Was in possession of a dangerous weapon, as defined in 18 U.S.C. 930(g)(2), as amended from time to time, on school grounds or at a school-sponsored activity, or

- b. Knowingly possessed or used illegal drugs or sold or solicited the sale of a controlled substance while at school or at a school-sponsored activity; or
- c. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function.

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

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

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

- A. Except as provided in subsection B below, notwithstanding any provision to the contrary, if the Administration recommends for expulsion a student identified as eligible for educational accommodations under Section 504 who has violated any rule or code of conduct of the school district that applies to all students, the following procedures shall apply:
  - 1. The parents of the student must be notified of the decision to recommend the student for expulsion.
  - 2. The district shall immediately convene the student’s Section 504 team (“504 team”) for the purpose of reviewing the relationship

between the student's disability and the behavior that led to the recommendation for expulsion. The 504 team will determine whether the student's behavior was a manifestation of his/her disability.

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

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

- A. Any student who commits an expellable offense and is subsequently placed in a juvenile detention center or any other residential placement for such offense may be expelled by the Board in accordance with the provisions of this section. The period of expulsion shall run concurrently with the period of placement in a juvenile detention center or other residential placement.
- B. If a student who committed an expellable offense seeks to return to a school district after participating in a diversionary program or having been placed in a juvenile detention center or any other residential placement and such student has not been expelled by the board of education for such offense under subdivision (A) of this subsection, the Board shall allow such student to return and may not expel the student for additional time for such offense.

#### XV. Early Readmission to School

An expelled student may apply for early readmission to school. The Board delegates the authority to make decisions on readmission requests to the Superintendent. Students desiring readmission to school shall direct such



readmission requests to the Superintendent. The Superintendent has the discretion to approve or deny such readmission requests, and may condition readmission on specified criteria.

XVI. Dissemination of Policy

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

XVII. Compliance with Documentation and Reporting Requirements

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

Legal References:

Connecticut General Statutes:

~~Public Act 19-91, "An Act Concerning Various Revisions and Additions to the Education Statutes."~~

~~Public Act 19-13, "An Act Prohibiting the Sale of Cigarettes, Tobacco Products, Electronic Nicotine Delivery Systems and Vapor Products to Persons Under Age Twenty One."~~

§ 10-16 Length of school year

§ 10-74j Alternative education

~~§§ 4-176e through 4-180a and § 4-181a — Uniform Administrative Procedures Act.~~  
~~§ 10-222d — Safe school climate plans. Definitions. Safe school climate assessments.~~  
~~§§ 10-233a through 10-233f — Suspension and expulsion of students.~~  
~~§ 10-233 — Expulsion and suspension of children in preschool programs.~~  
~~§ 10-253 — School privileges for children in certain placements; nonresident children, children in temporary shelters, homeless children and children in juvenile detention facilities. Liaison to facilitate transitions between school districts and juvenile and criminal justice systems.~~  
~~§ 21a-240 — Definitions.~~  
~~§ 19a-342a — Use of electronic nicotine delivery system or vapor product prohibited.~~  
~~§§ 21a-408a through 408p — Palliative Use of Marijuana.~~  
~~§ 29-38 — Weapons in vehicles.~~  
~~§ 53a-3 — Definitions.~~  
~~§ 53-344b — Sale and delivery of electronic nicotine delivery system or vapor products to minors.~~  
~~§ 53-206 — Carrying of dangerous weapons prohibited.~~

§ 19a-342a — Use of electronic nicotine delivery system or vapor product prohibited. Exceptions. Signage required. Penalties.  
§ 21a-240 — Definitions.  
§ 21a-277 — Penalty for illegal manufacture, distribution, sale, prescription, dispensing.  
§ 21a-278 — Penalty for illegal manufacture, distribution, sale, prescription, or administration by non-drug-dependent person.  
§§ 21a-408a through 408p — Palliative Use of Marijuana.  
§ 29-35 — Carrying of pistol or revolver without permit prohibited. Exceptions.  
§ 29-38 — Weapons in vehicles.  
§ 53a-3 — Definitions.  
§ 53-206 — Carrying of dangerous weapons prohibited.  
§ 53-344 — Sale or delivery of cigarettes or tobacco products to persons under twenty-one.  
§ 53-344b — Sale and delivery of electronic nicotine delivery system or vapor products to persons under twenty-one years or age.

State v. Hardy, 896 A.2d ~~755, 278-755~~(Conn. ~~113~~(2006).

State v. Guzman, 955 A.2d ~~72, 2008- 72~~ (Conn. App. ~~LEXIS 445~~ (Sept. ~~16,~~ Ct. 2008).

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

Federal law:

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

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

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

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

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

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

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

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

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

ADOPTED: November 10, 2020

REVISED:

**DARIEN PUBLIC SCHOOLS**  
**Darien, CT**

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**Series 5000**  
**Students**

**ADMINISTRATIVE REGULATIONS REGARDING ALTERNATIVE  
EDUCATIONAL OPPORTUNITIES FOR EXPELLED STUDENTS**

I. Applicability of these Administrative Regulations

These administrative regulations shall apply in cases when, pursuant to state law, a student in the Darien Public Schools (the "District") is entitled to an alternative educational opportunity during a period of expulsion.

II. Responsible Personnel

The building principal of the school from which the student has been expelled, or his/her designee(s), shall maintain responsibility for compliance with these administrative regulations relative to the individual student who is being provided with the alternative educational opportunity.

III. Student Placement Procedures

- A. After a student has been expelled, and unless extraordinary circumstances exist, the building principal, or his/her designee(s), will take the following steps:
1. Meet with the expelled student's parent(s)/guardian(s) prior to the student's placement in an alternative educational setting to provide information concerning the potentially appropriate alternative educational opportunities for the student and to inform the parent(s)/guardian(s) and student of the right to apply for early readmission to school in accordance with Conn. Gen. Stat. Section 10-233d(j).
  2. Consult with relevant school personnel from the school from which the student was expelled, who are knowledgeable about the student, to obtain information regarding the student's academic, social, and behavioral history that will help inform the decision concerning an appropriate alternative educational opportunity. Such information may be gathered by written reports.
  3. After placement options have been shared with the parent(s)/guardian(s), convene a placement meeting at which all

alternative educational opportunities are explored and a placement decision is made.

- B. The educational programming and placement for expelled students who are eligible to receive special education and related services under the Individuals with Disabilities Education Act (“IDEA”) shall be determined by the student’s Planning and Placement Team (“PPT”). In such case, Subsection A above shall not apply.

#### IV. Individualized Learning Plan

##### A. Development of the Individualized Learning Plan

After the student has been accepted into an alternative educational placement, the principal, or his/her designee, will develop an Individualized Learning Plan (“ILP”) that will govern the programming for the student for the period of expulsion. To develop the ILP, the principal, or his/her designee, will collaborate with school personnel from the school from which the student was expelled, the student and the parent/guardian, and will review all relevant student records.

##### B. Contents of the Individualized Learning Plan

1. The ILP will reference student records with information relevant to the provision of an alternative educational opportunity. These records may include:
  - a. Student success plan (for students who have a student success plan as mandated by state law, the student success plan may inform the ILP but does not replace the ILP);
  - b. Individualized education program (“IEP”);
  - c. Section 504 Plan;
  - d. Individualized health care plan or emergency care plan; and/or
  - e. Other relevant academic and behavioral data.
2. The ILP will address the following:
  - a. The student’s academic and behavioral needs and appropriate academic and behavioral goals and interventions, including the student’s core classes at the time of expulsion and the student’s current placement or

progress in the curriculum for those classes so that the student has an opportunity to continue to progress in the Board's academic program and earn graduation credits, if applicable;

- b. Benchmarks to measure progress towards the goals and ultimately, progress towards graduation;
- c. Provision for the timing and method for reviewing the student's progress in the alternative educational opportunity and for communicating that progress to the parent/guardian or student. For most students, monitoring and reviewing the student's progress will include monitoring the student's attendance, work completion and progress toward meeting the relevant academic standards for particular coursework, and thus progressing toward graduation, if applicable. The student's progress and grades will be communicated to the parents/guardians or student with the same frequency as similar progress for students in the regular school environment is reported and communicated to parents/guardians or students. The student's progress and grades will also be reported to the school from which the student was expelled;
- d. Provision for the timely transfer of the student's records both from the student's school to the alternative educational opportunity provider, and also from the alternative educational opportunity provider to the student's school; and
- e. The possibility of early readmission to the school from which the student was expelled and the early readmission criteria, if any, established by the Board of Education or Superintendent, as applicable.

V. Review of Student's Placement in Alternative Educational Opportunity and Individualized Learning Plan

- A. A review of the appropriateness of the placement must occur at least once per marking period.
- B. The placement review must include:
  - 1. Review of the ILP to (1) assess progress and make adjustments as necessary and (2) determine its alignment with the goals of the student's IEP, where applicable; and

2. Consideration of opportunities for early readmission as set forth in the ILP, as established by the Board of Education or Superintendent, as applicable.

#### VI. Transition Plan for Readmission

- A. Before a student is readmitted to the school from which the student was expelled, relevant staff should provide an opportunity to meet with the parents/guardians and student to discuss the student's readmission. As part of the readmission process and the student's ILP, the principal, or his/her designee, should consider:
  1. Efforts to readmit the student at a semester starting point (at the high school level);
  2. A plan to transfer the student's credits and records back to the school from which the student was expelled:
    - a. The District will award an expelled high school student appropriate high school credit for work satisfactorily completed during the period the student participates in the alternative educational opportunity and will transfer relevant records back to the school from which the student was expelled;
    - b. The District will provide an expelled student transferring to a new school district a progress summary of all work completed during the course of the student's expulsion, and will indicate the course credit earned by the student for that work.
  3. The student's need for academic and other supports upon returning to his/her school; and
  4. Efforts to connect the returning student with opportunities to participate in extracurricular activities.
- B. In the event the principal, or his/her designee, determines that a student's alternative educational opportunity is no longer beneficial to the student, but it remains inappropriate to return the student to the school from which the student was expelled, a plan for a different alternative educational opportunity may be developed in accordance with the procedures outlined in these Administrative Regulations.

Legal References:

Connecticut General Statutes:

Conn. Gen. Stat. § 10-233d

Federal law:

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

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

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

ADOPTED: November 10, 2020

REVISED:

DRAFT



Darien Public Schools  
Darien, Connecticut

SERIES 5000: STUDENTS  
POLICY 5175

**BULLYING PREVENTION AND INTERVENTION**

The Darien 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 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, oral or electronic communication, such as cyberbullying, directed at or referring to another student attending school in the same school district, or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same school district, that is direct or indirect and severe, persistent or pervasive, which:~~

- ~~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;~~
- 1) causes physical or emotional harm to an individual;

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

2) places an individual in -reasonable fear of physical or emotional harm; or

3) infringes on the rights or opportunities of an individual at school.

Bullying shall include, but need not be limited to, a written, ~~verbal-oral~~ or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity 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 Darien 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 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 (A) of the results of such investigation, and (B) verbally or by electronic mail, if such parents' or guardians' electronic mail addresses are known, that such parents or guardians may refer to the plain language explanation of the rights and remedies available under Conn. Gen. Stat. Section 10-4a and 10-4b published on the Internet website of the Board;  
;
- (9) require each school to invite the parents or guardians of 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 222j related to the identification, prevention and response to bullying.](#)

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.

~~By September 1, 2014, the Darien~~The 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.

As required by state law, the Board, after consultation with the Connecticut Department of Education and the Connecticut Social and Emotional Learning and School Climate Advisory Collaborative, shall provide on the Board's website training materials to school administrators regarding the prevention of and intervention in discrimination against and targeted harassment of students based on such students' (1) actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance or mental, physical, developmental or sensory disability, or (2) association with individuals or groups who have or are perceived to have one or more of such characteristics.

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

Public Act 19-166

Public Act 21-95

Conn. Gen. Stat. 10-145a

Conn. Gen. Stat. 10-145o

Conn. Gen. Stat. 10-220a

Conn. Gen. Stat. § 10-222d

Conn. Gen. Stat. 10-222g

Conn. Gen. Stat. 10-222h

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

Conn. Gen. Stat. § 10-222j

Conn. Gen. Stat. § 10-222k

Conn. Gen. Stat. § 10-222l

Conn. Gen. Stat. § 10-222q

Conn. Gen. Stat. § 10-222r

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

APPROVED BY THE BOARD OF EDUCATION ON: January 13, 2015

REVISED:

**SERIES 5000: STUDENTS  
POLICY 5175**

**SAFE SCHOOL CLIMATE PLAN**

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 school district, that~~ an act that is direct or indirect and severe, persistent or pervasive, which:
  - (1) ~~causes physical or emotional harm to such student or damage to such student’s property;~~ an individual
  - (2) ~~places such student~~ an individual ~~in reasonable fear of physical or emotional harm to himself or herself, or of damage to his or her property;~~
  - (3) ~~creates a hostile environment at school for such student;~~ infringes on the rights or opportunities of an individual at school
  - (4) ~~infringes on the rights of such student at school; or~~

- B. Bullying shall include, but need not be limited to, a written, ~~verbal-oral~~ or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity 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. **"Emotional intelligence"** means the ability to (1) perceive, recognize and understand emotions in oneself or others, (2) use emotions to facilitate cognitive activities, including, but not limited to, reasoning, problem solving and interpersonal communications, (3) understand and identify emotions, and (4) manage emotions in oneself and others.
- D. **"Hostile environment"** means a situation in which bullying among students is sufficiently severe or pervasive to alter the conditions of the school climate.
- ~~D~~E. **"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~~F. **"Outside of the school setting"** means at a location, activity or program that is not school related, or through the use of an electronic device or a mobile electronic device that is not owned, leased or used by a local or regional board of education.
- G **"Positive school climate"** means a school climate in which (1) the norms, values, expectations and beliefs that support feelings of social, emotional and physical safety are promoted, (2) students, parents, and guardians of students and school



employees feel engaged and respected and work together to develop and contribute to a shared school vision, (3) educators model and nurture attitudes that emphasize the benefits and satisfaction gained from learning, and (4) each person feels comfortable contributing to the operation of the school and care of the physical environment of the school.

**F.H.** "Prevention and intervention strategy" may include, but is not limited to,

- (1) implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying identified by the Department of Education,
- (2) school rules prohibiting bullying, teen dating violence, harassment and intimidation and establishing appropriate consequences for those who engage in such acts,
- (3) adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur,
- (4) inclusion of grade-appropriate bullying and teen dating violence education and prevention curricula in kindergarten through high school,
- (5) individual interventions with the bully, parents and school employees, and interventions with the bullied child, parents and school employees,
- (6) school-wide training related to safe school climate,
- (7) student peer training, education and support,
- (8) promotion of parent involvement in bullying 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.I.** "**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, based on patterns of students', parents' and guardians' and school employees' experiences of school life, including but not limited to, norms, goals, values, interpersonal relationships, teaching and learning practices and organizational structures.~~

**H.J.** "School employee" means

- (1) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, school counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by a local or regional board of education or working in a public elementary, middle or high school; or
- (2) any other individual who, in the performance of ~~his or her~~ the individual's 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.

H.K. **“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.

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

M. **“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. 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; and

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

B. Safe School Climate Specialist

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

V. **Development and Review of Safe School Climate Plan**

- A. The Principal of each school 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.~~

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

- (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;

- (5) review and make recommendations to the Coordinator regarding the Safe School Climate Plan based on issues and experiences specific to the school;
  - (6) educate students, school employees and parents/guardians on issues relating to bullying;
  - (7) collaborate with the Coordinator in the collection of data regarding bullying; and
  - (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 or student 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 Board, the Board shall make such plan available on the Board's and each individual school in the school district's web site and ensure that the Safe School Climate Plan is included in the school district's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

**VI. Procedures for Reporting and Investigating Complaints of Bullying**

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

## VII. Responding to Verified Acts of Bullying

- A. Following investigation, if acts of bullying are verified, the Safe School Climate Specialist or designee shall notify the parents or guardians of the students against whom such acts were directed as well as the parents or guardians of the students who commit such acts of bullying of the finding **not later than forty-eight (48) hours** after the investigation is completed. This notification shall include a description of the school's response to the acts of bullying; the results of such investigation; and verbally or by electronic mail, if such parents' or guardians' electronic mail addresses are known, that such parents of guardians may refer to the plain language explanation of the rights and remedies available under Conn. Gen. Stat. Sections 10-4a and 10-4b once such explanation has been provided to the Board by the Connecticut Social and Emotional Learning and School Climate Advisory Collaborative and published on the Internet website of the Board. In providing such notification, however, ~~{ }~~ Darien Public Schools will take

care to respect the statutory privacy rights of other students, including the perpetrator of such bullying. The specific disciplinary consequences imposed on the perpetrator, or personally identifiable information about a student other than the parent/guardian's own child, may not be disclosed except as provided by law.

- B. In any instance in which bullying is verified, the Safe School Climate Specialist or designee shall 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 officer, if any, and other individuals the Principal or designee deems appropriate.
- F. If a bullying complaint raises a concern about discrimination or harassment on the basis of a legally protected classification (such as race, religion, color, national origin, sex, sexual orientation, age, disability or gender identity or expression), the Safe School Climate Specialist or designee shall also coordinate any bullying investigation with other appropriate personnel within the district as appropriate (e.g. Title IX Coordinator, Section 504 Coordinator, etc.), so as to ensure that any such bullying investigation complies with the requirements of such policies regarding nondiscrimination.

## **VIII. 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.

**X. Other Prevention and Intervention Strategies**

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

- (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.
- (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 harassment prevention training, Section 504/ADA training, cultural diversity/multicultural education or other training in federal and state civil rights legislation or other topics relevant to safe school climate;
- (f) Student peer training, education and support;
- (g) Promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions;
- (h) Implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying and teen dating violence, including any such program identified by the Department of Education;
- (i) Respectful responses to bullying and teen dating violence concerns raised by students, parents or staff;
- (j) Planned professional development programs addressing prevention and intervention strategies, which training may include school violence prevention, conflict resolution and prevention of bullying and teen dating violence, with a focus in evidence based practices concerning same;
- (k) Use of peers to help ameliorate the plight of victims and include them in group activities;
- (l) Avoidance of sex-role stereotyping;
- (m) Continuing awareness and involvement on the part of school employees and parents with regards to prevention and intervention strategies;
- (n) Modeling by teachers of positive, respectful, and supportive behavior toward students;

- (o) Creating a school atmosphere of team spirit and collaboration that promotes appropriate social behavior by students in support of others;
  - (p) Employing classroom strategies that instruct students how to work together in a collaborative and supportive atmosphere; and
  - (q) Culturally competent school-based curriculum focusing on social-emotional learning, self-awareness and self-regulation.
- D. In addition to prevention and intervention strategies, administrators, teachers and other professional employees may find opportunities to educate students about bullying and help eliminate bullying behavior through class discussions, counseling, and reinforcement of socially-appropriate behavior. Administrators, teachers and other professional employees should intervene promptly whenever they observe mean-spirited student conduct, even if such conduct does not meet the formal definition of “bullying.”
- E. Funding for the school-based bullying intervention and school climate improvement strategy may originate from public, private, federal or philanthropic sources.

#### **XI. 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. The As required by State law, the Board, after consultation with the Department of Education and the Social and eMotional Learning and School Climate Advisory Collaborative, shall also provide on its website training materials to school administrators regarding the prevention of and intervention in discrimination against and targeted harassment of students based on such students’ (1) actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance or mental, physical, developmental or sensory disability, or (2) association with individuals or groups who have or are perceived to have one or more of such characteristics.

E. Any person appointed by the district to serve as district safe school climate coordinator shall complete mental health and first aid training offered by the Commissioner of Mental Health and Addiction Services.

### **XIII. 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 Connecticut State Department of Education. The Board shall collect the school climate assessments for each school in the district and submit such assessments to the Connecticut State Department of Education.

#### Legal References:

[Public Act 19-166](#)

[Public Act 21-95](#)

Conn. Gen. Stat. § 10-222d

Conn. Gen. Stat. § 10-222g

[Conn. Gen. Stat. § 10-222h](#)

[Conn. Gen. Stat. § 10-222j](#)

Conn. Gen. Stat. § 10-222k

Conn. Gen. Stat. § 10-222l

[Conn. Gen. Stat. § 10-222q](#)

[Conn. Gen. Stat. § 10-222r](#)

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

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

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

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

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

[Connecticut State Department of Education Circular Letter C-1,](#)

|

[Series 2019-2020 \(July 16, 2019\)](#)

~~6/26/2016~~[8/22/2019](#)

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**DARIEN PUBLIC SCHOOLS**  
**Darien, CT**

**SERIES 9200: ORGANIZATION OF THE BOARD**  
**Policy 9280**

**STUDENT REPRESENTATIVES ON THE BOARD OF EDUCATION**

Student representatives on the Darien Board of Education align to the District's Mission & Vision. Specifically, it encourages student involvement in district governance; helps the Board gain greater insight into student activities and student concerns; increases communication; informs decision-making; and provides greater awareness and understanding of mutual issues. The Board supports seating two students from Darien High School to serve on the Darien Board of Education.

The following procedures will be observed for the seating and participation of the student representatives:

1. Student representatives will come from the junior and senior class at Darien High School. One student shall be a member of the junior class and one student shall be a member of the senior class.
2. After the initial year of implementation, the term of office for the two representatives shall be for two years. The student from the senior class serves for one year in the initial year.
3. Students interested in serving as a Board of Education representative must submit an application and participate in the selection process in accordance with the process developed by the high school administration and approved by the Board of Education. For the school year, 2021-2022, any junior or senior in good standing and who completes the application will be considered eligible; thereafter, any sophomore student in good standing at the end of the school year and who completes the application will be considered eligible.
4. All eligible students will be interviewed by members of the high school administration. The two finalists will be interviewed by the Superintendent.
5. Student representatives are expected to attend all regularly scheduled Board Meetings, and will be seated at the Board table at each Board of Education meeting.
6. The chosen representatives shall be given an orientation session by the Superintendent and the Board Chair or his/her designee.
7. Student representatives receive all regular meeting agendas, minutes and other pertinent information, excluding executive session minutes or correspondence.
8. Student representatives will not participate in Board meetings from which the general public is excluded to include executive sessions, negotiation sessions or personnel portions of regular Board meetings.
9. Student representatives serve in a nonvoting capacity.
10. Student representatives will provide updates to the Board at the start of each meeting.
11. Student representatives are not members of subcommittees.
12. Student representatives will serve as liaisons between the student body and the Board.

**DARIEN PUBLIC SCHOOLS**  
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13. At least one student representative should be present at each regular meeting of the Board of Education. If this is not possible, the representatives must advise the Principal and the Superintendent's office in advance of the meeting.
14. On occasion, student representatives may be excused early from meetings.
15. Names and contact information of student representatives will be posted on the District web site.
16. The Board of Education and the Superintendent reserve the right to dismiss a student representative due to an academic issue, poor attendance at Board meetings or at school, disciplinary issues, or other actions that in the opinion of the Board demean the position of a student representative and call for the selection of a new member.
17. Only those privileges and powers enumerated previously shall be regarded specifically as such; any and all other powers and privileges that might be deemed appropriate for the student representatives shall be decided upon by the Board of Education.



**DARIEN HIGH SCHOOL**  
**APPLICATION & SELECTION PROCESS FOR STUDENT BOE REPRESENTATIVES**

1. The student application process will be completed at the end of 10th grade, except for the initial year when it will be completed in the junior and senior year.
2. The high school administration will widely publish this student leadership opportunity.
3. Students will complete an application to be submitted to the main office by a specified deadline.
4. The application will require students to collect 30 student and 5 faculty signatures that endorse the student as a viable applicant.
5. To be considered eligible and remain in the position, the student applicant must have no violations of the Standards of Behavior Governing Participation in Extracurricular and Athletic Activities at Darien High School or any acts of unacceptable behavior.
6. All eligible applicants will be reviewed by a committee of high school staff (administrator, teacher and support staff member) for consideration to interview.
7. The principal, or designee, will interview the final applicants and make one recommendation to the Superintendent.
8. All applicants will be apprised of their application status prior to the announcement of an appointment of a student representative.
9. The Superintendent will interview the recommended applicant.

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Series C-19-021  
COVID-19 Policies and Regulations

**POLICY CONCERNING HEALTH AND SAFETY  
PROTOCOLS RELATED TO THE COVID-19 PANDEMIC (NEW)**

The -Darien Board of Education (the “Board”) recognizes the importance of developing health and safety protocols to protect the health and safety of students, staff, and the community during the COVID-19 pandemic and to comply with any mandates regarding the same contained within applicable laws, rules, regulations, and/or requirements, as any such mandates may be interpreted by guidance from applicable authorities (“Health and Safety Mandates”). The Board thus directs the administration of the Darien Public Schools (the “Administration”) to develop health and safety protocols implementing any Health and Safety Mandates, consistent with applicable laws, rules, regulations and requirements, and to consider current guidance in the development of such protocols. The Board further directs the Administration to provide recommendations to the Board, for Board review, input, and possible action, regarding the possible addition to the Board’s health and safety protocols of any protocols that are not Health and Safety Mandates.

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Compliance with such health and safety protocols shall be mandatory for all individuals while on school property or participating in a school-sponsored activity, unless a legally recognized exemption or exception applies. Failure to comply with such health and safety protocols may lead to disciplinary action for students and staff, and exclusion from school property or the school-sponsored activity for members of the community, in accordance with applicable laws, rules, regulations, and/or Board policies.

The Administration shall provide appropriate notice of such health and safety protocols. Notice may be provided by way of electronic mail, regular mail, website posting, student handbooks, employee handbooks, and/or any other appropriate methods.

**Legal References:**

Connecticut General Statutes § 10-221

Adapt, Advance, Achieve: Connecticut’s Plan to Learn and Grow Together,  
Connecticut State Department of Education (June 29, 2020)

ADOPTED: October 13, 2020

**Darien Public Schools**  
**Darien, Connecticut**

**Board Meetings**      **Series 9300**  
   **Policy 9310**

**MEETING CONDUCT**

1. Definitions

For purposes of this policy:

- A. “Electronic equipment” means any technology that facilitates real-time public access to meetings, including, but not limited to, telephonic, video, or other conferencing platforms.
- B. “Electronic transmission” means any form or process of communication not directly involving the physical transfer of paper or another tangible medium, which (A) is capable of being retained, retrieved and reproduced by the recipient, and (B) is retrievable in paper form by the recipient.

+2. Meeting Conduct

- A. Meetings of the Board of Education (the “Board”) shall be conducted by the Chairperson in a manner consistent with the provisions of the Freedom of Information Act and the adopted bylaws of the Board.
- B. All Board meetings shall commence at, or as close as practicable to, the stated time, provided there is a quorum.
- C. All regular and special Board meetings shall be guided by an agenda ~~which that~~ will have been prepared and delivered in advance to all Board members and other designated persons and made available to the public in accordance with the Freedom of Information Act.
- D. Except as otherwise provided by law, by regulation of the State Department of Education, or by these bylaws, Robert's Rules of Order shall govern the proceedings of the Board, unless a majority of the Board present and voting shall vote otherwise.
- E. In the event that a Board meeting is interrupted by any person or group of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meetings, the Chairperson may order the room cleared and continue in session.

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1. Only matters appearing on the agenda may be considered in such a session.
2. Duly accredited representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any such session.
3. Nothing in these bylaws shall prohibit the Board from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the meeting.

3. Smoking

A. Smoking of any kind, including using an electronic nicotine or cannabis delivery system or vapor product, will not be permitted in any room in which a meeting of the Board- is being conducted, nor during the time immediately prior to the meeting.

B. When applicable, a sign notifying the public that no smoking is allowed in the room designated for the meeting will be prominently posted.

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24. Procedures for Board Member Participation By Means of Electronic Equipment  
Procedures for Telephonic Participation

A. Effective July 1, 2021 until April 30, 2022, the Board shall provide Board members ~~may~~ the opportunity to participate in meetings by means of electronic equipment, except that the Board is not required to adjourn or postpone a meeting if a Board member loses the ability to participate because of an interruption, failure, or degradation of that member's connection by electronic equipment unless the member's participation is necessary to form a quorum. ~~Board members may participate in meetings telephonically under the conditions set forth herein. When such conditions are met, any Board member participating telephonically shall not be counted for the purpose of constituting a quorum. Conditions for participation are as follows:~~

1. The facility that is made available to the public that wishes to attend the meeting must be located where the greatest number of Board of Education members are located; If a quorum of the Board members attend a meeting, other than an executive session, by means of electronic equipment from the same physical location, members of the public must be permitted to attend such meeting in such physical location.

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~~2.~~ 2. Any physical or demonstrable material that is used in the course of the proceedings must be present in the ~~place~~ physical location, if any, where the public is located; and

~~3.~~ 3. All those in attendance at the meeting, at whatever location, must be able to hear and identify all participants in the proceeding, including their individual remarks and votes.

~~4.~~ 4. Any vote taken at a meeting during which a Board member participates by means of electronic equipment shall be taken by roll call, unless the vote is unanimous.

~~3.~~ 5. The minutes of the meeting shall record a list of Board members who attended the meeting in person and a list of Board members who attended the meeting by means of electronic equipment.

~~B.~~ B. When a Board member is participating in a meeting telephonically, the Chairperson shall take the necessary steps to ensure that the three conditions enumerated above are met. In addition, the Chairperson shall take the necessary steps to ensure that a Board member participating telephonically has adequate opportunity to express himself/herself in Board discussion, including the opportunity to take the floor and make motions.

Any Board member who participates orally in a meeting conducted by means of electronic equipment shall make a good faith effort to state such member's name and title, if applicable, at the outset of each occasion that such member participates orally during an uninterrupted dialogue or series of questions and answers.

~~B.~~ B. After April 30, 2022, Board member participation in meetings by means of electronic equipment shall be governed by all applicable laws, rules, regulations, and guidance, as appropriate, in effect at the time of such participation.

~~C.~~ C. When a Board member is participating in a meeting by means of electronic equipment, the Chairperson shall take the necessary steps to ensure that the conditions enumerated above are met. In addition, the Chairperson shall take the necessary steps to ensure that a Board member participating by means of electronic equipment has adequate opportunity for participation in Board discussion, including the opportunity to take the floor and make motions.

~~3.~~ Public Comment

5. Procedures for Public Participation By Means of Electronic Equipment

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Effective July 1, 2021 until April 30, 2022, the Board may hold a public meeting that is accessible to the public by means of electronic equipment or by means of electronic equipment in conjunction with an in-person meeting. If the Board allows for the public to participate by means of electronic equipment, it shall do so in accordance with the following procedures:

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- A. Not less than forty-eight (48) hours before the Board conducts a regular meeting by means of electronic equipment, the Board shall provide direct notification in writing or by electronic transmission to each member of the Board, and post a notice that the Board intends to conduct the meeting solely or in part by means of electronic equipment, (a) in the Board's Administrative Offices; (b) in the office of the Town Clerk- and (c) on the Board's Internet web site, if any.
- B. Not less than twenty-four (24) hours prior to any such meeting, the Board shall post the agenda for any such meeting in the same manner as the notice of the meeting as set forth in Section 5.A.
- C. Such notice and agenda shall include instructions for the public to attend and provide comment or otherwise participate in the meeting, by means of electronic equipment or in person, as applicable and permitted by law. Any such notice and agenda shall be posted in accordance with the provisions of Connecticut General Statutes § 1-225.
- D. If the Board holds a meeting, other than an executive session or special meeting, solely by means of electronic equipment:
  1. The Board shall provide any member of the public
    - a. upon a written request submitted not less than twenty-four (24) hours prior to such meeting, with a physical location and any electronic equipment necessary to attend such meeting in real-time, and
    - b. the same opportunities to provide comment or testimony and otherwise participate in such meeting that such member of the public would be accorded if such meeting were held in person, except that the Board is not required (i) to adjourn or postpone a meeting if a member of the public loses the ability to participate because of an interruption, failure or degradation of such person's connection to the meeting by electronic equipment, or (ii) to offer members of the public who attend a meeting by means of electronic equipment the opportunity for public comment, testimony, or other participation if the provision of such

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opportunity is not required by law for members of the public who attend such meeting in person.

2. The Board shall not be required to adjourn or postpone the meeting if a member of the public loses the ability to participate because of an interruption, failure, or degradation of such person's connection to the meeting by means of electronic equipment.
  3. The Board shall ensure that such meeting is recorded or transcribed, excluding any portion of the meeting that is conducted in executive session. Such transcription or recording shall be posted on the Board's Internet web site and made available to the public to view, listen to, and copy in the Board's Administrative Offices not later than seven (7) days after the meeting and for not less than forty-five (45) days thereafter.
  4. If a quorum of Board members attend a meeting by means of electronic equipment from the same physical location, the Board shall permit members of the public to attend such meeting in such physical location.
- E. If the Board holds a special meeting and any portion of such meeting is to be conducted by means of electronic equipment, it must include in the notice of such meeting if the meeting will be conducted solely or in part by means of electronic equipment.
1. Not less than twenty-four (24) hours prior to such meeting, the Board shall post such notice and an agenda of the meeting in accordance with applicable law.
  2. If such meeting is to be conducted by means of electronic equipment, such notice and agenda shall include instructions for the public, by means of electronic equipment or in person, to attend and provide comment or otherwise participate in the meeting, as applicable and permitted by law.
- F. Any member of the public who participates orally in a meeting conducted by means of electronic equipment shall make a good faith effort to state such member's name and title, if applicable, at the outset —of each occasion that such member participates orally during an —uninterrupted dialogue or series of questions and answers.
- G. Whenever a meeting being conducted by means of electronic equipment —is interrupted by the failure, disconnection or, in the Chairperson's determination, unacceptable degradation of the electronic means of conducting a meeting, or if a Board member necessary to form a quorum loses the ability to participate because of the interruption, failure or degradation of such member's connection by electronic

## Darien Public Schools Darien, Connecticut

equipment, the ~~Board may, not less than thirty (30) minutes and not more than two (2) hours from the time of the interruption or the Chairperson's determination,~~ resume the meeting (1) in person, if a quorum is present ~~in person,~~ or (2) if a quorum is restored by means of electronic equipment, solely or in part by such electronic equipment.

1. In each case of resumption of such meeting, electronic access shall be restored to the public if such capability has been restored.

2. The Board shall, if practicable, post a notification on its Internet web site and inform attendees by electronic transmission of the expected time of resumption or of the adjournment or postponement of the meeting, as applicable, and may announce at the beginning of any meeting what preplanned procedures are in place for resumption of a meeting in the event of an interruption.

H. In the event that a Board meeting is interrupted by any person or group of persons so as to render the orderly conduct of such meeting unfeasible, and if such person or group of persons is attending such meeting by means of electronic equipment, the Chairperson may terminate such person's or group of persons' attendance by electronic equipment until such time as such person or group of persons conforms to order or, if need be, until such meeting is closed.

### 6. Public Address

A. Board meetings are conducted for the purpose of carrying on the business of the schools, and therefore are not public meetings but are meetings held in public.

BA. The Board may permit any individual or group to address the Board concerning any subject that lies within its jurisdiction, ~~during~~ during a portion of the meeting so designated for such purpose.

- (1) No ~~disruptive-boisterous~~ disruptive-boisterous conduct shall be permitted at any ~~Board of Education~~ Board of Education meeting. Persistence in ~~disruptive-boisterous~~ disruptive-boisterous conduct shall be grounds for summary termination, by the Chairperson, of that person's privilege of address.
- (2) All speakers must identify themselves by name and address.
- (3) Three (3) minutes may be allotted to each speaker.
- (4) -A Board of Education member shall be appointed by the Chairperson prior to the meeting to act as timekeeper for the meeting if deemed necessary by the Chairperson.

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## Darien Public Schools Darien, Connecticut

4. Broadcasting and Taping of Meetings
  - A. While the Board is mindful of the importance of full media coverage, it must be able to conduct its business with a minimum of distraction.
  - B. The media, including but not limited to reporters and cameras, shall be as inconspicuous as possible during meetings and shall handle their functions in such a manner as not to disturb the Board's proceedings.

### Legal References:

#### Connecticut General Statutes

1-200 Definitions

1-206 Denial of access ~~to public records or meetings. Appeals. Notice. Orders. Civil penalty. Petition for relief from vexatious requester. Service of process upon commission. Frivolous appeals. Appeal re state hazardous waste program records~~ ~~of public records or meeting. Notice. Appeal.~~

1-225 Meetings of government agencies to be public. Recording of votes. Schedule and agenda of certain meetings to be filed and posted on web sites. Notice of special meetings. Executive sessions

1-232 Conduct of meetings. ~~(re: disturbances)~~

19a-342 Smoking prohibited. Exceptions. Signs required. Penalties

Freedom of Information Commission Advisory Opinion #41 (April 9, 1980)

ADOPTED: December 9, 2008

REVISED: November 26, 2019

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