

WESTPORT BOARD OF EDUCATION

AGENDA*

(Agenda Subject to Modification in Accordance with Law)

PUBLIC CALL TO ORDER

6:00 p.m., Staples High School, Room 1025c

EXECUTIVE SESSION: Pending Litigation

RESUME PUBLIC SESSION/PLEDGE OF ALLEGIANCE

7:00 p.m., Staples High School, Cafeteria B (Room 301)

ANNOUNCEMENTS FROM BOARD AND ADMINISTRATION

PUBLIC QUESTIONS/COMMENTS ON NON-AGENDA ITEMS (15 MINUTES)

MINUTES: October 4, 2021

DISCUSSION

- 1. Health Report Ms. Suzanne Levasseur
- 2. Standardized Testing Report, *pages 4-14* (Encl.) Dr. Anthony Buono
- 3. Town of Westport ARPA Funds Mr. Thomas Scarice
- 4. Policy Committee Update and First Reading of the following: (Encl.) Ms. Lee Goldstein
 - Policy 4152.6, FMLA (new), *pages 15-19*
 - Policy 3524.1, Pesticide Application on School Property (new), *pages 20-21*
 - Policy 5131.911, Bullying (revision), *pages 22-25*
 - Policy 5131.912, Safe School Climate (revision), *pages 26-34*
 - Policy 1335, Policy Regarding Maintenance of School Facilities and Compliance with Environmental, Health, and Safety Requirements (new), *pages 35-36*
- 5. Finance and Facilities Committee Report Ms. Elaine Whitney

DISCUSSION/ACTION

- 1. Approval of Tentative Agreement between Westport Board of Education and the Westport Education Association Mr. Thomas Scarice
Mr. John Bayers
- 2. Second Reading of the following: (Encl.) Ms. Lee Goldstein
 - Policy 1330/3515, "Use of School Facilities" (revision), *pages 37-41*
 - Policy 1250 "Visitors and Observations" (revision), *page 42*
 - Policy 1212 "Volunteers" (revision), *pages 43-44*
 - Policy 4118.11/4218.11, "Non-Discrimination" (revision), *pages 45-47*
 - Policy 4118.112/4218.112, "Sex Discrimination and Sexual Harassment" (revision), *pages 48-50*

- Policy 1700, “Possession of Firearms on School Property” (new), pages 51-52
- BOE Bylaw 9324, “Meeting Conduct” (revision), pages 53-52

ADJOURNMENT

*A 2/3 vote is required to go to executive session, to add a topic to the agenda of a regular meeting, or to start a new topic after 10:30 p.m. The meeting can also be viewed on Cablevision on channel 78; Frontier channel 6021 and by video stream @www.westportps.org

PUBLIC PARTICIPATION WELCOME USING THE FOLLOWING GUIDELINES:

- Comment on non-agenda topics will occur during the first 15 minutes *except* when staff or guest presentations are scheduled.
- Board will not engage in dialogue on non-agenda items.
- Public may speak as agenda topics come up for discussion or information.
- Speakers on non-agenda items are limited to 2 minutes each, except by prior arrangement with chair.
- Speakers on agenda items are limited to 3 minutes each, except by prior arrangement with chair.
- Speakers must give name and address, and use microphone.
- Per Board policy, speakers must be town residents or employees
- Responses to questions may be deferred if answers not immediately available.
- Public comment is normally not invited for topics listed for action after having been publicly discussed at one or more meetings.



To: Westport Board of Education Members
From: Thomas Scarice, Superintendent of Schools
Re: October 18, 2021 Board of Education Meeting
Date: October 15, 2021

Provided below for Board consideration is an overview of the meeting agenda items for October 18, 2021. The meeting will be held in-person.

Discussion

1. Health Update

As the Covid cases continue to trend downward, and we simultaneously approach the 4-6 week timeframe since the start of the school year, the administrative and health teams have begun plans to remove some of the mitigating measures in place since the start of school. On Monday, the teams will meet to review the spectrum of measures in place and determine which ones will continue, which ones will immediately change, and which will be targeted for change in the near future.

With vaccination on the horizon for our K-6 students, we might be only weeks away from K-6 receiving their first shot. While state and regional case numbers drop, it is important to note that our latest rounds of voluntary surveillance testing at the K-6 level resulted in zero positive cases. Although this is just a sample of the overall population of K-6 students, it is consistent with the downward trend in the state and region.

In addition, Supervisor of Health Services, Sue Levasseur, and I will update the Board on the positive developments at Saugatuck Elementary School following the recent outbreak, the additional measures that were put into place, and the timeline of removing those measures.

Overall, we continue to see little to no transmission in our schools. The secondary schools continue to see very few cases, which has also resulted in very few quarantines.

2. Standardized Testing Report

Assistant Superintendent for Curriculum and Instruction, Dr. Anthony Buono, will provide the Board with the results of the spring state test, the Smarter Balanced Assessment (SBA). This presentation provides an overview of student performance on the assessment taken in May of 2021. SBA is an annual assessment required of all public school students in Connecticut in grades 3-8. Students are assessed in English Language Arts and Mathematics.

Although it is preferable to share the results of the annual state test accompanied by the results of the local assessments administered multiple times a year by our teachers, due to a large number of quarantined students over the past few weeks, the local assessments have not been completed. The presentation of the local K-8 assessments will be provided at the November 1 Board meeting, along with the Class of 2021 final report (i.e. SAT, ACT, college placement).

The Connecticut State Department of Education (CSDE) has advised local districts to use caution when reviewing and interpreting the 2020-2021 SBA results. When reviewing and interpreting individual student results, the CSDE asks districts to consider the following:

- Under which learning model did the student learn in 2020-21 (i.e., fully/mostly in-person, hybrid, or fully/mostly remote)?
- How was the student's attendance in 2020-21?
- Did the student switch frequently between learning models?
- Did the student experience any new challenges this year due to the pandemic (e.g., financial instability, loss of a loved one, food insecurity, or health issues)?
- Did the student suffer from anxiety, depression, or other mental health issues that were caused or worsened by the pandemic?
- Did the student test in person or remotely?

Furthermore, when reviewing and interpreting group results, the CSDE asks districts to consider the following:

- Is the in-person test participation rate above 90% for the group and its possible subgroups?
 - For example, if looking at the results for a whole school, is participation for the entire school and for every subgroup within the school (i.e., grade, race/ethnicity, gender, disability, English learner, free/reduced price meal eligibility) above 90%? If not, the overall school results may not be representative of the overall school population.
 - If in-person test participation is below 90% for a group (e.g., the school), but above 90% for certain subgroups (e.g., English learners, Black/African American students, free/reduced price meal eligible students), then limit interpretation of results to those subgroups.
- If comparing 2020-21 to 2018-19 results, limit comparisons to student subgroups with more than a 90% in-person testing rate in 2020-21. Even then, consider how students learned in 2020-21 (i.e., in-person, hybrid, remote).

Given the circumstances since the pandemic, it is quite challenging to compare year over year results. Dr. Buono has included a slide deck in the Board meeting packet for Monday evening.

3. Town of Westport ARPA Funds

The Board of Finance recently discussed the town's plans for the federal American Rescue Plan Act (ARPA) funds. ARPA provides \$350 billion in funding for state and local governments. The town of Westport is receiving \$8.4 million in ARPA funds. This is in addition to the The Elementary and Secondary School Emergency Relief (ESSER) Fund, which was created by Congress in March 2020 as part of the Coronavirus Aid, Relief, and Economic Security (CARES) Act. The ESSER Fund, which goes directly to school districts, consists of federal dollars allocated to help state education departments and school districts throughout the country combat the impacts the COVID-19 pandemic has had on students and K-12 education as a whole. The Board, through a recommendation from the administration, largely dedicated the use of ESSER funds as a part of the operational budget during the 2021-2022 budget process this past spring.

ARPA is targeted for municipalities. Funding must be spent by the end of calendar year 2024. Eligible uses of these funds include:

- Revenue replacement for the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency, relative to revenues collected in the most recent fiscal year prior to the emergency,
- COVID-19 expenditures or negative economic impacts of COVID-19, including assistance to small businesses, households, and hard-hit industries, and economic recovery,
- Premium pay for essential workers,
- Investments in water, sewer, and broadband infrastructure.

Restrictions on the uses of these funds include:

- Funds allocated to states cannot be used to directly or indirectly to offset tax reductions or delay a tax or tax increase;
- Funds cannot be deposited into any pension fund.

The Board of Finance discussed the initial town plans and asked that the Board of Education consider an appropriate use of a portion of these funds. Over the past week, very informal discussions were held with the building principals and the central office administration to generate possible uses of these funds if a portion were allocated to the schools.

According to the Government Finance Officers Association (GFOA), an organization with the mission to advance excellence in public finance, composed of public finance officials throughout the United States, municipalities should consider partnering with other ARPA beneficiaries within the community, such as schools. creating cooperative spending plans to enhance the structural financial condition of the community.

The administration will share some initial ideas to consider for the possible expenditure of these funds if allocated to the Board by the town. Among these initial ideas are:

- the addition of ADA accessible playground structures and equipment on K-6 playgrounds which are critically necessary for the appropriate inclusion of our special needs population, but also accessible for typical peers
- high and low ropes courses for our secondary schools to support SEL development through programs that create instructional "adventures" and opportunities for students to problem-solve, face the unexpected, communicate, examine their own assumptions, connect with others, and grow as individuals.
- the development of outdoor learning spaces at our elementary and middle schools.

Again, these are very initial ideas. If provided further direction, the administration can work with faculty and staff to fully flesh out these, or other, ideas. We look forward to discussing these possibilities Monday evening.

4. Policy Committee Update and First Reading of Policies

Policy Committee members Karen Kleine and Lee Goldstein, and Assistant Superintendent of Human Resources and

General Administration, John Bayers, will share recently reviewed draft committee policies for a first reading:

- Policy 4152.6, FMLA (new)
- Policy 3524.1, Pesticide Application on School Property (new)
- Policy 5131.911, Bullying (revision)
- Policy 5131.912, Safe School Climate (revision)
- Policy 1335, Policy Regarding Maintenance of School Facilities and Compliance with Environmental, Health, and Safety Requirements (new)

5. Finance and Facilities Committee Update

The Finance and Facilities Committee met Friday morning and will provide an update on their discussions.

Discussion /Action

1. Approval of Tentative Agreement between Westport Board of Education and the Westport Education Association

The Westport Education Association ratified the tentative three year agreement with the Board at their meeting on Thursday. The Board will vote to take action on the tentative agreement Monday evening. If approved by the Board, a copy of the agreement will be appended to the minutes of the October 18, 2021 meeting.

2. Second Reading of Policies

Policy Committee members Karen Kleine and Lee Golstein, and Assistant Superintendent of Human Resources and General Administration, John Bayers, will present the following policies for a second reading:

- Policy 1330/3515, "Use of School Facilities,"
- Policy 1250 "Visitors and Observations,"
- Policy 1212 "Volunteers,"
- Policy 4118.11/4218.11, "Non-Discrimination,"
- Policy 4118.112/4218.112, "Sex Discrimination and Sexual Harassment,"
- Policy 1700, "Possession of Firearms on School Property," and
- BOE Bylaw 9324, "Meeting Conduct"



2021 Smarter Balanced Assessment Report

Connecticut Summative Assessment System



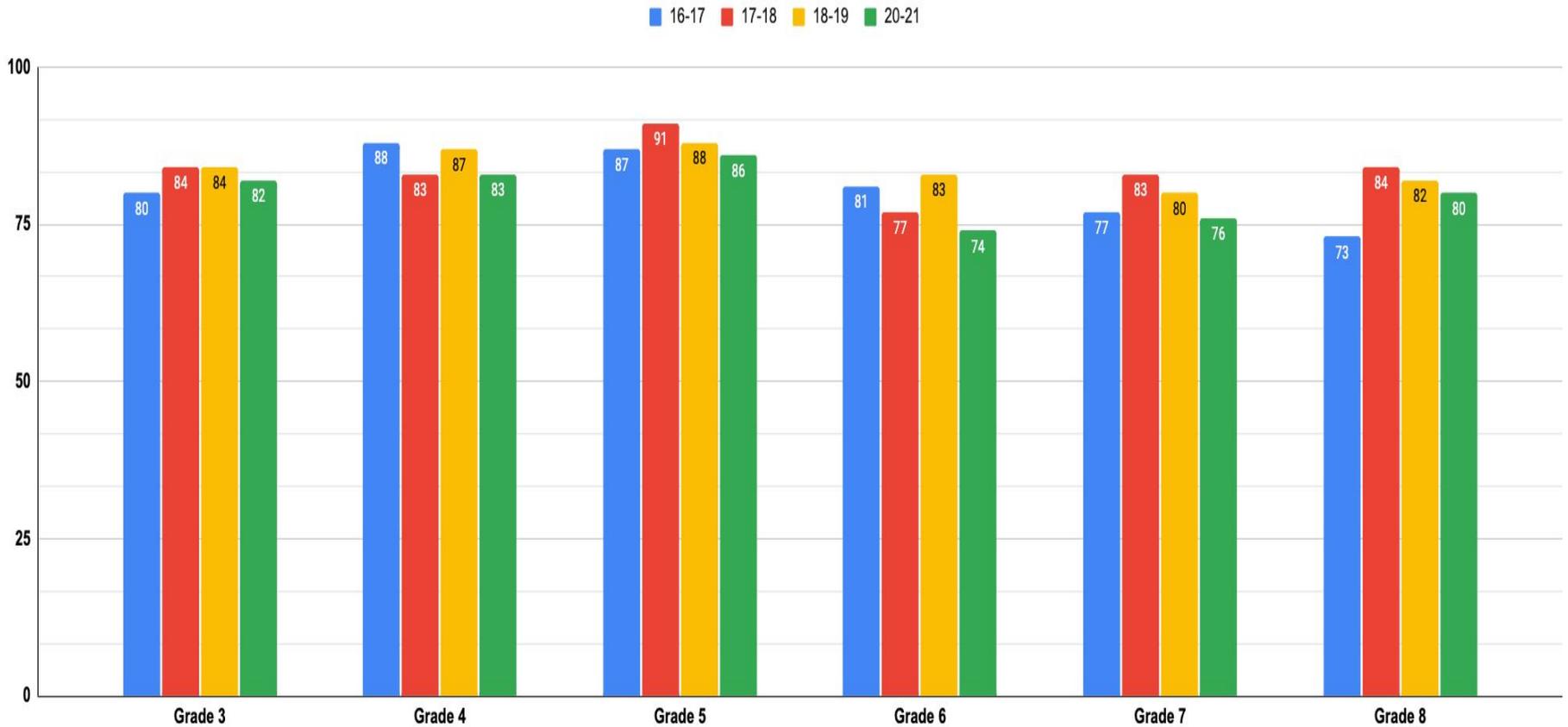
Smarter Balanced

English Language Arts

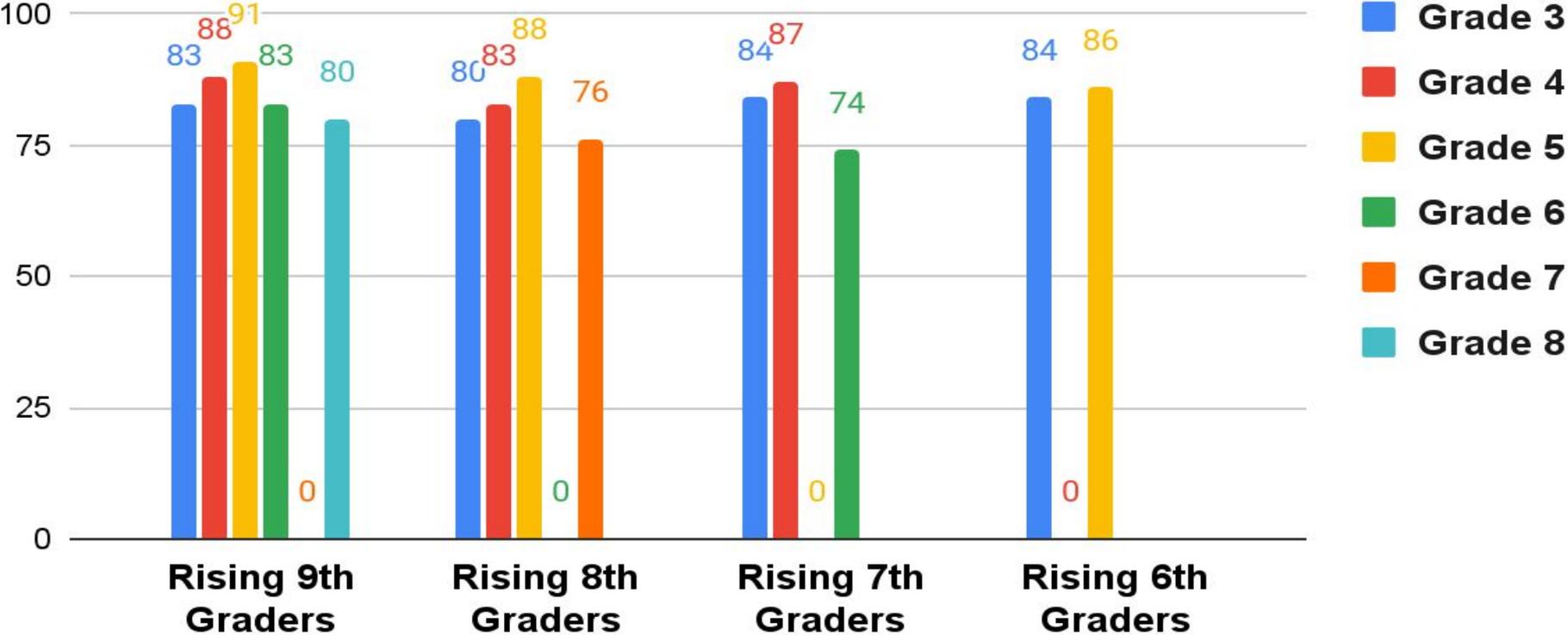
By Grade
Performance Over Time



SBA Results - English Language Arts



ELA - Unmatched Cohorts



Smarter Balanced

Mathematics

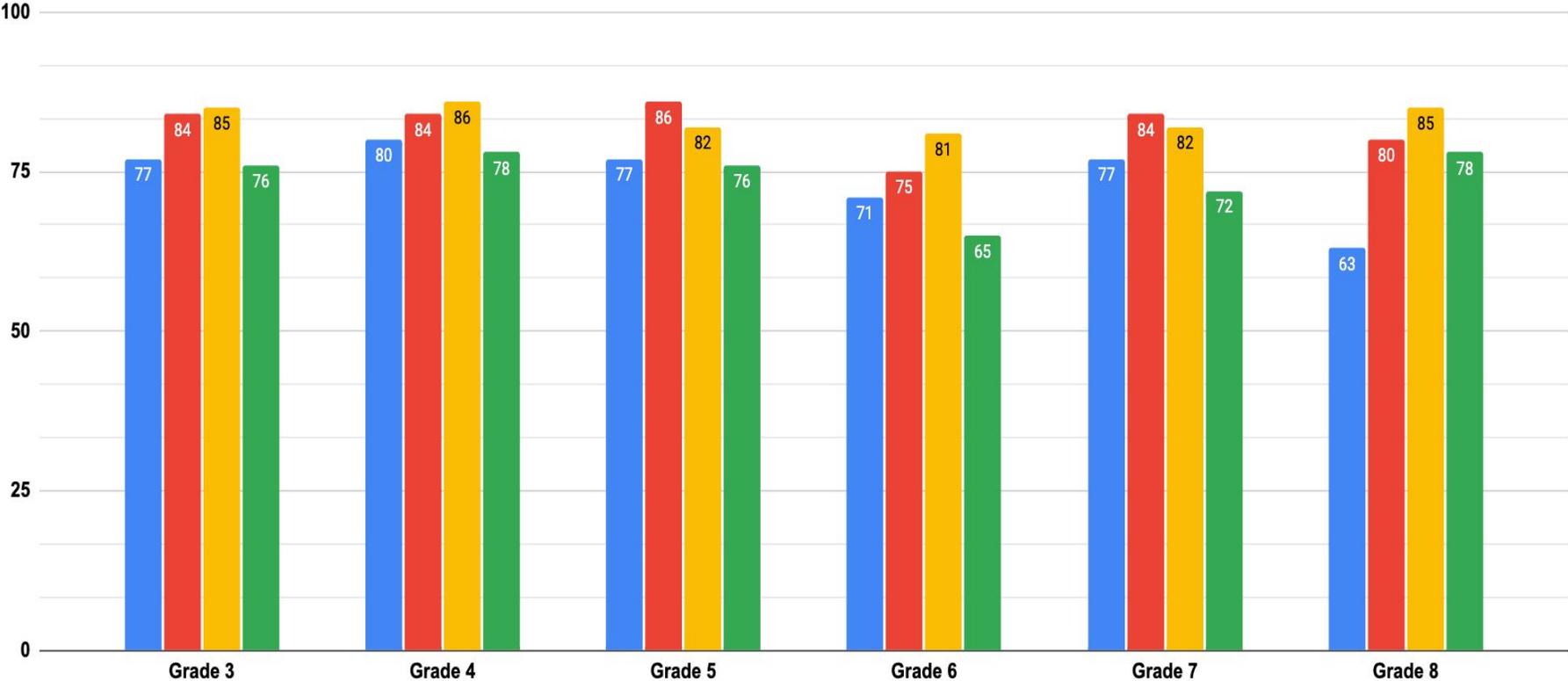
By Grade

Performance Over Time

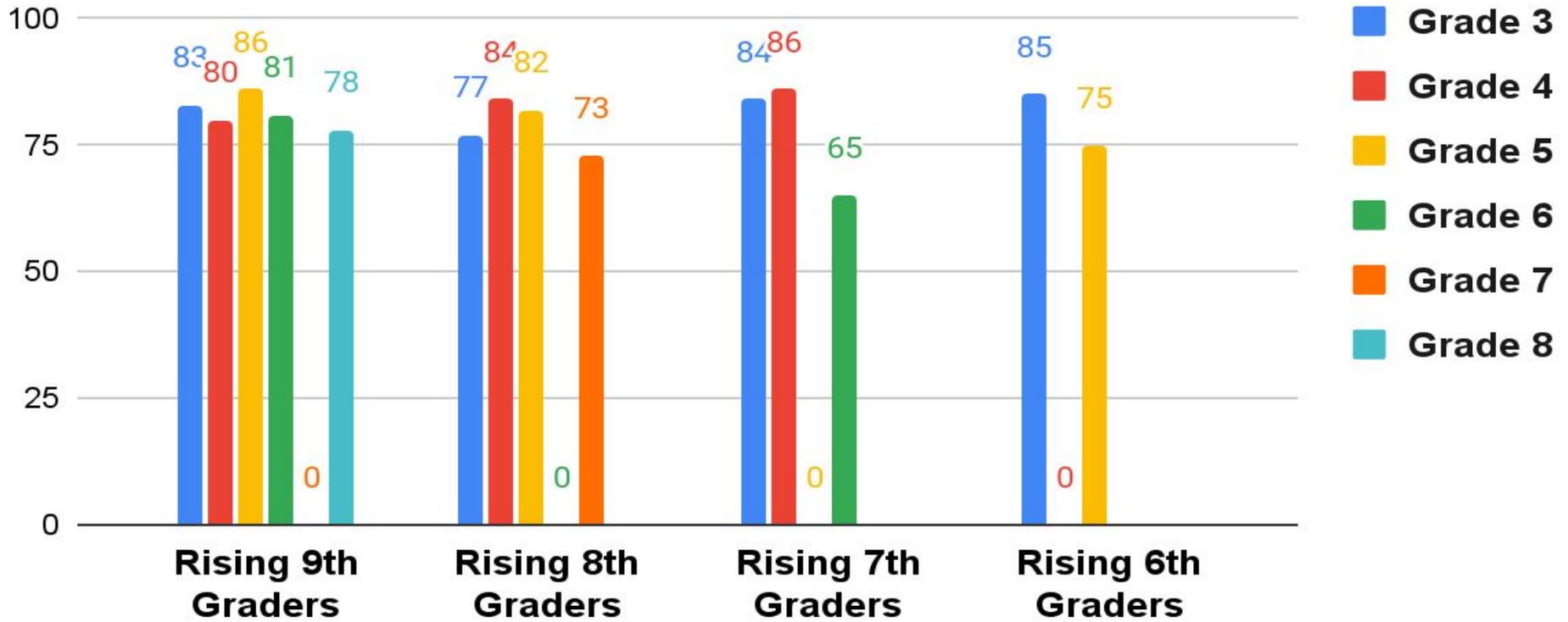


SBA Results - Mathematics

16-17 17-18 18-19 20-21



Math - Unmatched Cohorts



Observations

- Overall there appears to some impact to student performance as a result of COVID related interruptions to instruction and learning
- Mathematics performance appears to be impacted to greater extent than English Language Arts (this is a national trend)



Math Learning Loss

- Unlike reading, math is most formally learning in school
- Broader stress related to the pandemic may worsen existing math anxiety
- It can be more challenging for teachers to engage in meaningful math instruction via remote platforms



Actions

- Review individual student performance with administrators and teachers
- Consider RTI for students performing below benchmark (ELA and Math)
- Provide mathematics support via math lab at Staples
- Provide before and after school tutoring in mathematics at middle and high school
- Continue to analyze results with staff, considering additional actions
- Monitor student progress throughout the school year (formatively and summatively)



Personnel -- Certified/Non-Certified

Family and Medical Leave

Purpose

The purpose of this policy is to establish guidelines for leaves taken by employees of the Westport Board of Education (the “Board”) under the Federal Family and Medical Leave Act of 1993 (“FMLA”).

ELIGIBILITY

Employees who have worked for the Board for at least twelve (12) months, and who have worked at least 1,250 actual work hours, or, in the case of school paraprofessionals in an educational setting, who have worked at least 950 actual hours of work, during the twelve (12) months immediately preceding the start of a leave, are eligible for unpaid leave under the FMLA.

REASONS FOR LEAVE

Leaves under the FMLA may be taken for the following reasons:

- incapacity due to pregnancy, prenatal medical care or child birth; or
- to care for the employee's newborn child; or
- the placement of a child with the employee by adoption or for foster care; or
- to care for the employee's spouse, child or parent who has a serious health condition; or
- to care for the employee's own serious health condition that renders the employee unable to perform the functions of his or her position; or
- to care for an injured or ill service member (see below – Length of Leave – for further information); or
- a qualifying exigency arising out of a family member’s military service, including one or more of the following reasons (note – more detailed information on the following categories is available from [e.g. the Human Resources office]):
 - short-notice deployment;
 - military events and related activities;
 - childcare and school activities;
 - financial and legal arrangements;
 - counseling;
 - rest and recuperation;
 - post-deployment activities;

- parental care leave for military member's parent who is incapable of self-care and care is necessitated by the member's covered active duty;
- additional activities that arise out of the active duty or call to active duty status of a covered military member, provided that the Board and the employee agree that such leave qualifies as an exigency, and agree to both the timing and the duration of such leave.

LENGTH OF LEAVE

(a) Basic FMLA Leave Entitlement

If a leave is requested for one of the above-listed reasons, each eligible employee may take up to a total of twelve (12) weeks unpaid family or medical leave in any 12-month entitlement period.

(b) Leave to Care for an Injured or Ill Service Member

In addition to the reasons for leave listed above, an eligible employee may take up to twenty-six (26) workweeks of FMLA leave during a 12-month period to care for (i) an injured or ill service member who is the employee's spouse, parent, child or next of kin, and who incurred the injury or illness in the line of duty and while on active duty in the Armed Forces or had a preexisting injury or illness prior to beginning active duty that was aggravated by service in the line of duty on active duty in the Armed Forces; or, (ii) an injured or ill covered veteran who is the employee's spouse, parent, child or next of kin.

For service members, the injury or illness must render the service member medically unable to perform the duties of his/her office, grade, rank or rating. This provision applies to service members who are undergoing medical treatment, recuperation, or therapy, are in outpatient status, or who are on the temporary disability retired list, for a serious injury or illness.

For covered veterans, the veteran must be undergoing medical treatment, recuperation or therapy for a serious injury or illness and s/he (1) was a member of the Armed Forces (including the National Guard or Reserves); (2) was discharged or released under conditions that were other than dishonorable; and (3) was discharged within the five-year period before the eligible employee first takes FMLA military caregiver leave to care for the veteran.¹

For covered veterans, serious injury or illness means any of the following:

- (i) a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating; or
- (ii) a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or
- (iii) a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
- (iv) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

When combined with any other type of FMLA qualifying leave, total leave time may not exceed twenty-six (26) weeks in a single twelve (12) month period. Standard FMLA leave procedures described below apply to all

requests for and designation of leave for this purpose. However, in the case of leave to care for an injured or ill service member, the 12-month period begins on the day such leave actually commences.

TYPES OF LEAVE AND CONDITIONS

(a) Full-Time, Intermittent and Reduced Schedule Leave

Full-time unpaid leave may be taken for any of the reasons permitted by the FMLA. Full-time leave excuses the employee from work for a continuous period of time.

Intermittent leave means leave taken in separate periods of time rather than for one continuous period of time. Examples of intermittent leave include: leave taken one day per week over a period of a few months; or leave taken on an occasional/as-needed basis for medical appointments.

Reduced schedule leave is leave that reduces the employee's usual number of work hours per day for some period of time. For example, an employee may request half-time work for a number of weeks so the employee can assist in the care of a seriously ill parent.

An employee may take full-time, intermittent or reduced schedule leave whenever it is medically necessary for a serious health condition of the eligible employee, his or her spouse, child or parent. Intermittent leave or reduced schedule leave for other reasons will be permitted only with the approval of the Superintendent or his/her designee.

If intermittent or reduced schedule leave is medically required, the Board may, in its sole discretion, temporarily transfer the employee to another job with equivalent pay and benefits that better accommodates the type of leave requested. Also, special arrangements may be required of an instructional employee who needs to take intermittent or reduced-schedule leave which will involve absence for more than twenty (20) percent of the work days in the period over which the leave will extend (for example, more than five days over a five-week period). For purposes of this policy, an instructional employee is defined as a teacher or other employee of the Board who is employed principally in an instructional capacity and whose principal function is to teach and instruct students in a class, a small group, or an individual setting, and includes athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. The term does not include teacher assistants or aides who do not have as their principal function actual teaching or instructing, nor auxiliary personnel such as counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers, bus drivers, or other primarily non-instructional employees.

(b) Both Spouses Working for the Same Employer

If both spouses are employees of the Board and request leave for the birth, placement of a child by adoption or for foster care, or to care for a seriously ill parent, they only will be entitled to a maximum combined total leave equal to twelve (12) weeks in any 12-month entitlement period. If either spouse (or both) uses a portion of the total 12-week entitlement for one of the purposes in the preceding sentence, each is entitled to the difference between the amount he or she has taken individually and the 12 weeks for FMLA leave for their own or their spouse's serious health condition in the 12-month entitlement periods.

(c) Light Duty

Should an employee be offered a light duty opportunity during a period of FMLA leave, time spent performing the light duty assignment will not count against the employee's FMLA leave entitlement. The employee's right to restoration to his or her job will be held in abeyance during the light duty assignment, or until the end of the applicable 12-month FMLA leave period.

(d) Leave Taken by Instructional Employees Near the End of an Academic Term

If a leave taken by an instructional employee for any reason begins more than five (5) weeks before the end of an academic term, the Board may require that employee to continue the leave until the end of the term if the leave will last at least three (3) weeks and the employee would return to work during the three-week period before the

end of the term.

If the employee begins a leave during the five-week period preceding the end of an academic term for a reason other than the employee's own serious health condition, the Board may require the employee to continue taking leave until the end of the term if the leave will last more than two (2) weeks and the employee would return to work during the two-week period before the end of the term.

If the employee begins a leave during the three-week period preceding the end of an academic term for a reason other than the employee's own serious health condition, the Board may require the employee to continue taking leave until the end of the term if the leave will last more than five (5) working days.

REQUESTS FOR LEAVE

Requests for a family or medical leave must be submitted to the personnel department at least thirty (30) days before the leave is to commence, if possible. If thirty (30) days' notice is not possible, requests must be submitted as soon as practicable under the circumstances.

For leaves taken because of the employee's or a qualifying family member's serious health condition, the employee must submit a completed "Physician or Practitioner Certification" form before the leave begins, if possible. This form may be obtained from the personnel department. If such advance certification is not possible, the medical certification must be provided by the employee within fifteen (15) calendar days of the Board's request for the medical certification.

If an employee takes leave to care for his or her own serious health condition, immediately upon return to work the employee must provide medical certification that the health condition which created the need for the leave no longer renders the employee unable to perform the functions of the job. This certification must be submitted to the personnel department.

In connection with the Board's request for medical information, employees must be aware that the Genetic Information Nondiscrimination Act of 2008 ("GINA") prohibits employers and other entities covered by Title II of GINA from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, the Board requests that employees not provide any genetic information when responding to a request for medical information. "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

USE OF PAID LEAVE

Accrued paid personal leave and accrued paid vacation will be substituted (in that order) for any unpaid portions of family or medical leave taken for any reason. However, where the leave is for the employee's own serious health condition, accrued paid sick leave shall be substituted for unpaid portions of family or medical leave prior to the substitution of accrued paid personal and accrued paid vacation leave. The amount of unpaid family or medical leave entitlement is reduced by the amount of paid leave that is substituted.

In addition, in cases involving absences due to a Workers' Compensation injury that also qualifies as an FMLA serious health condition, and if the employee agrees with the Board to do so, the Board will apply the employee's available accrued paid leave in increments as a supplement to the Workers' Compensation weekly benefit in an appropriate amount so that the employee can maintain his or her regular weekly income level.

MEDICAL INSURANCE AND OTHER BENEFITS

During approved family or medical leaves of absence, the Board will continue to pay its portion of medical insurance premiums for the period of unpaid family or medical leave. The employee must continue to pay his/her share of the premium, and failure to do so may result in loss of coverage. If the employee does not return to work after expiration of the leave, the employee will be required to reimburse the Board for payment of medical

insurance premiums during the family or medical leave, unless the employee does not return because of a serious health condition or circumstances beyond the employee's control.

During an FMLA leave, an employee shall not accrue benefits unless otherwise required by any applicable collective bargaining agreement or Board policy. However, unused employment benefits accrued by the employee up to the day on which the leave begins will not be lost upon return to work. Leave taken under this policy does not constitute an absence under Board's attendance policy.

REINSTATEMENT

Except for circumstances unrelated to the taking of a family or medical leave, an employee who returns to work following the expiration of a family or medical leave is entitled to return to the job such employee held prior to the leave or to an equivalent position with equivalent pay and benefits.

ADDITIONAL INFORMATION

Questions regarding family or medical leave may be directed to the Superintendent or his/her designee. An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

Legal References:

Connecticut General Statutes:

Conn. Gen. Stat. § 31-51rr Family and medical leave benefits for employees of political subdivisions

Regs. Conn. State Agencies 31-51rr-1, et seq.

United States Code:

Family and Medical Leave Act of 1993, 29 U.S.C. Section 2601 et seq., as amended

29 CFR Part 825.100 et seq.

Title II of the Genetic Information Nondiscrimination Act of 2008, 42 USC 2000ff et seq.

29 CFR 1635.1 et seq.

ADOPTED:

REVISED:

Business/Non-Instructional Operations

Hazardous Materials in Schools

Pest Management/Pesticide Applications

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

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

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

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

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

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

There shall be no application of any lawn care pesticide on the grounds of any school with students in grade eight (8) or lower, except on an emergency basis, subject to applicable Connecticut statutory and regulatory provisions.

Legal References:

Connecticut General Statutes:

§10-231a

§10-231b

§10-231d

Series 5000**Students****Bullying Prevention and Intervention Policy**

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

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

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

For purposes of this policy, "**Bullying**" means ~~the repeated use by one or more students of a written, verbal or electronic communication, such as cyberbullying, directed at or referring to another student attending school in the same school district, or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same school district, that~~ 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 ~~harm to himself or herself, or of damage to his or her property~~ physical or emotional harm; or
- ~~3) creates a hostile environment at school for such student;~~
- 4) infringes on the rights or opportunities of ~~such student~~ an individual at school; ~~or~~
- ~~5) substantially disrupts the education process or the orderly operation of a 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 Westport Board of Education authorizes the Superintendent or ~~his/her~~ designee(s), along with the Safe School Climate Coordinator, to be responsible for developing and implementing a Safe School Climate Plan in furtherance of this policy. As provided by state law, such Safe School Climate Plan shall include, but not be limited to provisions which:

- 1) ~~(4)~~ 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) ~~(2)~~ enable the parents or guardians of students to file written reports of suspected bullying;
- 3) ~~(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) ~~(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) ~~(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) ~~(6)~~ include a prevention and intervention strategy for school employees to deal with bullying; ~~bullying~~ and teen dating violence
- 7) ~~(7)~~ provide for the inclusion of language in student codes of conduct concerning bullying;
- 8) ~~(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) ~~(9)~~ require each school to invite the parents or guardians of a student against whom such act was directed to a meeting to communicate to such parents or guardians the measures being taken by the school to ensure the safety of the student against whom such act was directed and policies and procedures in place to prevent further acts of bullying;
- 10) ~~(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) ~~(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) ~~(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) ~~(13)~~ prohibit discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying;
- 14) ~~(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) ~~(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) ~~(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) ~~(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) (18) require that all school employees annually complete the training described in Conn. Gen. Stat. §10-220a or 10-222j related to the identification, prevention and response to bullying.

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

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

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.

Legal References:

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. § 10-222j

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

~~7/28/14~~

Policy adopted: December 16, 2002

WESTPORT PUBLIC SCHOOLS

Amended: 6/18/07; 8/25/08; 12/19/11; 9/8/14

Westport, Connecticut

Policy Amended: June 11, 2018

~~WESTPORT PUBLIC SCHOOLS~~ Policy Amended:

Students

Safe School Climate Plan

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

~~The Board~~ is committed to creating and maintaining a physically, emotionally, and intellectually safe educational environment free from bullying, teen dating violence, harassment and discrimination. In order to foster an atmosphere conducive to learning, the Board has developed the following Safe School Climate Plan, consistent with state law and Board Policy. This Plan represents a comprehensive approach to addressing bullying, cyberbullying and teen dating violence and sets forth the Board's expectations for creating a positive school climate and thus preventing, intervening, and responding to incidents of bullying and teen dating violence.

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

I. Prohibition Against Bullying, Teen Dating Violence and Retaliation

- A. ~~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. ~~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. ~~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. ~~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. ~~E.~~—Students who engage in bullying behavior or teen dating violence in violation of Board ~~p~~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. ~~A.~~—"Bullying" means ~~the repeated use by one or more students of a written, oral or electronic communication, such as cyberbullying, directed at or referring to another student attending school in the same district, or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same district that~~ 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 harm ~~to himself or herself, or of damage to his or her property;~~ or
 - ~~3. creates a hostile environment at school for such student;~~
 - ~~4.~~ 3. infringes on the rights or opportunities of ~~such student~~ an individual at school; ~~or.~~
 - ~~5. substantially disrupts the education process or the orderly operation of a school.~~

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

E. ~~D.~~ "**Mobile electronic device**" means any hand-held or other portable electronic equipment capable of providing data communication between two or more individuals, including, but not limited to, a text messaging device, a paging device, a personal digital assistant, a laptop computer, equipment that is capable of playing a video game or a digital video disk, or equipment on which digital images are taken or transmitted;

F. ~~E.~~ "**Outside of the school setting**" means at a location, activity or program that is not school related, or through the use of an electronic device or a mobile electronic device that is not owned, leased or used by a local or regional board of education;

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.

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

- (1) implementation of a positive behavioral interventions and support process or another evidence-based model approach for safe school climate or for the prevention of bullying identified by the Department of Education,
- (2) school rules prohibiting bullying, harassment and intimidation and establishing appropriate consequences for those who engage in such acts,
- (3) adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur,
- (4) inclusion of grade-appropriate bullying 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.

I. ~~G.~~ "**School climate**" means the quality and character of school life based on patterns of students', parents' and guardians' and school employees' experiences of school life, including

norms, goals, values, interpersonal relationships, teaching and learning practices and organizational structures. ~~with a particular focus on the quality of the relationships within the school community between and among students and adults.~~

J. H. ~~"School employee"~~ means

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

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

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

IV. Leadership and Administrative Responsibilities

A. Safe School Climate Coordinator

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

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

B. Safe School Climate Specialist

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

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:

- (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.

B. The Committee shall:

- (1) ~~1~~-receive copies of completed reports following bullying investigations;
- (2) ~~2~~-identify and address patterns of bullying among students in the school;
- (3) ~~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) ~~4~~-review and amend school policies relating to bullying;

- ~~(5)~~ ~~5~~ review and make recommendations to the Coordinator regarding the Safe School Climate Plan based on issues and experiences specific to the school;
- ~~(6)~~ ~~6~~ educate students, school employees and parents/guardians on issues relating to bullying;
- ~~(7)~~ ~~7~~ collaborate with the Coordinator in the collection of data regarding bullying; and
- ~~(8)~~ ~~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), 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, The Westport 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 office, if any, and other individuals the principal or designee deems appropriate.
- F. If a bullying complaint raises concern about discrimination or harassment on the basis of a legally protected classification~~s~~ (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; and
 - g. Promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions;
 - h. Implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying and teen dating violence, including any such program identified by the Department of Education;
 - i. Respectful responses to bullying and teen dating violence concerns raised by students, parents or staff;
 - j. Planned professional development programs addressing prevention and intervention strategies, which training may include school violence prevention, conflict resolution and prevention of bullying and teen dating violence, with a focus in evidence based practices concerning same;
 - k. Use of peers to help ameliorate the plight of victims and include them in group activities;
 - l. Avoidance of sex-role stereotyping;
 - m. Continuing awareness and involvement on the part of school employees and parents with regards to prevention and intervention strategies;
 - n. Modeling by teachers of positive, respectful, and supportive behavior toward students;
 - o. Creating a school atmosphere of team spirit and collaboration that promotes appropriate social behavior by students in support of others;
 - p. Employing classroom strategies that instruct students how to work together in a collaborative and supportive atmosphere; [and](#)
 - q. Culturally competent school-based curriculum focusing on social-emotional learning, self-awareness and self-regulation.
- D. In addition to prevention and intervention strategies, administrators, teachers and other professional employees may find opportunities to educate students about bullying and help eliminate bullying behavior through class discussions, counseling, and reinforcement of socially-appropriate behavior. Administrators, teachers and other professional employees should intervene promptly whenever they observe mean-spirited student conduct, even if such conduct does not meet the formal definition of "bullying."
- E. Funding for the school-based bullying intervention and school climate improvement strategy may originate from public, private, federal or philanthropic sources.

XI. Improving School Climate

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

XII. Annual Notice and Training

- A. Students, and parents or guardians of students shall be notified annually of the process by which students may make reports of 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. 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.

~~D~~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 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 \(July 16, 2019\)](#)

~~7/28/14~~

Policy adopted: December 19, 2011

WESTPORT PUBLIC SCHOOLS

Amended: 9/8/2014

Westport, Connecticut

Policy Amended: June 11, 2018

~~WESTPORT PUBLIC SCHOOLS~~ Policy Amended:

~~Westport, Connecticut~~

Community Relations

Policy Regarding Maintenance of School Facilities and Compliance with Environmental, Health, and Safety Requirements

It is the policy of the Westport Board of Education (the “Board”) to strive to provide an appropriate learning environment for all students enrolled in the Westport Public Schools (the “District”) which includes, without limitation, proper maintenance of facilities and compliance with all environmental, health, and safety state and federal laws and regulations regarding the physical school environment, including school building(s) and grounds. To that end, the Board shall take the following steps (among any others required by state and/or federal laws and regulations):

- Make a continuing study of school facilities and a long-term school building program and from time to time make recommendations based on such study to the town.
- Adopt and implement an indoor air quality program that provides for ongoing maintenance and facility reviews necessary for the maintenance and improvement of the indoor air quality of its facilities. Specifically, every five years, for every school building, provide for a uniform inspection and evaluation program of the indoor air quality within such buildings, which program shall include, but shall not be limited to, a review, inspection or evaluation of the following:
 - 1) the heating, ventilation, and air conditioning systems;
 - 2) radon levels in the air;
 - 3) potential for exposure to microbiological airborne particles, including, but not limited to, fungi, mold and bacteria;
 - 4) chemical compounds of concern to indoor air quality, including, but not limited to, volatile organic compounds;
 - 5) the degree of pest infestation, including, but not limited to, insects and rodents;
 - 6) the degree of pesticide usage;
 - 7) the presence of and the plans for removal of any hazardous substances that are contained on the list prepared pursuant to Section 302 of the federal Emergency Planning and Community Right-to-Know Act;
 - 8) ventilation systems;
 - 9) plumbing, including water distribution systems, drainage systems, and fixtures;
 - 10) moisture incursion;
 - 11) the overall cleanliness of the facilities;
 - 12) building structural elements, including, but not limited to, roofing, basements or slabs;
 - 13) the use of space, particularly areas that were designed to be unoccupied; and
 - 14) the provision of indoor air quality maintenance training for building staff.
- Comply with all applicable state and/or federal laws and regulations regarding pesticide applications within school buildings and on school grounds.
- Comply with all applicable state and/or federal laws and regulations regarding the Board’s heating, ventilation, and air conditioning system(s).
- Adopt and implement a green cleaning program in accordance with state law that provides for the procurement and use of environmentally preferable cleaning products in school buildings and facilities.

- Comply with federal and state laws and regulations regarding the development of an asbestos management plan concerning the presence or suspected presence of asbestos-containing materials within any school buildings.
- Comply with all applicable state and/or federal laws and regulations regarding vehicle exhaust emissions, idling, and air quality.

The Board recognizes that certain circumstances and/or conditions of the Board’s physical school environment may require the Board to comply with additional environmental, health, and safety state and federal laws and regulations. Examples of such circumstances and/or conditions requiring compliance with additional state and federal laws and regulations include, but are not limited to, the following:

- Undertaking new construction, extension, and/or replacement of a building to be used for public school purposes.
- Replacing and/or disturbing certain building materials (e.g., windows, paint, caulk), depending on the age of such materials.
- Owning/operating an independent water supply (e.g., using a local drinking water well).
- Storing more than 10,000 pounds of a hazardous substance or more than the applicable threshold planning quantity of an extremely hazardous substance on school property.
- Generating, handling, treating, storing, and/or disposing of hazardous waste.

The Board delegates to the District’s administration the responsibility for promoting the Board’s compliance with all applicable environmental, health, and safety state and federal laws and regulations, in consultation with the Board and its legal counsel, as appropriate.

Legal References:

- Conn. Gen. Stat. § 10-220
- Conn. Gen. Stat. §§ 10-231a - 10-231e
- Conn. Gen. Stat. § 10-231f
- Conn. Gen. Stat. § 10-231g
- Conn. Gen. Stat. § 10-291
- Conn. Gen. Stat. § 14-277
- Conn. Gen. Stat. §§ 19a-329 et seq.
- R.C.S.A. §§ 19a-333-1 et seq.
- R.C.S.A. § 22a-174-18(b)(3)
- 7 U.S.C. §§ 136 et seq. (FIFRA)
- 15 U.S.C. §§ 2601 et seq. (TSCA)
- 15 U.S.C. §§ 2641 et seq. (AHERA)

Policy adopted:

WESTPORT PUBLIC SCHOOLS
Westport, Connecticut

Business/Non-Instructional Operations/Community Relations

Use of School Facilities

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.

A. Authorized Users/Order Of Priority

1. The Westport public school program has 1st priority in the use of all school facilities.
2. The Westport Continuing Education (WCE) program (including Adult Education and Summer School) has next priority after the regular program.
3. The Westport Department of Parks & Recreation (DPR) has 3rd priority for use of facilities.
4. Activities of school-related organizations, e.g., PTA, booster clubs and parent support groups shall have 4th priority for use of school facilities.
5. When not being used by the above groups, school facilities may be made available to other users, limited to agencies of the Town of Westport, and Westport-based, private non-profit groups, at least 50% of whose membership and/or participants must be Westport residents, for uses not directly competitive with school-sponsored activities, e.g., adult education, summer school, etc.

6. Use by the media or individual photographers, filmmakers, etc., wishing to photograph, televise or film school facilities or activities, is governed by the media access policy.

B. Requirements and Application Procedures

1. Written permission from the Superintendent or designee is required for all outsiders' use of buildings and equipment, use of grounds for any purpose involving 25 or more people (including participants and spectators), or use of parking lots on a weekend or after school hours by Westport residents for guest parking for a wedding or other private (non-commercial) event. Non compliance with this stipulation will constitute trespassing.
2. Applicants shall file a complete application with the facilities manager in the maintenance office.
3. All users not covered by the Westport Town/Board of Education insurance policy must provide a liability insurance certificate of no less than \$5 million, naming the Westport Board of Education/Town of Westport as additional named insureds. Insurance limits will be reviewed and updated periodically by the Assistant Superintendent for Business.

B. Requirements and Application Procedures (continued)

4. Police and/or fire department protection may be required at the users' expense. This condition is to be determined by the supervisor of buildings, in consultation with the relevant departments.

C. Usage Types:

Standard Use is defined as routine meetings, programs, classes, etc.

Major Use which requires a surcharge, is defined as having one or more of the following characteristics:

- Creates significant wear and tear.
- Funds are raised through admission charges (including "voluntary" contributions), sale of merchandise, raffles, door prizes, etc.
- Event uses vendors' or exhibitors' booths.
- Event uses the Staples field house.
- Event at any school requires two major facilities: (gym, cafeteria, auditorium). Ten or more classrooms = major facility.
- Event involves more than 500 participants or attendees.

D. Classification Of Groups For Payment Of Fees And Rent

(Identified groups are examples; groups not listed will be classified by Superintendent or designee).

***Category I Users No Rent For Standard Use**

Category I includes:

- a) **School-Related:** e.g., student organizations, PTAs, parent support groups affiliated with school teams, clubs, etc., recognized parent advocate groups such as CLASP, etc.
- b) **Town Groups:** Town boards, commissions, and committees; DPR, Senior Center, Health District, Library, Transit District, Levitt Pavilion, First Night, etc.
- c) **Youth-Serving:** Westport-based non-profit youth-serving groups, such as: Boy & Girl Scouts, Little League, PAL, Babe Ruth League, Westport Soccer Association.
- d) **Grandfathered Groups:** Power Squadron, Red Cross, Westport Arts Center.
- e) **Others:** Superintendent or designee may waive or reduce fees for state/national professional or educational organizations; or for other groups serving the public interest; or for elected officials holding public meetings.

***Category II Users Basic Rent: Westport-Based Community Groups**

Category II includes:

- a) Westport agencies supported by the United Way, and non-profit service organizations that serve Westport, e.g., Rotary, Kiwanis, Masons, Westport Woman's Club, Westport Young Woman's League, Veterans' groups, Nursing and Home Care, etc.
- b) Westport political, religious and ecumenical groups. (Depending on the nature of the activity, e.g., summer camps or on-going programs for which fees are charged, these groups may be classified as Category III for rental fee purposes.)
- c) Westport YMCA: for use of pool only, with special financial arrangements.

***Category III Users Basic Rent Doubled: Westport-Based Private, Non-profit, Educational, Recreational, Cultural, Social or Athletic Groups**

Category III includes: private schools, private nursery schools, dance academies, drama groups, music groups, children's activity programs, etc., at least 50% of whose members or participants are Westport residents.

***Category I, II And III Users: Additional Charges For Major Use**

When a Category II or III group makes major use of facilities for fund-raising programs involving commercial, entrepreneurial, profit-making organizations or activities, Superintendent or designee may require a contribution to the school's student activity fund, amount to be determined by Superintendent, but no less than \$1000.)

Other Users: Under unusual circumstances, the Superintendent may permit one-time or occasional use of facilities to educational, civic, cultural, etc., organizations from neighboring towns, etc.; the Superintendent shall judge requests individually and determine rental category.

All Categories: Must pay custodial, kitchen workers' and other applicable fees, including fees for covering the gym and field house floors if necessary. All groups pay surcharge for major use. Superintendent may reduce surcharge by 50% for Categories I and II if event is a fund raiser benefiting the Westport schools or the public, or when the event itself is a public service. Rental fees, administrative fee and surcharge required in advance. Personnel charges are billed.

Special Conditions: Regardless of user's category, the Superintendent (or designee) may

impose special conditions or may deny permission when it is judged that the requested use may produce undue wear and tear on facilities, would cause disruption to the regular school program, be detrimental to the public image of the school system, impact negatively on the scheduled maintenance or cleaning of the schools or otherwise not be in the interest of the school system or the Town.

E. Restrictions On Use Of School Facilities

1. Illegal activities will not be tolerated.
2. School facilities may not be rented by individuals, businesses or trade organizations or used for private purposes.
3. No school facility may be used by individual entrepreneurs, either Westport Board of Education employees or others, to give private instruction for a fee to individuals or groups.
4. School facilities may not be used for the promotion of any commercial interest or private or corporate gain except in conjunction with a fund-raising activity by a permitted, non-profit user. In such cases, regardless of category, users may be required to make a donation to the student activity fund of the school of a minimum of \$1,000 in addition to paying custodial costs and applicable rental fees. The decision about whether to require a donation, and the amount of the donation, will be made by the Superintendent or designee, in consultation with the sponsor of the program.
5. Use or possession of tobacco, alcoholic beverages or unauthorized controlled substances shall not be permitted on school property.
6. Advertising, decorations or other materials that promote the use of illegal drugs, tobacco products or alcoholic beverages shall not be permitted.
7. Obscene advertising, decorations or materials shall not be permitted on school property.
8. Users must comply with all administrative regulations governing use of school facilities. Non-compliance may result in revocation of privileges.

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.

All exceptions to this policy require approval of the Superintendent, whose decision on all aspects is final.

Legal Reference: ~~Connecticut General Statutes~~ [Conn. Gen. Stat. § 10-239 Use of School-Facilities for Other Purposes](#)
[Conn. Gen. Stat. § 10-215f](#)
[Conn. Gen. Stat. § 10-221q](#)

Policy adopted: July 29, 2004

Revised: November 19, 2019

Revised: June 14, 2021

Revised:

WESTPORT PUBLIC SCHOOLS
Westport, Connecticut

Community Relations

POLICY REGARDING VISITORS AND OBSERVATIONS IN SCHOOLS

~~In order to~~ To promote a safe and productive educational environment for all students and staff, the Board requires all visitors to receive prior approval from the school Principal or his/her designee before being permitted to visit any school building during the school day. The Board, through the administration, reserves the right to grant access to school buildings in accordance with the school's prescribed procedure for scheduling, as applicable, and administrative regulations.

The Board further desires to work collaboratively with parents with an educational nexus with the district, its educational programs or the student being observed, to observe their students in their current classrooms or observe proposed educational placements in the Board's schools. The Board, through the administration, reserves the right to limit observations of current and proposed educational placements in accordance with administrative regulations and the Board's Guidelines for Independent Educational Evaluations.

Upon arrival, all visitors and observers 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/observers 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.](#)

Legal References:

“Guidelines Regarding Independent Educational Evaluations at Public Expense and In-School Observations,” Connecticut State Department of Education (Mar. 28, 2018).

Policy adopted: November 5, 2018

WESTPORT PUBLIC SCHOOLS
Westport, Connecticut

Community Relations

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 Westport 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 Westport 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 Westport 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.

Legal Reference:

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

Policy adopted: June 14, 2021

WESTPORT PUBLIC SCHOOLS
Westport, Connecticut

Personnel --Certified/Non-Certified

Non-Discrimination

The Board of Education will not make employment decisions (including decisions related to hiring, assignment, compensation, promotion, demotion, disciplinary action and termination) on the basis of race, color, religion, age, sex, marital status, sexual orientation, national origin, ancestry, disability, ~~(including pregnancy)~~, genetic information, veteran status, or gender identity or expression, except in the case of a bona fide occupational qualification.

It is the policy of the Board of Education that any form of discrimination or harassment on the basis of race, religion, color, national origin, sex, sexual orientation, marital status, age, disability, ~~(including pregnancy)~~, genetic information, veteran status, or gender identity or expression, or any other basis prohibited by state or federal law is prohibited, whether by students, Board employees or third parties subject to the control of the Board. The Board's prohibition of discrimination or harassment in its educational programs or activities expressly extends to academic, nonacademic and extracurricular activities, including athletics. It is also the policy of the Board of Education to provide for the prompt and equitable resolution of complaints alleging any discrimination on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, disability, ~~(including pregnancy)~~, veteran status, or gender identity or expression.

For the purposes of this policy, "genetic information" means the information about genes, gene products, or inherited characteristics that may derive from an individual or a family member. "Genetic information" may also include an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

For the purposes of this policy, "veteran" means any person honorably discharged from, ~~or~~ released under honorable conditions from [or released with an other than honorable discharge based on a qualifying condition from](#) active service in, the United States Army, Navy, Marine Corps, Coast Guard and Air Force and any reserve component thereof, including the Connecticut National Guard. ["Qualifying condition" means \(A\) a diagnosis of post-traumatic stress disorder or traumatic brain injury made by an individual licensed to provide health care services at a United States Department of Veterans Affairs facility, \(B\) an experience of military sexual trauma disclosed to an individual licensed to provide health care services at a United States Department of Veterans Affairs facility, or \(C\) a determination that sexual orientation, gender identity, or gender expression was more likely than not the primary reason for an other than honorable discharge, as determined in accordance with Conn. Gen. Stat. §§ 27-103\(c\), \(d\).](#)

For the purposes of this policy, "gender identity or expression" means a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth, which gender-related identity can be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held, part of a person's core identity or not being asserted for an improper purpose.

[For the purposes of this policy, "race" is inclusive of ethnic traits historically associated with race, including but not limited to, hair texture and protective hairstyles. "Protective hairstyles" includes, but is not limited to, wigs, headwraps and hairstyles such as individual braids, cornrows, locs, twists, Bantu knots, afros and afro puffs.](#)

Any employee wishing to file a complaint regarding discrimination may obtain a copy of the Board's complaint procedures and complaint form which are included in the Board's Administrative Regulations Regarding Non-Discrimination/Personnel. These regulations accompany Board Policy #4111.1 and Board Policy #4211.1 and are available online at <http://www.westportps.org/district/policies> or upon request from the main office of any district school.

If a complaint involves allegations of discrimination or harassment based on reasons such as gender/sex of

disability, such complaints will be handled under other appropriate policies (e.g., Policy #[4118.112](#) and Policy #[4218.112](#), Sex Discrimination/Harassment in the Workplace; Policy #[4111.4](#) and [4211.4](#), Section 504/ADA).

Any employee also may file a complaint with the Office for Civil Rights, U.S. Department of Education (“OCR”):

Office for Civil Rights, Boston Office

U.S. Department of Education

8th Floor

5 Post Office Square

Boston, MA 02109-3921

(617) 289-0111

<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

Employees may also file a complaint regarding employment discrimination with the Equal Employment Opportunity Commission:

Equal Employment Opportunity Commission, Boston Area Office

John F. Kennedy Federal Building

475 Government Center

Boston, MA 02203

(800-669-4000)

Employees may also file a complaint with the Connecticut Commission on Human Rights and Opportunities:

Connecticut Commission on Human Rights and Opportunities

450 Columbus Blvd.

Hartford, CT 06103-1835

(800-477-5737)

Anyone who has questions or concerns about this policy, or would like a copy of the Board’s complaint procedures or complaint forms related to claims of discrimination, may contact:

The Office of the Superintendent, 203-341-1025

Anyone who has questions or concerns about the Board’s policies regarding discrimination on the basis of gender/sex may contact the Board’s Title IX Coordinator:

~~Director~~ [Assistant Superintendent](#) of Human Resources and General Administration, 203-341-1023

Anyone who has questions or concerns about the Board’s policies regarding discrimination on the basis of disability may contact the Board’s Section 504/ADA Coordinator:

Assistant Superintendent of Pupil Personnel Services, 203-341-1250

Legal References:

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq.

Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq.

Age Discrimination in Employment Act, 29 U.S.C. § 621

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

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

Title II of the Genetic Information Nondiscrimination Act of 2008, Pub.L.110-233, 42 U.S.C. § 2000ff; 29 CFR 1635.1 et seq.

Connecticut General Statutes § [10](#)-153. Discrimination on basis of marital status

Connecticut Fair Employment Practices Act, Connecticut General Statutes § [46a](#)-60

Connecticut General Statutes § [46a](#)-81a Discrimination on basis of sexual orientation: Definitions

Connecticut General Statutes § [46a](#)-81c Sexual orientation discrimination: Employment.

Public Act 17-127, An Act Concerning Discriminatory Practices Against Veterans, Leaves of Absence for National Guard Members, Application for Certain Medicaid Programs, and Disclosure of Certain Records to Federal Military Law Enforcement.

Policy adopted: October 1976 WESTPORT PUBLIC SCHOOLS

Policy amended: December 1978 Westport, Connecticut

Policy amended: March 2005

Policy amended: January 22, 2018

Policy amended: November 11, 2019

Policy amended:

~~WESTPORT PUBLIC SCHOOLS~~

~~Westport, Connecticut~~

Personnel -- Certified/Non-Certified

Prohibition of Sex Discrimination and Sexual Harassment in the Workplace

It is the policy of the Westport Board of Education (the “Board”) for the Westport Public Schools that any form of sex discrimination or sexual harassment is prohibited in the Board’s education programs and activities, whether by students, Board employees or third parties subject to substantial control by the Board. It is the policy of the Board to maintain a working environment free from harassment, insults or intimidation on the basis of an employee's sex and free from discrimination based on sex. ~~Verbal or physical conduct by a supervisor or co-worker relating to an employee's sex that has the effect of creating an intimidating, hostile or offensive work environment, unreasonably interfering with the employee's work performance, or adversely affecting the employee's employment opportunities is prohibited.~~

The Board does not discriminate on the basis of sex in the education programs or activities that it operates and the Board is required by Title IX of the Education Amendments of 1972 and its implementing regulations (“Title IX”), [Title VII of the Civil Rights Act of 1964 \(“Title VII”\), and Connecticut law](#) not to discriminate in such a manner. [Discrimination or harassment on the basis of sex includes discrimination or harassment on the basis of gender identity or sexual orientation.](#) Students, Board employees and third parties are required to adhere to a standard of conduct that is respectful of the rights of all parties. Any employee or student who engages in conduct prohibited by this Policy shall be subject to disciplinary action, up to and including termination or expulsion, respectively. Third parties who engage in conduct prohibited by this Policy shall be subject to other sanctions, which may include exclusion from Board property and/or activities. Individuals who engage in acts of sex discrimination or sexual harassment may also be subject to civil and criminal penalties.

For conduct to violate [Title IX](#) ~~this Policy~~, the conduct must have occurred in an education program or activity of the Board; the conduct must have occurred within the United States of America; and the complainant must be participating in or attempting to participate in the education program or activity of the Board. Conduct that does not meet these requirements still may constitute a violation of [Title VII, Connecticut law, and/or](#) another Board policy.

The Superintendent of Schools shall develop Administrative Regulations implementing this Policy and in accordance with Title IX, [Title VII, and Connecticut law](#) (the “Administrative Regulations”).

Sex discrimination occurs when an employer refuses to hire, disciplines or discharges any individual, or otherwise discriminates against an individual with respect to his or her compensation, terms, conditions, or privileges of employment on the basis of the individual’s sex. Sex discrimination also occurs when a person, because of his or her sex, is denied participation in, or the benefits of, any education program or activity receiving federal financial assistance.

Sexual harassment [under Title IX](#) means conduct on the basis of sex that satisfies one or more of the following:

- (1) An employee of the Board conditioning the provision of an aid, benefit, or service of the Board on an individual's participation in unwelcome sexual conduct (i.e., quid pro quo);
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Board's education programs or activities; or
- (3) "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

Sexual harassment under Title VII and Connecticut law means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

(1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

(2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

(3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Reporting Sex Discrimination or Sexual Harassment

It is the express policy of the Board to encourage victims of sex discrimination and/or sexual harassment to report such claims. Employees are encouraged to report complaints of sex discrimination and/or sexual harassment promptly in accordance with the appropriate process set forth in the Administrative Regulations. The Board directs its employees to respond to such complaints in a prompt and equitable manner.

Violations of this Policy by employees will not be permitted and may result in discipline up to and including discharge from employment. Individuals who engage in acts of sex discrimination or sexual harassment may also be subject to civil and criminal penalties. Retaliation against any employee for complaining about sex discrimination or sexual harassment is prohibited under this Policy and illegal under state and federal law.

Any Board employee with notice of sex discrimination and/or sexual harassment allegations shall immediately report such information to the building principal and/or the Title IX Coordinator, or if the employee does not work in a school building, to the Title IX Coordinator.

The Westport Public Schools administration (the "Administration") shall provide training to Title IX Coordinator(s), investigators, decision-makers, and any person who facilitates an informal resolution process (as set forth in the Administrative Regulations). ~~Such training will include information on~~ which training shall include, but need not be limited to, the definition of sex discrimination and sexual harassment, the scope of the Board's education program and activity, how to conduct an investigation and implement the grievance process, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. The Administration shall make the training materials used to provide these trainings publicly available on the Board's website. The Administration shall also periodically provide training to all Board

employees on the topic of sex discrimination and sexual harassment under Title IX, [Title VII, and Connecticut law](#), which shall include but not be limited to when reports of sex discrimination and/or sexual harassment must be made. The Administration shall distribute this Policy and the Administrative Regulations to employees, union representatives, students, parents and legal guardians and make the Policy and the Administrative Regulations available on the Board's website to promote an environment free of sex discrimination and sexual harassment.

The Board's Title IX Coordinator is John Bayers, Director of Human Resources and General Administration. Any individual may make a report of sex discrimination and/or sexual harassment directly to the Title IX Coordinator using any one, or multiple, of the following points of contact:

**110 Myrtle Avenue
Westport, CT 06880
jbayers@wesportps.org
203-341-1004**

[Board employee in receipt of allegations of sex discrimination or sexual harassment, or in receipt of a formal complaint, shall immediately forward such information to the Title IX Coordinator. Board employees](#) ~~Any individual~~ may also make a report of sexual harassment and/or sex discrimination to the U.S. Department of Education: Office for Civil Rights, Boston Office, U.S. Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921 (Telephone: 617-289-0111).

Employees may also make a report of sexual harassment and/or sex discrimination to the Connecticut Commission on Human Rights and Opportunities, 450 Columbus Boulevard, Hartford, CT 06103-1835 (Telephone: 860-514-3400).

Legal References:

Civil Rights Act of 1964, Title VII, 42 U.S.C. § 2000e-2(a).
Equal Employment Opportunity Commission Policy Guidance on Current Issues of Sexual Harassment (N-915.050), March 19, 1990.
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, et seq.
Title IX of the Education Amendments of 1972, 34 CFR § 106, et seq.
Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)
Conn. Gen. Stat. § 46a-54 - Commission powers
Connecticut General Statutes § 46a-60 Discriminatory employment practices prohibited.
Conn. Gen. Stat. § 46a-81c - Sexual orientation discrimination: Employment
Conn. Gen. Stat. § 10-153 - Discrimination on the basis of sex, gender identity or expression or marital status prohibited
Conn. Agencies Regs. §§ 46a-54-200 through § 46a-54-207

Policy adopted: June 23, 1995
REVISED: January 22, 2018
REVISED: August 31, 2020
[REVISED:](#)

WESTPORT PUBLIC SCHOOLS
Westport, Connecticut

Community Relations

Policy Regarding Possession of Deadly Weapons or Firearms

I. Definitions:

A. **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." Conn. Gen. Stat. § 53a-3 (6).

B. **Firearm** means "any sawed-off shotgun, machine gun, rifle, shotgun, pistol, revolver or other weapon, whether loaded or unloaded from which a shot may be discharged." Conn. Gen. Stat. § 53a-3 (19).

C. **Peace Officer** means "a member of the Division of State Police within the Department of Emergency Services and Public Protection or an organized local police department, a chief inspector or inspector in the Division of Criminal Justice, a state marshal while exercising authority granted under any provision of the general statutes, a judicial marshal in the performance of the duties of a judicial marshal, a conservation officer or special conservation officer, as defined in section 26-5, a constable who performs criminal law enforcement duties, a special policeman appointed under section 29-18, 29-18a or 29-19, an adult probation officer, an official of the Department of Correction authorized by the Commissioner of Correction to make arrests in a correctional institution or facility, any investigator in the investigations unit of the office of the State Treasurer, an inspector of motor vehicles in the Department of Motor Vehicles, who is certified under the provisions of sections 7-294a to 7-294e, inclusive, a United States marshal or deputy marshal, any special agent of the federal government authorized to enforce the provisions of Title 21 of the United States Code, or a member of a law enforcement unit of the Mashantucket Pequot Tribe or the Mohegan Tribe of Indians of Connecticut created and governed by a memorandum of agreement under section 47-65c who is certified as a police officer by the Police Officer Standards and Training Council pursuant to sections 7-294a to 7-294e, inclusive." Conn. Gen. Stat. § 53a-3 (9).

D. **Real Property** means the land and all temporary and permanent structures comprising the district's elementary and secondary schools, and administrative office buildings. Real property includes, but is not limited to, the following: classrooms, hallways, storage facilities, theatres, gymnasiums, fields and parking lots.

E. **School-Sponsored Activity** means "any activity sponsored, recognized or authorized by a board of education and includes activities conducted on or off school property." Conn. Gen. Stat. § 10-233a(h).

II. Prohibition of Deadly Weapons and Firearms

In accordance with Conn. Gen. Stat. § 29-28(e) and § 53a-217b, the possession and/or use of a deadly weapon or firearm on the real property of any school or administrative office building in this

Bylaws of the Board

MEETING CONDUCT

1. Meeting Conduct

- A. Meetings of the Board of Education 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 will have been prepared and delivered in advance to all Board members and other designated persons.
- D. Robert's Rules of Order shall govern the proceedings of the Board except as otherwise provided by these bylaws.

2. Smoking, Vaping, and Use of Electronic Nicotine Delivery Systems

- A. Use of tobacco, electronic nicotine delivery systems (e.g. e-cigarettes), or vapor products will not be permitted in any room in which a meeting of the Board of Education is being conducted, nor during the time immediately prior to the meeting.
- B. A sign notifying the public that no smoking is allowed in the place designated for the meeting will be prominently posted.

3. Procedures for Participation By Means of Electronic Equipment

A. Board members may participate in meetings by means of electronic equipment (e.g., telephone, video conference) under the conditions set forth herein. When such conditions are met, any Board member participating by means of electronic equipment shall 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;
2. Any physical or demonstrable material that is used in the course of the proceedings must be present in the place where the public is located; and
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.

B. 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 three 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 to express himself/herself in Board discussion, including the opportunity to take the floor and make motions.

4. Public Address

A. The Board may permit any town resident or employee, [or any parent/guardian of an enrolled student](#), to address the Board concerning any subject that lies within its jurisdiction during a portion of the Board's regular meetings so designated for such purpose.

~~(1)~~1. Two (2) minutes may be allotted to each speaker on non-agenda items and three (3) minutes on agenda items with a maximum of fifteen (15) minutes on non-agenda items. The Board may modify these limitations at the beginning of a meeting if the number of persons wishing to speak makes it advisable to do so.

~~(2)~~2. 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.

~~(3)~~3. No boisterous conduct shall be permitted at any Board of Education meeting. Persistence in boisterous conduct shall be grounds for summary termination, by the Chairperson, of that person's

privilege of address.

(4) All speakers must identify themselves by name and address.

Legal References:

Connecticut General Statutes

[1-200](#) Definitions

[1-206](#) Denial of access of public records or meeting. Notice. Appeal.

[1-225](#) Meetings of government agencies to be public.

[1-232](#) Conduct of meetings. (re: disturbances)

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

Bylaw adopted by the Board: November 11, 2019

Revised: June 14, 2021

WESTPORT PUBLIC SCHOOLS

Westport, Connecticut