

Series 4000 – Personnel – Certified & Non-Certified

1. Certified Personnel

A. Permanent Personnel

(1) Minority Recruitment

In accordance with Sections 10-4A(3) and Section 10-220(a) of the Connecticut General Statutes, the Suffield Board of Education has developed the following written plan for minority educator recruitment:

1. All recruiting sources will be informed in writing of the Board's non-discrimination policy.
2. The Board representatives or their designees will contact local training and education institutions, including those with high minority enrollments, to publicize job openings within the school district and to solicit referrals of qualified minority candidates.
3. The Board representatives or their designees will expand its help-wanted advertising to include Connecticut Regional Education Applicant and Placement Program (CT REAP), and electronic career placement system that streamlines the hiring process for both the applicant and the human resource professionals in school districts throughout the state and which will include electronic applications from anywhere in the world.
4. As possible, Board representatives or their designees will participate in local job fairs, including those that are sponsored by minority community organizations or otherwise directed toward minorities.
5. The Board's designee will maintain records documenting actions taken pursuant to this plan, including correspondence with recruitment agencies and other referral sources, job fair brochures and advertising copy.
6. The Board will review, on an annual basis, the effectiveness of this plan in increasing minority applicant flow and attracting candidates for employment.
7. Beginning with the school year commencing July 1, 2022 and each school year thereafter, the board will utilize the strategies and resources made available to it by the State Department of Education's Minority Teacher Recruitment Policy Oversight Council to assist in meeting Connecticut's annual goal of hiring at least two hundred fifty new minority teachers and administrators, of which at least thirty percent are men.

Legal Reference: Connecticut General Statutes

10-4a(3) Educational interests of state identified.

10-151 Employment of teachers. Notice and hearing on termination of contract.

Personnel – Certified/Non-Certified

Minority Recruitment Plan

Legal Reference: Connecticut General Statutes (continued)

10-153 Discrimination on account of marital status.

10-220(a) Duties of Boards of Education. (as amended by PA 18-34)

PA 16-41 An Act Concerning the Recommendations of the Minority Teacher Recruitment Task Force

PA 18-34 An Act Concerning Minority Teacher Recruitment and Retention.

46a-60 Discriminatory employment practices prohibited.

P.A. 19-74 An Act Concerning Minority Teacher Recruitment and Retention.

Policy adopted:

Series 5000 - Students

1. Elementary and Secondary

C. Activities

(1) Conduct

(s) Bullying Prevention and Intervention Policy

The Suffield Board of Education (the “Board”) 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 (see Appendix 1), 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;~~
- ~~2) places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;~~
- ~~3) creates a hostile environment at school for such student; 1) causes physical or emotional harm to an individual;~~
- ~~4) infringes on the rights of such student at school; or 2) places an individual in reasonable fear of physical or emotional harm; or~~

~~5) substantially disrupts the education process or the orderly operation of a school. 3) infringes on the rights or opportunities of an individual at school.~~

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

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

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

- 1) enable students to anonymously report acts of bullying to school employees and require students and the parents or guardians of students to be notified at the beginning of each school year of the process by which students may make such reports;
- 2) enable the parents or guardians of students to file written reports of suspected bullying;
- 3) require school employees who witness acts of bullying or receive reports of bullying to orally notify the safe school climate specialist, or another school administrator if the safe school climate specialist is unavailable, not later than one school day after such school employee witnesses or receives a report of bullying, and to file a written report not later than two school days after making such oral report;
- 4) require the safe school climate specialist to investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports made under this section, and that the parents or guardians of the student alleged to have committed an act or acts of bullying, and the parents or guardians of the student against whom such alleged act or acts were directed receive prompt notice that such investigation has commenced;
- 5) require the safe school climate specialist to review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report;
- 6) include a prevention and intervention strategy for school employees to deal with bullying and teen dating violence;
- 7) provide for the inclusion of language in student codes of conduct concerning bullying;
- 8) require each school to notify the parents or guardians of students who commit any verified acts of bullying and the parents or guardians of students against whom such acts were directed not later than forty-eight hours after the completion of the investigation described in subdivision (4), above; ~~(A) of the results of such~~

investigation, and (B) verbally or by electronic mail, if such parents' or guardians' electronic mail addresses are known, that such parents or guardians may refer to the plain language explanation of the rights and remedies available under Conn. Gen. Stat. Section 10-4a and 10-4b published on the Internet website of the Board

- 9) require each school to invite the parents or guardians of a student against whom such act was directed to a meeting to communicate to such parents or guardians the measures being taken by the school to ensure the safety of the student against whom such act was directed and policies and procedures in place to prevent further acts of bullying;
- 10) require each school to invite the parents or guardians of a student who commits any verified act of bullying to a meeting, separate and distinct from the meeting required in subdivision (9) above, to discuss specific interventions undertaken by the school to prevent further acts of bullying;
- 11) establish a procedure for each school to document and maintain records relating to reports and investigations of bullying in such school and to maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection, and annually report such number to the Department of Education and in such manner as prescribed by the Commissioner of Education;
- 12) direct the development of case-by-case interventions for addressing repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline;
- 13) prohibit discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying;
- 14) direct the development of student safety support plans for students against whom an act of bullying was directed that address safety measures the school will take to protect such students against further acts of bullying;
- 15) require the principal of a school, or the principal's designee, to notify the appropriate local law enforcement agency when such principal, or the principal's designee, believes that any acts of bullying constitute criminal conduct;
- 16) prohibit bullying (A) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a local or regional board of education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the local or regional board of education, and (B) outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;
- 17) require, at the beginning of each school year, each school to provide all school employees with a written or electronic copy of the school district's safe school climate plan; and
- 18) require that all school employees annually complete the training described in Conn. Gen. Stat. §10-220a or 10-222j 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 Board 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 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 11-232, *An Act Concerning the Strengthening of School Bullying Laws*
Public Act 14-172, "An Act Concerning Improving Employment Opportunities through Education and Ensuring Safe School Climates"
Public Act 14-232, "An Act Concerning the Review and Approval of Safe School Climate Plans by the Department of Education and a Student Safety Hotline Feasibility Study"
Public Act 14-234, "An Act concerning Domestic Violence and Sexual Assault"
Public Act 19-166, "An Act concerning School Climates"
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

Policy adopted: February 4, 2003

Policy revised: June 3, 2008, January 17, 2012
January 6, 2015, September 17, 2018
January 6, 2020

SUFFIELD PUBLIC SCHOOLS

Suffield, Connecticut

SAFE SCHOOL CLIMATE PLAN

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

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

I. Prohibition Against Bullying, Teen Dating Violence, and Retaliation

- A. The Suffield Public Schools 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 the district.
- B. The Suffield Public Schools also prohibits any form of bullying behavior outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;
- C. The Board further prohibits any form of teen dating violence outside of the school setting if such violence substantially disrupts the educational process;
- D. In addition to prohibiting student acts that constitute bullying, the Suffield Public Schools also prohibits discrimination and/or retaliation against an individual who reports or assists in the investigation of an act of bullying.
- E. Students who engage in bullying behavior or teen violence in violation of Board policy and the Safe School Climate Plan shall be subject to school discipline, up to and including expulsion, in accordance with the Board's policies on student discipline, suspension and expulsion, and consistent with state and federal law.

II. Definition of Bullying

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

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

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

III. Other Definitions

- A. "**Cyberbullying**" means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.
- B. "**Electronic communication**" means any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectric or photo-optical system;
- C. "Emotional intelligence" means the ability to (1) perceive, recognize and understand the emotions in oneself or others, (2) use emotions to facilitate cognitive activities, including, but not limited to, reasoning, problem solving and interpersonal communications, (3) understand and identify emotions, and (4) manage emotions in oneself and others.

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

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

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~~E.F.~~ "**Outside of the school setting**" means at a location, activity or program that 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;

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~~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 or students and school employees feel engaged and respected and work together to develop and contribute to a shared school vision. (3) educators

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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 supports process or another evidence-based model approach for safe school climate or for the prevention of bullying identified by the Department of Education,
- (2) school rules prohibiting bullying, teen dating violence, harassment and —intimidation and establishing appropriate consequences for those who engage in such acts,
- (3) adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur,
- (4) inclusion of grade-appropriate bullying education and prevention curricula in kindergarten through high school,
- (5) individual interventions with the bully, parents and school employees, and interventions with the bullied child, parents and school employees,
- (6) school-wide training related to safe school climate,
- (7) student peer training, education and support, and
- (8) promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions.
- (9) culturally competent school-based curriculum focusing on social-emotional learning, self-awareness and self-regulation

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I.G. "School climate" means the quality and character of school life ~~with a particular focus on the quality of the relationships within the school community between and among students and adults based on patterns of students', parents' and guardians' and school employees' experiences of school life, including but not limited to norms, goals, values, interpersonal relationships, teaching and learning practices and organizational structures.-~~

I.H. "School employee" means

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

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

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

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

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IV. Leadership and Administrative Responsibilities

A. Safe School Climate Coordinator

~~For the school year commencing July 1, 2012, and each school year thereafter, T~~he 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 in the school district and to make recommendations concerning amendments to the district’s Plan.

B. Safe School Climate Specialist

~~For the school year commencing July 1, 2012, and each school year thereafter, T~~he principal of each school (or principal’s designee) shall serve as the Safe School Climate Specialist. The Safe School Climate Specialist shall investigate or supervise the investigation of reported acts of bullying, collect and maintain records of reports and investigations of bullying in the school and act as the primary school official responsible for preventing, identifying and responding to reports of bullying in the school.

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

~~A. For the school year commencing July 1, 2012 and each school year thereafter, T~~he 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

~~A.~~

~~B.~~ The Committee shall:

- (1)-receive copies of completed reports following bullying investigations;
- (2) identify and address patterns of bullying among students in the school;
- (3) implement the provisions of the school security and safety plan, regarding the collection, evaluation and reporting of information relating to instances of disturbing or threatening behavior that may not meet the definition of bullying.

(4) review and amend school policies relating to bullying;
(5) review and make recommendations to the Coordinator regarding the Safe School Climate Plan based on issues and experiences specific to the school;

(6) educate students, school employees and parents/guardians on issues relating to

bullying;

(7) collaborate with the Coordinator in the collection of data regarding bullying; and

(8) perform any other duties as determined by the Principal that are related to the prevention, identification and response to school bullying.

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- 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 Suffield 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 website 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 School Safe 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 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, Suffield Public Schools, however, ~~care must be taken to~~ will take care to respect the statutory privacy rights of other students, including the perpetrator of such bullying. The specific disciplinary consequences imposed on the perpetrator, or personally identifiable information about a student other than the parent/guardian's own child, may not be disclosed except as provided by law.
- B. In any instance in which bullying is verified, the Safe School Climate Specialist or designee shall invite the parents or guardians of the student against whom such act was directed to a meeting to communicate the measures being taken by the school to ensure the safety of the student/victim and policies and procedures in place to prevent further acts of bullying. The Safe School Climate Specialist or designee shall also invite the parents or guardians of a student who commits any verified act of bullying to a meeting, separate and distinct from the previously described meeting, to discuss specific interventions undertaken by the school to prevent further acts of bullying. The invitation may be made simultaneous with the notification described above in Section VII.A.
- C. If bullying is verified, the Safe School Climate Specialist or designee shall develop a student safety support plan for any student against whom an act of bullying was directed. Such support plan will include safety measures to protect against further acts of bullying.
- D. A specific written intervention plan shall be developed to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual. The written intervention plan may include counseling, discipline and other appropriate remedial actions as determined by the Safe School Climate Specialist or designee, and may also incorporate a student safety support plan, as appropriate.
- E. Notice to Law Enforcement

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

- ~~E. F.~~ F. If a bullying complaint raises concern about discrimination or harassment on the basis of a legally protected classifications (such as race, religion, color, national origin, sex, sexual orientation, age, disability or gender identity), 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.

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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 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 alternative

to traditional disciplinary sanctions, including age-appropriate consequences and other restorative or remedial interventions.

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

- i. 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.

- ii. 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.

- iii. Interventions for bullied students and victims of teen dating violence

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

- a. Referral to a school counselor, psychologist or other appropriate social or mental health service;
 - b. Increased supervision and monitoring of student to observe and intervene in bullying situations or instances of teen dating violence;

- c. Encouragement of student to seek help when victimized or witnessing victimization;
 - d. Peer mediation or other forms of mediation, where appropriate;
 - e. Student Safety Support plan;
 - f. Restitution and/or restorative interventions; and
 - g. Periodic follow-up by the Safe School Climate Specialist and/or Title IX Coordinator with the bullied student or victim of teen dating violence.
- iv. 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 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/Sexual harassment training, Section 504/ADA Training, cultural diversity/multicultural education or other training in federal and state civil rights legislation or other topics relevant to safe school climate;
 - f. Student peer training, education and support;
 - g. Promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions;
 - h. Implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying and teen dating violence, including any such program identified by the Department of Education;
 - i. Respectful responses to bullying and teen dating violence concerns raised by students, parents or staff;
 - j. Planned professional development programs addressing prevention and intervention strategies, which training may include school violence prevention, conflict resolution and prevention of bullying and teen dating violence, with a focus in evidence based practices concerning same;
 - k. Use of peers to help ameliorate the plight of victims and include them in group activities;
 - l. Avoidance of sex-role stereotyping;
 - m. Continuing awareness and involvement on the part of school employees and parents with regards to prevention and intervention strategies;
 - n. Modeling by teachers of positive, respectful, and supportive behavior toward students;

- o. Creating a school atmosphere of team spirit and collaboration that promotes appropriate social behavior by students in support of others;
 - p. Employing classroom strategies that instruct students how to work together in a collaborative and supportive atmosphere.
 - 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 Suffield Public Schools is committed to maintaining a positive, safe, and healthy school climate. Strategies to support this goal are developed based on review of current school and district data and aligned with research-based best practices in positive behavior support systems. The school and district maintain school improvement plans and district improvement plans that document strategies and evidence of improvement, and school climate committees inclusive of parents, meet and review data and action plans.

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. The Board shall also provide training materials to school administrators regarding the prevention of and intervention in discrimination against and targeted harassment of students based on such students’ (1) actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance or mental, physical, developmental or sensory disability, or (2) association with individuals or groups who have or are perceived to have one or more of such characteristics.
- E. Any person appointed by the district to serve as district safe school climate coordinator shall complete mental health and first aid training offered by the Commissioner of Mental Health and Addiction Services, if offered.

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 11-232, *An Act Concerning the Strengthening of School Bullying Laws*
Conn. Gen. Stat. § 10-222d
Conn. Gen. Stat. § 10-222g
Conn. Gen. Stat. § 10-222k
Conn. Gen. Stat. § 10-222l
Conn. Gen. Stat. §§ 10-233a through 10-233f
Connecticut State Department of Education Circular Letter C-8, Series 2008-2009 (March 16, 2009)

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)

Public Act 14-172, “An Act Concerning Improving Employment Opportunities through Education and Ensuring Safe School Climates”

Public Act 14-232, “An Act Concerning the Review and Approval of Safe School Climate Plans by the Department of Education and a Student Safety Hotline Feasibility Study”

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

Public Act 19-166, “An Act Concerning School Climate”

7/28/14

6. What do you believe was the reason for the conduct by the offender(s)? Do you believe it was based upon disability, race, national origin, religion, color, age, sex, sexual orientation, gender identity or expression, or marital status of the target? Explain.

(Attach a separate sheet if necessary)

7. Did a physical injury result from this incident(s)? No Yes

Nature of injury: _____

8. Was the target absent from school as a result of the incident? No Yes

If yes, how many days was the target absent from school as a result of the incident? _____

Dates of absenteeism: _____

9. Did an emotional injury result from this incident(s)?:

No

Yes, but psychological services have not been sought

Yes, and psychological services have been sought

Dates/location where services were sought _____

10. Did any damage occur to the target's property? No Yes

Nature of damage _____

11. State name(s) of any witnesses to the incident(s):

Name/position/school (i.e. student, teacher, parent, community member, etc.)	Contact information (if known)
_____	_____
_____	_____

12. Are you aware of any similar types of activities by the alleged offender(s) or by others against the target? If so, please describe the activity and when it occurred? Was a report made of these activities? If so, to whom and when?

(Attach a separate sheet if necessary)

13. Is there any additional information you would like to provide?

(Attach a separate sheet if necessary, and attach any relevant documentation (i.e. medical documents, photos, posts, video, emails, text messages, former reports, etc.)

Name: _____

Signature: _____ Date: _____
(Complainant)

Name/Title: _____

Signature: _____ Date: _____
(Staff member receiving/ reviewing Complaint)

(If this complaint suggests that the alleged incident(s) was/were based upon the membership of the target in a protected class (such as race, sex, religion, disability or sexual orientation), this complaint shall be shared with the appropriate district civil rights coordinator for possible additional investigation)

(If applicable) Referred to (name of coordinator): _____

Date of referral: _____

SUFFIELD PUBLIC SCHOOLS
BULLYING INVESTIGATION REPORT
 (For Staff Use Only)

1. Name of target: _____ Age: _____ Grade: _____

School _____ Reg. Ed Spec. Ed. 504

2. Name of complainant/relationship to target: _____

3. Names(s) of alleged offender(s):	Is he/she a student in the school district?	Age	Grade/	School	Status
_____	<input type="checkbox"/> Y <input type="checkbox"/> N	_____	_____	_____	<input type="checkbox"/> Reg. Ed <input type="checkbox"/> Spec. Ed. <input type="checkbox"/> 504
_____	<input type="checkbox"/> Y <input type="checkbox"/> N	_____	_____	_____	<input type="checkbox"/> Reg. Ed <input type="checkbox"/> Spec. Ed. <input type="checkbox"/> 504
_____	<input type="checkbox"/> Y <input type="checkbox"/> N	_____	_____	_____	<input type="checkbox"/> Reg. Ed <input type="checkbox"/> Spec. Ed. <input type="checkbox"/> 504

4. On what dates(s) did the incident(s) happen?
 _____ / _____ / _____ _____ / _____ / _____ _____ / _____ / _____
 Month Day Year Month Day Year Month Day Year

5. Where did the incident happen (choose all that apply)?

On school property At a school-sponsored activity or event off school property

On a school bus On the way to/from school/at school bus stop

Off school grounds Via electronic communication

Other (specify) _____

6. Summarize the complaint:

(Attach separate sheet if necessary along with a copy of any written complaint)

7. State name(s) of any witnesses to the incident(s):

Name/position/school (i.e. student, teacher, parent, community member, etc.)

Contact information (if known)

_____	_____
_____	_____
_____	_____

8. Date the target was interviewed? By whom? When? Where? _____

Did he/she provide a statement? Y N If yes, Oral Written (Attach written statement)

Was he/she asked to provide the name of any witnesses? Y N

State the names of witnesses provided: _____

9. Date the offender interviewed? By whom? When? Where? _____

Did he/she provide a statement? Y N If yes, Oral Written (Attach written statement)

Was he/she asked to provide the name of any witnesses? Y N

State the names of witnesses provided: _____

10. List all individuals who were interviewed:

Names(s) of individuals/witnesses interviewed:

Written Statement
Provided

Relationship to target/or
title/position

_____	<input type="checkbox"/> Y <input type="checkbox"/> N	_____
_____	<input type="checkbox"/> Y <input type="checkbox"/> N	_____
_____	<input type="checkbox"/> Y <input type="checkbox"/> N	_____
_____	<input type="checkbox"/> Y <input type="checkbox"/> N	_____
_____	<input type="checkbox"/> Y <input type="checkbox"/> N	_____
_____	<input type="checkbox"/> Y <input type="checkbox"/> N	_____

(Attach all written statements)

11. List and describe all documentation considered as part of the investigation (i.e. bus referral/report, student records, student attendance records, medical records, nurse referral, disciplinary referral, police report, photographs, surveillance tapes, emails, text messages, postings, other physical evidence(attach copies whenever possible): _____

12. Summarize your investigation (include who was spoken to, where and when/dates as well as who conducted such interviews, include the substance of any oral/written statements given, indicate credibility as appropriate, specify what documentation or other information was considered and the weight given to it and why, state any conclusions reached regarding the incident, individuals, or the veracity or reliability of individuals/ information and note where information was or failed to be corroborated).

(Attach Separate Sheet as Needed)

13. The definition of bullying as defined by state law is “the repeated use by one or more students of a written, oral or electronic communication, or a physical act or gesture directed at or referring to another student attending school in the same school district that either causes physical or emotional harm to such student or damage to such student’s property, places such student in reasonable fear of harm to himself or herself, or of damage to his or her property and for off school ground incidents, creates a hostile environment at school for such student, or infringes on the rights of such student at school, or substantially disrupts the educational process or the orderly operation of a school”.

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

Check all of the following that apply with respect to this investigation:

- Target and offender(s) are students in the same school or school district
- Target and offender(s) are not students in the same school district
- Involves repeated activity by one student against the target
- Involves repeated activity by more than one student against the target
- Involves a written, oral or electronic communication
- Involves a physical act

Describe the act and/or injury: _____

- Involves emotional harm to target
Describe the nature of the harm/effect: _____
- Involves damage to target's property
Describe the damage/cost of repair: _____
- Target has reasonable fear of harm to self or property
Explain: _____
- Offender's actions have created a hostile environment at school for the target
("Hostile environment" means a situation in which bullying among students is sufficiently severe or pervasive to alter the conditions of the school climate)
Explain: _____
- Target's rights at school have been infringed
Explain: _____
- Offender's actions have substantially disrupted the educational process or orderly operation of a school
Explain: _____

14. Based upon the completed investigation, was it concluded that a verified act of bullying occurred against the target?

- Y N Explain the basis for your conclusion:

15. Date of written notice of the conclusion of the investigation provided to the following?

- _____ Parent of the target
_____ Parent of the offender(s)
_____ District Safe School Climate Coordinator

16. Do you believe there is a basis for further investigation based upon: (check all that apply)

- race color ancestry national origin gender sexual orientation gender identity
- gender expression socioeconomic status academic status physical appearance
- mental, physical, developmental or sensory disability
- by association with an individual or group who has or is perceived to have one or more of any of the above characteristics (list characteristic) _____

Was a referral to a district civil rights coordinator made Y N

To whom? Date of referral?

17. If bullying was verified, describe the responsive action:

As to the target: _____

(Responsive action must include a plan of support for the target, and if the target is a special education student, a PPT must be convened to consider whether bullying has impacted the provision of FAPE and if the IEP remains appropriate)

Components of Target's Support Plan _____

As to the offender(s): (list separately if more than one offender):

(Remember to check the status of each offender to determine whether he/she is a regular, special education or 504 student. For those students not identified as Special Education or 504 students, consider whether a referral is warranted by the student's conduct /student history and for those perpetrators who are already identified as special education students, a PPT should be convened to determine if their IEP remains appropriate)

System Wide Interventions (i.e. changes to curriculum, assembly program, etc.) (if applicable):

Signature: _____ Date: _____
(Staff member completing this report)

PERSON COMPLETING REPORT: Name: _____

Position: _____ School _____

DATE COMPLAINT RECEIVED BY SCHOOL/DISTRICT: _____

ORAL COMPLAINT WRITTEN COMPLAINT ANONYMOUS

DATES OF INVESTIGATION: _____

DATE OF FIRST DAY OF INVESTIGATION: _____

DATE INVESTIGATION WAS COMPLETED: _____

(If bullying is verified, parents of both the target and the offenders must be notified within 48 hrs. of the completion of investigation and must be invited to separate parent meetings with school personnel; the meeting invitation may be combined with notification of a verified act of bullying)

DATE OF AND METHOD OF NOTIFICATION OF ACT OF VERIFIED BULLYING:

TO PARENT(S) OF TARGET _____

TO PARENT(S) OF OFFENDER(S) _____

DATE OF INVITATION TO PARENT MEETING

TO PARENT(S) OF TARGET _____

TO PARENT(S) OF OFFENDER(S) _____

DATE OF PARENT MEETING AND NAMES OF THOSE ATTENDING:

TARGET _____

OFFENDER(S) _____

NAME OF INVESTIGATOR(S) TITLE/POSITION/SCHOOL (if different than person completing this report):

(If applicable) DATE OF REFERRAL (made as result of the bullying investigation/incident(s)):

TO LAW ENFORCEMENT _____ DISTRICT CIVIL RIGHTS

COORDINATOR _____

TARGET TO:

PPT _____ 504 Meeting _____ SAT _____ OTHER (SPECIFY) _____

PERPETRATOR TO:

PPT _____ 504 Meeting _____ SAT _____ OTHER (SPECIFY) _____

Series 5000 – Students

1. Elementary and Secondary

D. Welfare

~~(5) Use of Physical Force~~

Use of Physical Restraint/Seclusion

~~The Board of Education (Board) believes that maintaining an orderly, safe environment is conducive to learning and is an appropriate expectation of all staff members within the district. To the extent that staff actions comply with all applicable statutes and Board policy governing the use of physical force, including physical restraint of students and seclusion of students, staff members will have the full support of the Board of Education in their efforts to maintain a safe environment. The Board recognizes that there are times when it becomes necessary for staff to use reasonable restraint or place a student in seclusion as an emergency intervention to protect a student from harming himself/herself or to protect others from harm.~~

Definitions

~~**Life-threatening physical restraint** means any physical restraint or hold of a person that restricts the flow of air into a person’s lungs, whether by chest compression or any other means, or immobilizes or reduces the free movement of a person’s arms, legs or head while the person is in the prone position.~~

~~**Psychopharmacologic agent** means any medication that affects the central nervous system, influencing thinking, emotion or behavior.~~

~~**Physical restraint** means any mechanical or personal restriction that immobilizes or reduces the free movement of a person’s arms, legs or head. Excluded from this definition is briefly holding a person in order to calm or comfort the person; restraint involving the minimum contact necessary to safely escort a person from one area to another; medical devices including but not limited to, supports prescribed by a health care provider to achieve proper body position or balance; helmets or other protective gear used to protect a person from injuries due to a fall; or helmets, mitts and similar devices used to prevent self injury when the device is part of a documented treatment plan or individualized education program pursuant to Connecticut’s special education laws or prescribed or recommended by a medical professional and is the least restrictive means to prevent such self-injury.~~

~~**School employee** means a teacher, substitute teacher, school administrator, Superintendent, school counselor, psychologist, social worker, nurse, physician, school paraprofessional, or coach employed by the Board of Education or working in a public elementary, middle or high school; or any other individual who, in the performance of his/her duties has regular contact with students and who provides services to or on behalf of students enrolled in the district’s schools, pursuant to a contract with the Board of Education.~~

~~**Seclusion** means the involuntary confinement of a student in a room, with or without staff supervision, in a manner that prevents the student from leaving.~~

~~**Student** means a child (A) enrolled in grades kindergarten to twelve, inclusive, in a public school under the jurisdiction of a local or regional Board of Education, (B) receiving special education and related services in an institution or facility operating under contract with a local or regional Board of Education, (C) enrolled in a program or school administered by a regional education service~~

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center, or (D) receiving special education and related services from an approved private special education program, but shall not include any child receiving educational services from Unified School District #2 or the Department of Mental Health and Addiction Services.

Conditions Pertaining to the Use of Physical Restraint and/or Seclusion

A. School employees shall not use a life-threatening physical restraint on a student.

B. If any instance of physical restraint or seclusion of a student exceeds fifteen minutes an administrator or his/her designee, or a school health or mental health personnel, or a board-certified behavioral analyst, who has received training in the use of physical restraint and seclusion shall determine whether continued physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others. Upon a determination that such continued physical restraint or seclusion is necessary, such individual shall make a new determination every thirty minutes thereafter regarding whether such physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others.

C. No student shall be placed in seclusion unless:

a. The use of seclusion is as an emergency intervention to prevent immediate or imminent injury to the student or to others, provided the seclusion is not used for discipline or convenience and is not used as a substitute for a less restrictive alternative.

b. Such student is continually monitored by a school employee during the period of such student's seclusion. Any student voluntarily or involuntarily placed in seclusion or restrained shall be regularly evaluated by a school employee for indications of physical distress. The school employee conducting the evaluation shall enter each evaluation in the student's educational record. Monitor shall mean by direct observation or by observation using video monitoring within physical proximity sufficient to provide aid as may be required.

e. The area in which such student is secluded is equipped with a window or other fixture allowing the student a clear line of sight beyond the area of seclusion.

D. School employees may not use a psychopharmacologic agent on a student without that student's consent except (1) as an emergency intervention to prevent immediate or imminent injury to the student or to others, or (2) as an integral part of the student's established medical or behavioral support or educational plan, as developed consistent with section 17a-543 of the Connecticut General Statutes or, if no such plan has been developed, as part of a licensed practitioner's initial orders. The use of psychopharmacologic agents, alone or in combination, may be used only in doses that are therapeutically appropriate and not as a substitute for other appropriate treatment.

E. In the event that physical restraint or seclusion is used on a student four or more times within twenty school days:

a. An administrator, one or more of such student's teachers, the parent/guardian of such student and, if any, a mental health professional shall convene for the purpose of:

- i. Conducting or revising a behavioral assessment of the student;
- ii. Creating or revising any applicable behavioral intervention plan; and
- iii. Determining whether such student may require special education.

b. If such student is a child requiring special education or is a child being evaluated for eligibility for special education and awaiting a determination, such student's planning and placement team shall convene for the purpose of (1) conducting or revising a behavioral assessment of the student, and (2) creating or revising any applicable behavioral intervention plan, including, but not limited to, such student's individualized education plan.

F. A reasonable effort shall be made to provide the parent/guardian such notification immediately after such physical restraint or seclusion is initiated. The parent/guardian of a student

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who is placed in physical restraint or seclusion shall be notified not later than twenty four hours after the student is placed in physical restraint or seclusion.

G. School employees shall not use a physical restraint on a student or place a student in seclusion unless he/she has received training on the proper means for performing such physical restraint or seclusion.

H. The Board of Education, and each institution or facility operating under contract with the Board to provide special education for children, including any approved private special education program, shall:

a. Record each instance of the use of physical restraint or seclusion on a student;

b. Specify the nature of the emergency that necessitated the use of such physical restraint or seclusion; and

c. Include such information in an annual compilation on its use of such restraint and seclusion on students.

Any provisions of the Connecticut General Statutes or Regulations of Connecticut State Agencies notwithstanding, it shall be the policy of the Suffield Public Schools that seclusion shall not be used except in case of emergency, as that term is defined in this policy, our administrative regulations, and consistent with State laws and regulations.

I. The Board and institutions or facilities operating under contract with the Board to provide special education for children, including any approved private special education program shall provide such annual compilation to the Department of Education in order to examine incidents of physical restraint and seclusion in schools.

J. Any use of physical restraint or seclusion on a student shall be documented in the student's educational record. The documentation shall include:

a. The nature of the emergency and what other steps, including attempts at verbal de-escalation, were taken to prevent the emergency from arising if there were indications that such an emergency was likely to arise; and

b. A detailed description of the nature of the restraint or seclusion, the duration of such restraint or seclusion and the effect of such restraint or seclusion on the student's established educational plan.

K. Any incident of the use of restraint or seclusion that results in physical injury to a student shall be reported to the State Board of Education.

Required Training and Prevention Training Plan

Training shall be provided by the Board to the members of the crisis intervention team for each school in the district. The Board may provide such training to any teacher, administrator, school professional or other school employee, designated by the school principal and who has direct contact with students regarding physical restraint and seclusion of students. Such training shall be provided during the school year annually and shall include, but not be limited to:

1. An overview of the relevant laws and regulations regarding the use of physical restraint and seclusion on students and the proper uses of physical restraint and seclusion. *(Such overview is to be provided by the Department of Education annually in a manner and form as prescribed by the Commissioner of Education.)*

2. The creation of a plan by which the Board will provide training regarding the prevention of incidents requiring physical restraint or seclusion of students.

Such plan is to be implemented not later than July 1, 2018.

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~~3. The Board will create a plan, to be implemented not later than July 1, 2018, requiring training regarding the proper means of physical restraint or seclusion of a student, including, but not limited to:~~

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~~a. Verbal defusing and de-escalation;~~

~~b. Prevention strategies;~~

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~~c. Various types of physical restraint and seclusion;~~

~~d. The differences between life-threatening physical restraint and other varying levels of physical restraint;~~

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~~e. The differences between permissible physical restraint and pain compliance techniques;~~

~~f. Monitoring methods to prevent harm to a student who is physically restrained or in seclusion, including training in the proper means of physically restraining or secluding a student; and~~

~~g. Recording and reporting procedures on the use of physical restraint and seclusion.~~

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~~Crisis Intervention Teams~~

~~Each school year, the Board requires each school in the District to identify a crisis intervention team. Such team shall consist of any teacher, administrator, school professional or other school employee designated by the school principal and who has direct contact with student and trained in the use of physical restraint and seclusion.~~

~~Such teams shall respond to any incident in which the use of physical restraint or seclusion may be necessary as an emergency intervention to prevent immediate or imminent injury to a student or to others.~~

~~Each member of the crisis intervention team shall be recertified in the use of physical restraint and seclusion on an annual basis. The Board shall require a list of the members of the crisis intervention team be maintained for each school.~~

~~Dissemination of Policy~~

~~This policy and its procedures shall be made available on the District's website and in the Board's procedural manual. The policy shall be updated not later than sixty (60) days after the adoption or revision of regulations promulgated by the State Board of Education.~~

~~(cf. 4148/4248 Employee Protection)~~

~~(cf. 5141.23 Students with Special Health Care Needs)~~

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~~Legal Reference: Connecticut General Statutes~~

~~10-76b State supervision of special education programs and services.~~

~~10-76d Duties and powers of boards of education to provide special education programs and services.~~

~~10-236b Physical restraint and seclusion of students by school employees, (as amended by PA 17-220)~~

~~46a-150 Definitions, (as amended by PA 07-147 and PA 15-141)~~

~~46a-152 Physical restraint, seclusion and use of psychopharmacologic agents restricted. Monitoring and documentation required.~~

~~46a-153 Recording of use of restraint and seclusion required. Review of records by state agencies.~~

~~Reviewing state agency to report serious injury or death to Office of Protection and Advocacy for Persons with Disabilities and to Office of Child Advocate, (as amended by PA 12-88)~~

~~53a-18 Use of reasonable physical force or deadly physical force generally.~~

~~53a-19 Use of physical force in defense of person.~~

~~53a-20 Use of physical force in defense of premises.~~

~~53a-21 Use of physical force in defense of property.~~

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~~PA 07-147 An Act Concerning Restraints and Seclusion in Public Schools. PA 15-141 An Act Concerning Seclusion and Restraint in Schools.
State Board of Education Regulations Sections 10-76b-5 through 10-76b-11.~~

~~Policy adopted: February 26, 2013 SUFFIELD PUBLIC SCHOOLS
Policy revised: October 20, 2015, October 3, 2016 Suffield, CT
November 6, 2017, September 17, 2018~~

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5144.1

Use of Physical Restraint and Seclusion

PHYSICAL RESTRAINT AND SECLUSION OF STUDENTS AND THE USE OF EXCLUSIONARY TIME OUT

The Suffield Board of Education (the "Board") seeks to foster a safe and positive learning environment for all students. Board employees will restrict the use of physical restraint and seclusion of students to emergency situations, in accordance with this policy and accompanying administrative regulations and applicable law. Physical restraint or seclusion of a student may be necessary in an emergency situation to maintain the safety of the student or another individual. The Board also regulates the use of exclusionary time out in accordance with this policy and accompanying regulations and applicable law.

The Board authorizes the Superintendent or his/her designee to develop and implement administrative regulations in accordance with this policy and applicable law. The Board of Education mandates compliance with this policy and the associated administrative regulations at all times. Violations of this policy and/or associated administrative regulations by a Board staff member or other individual working at the direction of, or under the supervision of, the Board, may result in disciplinary action, up to and including possible termination of employment status and/or termination of contract for services.

Nothing within the associated administrative regulations shall be construed to interfere with the Board's responsibility to maintain a safe school setting, in accordance with Connecticut General Statutes § 10-220. Under no circumstances shall employees or individuals under the supervision of the Board use corporal punishment with students or physically manage students for purposes of discipline.

Legal References:

- Conn. Gen. Stat. § 10-76b
- Conn. Gen. Stat. § 10-76d
- Conn. Gen. Stat. § 10-236b
- Conn. Gen. Stat. §§ 53a-18 to 53a-22
- Reg. Conn. State Agencies. §§ 10-76b-5 to 10-76b-11

Other References:

Restraint and Seclusion: Resource Document, United States Department of Education, available at <http://www2.ed.gov/policy/seclusion/restraints-and-seclusion-resources.pdf>.

Understanding the Laws and Regulations Governing the Use of Restraint and Seclusion, Connecticut State Department of Education (July 2018).

Guidance Related to Recent Legislation Regarding Restraint and Seclusion, Connecticut State Department of Education (Revised, July 2018).

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APPROVED:

REVISED:

7/26/18

Technical Rev. 7/28/20

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5144.1 REG

Series 5000 – Students

1. Elementary and Secondary

D. Welfare

~~(5) Use of Physical Force~~

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Use of Physical Restraint/Seclusion

~~The Board of Education (Board) believes that maintaining an orderly, safe environment is conducive to learning and is an appropriate expectation of all staff members within the district. To the extent that staff actions comply with all applicable statutes and Board policy governing the use of physical force, including physical restraint of students and seclusion of students, staff members will have the full support of the Board of Education in their efforts to maintain a safe environment.~~

~~The Board recognizes that there are times when it becomes necessary for staff to use reasonable restraint or place a student in seclusion as an emergency intervention to protect a student from harming himself/herself or to protect others from harm.~~

Definitions

~~**Life-threatening physical restraint** means any physical restraint or hold of a person that restricts the flow of air into a person's lungs, whether by chest compression or any other means, or immobilizes or reduces the free movement of a person's arms, legs or head while the person is in the prone position.~~

~~**Psychopharmacologic agent** means any medication that affects the central nervous system; influencing thinking, emotion or behavior.~~

~~**Physical restraint** means any mechanical or personal restriction that immobilizes or reduces the free movement of a person's arms, legs or head. Excluded from this definition is briefly holding a person in order to calm or comfort the person; restraint involving the minimum contact necessary to safely escort a person from one area to another; medical devices including but not limited to, supports prescribed by a health care provider to achieve proper body position or balance; helmets or other protective gear used to protect a person from injuries due to a fall; or helmets, mitts and similar devices used to prevent self-injury when the device is part of a documented treatment plan or individualized education program pursuant to Connecticut's special education laws or prescribed or recommended by a medical professional and is the least restrictive means to prevent such self-injury.~~

~~**School employee** means a teacher, substitute teacher, school administrator, Superintendent, school counselor, psychologist, social worker, nurse, physician, school paraprofessional, or coach employed by the Board of Education or working in a public elementary, middle or high school; or any other individual who, in the performance of his/her duties has regular contact with students~~

and who provides services to or on behalf of students enrolled in the district's schools, pursuant to a contract with the Board of Education.

Seclusion means the involuntary confinement of a student in a room, with or without staff supervision, in a manner that prevents the student from leaving.

Student means a child (A) enrolled in grades kindergarten to twelve, inclusive, in a public school under the jurisdiction of a local or regional Board of Education, (B) receiving special education and related services in an institution or facility operating under contract with a local or regional Board of Education, (C) enrolled in a program or school administered by a regional education service center, or (D) receiving special education and related services from an approved private special education program, but shall not include any child receiving educational services from Unified School District #2 or the Department of Mental Health and Addiction Services.

Conditions Pertaining to the Use of Physical Restraint and/or Seclusion

- A. School employees shall not use a life-threatening physical restraint on a student.
- B. If any instance of physical restraint or seclusion of a student exceeds fifteen minutes an administrator or his/her designee, or a school health or mental health personnel, or a board certified behavioral analyst, who has received training in the use of physical restraint and seclusion shall determine whether continued physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others. Upon a determination that such continued physical restraint or seclusion is necessary, such individual shall make a new determination every thirty minutes thereafter regarding whether such physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others.
- C. No student shall be placed in seclusion unless:
 - a. The use of seclusion is as an emergency intervention to prevent immediate or imminent injury to the student or to others, provided the seclusion is not used for discipline or convenience and is not used as a substitute for a less restrictive alternative.
 - b. Such student is continually monitored by a school employee during the period of such student's seclusion. Any student voluntarily or involuntarily placed in seclusion or restrained shall be regularly evaluated by a school employee for indications of physical distress. The school employee conducting the evaluation shall enter each evaluation in the student's educational record. Monitor shall mean by direct observation or by observation using video monitoring within physical proximity sufficient to provide aid as may be required.
 - e. The area in which such student is secluded is equipped with a window or other fixture allowing the student a clear line of sight beyond the area of seclusion.
- D. School employees may not use a psychopharmacologic agent on a student without that student's consent except (1) as an emergency intervention to prevent immediate or imminent injury to the student or to others, or (2) as an integral part of the student's established medical or behavioral support or educational plan, as developed consistent with section 17a-543 of the Connecticut General Statutes or, if no such plan has been developed, as part of a licensed practitioner's initial orders. The use of psychopharmacologic agents, alone or in combination, may be used only in doses that are therapeutically appropriate and not as a substitute for other appropriate treatment.

- E. ~~In the event that physical restraint or seclusion is used on a student four or more times within twenty school days:~~
- a. ~~An administrator, one or more of such student's teachers, the parent/guardian of such student and, if any, a mental health professional shall convene for the purpose of:~~
 - i. ~~Conducting or revising a behavioral assessment of the student;~~
 - ii. ~~Creating or revising any applicable behavioral intervention plan; and~~
 - iii. ~~Determining whether such student may require special education.~~
 - b. ~~If such student is a child requiring special education or is a child being evaluated for eligibility for special education and awaiting a determination, such student's planning and placement team shall convene for the purpose of (1) conducting or revising a behavioral assessment of the student, and (2) creating or revising any applicable behavioral intervention plan, including, but not limited to, such student's individualized education plan.~~
- F. ~~A reasonable effort shall be made to provide the parent/guardian such notification immediately after such physical restraint or seclusion is initiated. The parent/guardian of a student who is placed in physical restraint or seclusion shall be notified not later than twenty four hours after the student is placed in physical restraint or seclusion.~~
- G. ~~School employees shall not use a physical restraint on a student or place a student in seclusion unless he/she has received training on the proper means for performing such physical restraint or seclusion.~~
- H. ~~The Board of Education, and each institution or facility operating under contract with the Board to provide special education for children, including any approved private special education program, shall:~~
- a. ~~Record each instance of the use of physical restraint or seclusion on a student;~~
 - b. ~~Specify the nature of the emergency that necessitated the use of such physical restraint or seclusion; and~~
 - c. ~~Include such information in an annual compilation on its use of such restraint and seclusion on students.~~
- ~~Any provisions of the Connecticut General Statutes or Regulations of Connecticut State Agencies notwithstanding, it shall be the policy of the Suffield Public Schools that seclusion shall not be used except in case of emergency, as that term is defined in this policy, our administrative regulations, and consistent with State laws and regulations.~~
- I. ~~The Board and institutions or facilities operating under contract with the Board to provide special education for children, including any approved private special education program shall provide such annual compilation to the Department of Education in order to examine incidents of physical restraint and seclusion in schools.~~
- J. ~~Any use of physical restraint or seclusion on a student shall be documented in the student's educational record. The documentation shall include:~~
- a. ~~The nature of the emergency and what other steps, including attempts at verbal de-escalation, were taken to prevent the emergency from arising if there were indications that such an emergency was likely to arise; and~~

~~b. A detailed description of the nature of the restraint or seclusion, the duration of such restraint or seclusion and the effect of such restraint or seclusion on the student's established educational plan.~~

~~K. Any incident of the use of restraint or seclusion that results in physical injury to a student shall be reported to the State Board of Education.~~

Required Training and Prevention Training Plan

~~Training shall be provided by the Board to the members of the crisis intervention team for each school in the district. The Board may provide such training to any teacher, administrator, school professional or other school employee, designated by the school principal and who has direct contact with students regarding physical restraint and seclusion of students. Such training shall be provided during the school year annually and shall include, but not be limited to:~~

- ~~1. An overview of the relevant laws and regulations regarding the use of physical restraint and seclusion on students and the proper uses of physical restraint and seclusion. *(Such overview is to be provided by the Department of Education annually in a manner and form as prescribed by the Commissioner of Education.)*~~
- ~~2. The creation of a plan by which the Board will provide training regarding the prevention of incidents requiring physical restraint or seclusion of students.
Such plan is to be implemented not later than July 1, 2018.~~
- ~~3. The Board will create a plan, to be implemented not later than July 1, 2018, requiring training regarding the proper means of physical restraint or seclusion of a student, including, but not limited to:
 - ~~a. Verbal defusing and de-escalation;~~
 - ~~b. Prevention strategies;~~
 - ~~c. Various types of physical restraint and seclusion;~~
 - ~~d. The differences between life-threatening physical restraint and other varying levels of physical restraint;~~
 - ~~e. The differences between permissible physical restraint and pain-compliance techniques;~~
 - ~~f. Monitoring methods to prevent harm to a student who is physically restrained or in seclusion, including training in the proper means of physically restraining or secluding a student; and~~
 - ~~g. Recording and reporting procedures on the use of physical restraint and seclusion.~~~~

Crisis Intervention Teams

~~Each school year, the Board requires each school in the District to identify a crisis intervention team. Such team shall consist of any teacher, administrator, school professional or other school employee designated by the school principal and who has direct contact with student and trained in the use of physical restraint and seclusion.~~

~~Such teams shall respond to any incident in which the use of physical restraint or seclusion may be necessary as an emergency intervention to prevent immediate or imminent injury to a student or to others.~~

~~Each member of the crisis intervention team shall be recertified in the use of physical restraint and seclusion on an annual basis. The Board shall require a list of the members of the crisis intervention team be maintained for each school.~~

Dissemination of Policy

~~This policy and its procedures shall be made available on the District's website and in the Board's procedural manual. The policy shall be updated not later than sixty (60) days after the adoption or revision of regulations promulgated by the State Board of Education.~~

~~(cf. 4148/4248 Employee Protection)
(cf. 5141.23 Students with Special Health Care Needs)~~

~~Legal Reference: Connecticut General Statutes~~

- ~~10-76b State supervision of special education programs and services.~~
- ~~10-76d Duties and powers of boards of education to provide special education programs and services.~~
- ~~10-236b Physical restraint and seclusion of students by school employees, (as amended by PA 17-220)~~
- ~~46a-150 Definitions. (as amended by PA 07-147 and PA 15-141)~~
- ~~46a-152 Physical restraint, seclusion and use of psychopharmacologic agents restricted. Monitoring and documentation required.~~
- ~~46a-153 Recording of use of restraint and seclusion required. Review of records by state agencies. Reviewing state agency to report serious injury or death to Office of Protection and Advocacy for Persons with Disabilities and to Office of Child Advocate. (as amended by PA 12-88)~~
- ~~53a-18 Use of reasonable physical force or deadly physical force generally.~~
- ~~53a-19 Use of physical force in defense of person.~~
- ~~53a-20 Use of physical force in defense of premises.~~
- ~~53a-21 Use of physical force in defense of property.~~
- ~~PA 07-147 An Act Concerning Restraints and Seclusion in Public Schools. PA 15-141 An Act Concerning Seclusion and Restraint in Schools.~~
- ~~State Board of Education Regulations Sections 10-76b-5 through 10-76b-11.~~

Policy adopted: February 26, 2013 SUFFIELD PUBLIC SCHOOLS
Policy revised: October 20, 2015, October 3, 2016 Suffield, CT
November 6, 2017, September 17, 2018

ADMINISTRATIVE REGULATIONS CONCERNING
PHYSICAL RESTRAINT AND SECLUSION OF STUDENTS AND USE OF
EXCLUSIONARY TIME OUT

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The Suffield Public Schools (the “District”) seeks to foster a safe and positive learning environment for all students. District employees will restrict the use of physical restraint and seclusion of students to emergency situations, in accordance with these administrative regulations and the associated policy and applicable law. Physical restraint or seclusion of a student may be necessary in an emergency situation to maintain the safety of the student or another individual. District employees will restrict the use of exclusionary time out with students to those instances permitted by applicable law, as described in these administrative regulations and applicable law.

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The following sets forth the procedures for compliance with the relevant state law and regulations concerning the physical restraint and seclusion of, and use of exclusionary time out with, students in the District. The Superintendent mandates compliance with these regulations at all times. Violations of these regulations by a Suffield Board of Education (“Board”) staff member or other individual working at the direction of, or under the supervision of, the Board, may result in disciplinary action, up to and including possible termination of employment status and/or termination of contract for services.

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Nothing within these regulations shall be construed to interfere with the responsibility of the District to maintain a safe school setting, in accordance with Connecticut General Statutes § 10-220.

I. Definitions:

A. Exclusionary Time Out: A temporary, continuously monitored separation of a student from an ongoing activity in a non-locked setting, for the purpose of calming such student or deescalating such student’s behavior.

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B. Life-Threatening Physical Restraint: Any physical restraint or hold of a person that (1) restricts the flow of air into a person’s lungs, whether by chest compression or any other means, or (2) immobilizes or reduces the free movement of a person’s arms, legs or head while the person is in the prone position.

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C. Psychopharmacological Agent: Any medication that affects the central nervous system, influencing thinking, emotion or behavior.

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D. Physical Restraint: Any mechanical or personal restriction that immobilizes or reduces the free movement of a person’s arms, legs or head, including, but not limited to, carrying or forcibly moving a person from one location to another. The term does not include: (1) briefly holding a person in order to calm or comfort the person; (2) restraint involving the minimum contact necessary to safely escort a person from one area to another; (3) medical devices, including, but not limited to, supports prescribed by a health care provider to achieve proper body position or balance; (4) helmets or other protective gear used to protect a person from injuries due to a fall; (5) helmets, mitts and similar devices used to prevent self-injury when the device is (i) part of a documented treatment plan or an Individualized Education Program (“IEP”); or (ii)

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prescribed or recommended by a medical professional, as defined in section 38a-976 of the Connecticut General Statutes, and is the least restrictive means available to prevent such injury; or (6) an exclusionary time out.

E. School Employee; (1) Any individual employed by the District who is a teacher, substitute teacher, administrator, superintendent, guidance counselor, psychologist, social worker, nurse, physician, paraprofessional, coach; and (2) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in the District pursuant to a contract with the District.

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F. Seclusion: The confinement of a person in a room from which the student is physically prevented from leaving. Seclusion does not include the following: (i) an exclusionary time out; or (ii) any confinement of a student in which the person is physically able to leave the area of confinement including, but not limited to, in-school suspension.

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G. Student; a child who is

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1. enrolled in grades kindergarten to twelve, inclusive, in a public school under the jurisdiction of a local or regional board of education;

2. receiving special education and related services in an institution or facility operating under a contract with a local or regional board of education pursuant to subsection (d) of section 10-76d of the Connecticut General Statutes;

3. enrolled in a program or school administered by a regional education service center established pursuant to section 10-66a of the Connecticut General Statutes; OR

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4. receiving special education and related services from an approved private special education program.

II. Life-Threatening Physical Restraint

A. No school employee shall under any circumstance use a life-threatening physical restraint on a student.

B. Nothing in this section shall be construed as limiting any defense to criminal prosecution for the use of deadly physical force that may be available under sections 53a-18 to 53a-22, inclusive, of the Connecticut General Statutes.

III. Procedures for Physical Restraint and Seclusion of Students

A. No school employee shall use physical restraint or seclusion on a student EXCEPT as an emergency intervention to prevent immediate or imminent injury to the student or to others.

B. Seclusion shall not be used as a planned intervention in a student's behavioral intervention plan, individualized education program or plan pursuant to Section 504 of the Rehabilitation Act.

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C. No school employee shall use physical restraint or seclusion on a student unless the school employee has received training in accordance with state law and/or the District's training plans as described in Section XI below, upon implementation thereof.

D. Physical restraint and seclusion of a student shall never be used as a disciplinary measure or as a convenience.

E. School employees must explore ALL less restrictive alternatives prior to using physical restraint or seclusion for a student.

F. School employees must comply with all regulations promulgated by the Connecticut State Department of Education in their use of physical restraint and seclusion with a student.

G. Monitoring

1. Physical restraint: A school employee must continually monitor any student who is physically restrained. The monitoring must be conducted by either:

a. direct observation of the student; or

b. observation by way of video monitoring within physical proximity sufficient to provide aid as may be needed.

2. Seclusion: A school employee must frequently monitor any student who is placed in seclusion. The monitoring must be conducted by either:

a. direct observation of the student; or

b. observation by way of video monitoring within physical proximity sufficient to provide aid as may be needed.

H. Length

1. Any period of physical restraint or seclusion:

a. shall be limited to that time necessary to allow the student to compose him or herself and return to the educational environment; and

b. shall not exceed fifteen (15) minutes, except as provided below.

2. If any instance of physical restraint or seclusion of a student used as an emergency intervention exceeds fifteen (15) minutes, one of the following

individuals, who have received training in the use of physical restraint or seclusion, will determine whether continued physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others:

a. an administrator, or such administrator's designee;

b. a school health or mental health personnel; or

c. a board certified behavior analyst.

3. The individual identified under subsection 2 (a-c) shall make a new determination every thirty (30) minutes thereafter regarding whether such physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others.

I. A school employee must regularly evaluate the student being physically restrained or secluded for signs of physical distress. The school employee must record each evaluation in the educational record of the person being physically restrained or secluded.

IV. Seclusion Room Requirements

Seclusion can happen in any location, although the District may designate an area or room for this purpose. Regardless of location, any room used for seclusion must:

A. be of a size that is appropriate to the chronological and developmental age, size and behavior of the student;

B. have a ceiling height that is comparable to the ceiling height of the other rooms in the building in which the seclusion room is located;

C. be equipped with heating, cooling, ventilation and lighting systems that are comparable to the systems that are used in the other rooms of the building in which the seclusion room is located;

D. be free of any object that poses a danger to the student who is being placed in the seclusion room;

E. conform to applicable building code requirements.

If the door or doors to a room used for seclusion are to be locked, latched or otherwise secured, a modification from the State Fire Marshal's office shall be secured prior to the installation of a locking mechanism. If a door-locking mechanism is used, the student shall be constantly monitored notwithstanding any other provisions of the Connecticut General Statutes or Regulations to the contrary. The locking mechanism to be used shall be a device that shall be readily released by staff as soon as possible but in no case longer than within two minutes of the onset of an emergency and is connected to the fire alarm system so that the locking mechanism is released

automatically when a fire alarm is sounded. An “emergency,” for purposes of this subsection, includes but is not limited to the following:

1. the need to provide direct and immediate medical attention to the student;
2. fire;
3. the need to remove the student to a safe location during a building lockdown;
or
4. other critical situations that may require immediate removal of the student from seclusion to a safe location.

F. have an unbreakable observation window or fixture located in a wall or door, which allows the student a clear line of sight beyond the area of seclusion, to permit frequent visual monitoring of the student and any school employee in such room. The requirement for an unbreakable observation window does not apply if it is necessary to clear and use a classroom or other room in the school building as a seclusion room for a student.

V. Use of Psychopharmacologic Agent

A. No school employee may use a psychopharmacologic agent on a student without that student’s consent and the consent of the student’s parent/guardian, except:

1. as an emergency intervention to prevent immediate or imminent injury to the student or to others; or
2. as an integral part of the student’s established medical or behavioral support or educational plan, or, if no such plan has been developed, as part of a licensed practitioner’s initial orders.

B. The use of psychopharmacologic agents, alone or in combination, may be used only in doses that are therapeutically appropriate and not as a substitute for other appropriate treatment.

C. Any administration of a psychopharmacologic agent must ONLY be done in accordance with applicable federal and state law and the Board of Education’s Administration of Medication Policy.

VI. Procedures for Exclusionary Time Out

A. No school employee may use exclusionary time out as a form of discipline for a student.

B. At least one school employee must remain with the student, or be immediately available to the student such that the student and the employee are able to communicate verbally, throughout the exclusionary time out.

- C. The space used for an exclusionary time out must be clean, safe, sanitary and appropriate for the purpose of calming the student or deescalating the student's behavior.
- D. The exclusionary time period must end as soon as possible.
- E. Consistent with subsection D above, the exclusionary time out period may vary depending on the student's chronological and developmental age, individual needs and behavior.

VII. Required Meetings

- A. Students not eligible for special education (and not being evaluated for eligibility for special education)
 - 1. In the event that physical restraint or seclusion is used on a student **four (4) or more times within twenty (20) school days**, a team composed of an administrator, one or more of the student's teachers, a parent or guardian of the student, and, if any, a school mental health professional, shall convene to:
 - a. conduct or revise a behavioral assessment of the student;
 - b. create or revise any applicable behavior intervention plan; and
 - c. determine whether such student may require a referral for consideration for special education pursuant to federal and state law.
 - 2. The requirement to convene this meeting shall not supersede the District's obligation to refer a student to a planning and placement team ("PPT") as may be required in accordance with federal and state law.
- B. Students eligible for special education (and students being evaluated for eligibility for special education)
 - 1. In the event that physical restraint or seclusion is used on a student **four (4) or more times within twenty (20) school days**, the student's PPT shall convene to:
 - a. conduct or revise a functional behavioral assessment ("FBA");
 - b. create or revise any applicable behavior intervention plan ("BIP"), including but not limited to, such student's individualized education program ("IEP"); and
 - c. review or revise the student's IEP, as appropriate.

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2. In the event that the exclusionary time out process is unsuccessful in addressing a student's problematic behavior, the student's PPT shall convene as soon as practicable to determine alternative interventions or strategies to address the student's behavior.

C. A District and/or school administrator(s) shall determine the school employee(s) responsible for reviewing the number of occurrences of the use of physical restraint or seclusion on a monthly basis to ensure that the appropriate meeting(s) has been convened following the fourth occurrence of physical restraint or seclusion in a twenty (20) day period.

VIII. Crisis Intervention Team

A. Each school year, each school in the District must identify a crisis intervention team consisting of any teacher, administrator, school paraprofessional or other school employee designated by the school principal (in coordination with other appropriate administrators), and who has direct contact with students.

B. Members of crisis intervention teams shall respond to any incident in which the use of physical restraint or seclusion may be necessary as an emergency intervention to prevent immediate or imminent injury to a student or others.

C. The District shall maintain a list of the members of the crisis intervention team for each school.

IX. Documentation and Communication

A. After each incident of physical restraint or seclusion, and no later than the school day following the incident, a school employee must complete the form provided by the District for reporting incidents of physical restraint and seclusion. The incident form must be included in the educational file of the student who was physically restrained or secluded. The information documented on the form must include the following:

1. in the case of an emergency use, the nature of the emergency and what other steps, including attempts at verbal de-escalation, were taken to prevent the emergency from arising if there were indications that such an emergency was likely to arise;

2. a detailed description of the nature of the restraint or seclusion;

3. the duration of the restraint or seclusion;

4. the effect of the restraint or seclusion on the student's established behavioral support or educational plan; AND

5. whether the seclusion of a student was conducted pursuant to an IEP.

B. A school employee must notify the parent or guardian of a student of each incident that the student is physically restrained or secluded.

1. A school employee must make a reasonable attempt to immediately notify a parent or guardian after a student is initially placed in physical restraint or seclusion; in all circumstances, a school employee shall notify the parent or guardian within twenty-four (24) hours after a student is initially placed in physical restraint or seclusion.
2. Notification must be made by telephone, e-mail, or other method which may include, but is not limited to, sending a note home with the student.
3. The parent or guardian of a student who has been physically restrained or placed in seclusion shall be sent a copy of the completed incident report of such action no later than two (2) business days after the use of physical restraint or seclusion, regardless of whether the parent received the notification described in subsections 1 and 2 above.
4. The ~~Director of Special Education~~ Director of Special Services **[or other responsible administrator]** shall determine what school employees shall be permitted to ensure that required parent/guardian notifications are made.

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C. The ~~Director of Special Education~~ Director of Special Services **[or other responsible administrator]**, or his or her designee, must, at each initial PPT meeting for a student, inform the child's parent, guardian, or surrogate parent, or the student if such student is an emancipated minor or eighteen years of age or older, of the laws relating to physical restraint and seclusion as expressed through this regulation, and of the laws and regulations adopted by the Connecticut State Department of Education relating to physical restraint and seclusion.

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1. The ~~Director of Special Education~~ Director of Special Services **[or other responsible administrator]**, or his or her designee, shall provide to the child's parent, guardian, or surrogate parent, or the student if such student is an emancipated minor or eighteen years of age or older, at the first PPT meeting following the student's referral to special education the plain language notice of rights regarding physical restraint and seclusion developed by the Connecticut State Department of Education.
2. The plain language notice developed by the Connecticut State Department of Education shall also be provided to the student's parent, guardian, or surrogate parent, or the student if such student is an emancipated minor or eighteen years of age or older at the first PPT meeting at which the use of seclusion as a behavior intervention is included in the student's IEP.

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D. The ~~Director of Special Education~~ Director of Special Services **[or other responsible administrator]**, or his or her designee, must be notified of the following:

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1. each use of physical restraint or seclusion on a student;

2. the nature of the emergency that necessitated its use;
3. whether the seclusion of a student was conducted pursuant to an IEP; AND
4. if the physical restraint or seclusion resulted in physical injury to the student.

X. Responsibilities of the ~~Director of Special Education~~ Director of Special Services, **for other responsible administrator**

A. The ~~Director of Special Education~~ Director of Special Services **for other responsible administrator**, or his or her designee, must compile annually the instances of physical restraint and seclusion within the District, the nature of each instance of physical restraint and seclusion, and whether instances of seclusion were conducted pursuant to IEPs.

B. The ~~Director of Special Education~~ Director of Special Services **for other responsible administrator**, or his or her designee, must report to the Connecticut State Department of Education within two (2) business days any instance of physical restraint or seclusion that resulted in physical injury (serious and non-serious) to the student.

XI. Professional Development Plan and Training

A. The District shall provide training regarding the physical restraint and seclusion of students to the members of the crisis intervention team for each school in the District identified in Section VIII, above. The District may provide such training to any teacher, administrator, school paraprofessional or other school employee, designated by the school principal and who has direct contact with students. The District shall provide such training annually and the training shall include, but not be limited to:

1. Beginning with the school year commencing July 1, 2017, an annual overview of the relevant laws and regulations regarding the use of physical restraint and seclusion on students and the proper uses of physical restraint and seclusion. Such overview shall be provided by the Department of Education in a manner and form as prescribed by the Commissioner of Education.
2. The creation of a plan to provide training regarding the prevention of incidents requiring physical restraint or seclusion of students. This plan shall be implemented not later than July 1, 2018.
3. The creation of a plan to provide training regarding the proper means of physical restraint or seclusion of a student, including, but not limited to:
 - a. verbal defusing or de-escalation;
 - b. prevention strategies;

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- c. various types of physical restraint;
- d. the differences between life-threatening physical restraint and other varying levels of physical restraint;
- e. the differences between permissible physical restraint and pain compliance techniques;
- f. monitoring methods to prevent harm to a student who is physically restrained or in seclusion; and
- g. recording and reporting procedures on the use of physical restraint and seclusion.

This plan shall be implemented not later than July 1, 2018.

- B. Each member of a crisis intervention team must be recertified in the use of physical restraint and seclusion pursuant to Section XI.A.3, above, on an annual basis.

XII. Review and Revision of Policies, Regulations and Procedures

- A. The District shall make available policies and procedures regarding the physical restraint and seclusion of students and the use of exclusionary time out on the District's Internet web site and procedures manual.
- B. The District shall update any policies, regulations and/or procedures regarding the physical restraint and seclusion of students and the use of exclusionary time out within sixty (60) days after the State Department of Education's adoption or revision of regulations regarding the same. Any and all such updates shall be made available in accordance with subsection A of this section.

Legal References:

Conn. Gen. Stat. § 10-76b
Conn. Gen. Stat. § 10-76d
Conn. Gen. Stat. § 10-236b
Conn. Gen. Stat. §§ 53a-18 to 53a-22
Conn. Agencies Reg. §§ 10-76b-5 to 10-76b-11

Other References:

Restraint and Seclusion: Resource Document, United States Department of Education, available at <http://www2.ed.gov/policy/seclusion/restraints-and-seclusion-resources.pdf>.

Understanding the Laws and Regulations Governing the Use of Restraint and Seclusion, Connecticut State Department of Education (July 2018).

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[Guidance Related to Recent Legislation Regarding Restraint and Seclusion, Connecticut State Department of Education \(Revised, July 2018\).](#)

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Series 5000 – Students

1. Elementary and Secondary

D. Welfare

(9) Civil & Legal Rights and Responsibilities

(d) Non-Discrimination

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

~~**Americans with Disabilities Act/Section 504**~~

~~In compliance with its obligations under both Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act, as amended, the District does not discriminate against otherwise qualified students with disabilities in the provision of its educational programs and activities.~~

~~It is the intent of the District to provide a free and appropriate public education to each Section 504/ADA qualified and eligible student with a disability within its jurisdiction, as defined in 28 CFR, Parts 35 & 36, Amendment to Americans with Disabilities Act Title II and Title III.~~

~~It is the further intent of the District to ensure that each student with a disability within the meaning of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, as amended, is identified, evaluated, and provided with a free and appropriate public education.~~

~~Students who because of a disability, need or are believed to need reasonable accommodations, services, and/or programs are addressed under this policy. Under this policy, a student with a disability is one who (a) has a physical or mental impairment that subsequently limits one or more major life activities, including learning; (b) has a record of such impairment; or (c) is regarded as having such an impairment.~~

~~A student may be a student with a disability under Section 504 and this policy even though the student does not require services pursuant to the Individuals with Disabilities Education Improvement Act (IDEIA). Students who are identified as individuals with exceptional needs according to the IDEIA criteria are not addressed under this policy, as the needs of such students are provided for elsewhere under state and federal law, and the District's special education procedures.~~

~~(cf. 0521—Nondiscrimination)~~
~~(cf. 4118.11/4218.11—Nondiscrimination)~~
~~(cf. 4118.12/4218.12—Disabilities)~~
~~(cf. 6171—Special Education)~~

~~Legal Reference:—Connecticut General Statutes~~

~~10-76a Definitions. (as amended by PA 00-48 and PA 06-18)~~
~~10-76b State supervision of special education programs and services.~~
~~10-76c Receipt and use of money and personal property.~~
~~10-76d Duties and powers of boards of education to provide special education programs and services. (as amended by PA 97-114, PA 00-48 and PA 06-18)~~
~~10-76ff Procedures for determining if a child requires special education. (as amended by PA 06-18)~~
~~10-76h Special education hearing and review procedure. Mediation of disputes. (as amended by PA 00-48)~~
~~10-76k Development of experimental educational programs.~~
~~PA 06-18 An Act Concerning Special Education.~~
~~State Board of Education Regulations.~~
~~10-76a-1 et seq. Definitions. (as amended by PA 00-48)~~
~~10-76b-1 through 10-76b-4 Supervision and administration.~~
~~10-76d-1 through 10-76d-19 Conditions of instruction.~~
~~10-76h-1 through 10-76h-2 Due process.~~
~~10-145a-24 through 10-145a-31 Special Education (re teacher certification).~~
~~34 C.F.R. 3000 Assistance to States for Education for Handicapped Children.~~
~~American with Disabilities Act, 42 U.S.C. § 12101 et seq. (42 U.S.C. Ch 126 §12112), as amended by ADA Amendments Act of 2008.~~
~~Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq.~~
~~Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794.~~
~~P.L. 108-446 The 2004 Reauthorization of the Individuals with Disabilities Act.~~
~~20 U.S.C. § 6368(3) The No Child Left Behind Act.~~
~~Section 504 and the Federal Vocational Rehabilitation Act of 1973, 20 U.S.C. 706(7)(b).~~
~~American Disability Act of 1989 (42 U.S.C. Ch 126 §12112), as amended by ADA Amendments Act of 2008.~~

~~Amendments of Americans with Disabilities Act, Title II and Title III,
Regulation to Implement ADA Amendments Act of 2008. Federal
Register, Vol. 81, No. 155 (28 CFR Parts 35 & 36)~~

Policy adopted: October 17, 2006 SUFFIELD PUBLIC SCHOOLS
Policy revised: February 17, 2016, December 18, 2017 Suffield, Connecticut

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**POLICY REGARDING STUDENTS AND
SECTION 504 OF THE REHABILITATION ACT OF 1973 AND
TITLE II OF THE AMERICANS WITH DISABILITIES ACT OF 1990**

Section 504 of the Rehabilitation Act of 1973 (“Section 504”) prohibits discrimination against individuals with a disability in any program receiving Federal financial assistance. Similarly, Title II of the Americans with Disabilities Act of 1990 (“Title II” or “ADA”) prohibits discrimination against individuals with a disability by state and local governments. To be protected under Section 504 and the ADA (“collectively, “Section 504/ADA”), an individual must (1) have a physical or mental impairment that substantially limits one or more major life activities; (2) have a record of such an impairment; or (3) be regarded as having such an impairment.

In order to fulfill its obligation under Section 504/ADA, the Suffield Public Schools (the “District”) recognize a responsibility to avoid discrimination in policies and practices regarding its personnel, students, parents/guardians and members of the public who participate in school sponsored programs. In this regard, the District prohibits discrimination against any person with a disability in any of the services, programs or activities of the school system.

The District has specific responsibilities under Section 504 to identify, evaluate and provide an educational placement for students who have a physical or mental impairment that substantially limits a major life activity. The District’s obligation includes providing access to a free appropriate public education (“FAPE”) for students determined to be eligible under Section 504/ADA. Under Section 504, FAPE is defined as the provision of regular or special education and related services that are designed to meet the individual educational needs of a student with a disability as adequately as the needs of students without disabilities are met, and that are provided without cost (except for fees imposed on nondisabled students/parents).

If the parent/guardian of a student disagrees with the decisions made by the professional staff of the District with respect to the identification, evaluation or educational placement of his/her child, the parent/guardian has a right to request an impartial due process hearing.

In addition, a student or parent/guardian of a student may also file an internal grievance/complaint on these issues or any other type of discrimination on the basis of disability by or within the District by utilizing the grievance/complaint procedures outlined in the Administrative Regulations Regarding Students and Section 504 of Rehabilitation Act of 1973 and Title II of Americans with Disabilities Act associated with this policy, and/or 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

Anyone who wishes to file a grievance/complaint with the district, or who has questions or concerns about this policy, should contact Diana Kelley, the Section 504/ADA Coordinator for the Suffield Public Schools, at phone number 860-668-3803

Legal References:

29 U.S.C. §§ 705, 794
34 C.F.R. Part 104
42 U.S.C. § 12101 et seq.
28 C.F.R. Part 35

Protecting Students with Disabilities, Frequently Asked Questions About Section 504 and the Education of Children with Disabilities, Office for Civil Rights (March 17, 2011), available at <http://www.ed.gov/about/offices/list/ocr/504faq.html>

Dear Colleague Letter, United States Department of Education, Office for Civil Rights (January 19, 2012)

ADOPTED: _____
REVISED: _____

8/20/19
Technical Rev 10/1/2020

Series 5000 – Students

1. Elementary and Secondary

D. Welfare

(9) Civil & Legal Rights & Responsibilities

Administrative Regulations Regarding Section 504 of the Rehabilitation Act of 1973

~~It is the policy of the Suffield Public Schools to comply with all aspects of the Section 504 regulation of the Rehabilitation Act of 1973. Section 504 prevents discrimination on the basis of handicap in programs and activities operated by the school system.~~

Suffield Board of Education Section 504 Complaint/Grievance Procedures

~~Under Section 504, a person with a disability is anyone who:~~

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

~~*I. Procedures for Complaints/Grievances Alleging Discrimination on the Basis of Disability*~~

~~The policy of the Board of Education is to provide for the prompt and equitable resolution of complaints and/or grievances alleging any violation of Section 504. In order to facilitate the timely resolution of such complaints and/or grievances, any eligible person, including any student, parent/guardian, staff member or other employee who feels that he/she has been discriminated against on the basis of disability should contact the district's designated Section 504 Coordinator within thirty (30) days of the alleged occurrence to discuss the nature of the complaint. If the Section 504 Coordinator is the subject of the complaint and/or grievance, the complaint and/or grievance should be submitted to the Superintendent, who shall investigate or appoint a designee to do so. Timely reporting of complaints and/or grievances facilitates the investigation and resolution of such complaints and/or grievances.~~

~~Complaints and/or grievances will be investigated promptly and corrective action will be taken when allegations are verified. Confidentiality will be maintained by all persons involved in the investigation to the extent possible. Complaints and/or grievances regarding a student's rights with respect to his/her identification, evaluation, or educational placement shall be addressed in accordance with the procedures set forth below in Section II.~~

~~II. Procedures for Complaints/Grievances Regarding a Student's Identification, Evaluation, and/or Educational Placement~~

~~Complaints and/or grievances regarding a student's identification, evaluation, or educational placement shall be addressed in accordance with the procedures set forth below:~~

~~A. Informal Level~~

- ~~1. In order to facilitate the prompt investigation of complaints, any complaint and/or grievance regarding a student's identification, evaluation or educational placement should be forwarded to the district's Section 504 Coordinator within thirty (30) days of the alleged occurrence to discuss the nature of the complaint. Timely reporting of complaints facilitates the resolution of potential educational disputes as it assists the district in gathering current, accurate information and enables the district to take corrective actions when necessary to ensure that a student is provided with an appropriate educational program.~~
- ~~2. The Coordinator shall maintain a written record containing the following:
 - ~~a. Full name and address of complainant;~~
 - ~~b. Specific areas of disagreement relating to the child's identification, evaluation, and/or educational placement; and~~
 - ~~c. Remedy requested.~~~~
- ~~3. At the time the complaint is filed, the Coordinator should direct the complainant to the appropriate administrator who will investigate the complaint and send a written report to the Coordinator. The Coordinator shall then meet informally with the complainant and other relevant individual(s), shall provide confidential counseling where advisable and shall finally seek an informal agreement between the parties concerned. Every attempt shall be made to seek a solution and resolve the Section 504 complaint at this level when possible.~~
- ~~4. This process shall take no longer than ten (10) working days from the time the complaint was received.~~

~~B. Formal Level/Impartial Hearing~~

- ~~1. If the complainant is not satisfied with the resolution offered in the initial informal procedures, he/she may initiate more formal procedures to further explore and resolve a Section 504 complaint/grievance regarding a student's identification, evaluation, or educational placement.~~
- ~~2. The complainant shall present the written complaint to the Superintendent within fifteen (15) days after the conclusion of the informal resolution process. The Superintendent may resolve the complaint alone or with the appropriate administrator.~~
- ~~3. If the complaint is not resolved, the Superintendent shall hear and fully review the case within thirty (30) days of the receipt of the complaint/grievance regarding a student's identification, evaluation, or educational placement.~~

- ~~a. The Coordinator shall inform all parties of the date, time and place of the grievance hearing and of their right to present witnesses or representatives, if desired. The Coordinator shall provide assistance to the complainant in understanding the grievance procedure process.~~
 - ~~b. A written record of the time, place, date and participants in the hearing shall be kept.~~
 - ~~e. A written decision shall be sent to the complainant within ten (10) working days after the conclusion of the hearing.~~
- ~~4. If the complainant is not satisfied with the Superintendent's decision, he/she may, within fifteen (15) days of the Superintendent's decision, request that the Superintendent submit the matter to an impartial hearing officer or to a mediator. Mediation shall only occur by mutual agreement of the parties.~~
- ~~a. Mediation procedures:
 - ~~i) The mediator must be someone who is knowledgeable about Section 504 and the differences between Section 504 and the regulations and requirements of the Individuals with Disabilities Education Act (IDEA).~~
 - ~~ii) The mediator shall inform all parties involved of the date, time and place of the mediation and of the right to have legal counsel or other representation at the complainant's own expense, if desired.~~
 - ~~iii) The mediator shall meet with the parties jointly, or separately, as determined by the mediator, and shall facilitate a voluntary settlement of the dispute between the parties, if possible.~~
 - ~~iv) If the parties are not able to reach a voluntary settlement of the dispute, the complainant may request an impartial hearing, as described below.~~~~
 - ~~b. Impartial hearing procedures:
 - ~~i) The impartial hearing officer must be someone who is knowledgeable about Section 504 and the differences between Section 504 and the regulations and requirements of the Individuals with Disabilities Education Act (IDEA).~~
 - ~~ii) The impartial hearing officer shall inform all parties involved of the date, time and place of the hearing and of the right to present witness(es) and to have legal counsel or other representation at the complainant's own expense, if desired.~~
 - ~~iii) The impartial hearing officer shall hear all aspects of the complainant's appeal and shall reach a decision within forty five (45) days of receipt of the written appeal. The decision shall be presented in writing to the complainant.~~~~

~~iv) A Section 504 impartial hearing officer does not have jurisdiction to hear claims alleging discrimination, harassment or retaliation based on an individual's disability unless such a claim is *directly related* to a claim regarding the identification, evaluation, or educational placement of a student under Section 504.~~

~~5. The time limits noted throughout Section II may be extended if more time is needed to permit thorough review and opportunity for resolution.~~

~~III. The Section 504 Coordinator for this district is:~~

~~Director of Pupil Services
350 Mountain Rd.
Suffield, CT 06078 Telephone: (860) 668-3806~~

~~IV. Complaints to State and Federal Agencies~~

~~At any stage in these complaint/grievance procedures, the complainant has the right to file a formal complaint with the U.S. Department of Education, Office for Civil Rights, 33 Arch St, Boston, MA 02110, (617) 289-0111. Any such complaints must be filed within one hundred and eighty (180) days of the date of the alleged violation of Section 504.~~

~~Any employee who believes that he or she has been discriminated against on the basis of disability may also file a complaint with the Connecticut Commission on Human Rights and Opportunities (CHRO), Capitol Region Office, 2nd Floor, 999 Albany Avenue, Hartford, CT 06105, (860) 566-7710 and/or the U.S. Equal Employment Opportunity Commission (EEOC), JFK Federal Building, 475 Government Center, Boston, MA 02033 (800) 669-4000.~~

~~Connecticut law requires that a formal written complaint be filed with the Commission on Human Rights and Opportunities within one hundred and eighty (180) days of the date when the alleged discrimination occurred. Remedies for discrimination include cease and desist orders, back pay, compensatory damages, hiring, promotion or reinstatement.~~

~~Regulation adopted: September 2, 2008~~ ~~SUFFIELD PUBLIC SCHOOLS~~
~~Suffield, Connecticut~~

Appendix 1

COMPLIANCE WITH 504 REGULATIONS REGARDING SECTION 504 NOTICE OF PARENT/STUDENT RIGHTS

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

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

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

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

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

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

The Section 504 Coordinator for this district is:

Director of Pupil Services
 350 Mountain Rd.
 Suffield, CT 06078
 Telephone: (860) 668-3806

For additional assistance regarding your rights under Section 504, you may contact:

Office for Civil Rights-Region 1
 U.S. Dept. of Ed.
 33 Arch St.—Suite 900
 Boston, MA 02110 Telephone: (617) 289-0111

CT Commission on Human Rights & Opportunities (CRRO)
 Capitol Region Office, 2nd Floor
 999 Asylum Ave.
 Hartford, CT 06105 Telephone (860) 566-7710

Connecticut State Department of Education
 Bureau of Special Education
 P.O. Box 2219
 Hartford, CT 06145 Telephone: (860) 713-6910

**ADMINISTRATIVE REGULATIONS REGARDING STUDENTS
AND SECTION 504 OF THE REHABILITATION ACT OF 1973
AND TITLE II OF THE AMERICANS WITH DISABILITIES ACT OF 1990**

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**Suffield Board of Education Section 504/ADA Grievance/Complaint
Procedures Regarding Discrimination Against Students on the Basis of Disability**

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Section 504 of the Rehabilitation Act of 1973 (“Section 504”) and Title II of the Americans with Disabilities Act of 1990 (“Title II” or “ADA”) (collectively, “Section 504/ADA”) prohibit discrimination on the basis of disability. For the purposes of Section 504/ADA, the term “disability” with respect to an individual means: (a) a physical or mental impairment that substantially limits one or more major life activities of such individual; (b) a record of such an impairment; or (c) being regarded as having such an impairment.

I. Definitions

Free appropriate public education (FAPE) for purposes of Section 504, refers to the provision of regular or special education and related aids and services that are designed to meet individual educational needs of students with disabilities as adequately as the needs of students without disabilities are met, that are provided without cost (except for fees imposed on nondisabled students/parents), and is based upon adherence to procedures that satisfy the Section 504 requirements pertaining to educational setting, evaluation and placement, and procedural safeguards.

Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working. A major life activity also includes the operation of a major bodily function, such as the functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive systems. The operation of a major bodily function includes the operation of an individual organ within a body system.

Mitigating Measures include, but are not limited to, (a) medication, medical supplies, equipment, appliances, low-vision devices (defined as devices that magnify, enhance, or otherwise augment a visual image, but not including ordinary eyeglasses or contact lenses), prosthetics including limbs and devices, hearing aid(s) and cochlear implant(s) or other implantable hearing devices, mobility devices, oxygen therapy equipment and supplies; (b) use of assistive technology; (c) reasonable modifications or auxiliary aids or services; (d) learned behavioral or adaptive neurological modifications; or (e) psychotherapy, behavioral therapy, or physical therapy.

Physical or Mental Impairment is (a) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems, such as: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin, and endocrine; (b) any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disability; or (c) an impairment that is episodic or in remission if it would substantially limit a major life activity when active. Physical or mental impairment includes, but is not limited to, contagious and noncontagious diseases and conditions such as the following: orthopedic, visual, speech, and hearing impairments, and cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, intellectual disability, emotional illness, dyslexia and other specific learning disabilities, Attention Deficit Hyperactivity Disorder, Human Immunodeficiency Virus infection (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.

II. Procedures for Grievances/Complaints Alleging Discrimination on the Basis of Disability

- A. Any eligible person, including any student, parent/guardian, staff member or other employee who feels that he/she has been discriminated against on the basis of disability (including differential treatment, harassment and retaliation) may submit a written complaint to the district's designated Section 504/ADA Coordinator (see contact information below) within thirty (30) school days of the alleged occurrence. Complaints by students and/or parents/guardians alleging discrimination involving students will be investigated under these procedures; complaints by employees or other non-students will be investigated under Administrative Regulation _____.
- B. Timely reporting of complaints facilitates the prompt investigation and resolution of such complaints. If a complaint is filed relating to alleged discrimination occurring more than thirty (30) school days after the alleged occurrence, the Board's ability to investigate the allegations may be limited by the passage of time. Therefore, complaints received after thirty (30) school days of the alleged occurrence shall be investigated to the extent possible, given the passage of time and the impact on available information, witnesses and memory. If a complaint is made verbally, the individual taking the complaint will reduce the complaint to writing.
- C. At any time, when a complaint involves discrimination that is directly related to a claim regarding the identification, evaluation or educational placement of a student under Section 504, the complainant may request that the Section 504/ADA Coordinator submit the complaint directly to an impartial hearing officer and request a due process hearing in accordance with Section III.D. Complaints regarding a student's rights with respect to his/her identification, evaluation or educational placement shall be addressed in accordance with the procedures set forth below in Section III.

D. Retaliation against any individual who complains pursuant to the Board's policy and regulations listed herein is strictly prohibited. The district will not tolerate any retaliation that occur as a result of the good faith reporting or complaint of disability-based discrimination or as a result of an individual's participation or cooperating in the investigation of a complaint. The district will take necessary actions to prevent retaliation as a result of filing a complaint or the participation in an investigation of a complaint.

[NOTE: Districts should note that Section 504 does not provide a statute of limitations for filing grievances/complaints with the district. We recommend that districts encourage prompt reporting by suggesting that complaints be filed within thirty (30) school days in order to facilitate timely resolution of potential disputes.]

E. If the Section 504/ADA Coordinator is the subject of the complaint, the complaint should be submitted directly to the Superintendent who may conduct the investigation or appoint a designee to conduct the investigation in accordance with these procedures. If the Superintendent is the subject of the complaint, the Board shall designate an appropriate party to conduct the investigation in accordance with these procedures.

F. Complaints will be investigated promptly. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and other extenuating circumstances. Confidentiality will be maintained by all persons involved in the investigation to the extent possible.

G. If a disability discrimination complaint raises a concern about bullying behavior, the Section 504 Coordinator shall notify the Safe School Climate Specialist or designee who shall coordinate any bullying investigation with the Section 504 Coordinator, so as to ensure that any such bullying investigation complies with the requirements of applicable Board policies.

H. The complaint should contain the following information:

1. The name of the complainant;
2. The date of the complaint;
3. The date(s) of the alleged discrimination;
4. The names of any witnesses or individuals relevant the complaint;
5. A detailed statement describing the circumstances in which the alleged discrimination occurred; and
6. The remedy requested.

However, all complaints will be investigated to the extent possible, even if such information is not included in the complaint. In such circumstances, additional information may be requested by the investigator as part of the investigation process.

I. Upon receipt of the complaint, the individual investigating the complaint shall:

1. Provide a copy of the written complaint to the Superintendent of Schools;
2. Meet separately with the complainant and the respondent within ten (10) school days to discuss the nature of the complaint, identify individuals the complainant and respondent believe have relevant information, and obtain any relevant documents the complainant may have;
3. Provide the complainant and the respondent with a copy of the applicable Board Section 504/ADA Policy and these administrative regulations;
4. Consider whether and which interim measures might be appropriate for an alleged victim and the respondent pending the outcome of the District's investigation;
5. Conduct an investigation of the factual basis of the complaint that is adequate, reliable, and impartial, including conducting interviews with individuals with information and review of documents relevant to the complaint;
6. Maintain confidentiality to the extent practicable throughout the investigative process in accordance with state and federal law;
7. Communicate the outcome of the investigation in writing to the complainant, and to the respondent (to the extent permitted by state and federal confidentiality requirements), within fifteen (15) school days from the date the complaint was received by the Section 504/ADA Coordinator or Superintendent. The written notice shall include a finding whether the complaint was substantiated and if so, shall identify how the district will remedy any identified violations of Section 504/ADA. The investigator may extend this deadline for no more than fifteen (15) additional school days if needed to complete the investigation. The complainant and the respondent shall be notified of any such extension;
8. If a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of staff and/or other individuals who may have information relevant to the complaint, and no later than fifteen (15) school days after the start of the following school year. The complainant and the respondent will receive notice if the investigation has been impeded by the summer recess, and interim measures may be implemented as necessary (see sub-paragraph 4);
9. Ensure that appropriate corrective action is taken whenever allegations are verified. When allegations are verified, ensure that measures to remedy the effects of the discrimination and prevent its recurrence are appropriately considered, and offered, when appropriate. Corrective action should include steps to avoid continuing discrimination.

10. In the event the investigator concludes that there is no violation of Section 504/ADA, the district may attempt to resolve the complainant's ongoing concerns, if possible.

J. If the complainant or the respondent is not satisfied with the findings and conclusions of the investigation, the appealing party may request review and reconsideration of the conclusion of the complaint within thirty (30) days of receipt of the written outcome. In requesting review, the appealing party must submit the complaint, the written outcome of the complaint, and explain why he/she believes the factual information relied upon by the investigator was incomplete, the analysis of the facts was incorrect, and/or the appropriate legal standard was not applied, and how this information would change the investigator's determination in the case. Failure to provide all such information may result in the denial of the review.

Upon review of a written request from the appealing party, the Superintendent shall review the investigative results of the investigator and determine if further action and/or investigation is warranted. Such action may include consultation with the investigator and other relevant witnesses, a meeting with appropriate individuals to attempt to resolve the complaint or a decision affirming or overruling the investigator's conclusions or findings. The Superintendent shall provide written notice to the appealing party and the other party of his/her decision within ten (10) school days following the receipt of the written request for review. When a written request for review is received during summer recess, the Superintendent conduct the review as quickly as possible given the availability of staff and/or other individuals who may have information relevant to the review, and no later than ten (10) school days after the start of the following school year. The Superintendent's decision shall be final.

III. Grievance/Complaint Resolution Procedures for Complaints Involving a Student's Identification, Evaluation or Educational Placement

Complaints regarding a student's identification, evaluation or educational placement shall generally be handled using the procedures described below. However, at any time, the complainant may request that the Section 504/ADA Coordinator submit the complaint directly to an impartial hearing officer, and request a hearing in accordance with the provisions of subsection D (below).

A. Submission of Complaint to Section 504/ADA Coordinator

1. In order to facilitate the prompt investigation of complaints, any complaint regarding a student's identification, evaluation or educational placement under Section 504 should be forwarded to the district's Section 504/ADA Coordinator (see contact information below) within thirty (30) school days of the alleged date that the dispute regarding the student's

identification, evaluation and/or education placement arose. Timely reporting of complaints facilitates the resolution of potential educational disputes.

[NOTE: Districts should note that Section 504 does not provide a statute of limitations for filing complaints. We recommend that districts encourage prompt reporting by suggesting that complaints be filed within thirty (30) days in order to facilitate timely resolution of educational disputes.]

2. The complaint concerning a student's identification, evaluation or educational placement should contain the following information:

- a. Full name of the student, age, and grade level;
- b. Name of parent(s);
- c. Address and relevant contact information for parent/complainant;
- d. Date of complaint;
- e. Specific areas of disagreement relating to the student's identification, evaluation and/or placement; and
- f. Remedy requested.

However, all complaints will be investigated to the extent possible even if such information is not included in the written complaint. In such circumstances, additional information may be requested by the investigator as part of the investigation process.

3. Complaints will be investigated promptly within timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and other extenuating circumstances.

4. Upon receipt of the complaint, the Section 504/ADA Coordinator shall:

- a. Forward a copy of the complaint to the Superintendent of Schools;
- b. Meet with the complainant within ten (10) school days to discuss the nature of his/her concerns and determine if an appropriate resolution can be reached, or whether interim measures may be

appropriate. If a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of staff and other individuals who may have information relevant to the complaint, and no later than ten (10) school days after the start of the following school year;

- c. If, following such a meeting, further investigation is deemed necessary, the Section 504/ADA Coordinator shall promptly investigate the factual basis for the complaint, consulting with any individuals reasonably believed to have relevant information, including the student and/or complainant; and
- d. Communicate the results of his/her investigation in writing to the complainant and any persons named as parties to the complaint (to the extent permitted by state and federal confidentiality requirements) within fifteen (15) school days from the date the complaint was received by the Section 504/ADA Coordinator.
- e. In the event that that the Section 504/ADA Coordinator has a conflict of interest that prevents him/her from serving in this role, the complaint shall be forwarded to the Superintendent who shall appoint an investigator who does not have a conflict of interest.

B. Review by Superintendent of Schools

1. If the complainant is not satisfied with the findings and conclusions of the investigation, the appealing party may present the complaint and written outcome to the Superintendent for review and reconsideration within thirty (30) calendar days of receiving the findings. This process provides an opportunity for the appealing party to bring information to the Superintendent's attention that would change the outcome of the investigation. In submitting the complaint and written outcome for review, the appealing party must explain why he/she believes the factual information relied upon by the investigator was incomplete, the analysis of the facts was incorrect, and/or the appropriate legal standard was not applied, and how this information would change the investigator's determination in the case. Failure to provide all such information may result in the denial of the review.
2. Upon review of a written request from the appealing party, the Superintendent shall review the investigative results of the investigator

and determine if further action and/or investigation is warranted. Such action may include consultation with the investigator and other relevant witnesses, a meeting with appropriate individuals to attempt to resolve the complaint or a decision affirming or overruling the investigator's conclusions or findings. The Superintendent shall provide written notice to the appealing party of his/her decision within ten (10) school days following the receipt of the written request for review, or if the request is received during summer recess, as quickly as possible but no later than ten (10) school days after the start of the following school year.

3. If the complainant is not satisfied with the Superintendent's decision or proposed resolution, he/she may request that the Superintendent submit the matter to a neutral mediator or to an impartial hearing officer. This request for mediation or a hearing should be made within fifteen (15) school days of the Superintendent's decision.

C. Mediation Procedures:

1. A parent/guardian or student aged 18 or older may request mediation with a neutral mediator to attempt to resolve a disagreement with the decisions made by the professional staff of the school district with respect to the identification, evaluation or educational placement of the student.
2. A request for mediation regarding a student's identification, evaluation or educational placement under Section 504 should be forwarded to the district's Section 504/ADA Coordinator within thirty (30) school days of the alleged date that the dispute regarding the student's identification, evaluation, and/or education placement arose or within fifteen (15) school days of the Superintendent's decision in reviewing a complaint handled through the grievance/complaint procedure described in Section III.B, above. Mediation shall only occur by mutual agreement of the parties.
3. The request for mediation concerning a disagreement relating to a student's identification, evaluation or educational placement should contain the following information:
 - a. Full name of the student, age, and grade level;
 - b. Name of parent(s);
 - c. Address and relevant contact information for parent/complainant;
 - d. Date of complaint;
 - e. Specific areas of disagreement relating to the student's identification, evaluation and/or placement; and
 - f. Remedy requested.
4. Upon receipt of a request for mediation,
 - a. The Section 504/ADA Coordinator shall:

1. The request for a due process hearing concerning a disagreement relating to a student's identification, evaluation or educational placement should contain the following information:
 - a. Full name of the student, age, and grade level;
 - b. Name of parent(s);
 - c. Address and relevant contact information for parent/complainant;
 - d. Date of complaint;
 - e. Specific areas of disagreement relating to the student's identification, evaluation and/or placement; and
 - f. Remedy requested.
2. Upon receipt of a request for an impartial due process hearing, the Board shall retain an impartial hearing officer. The impartial hearing officer must be someone who is knowledgeable about the requirements of Section 504/ADA and has an understanding of a free appropriate public education ("FAPE") under Section 504 and the distinctions between and among Section 504, the ADA and the Individuals with Disabilities Education Act ("IDEA").
3. The impartial hearing office shall schedule a pre-hearing conference with the District and the parent(s) or student aged 18 years of age or older (and/or legal counsel for the student) to identify the issue(s) for hearing, set the hearing schedule and address other administrative matters related to the hearing, including the option for mediation.
4. The impartial hearing officer shall inform all parties involved of the date, time and place of the hearing and of the right to present witnesses, other evidence and to be represented by legal counsel at each party's own expense, if desired.
5. The impartial hearing officer shall hear all aspects of the complainant's complaint concerning the identification, evaluation or educational placement of the student and shall reach a decision within forty-five (45) school days of receipt of the request for hearing. The decision shall be presented in writing to the complainant and to the Section 504/ADA Coordinator. The impartial hearing officer's decision shall be final.
6. An impartial hearing officer under Section 504 does not have jurisdiction to hear claims alleging discrimination, harassment or retaliation based on an individual's disability unless such a claim is *directly related* to a claim regarding the identification, evaluation, or educational placement of a student under Section 504.
7. The time limits noted herein may be extended for good cause shown for reasons including, but not limited to, permitting more time for thorough

review of the record, presentation of evidence or opportunity for resolution.

E. Drug/Alcohol Violations

If a student with a disability violates the Board's policies relative to the use or possession of illegal drugs or alcohol, the Board may take disciplinary action against such student for his/her illegal use or possession of drugs or alcohol to the same extent that the Board would take disciplinary action against nondisabled students. Such disciplinary action is not subject to the complaint or due process procedures outlined above.

IV. The Section 504/ADA Coordinator for this district is:

Diana Kelley, Director of Special Services, 350 Mountain Road, Suffield, CT
860-668-3803

V. Complaints to Federal Agencies

At any time, the complainant has the right to file a formal complaint with the U.S. Department of Education, Office for Civil Rights, 8th Floor, 5 Post Office Square, Suite 900, Boston, MA 02109-0111 (TELEPHONE NUMBER (617) 289-0111);
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>.

8/20/19
Technical Rev 10/1/2020

Series 5000 – Students

1. Elementary and Secondary

D. Welfare

(9) Civil & Legal Rights and Responsibilities

(d) Non-Discrimination

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

~~Americans with Disabilities Act/Section 504~~

~~In compliance with its obligations under both Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act, as amended, the District does not discriminate against otherwise qualified students with disabilities in the provision of its educational programs and activities.~~

~~It is the intent of the District to provide a free and appropriate public education to each Section 504/ADA qualified and eligible student with a disability within its jurisdiction, as defined in 28 CFR, Parts 35 & 36, Amendment to Americans with Disabilities Act Title II and Title III.~~

~~It is the further intent of the District to ensure that each student with a disability within the meaning of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, as amended, is identified, evaluated, and provided with a free and appropriate public education.~~

~~Students who because of a disability, need or are believed to need reasonable accommodations, services, and/or programs are addressed under this policy. Under this policy, a student with a disability is one who (a) has a physical or mental impairment that subsequently limits one or more major life activities, including learning; (b) has a record of such impairment; or (c) is regarded as having such an impairment.~~

~~A student may be a student with a disability under Section 504 and this policy even though the student does not require services pursuant to the Individuals with Disabilities Education Improvement Act (IDEIA). Students who are identified as individuals with exceptional needs according to the IDEIA criteria are not addressed under this policy, as the needs of such students are provided for elsewhere under state and federal law, and the District's special education procedures.~~

~~(cf. 0521—Nondiscrimination)~~
~~(cf. 4118.11/4218.11—Nondiscrimination)~~
~~(cf. 4118.12/4218.12—Disabilities)~~
~~(cf. 6171—Special Education)~~

~~Legal Reference:—Connecticut General Statutes~~

~~10-76a Definitions. (as amended by PA 00-48 and PA 06-18)~~
~~10-76b State supervision of special education programs and services.~~
~~10-76c Receipt and use of money and personal property.~~
~~10-76d Duties and powers of boards of education to provide special education programs and services. (as amended by PA 97-114, PA 00-48 and PA 06-18)~~
~~10-76ff Procedures for determining if a child requires special education. (as amended by PA 06-18)~~
~~10-76h Special education hearing and review procedure. Mediation of disputes. (as amended by PA 00-48)~~
~~10-76k Development of experimental educational programs.~~
~~PA 06-18 An Act Concerning Special Education.~~
~~State Board of Education Regulations.~~
~~10-76a-1 et seq. Definitions. (as amended by PA 00-48)~~
~~10-76b-1 through 10-76b-4 Supervision and administration.~~
~~10-76d-1 through 10-76d-19 Conditions of instruction.~~
~~10-76h-1 through 10-76h-2 Due process.~~
~~10-145a-24 through 10-145a-31 Special Education (re teacher certification).~~
~~34 C.F.R. 3000 Assistance to States for Education for Handicapped Children.~~
~~American with Disabilities Act, 42 U.S.C. § 12101 et seq. (42 U.S.C. Ch 126 §12112), as amended by ADA Amendments Act of 2008.~~
~~Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq.~~
~~Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794.~~
~~P.L. 108-446 The 2004 Reauthorization of the Individuals with Disabilities Act.~~
~~20 U.S.C. § 6368(3) The No Child Left Behind Act.~~
~~Section 504 and the Federal Vocational Rehabilitation Act of 1973, 20 U.S.C. 706(7)(b).~~
~~American Disability Act of 1989 (42 U.S.C. Ch 126 §12112), as amended by ADA Amendments Act of 2008.~~

Amendments of Americans with Disabilities Act, Title II and Title III,
Regulation to Implement ADA Amendments Act of 2008. Federal
Register, Vol. 81, No. 155 (28 CFR Parts 35 & 36)

5145.4

NON-DISCRIMINATION (STUDENTS)

The Board of Education (the “Board”) complies with all applicable federal, state and local laws prohibiting the exclusion of any person from any of its educational programs or activities, or the denial to any person of the benefits of any of its educational programs or activities because of race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status, subject to the conditions and limitations established by law.

It is the policy of the Board that any form of discrimination or harassment on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status, 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 to provide for the prompt and equitable resolution of complaints alleging any discrimination or harassment on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status.

For the purposes of this policy, “veteran” means any person honorably discharged from, 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 student and/or parent/guardian wishing to file a complaint regarding discrimination or harassment 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/Students. These regulations accompany Board Policy #5145.4 and are available online at <https://www.suffield.org/district/board-of-education/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, gender identity, sexual orientation, disability, or pregnancy, such complaints will be handled under other appropriate policies (e.g., Policy #5145.5 Students/Sex Discrimination and Harassment; Policy #5145 Section 504/ADA).

Any student and/or parent/guardian 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>

Any student and/or parent/guardian 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
(860-541-3400 or Connecticut Toll Free Number 1-800-477-5737)

Anyone who has questions or concerns about this policy, and/or who may wish to request or discuss accommodations based on religion, and/or who would like a copy of the Board’s complaint procedures or complaint forms related to claims of discrimination or harassment, may contact:

[Dianna Kelley](mailto:dkelley@suffield.org), Director of Special Services, 350 Mountain Road, 860-668-3803

Anyone who has questions or concerns about the Board's policies regarding discrimination or harassment on the basis of gender/sex, gender identity, or sexual orientation may contact the Board's Title IX Coordinator:

Diana Kelley, Director of Special Services, 350 Mountain Road, 860-668-3803

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Anyone who has questions or concerns about the Board's policies regarding discrimination or harassment on the basis of disability, and/or who may wish to request or discuss accommodations for a disability, may contact the Board's Section 504/ADA Coordinator:

Diana Kelley, Director of Special Services, 350 Mountain Road, 860-668-3803

Legal References:

Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, et seq.
Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, et seq.
Americans with Disabilities Act, 42 U.S.C. § 12101, et seq.
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, et seq.
Connecticut General Statutes § 1-1n, "Gender Identity or Expression" defined
Connecticut General Statutes § 10-15c
Connecticut General Statutes § 27-103
Connecticut General Statutes § 46a-51, Definitions
Connecticut General Statutes § 46a-58, Deprivation of rights
Connecticut General Statutes § 46a-81a, et seq.
Public Act No. 21-79, "An Act Redefining 'Veteran' and Establishing a Qualifying Review Board"

ADOPTED:

REVISED:

6/28/2021

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Series 5000 – Students

1. Elementary and Secondary

D. Welfare

5145.4 ADMINISTRATIVE REGULATIONS REGARDING DISCRIMINATION COMPLAINTS (STUDENTS)

It is the policy of the Suffield Board of Education (the “Board”) that any form of discrimination or harassment on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status is forbidden, whether by students, Board employees or third parties subject to the control of the Board. Students, Board employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of all members of the school community.

It is also the policy of the Board to provide for the prompt and equitable resolution of complaints alleging any discrimination or harassment on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status.

Any student and/or parent/guardian wishing to file a complaint regarding discrimination or harassment 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/Students. These regulations accompany Board Policy #5145.4 and are available online at: <https://www.suffield.org/district/board-of-education/policies> or upon request from the main office of any district school.

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If a complaint involves allegations of discrimination or harassment based on reasons such as gender/sex, gender identity, sexual orientation, disability, or pregnancy, such complaints will be handled under other appropriate policies (Policy #5145.5 Students/Sex Discrimination and Harassment; Policy #5145 Section 504/ADA).

All other complaints by a student or parents/guardians alleging discrimination or harassment against a student on the basis of the protected characteristics listed herein should file a written complaint with:

- Carrie Apanovich – Principal, Suffield High School*
- Ken Smith – Principal, Suffield Middle School*
- Kris Pryce – Principal, McAlister Intermediate School*
- Gina Olearczyk – Principal, A. Ward Spaulding Elementary School*

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Preferably, complaints should be filed within thirty (30) days of the alleged occurrence. Timely reporting of complaints facilitates the investigation and resolution of such complaints. The district will investigate such complaints promptly and equitably, and will take corrective action when allegations are verified.

The district will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting of charges of harassment or discrimination on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status. Any such reprisals or retaliation will result in disciplinary action against the retaliator, and other corrective actions as appropriate.

The school district will periodically provide staff development for district administrators and periodically distribute this policy and the implementing administrative regulations to staff and students in an effort to maintain an environment free of harassment and discrimination.

Complaint Procedure

As soon as a student feels that he or she has been subjected to discrimination or harassment on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status, he/she should make a written complaint to the building principal, or designee.

If the complaint being filed is against the Superintendent, the complaint should be filed with the Board Chair, who will take appropriate steps, such as retaining an independent investigator, to cause the matter to be investigated in a manner consistent with the Board's non-discrimination policy and regulation. If either the Superintendent or any other party to the complaint is not satisfied with the findings and conclusions of the investigation, within (30) calendar days of receiving the findings, such party may present the complaint and written outcome to the Board Chair, who will take appropriate steps, such as retaining an independent investigator different from the investigator who investigated the complaint, to cause the matter to be reviewed in a manner consistent with the Board's non-discrimination policy and regulation.

The student will be provided a copy of the Board's policy and regulation and made aware of the student's rights under this policy and regulation. In the event the **building principal or designee** receives a complaint alleging discrimination or harassment based on gender/sex, gender identity, sexual orientation, disability or pregnancy, the **building principal or designee** shall follow the procedures identified in the appropriate Board policies (e.g., Sex Discrimination and Sexual Harassment (Students); Policy #5145.5, Section 504/ADA (Students) Policy #5145 where applicable, rather than the complaint procedures provided in this policy.

The complaint should state the:

_____ A. Name of the complainant,

_____ B. Date of the complaint,

- C. Date(s) of the alleged harassment/discrimination,
- D. Name(s) of the harasser(s) or discriminator(s),
- E. Location where such harassment/discrimination occurred,
- F. Names of any witness(es) to the harassment/discrimination,
- G. Detailed statement of the circumstances constituting the alleged harassment/discrimination; and
- H. Proposed remedy.

Any student who makes an oral complaint of harassment or discrimination to any of the above-mentioned personnel will be provided a copy of this regulation and will be requested to make a written complaint pursuant to the above procedure. If a student (or individual acting on behalf of the student) is unable to make a written complaint, the administrator receiving the oral complaint will either reduce the complaint to writing or assist the student (individual acting on behalf of the student) in completing the written complaint form.

All complaints are to be forwarded immediately to the Superintendent or designee. Upon receipt of a complaint alleging harassment or discrimination under this complaint procedure, the Superintendent shall designate a district or school administrator to promptly investigate the complaint. During the course of the investigation, the investigator shall interview or consult with all individuals reasonably believed to have relevant information, including the complainant, the alleged harasser/discriminator and any witnesses to the conduct. Complaints will be investigated promptly within the timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and/or other extenuating circumstances. Confidentiality will be maintained by all persons involved in the investigation to the extent possible, as determined by the investigator.

Upon receipt of a written complaint of discrimination or harassment, the investigator should:

1. Offer to meet with the complainant (and respondent, if applicable) within ten (10) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants, the complexity of the investigation, and/or other extenuating circumstances) to discuss the nature of the complaint, identify individuals the complainant believes has relevant information, and obtain any relevant documents the complainant may have;
2. Provide the complainant (and respondent, if applicable) with a copy of the Board's non-discrimination policy and accompanying regulations;
3. Investigate the factual basis of the complaint, including, as applicable, conducting interviews with individuals deemed relevant to the complaint;

4. Conduct an investigation that is adequate, reliable, and impartial. Investigate the factual basis for the complaint, including conducting interviews with individuals with information and review of documents relevant to the complaint;
5. Maintain confidentiality to the extent practicable throughout the investigative process, in accordance with state and federal law;
6. Communicate the outcome of the investigation in writing to the complainant (and respondent, if applicable) (to the extent permitted by state and federal confidentiality requirements), within thirty (30) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants, the complexity of the investigation, and/or other extenuating circumstances) from the date the complaint was received by the Superintendent's office. The complainant (and respondent, if applicable) shall be notified of any extension of the investigation timeline. The written notice shall include a finding whether the complaint was substantiated and if so, shall identify, to the extent possible, how the district will remedy the discrimination or harassment, adhering to the requirements of state and federal law;
7. If a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of staff and/or other individuals who may have information relevant to the complaint. If fixed timeframes cannot be met, the complainant (and respondent, if applicable) will receive notice and interim measures may be implemented as necessary (see sub-paragraph 6);
8. Whenever allegations are verified, ensure that appropriate corrective action is taken (including, but not limited to, disciplinary action) aimed at preventing the recurrence of the discrimination or harassment. Corrective action should include steps to avoid continuing discrimination or harassment;
9. If the complainant (and/or respondent, if applicable) is not satisfied with the findings and conclusions of the investigation, the complainant (and/or respondent, if applicable) may present the complaint and written outcome to the Superintendent within thirty (30) calendar days of receiving the findings. Upon review of a written request from the complainant (and/or respondent, if applicable), the Superintendent shall review the investigative results of the investigator and determine if further action and/or investigation is warranted. Such action may include consultation with the investigator and complainant (and/or respondent, if applicable), a meeting with appropriate individuals to attempt to resolve the complaint, or a decision affirming or overruling the investigator's conclusions or findings. The Superintendent shall provide written notice to the complainant (and respondent, if applicable) of the proposed actions within fifteen (15) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants, the complexity of the investigation, and/or other extenuating circumstances) following the receipt of the written request for review.

Any student and/or parent/guardian 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>

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Any student and/or parent/guardian 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

(860-541-3400 or Connecticut Toll Free Number 1-800-477-5737)

Anyone who has questions or concerns about these regulations, and/or who may wish to request or discuss accommodations based on religion, may contact:

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Diana Kelley, Director of Special Services

350 Mountain Road, Suffield, CT

860-668-3803

Dkelley@suffield.org

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

Diana Kelley, Director of Special Services

350 Mountain Road, Suffield, CT

860-668-3803

Dkelley@Suffield.org

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Anyone who has questions or concerns about the Board’s policies regarding discrimination or harassment on the basis of disability, and/or who may wish to request or discuss accommodations for a disability, may contact the Board’s Section 504/ADA Coordinator:

Diana Kelley, Director of Special Services

350 Mountain Road

860-668-3803

Dkelley@Suffield.org

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DISCRIMINATION/HARASSMENT COMPLAINT FORM

(For complaints based on race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status)

Name of the complainant _____

Date of the complaint _____

Date of the alleged discrimination/harassment _____

Name or names of the discriminator(s) or harasser(s) _____

Location where such discrimination/harassment occurred _____

Name(s) of any witness(es) to the discrimination/harassment _____

Detailed statement of the circumstances constituting the alleged discrimination or harassment

Proposed remedy _____

| 6/28/2021

Series 5000 – Students

1. Elementary and Secondary

B. FAFSA

(2) POLICY TO IMPROVE COMPLETION RATES OF THE FREE APPLICATION FOR FEDERAL STUDENT AID (FAFSA)

The Suffield Board of Education (the “Board”) understands that completion of the Free Application for Federal Student Aid (“FAFSA”) is an important step in the path to postsecondary education and is associated with higher rates of college enrollment. The Board is committed to improving the completion rates of the FAFSA for students enrolled in the Suffield Public Schools (the “District”).

In order to improve the completion rates of the FAFSA by students enrolled in grade twelve in the District shall develop a systematic program through which such students are educated about the purpose and content of the FAFSA, encouraged to complete the FAFSA, and assisted in the completion of the FAFSA, as may be necessary and appropriate. The Board directs the Superintendent or designee to develop administrative regulations in furtherance of this policy. The Board further directs the Superintendent or designee to conduct periodic assessments of such regulations, at least annually, to determine effectiveness in improving completion rates of the FAFSA.

Any information contained in a FAFSA, held by the Board, shall not be a public record for purposes of the Freedom of Information Act and thus shall not be subject to disclosure under the provisions of section 1-210 of the Connecticut General Statutes.

Each year, the Superintendent or designee will report to the Board the FAFSA completion rate for each high school in the District

The Board may accept gifts, grants and donations, including in-kind donations, to implement the provisions of this policy.

Legal Reference:

Conn. Gen. Stat. § 10a-11i
Conn. Gen. Stat. § 10-223m

ADOPTED: _____
REVISED: _____