

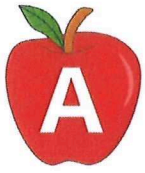
Meeting Agenda

Group/Team:	BOE Policy & Legislation Committee		
Location: Chase Building, Room 158 236 Grand Street Superintendent's Conference Room	Date of Meeting: Thursday June 23, 2022	Start Time: 5:30 p.m.	Finish Time:

Team Norms:
<ol style="list-style-type: none"> 1. All meetings will start on time 2. All issues will be approached with a positive attitude 3. A specific agenda will be set for all meetings 4. All teams members will agree to stay on specific agenda topics 5. Decisions regarding future directions will be based upon actual data

Purpose of Meeting – Instructional Focus:

Agenda Items – (Items should reflect next steps from previous meeting.)			
	Agenda Item	Time Allotted	Person Responsible
1.	Revised Policy 5131.6 – Alcohol Use, Drugs, and Tobacco (including Performance Enhancing Substances) as required by PA 21-1.		D. Schwartz
2.	Revised Policy 6146.1 – High School Grading/QPR as required by PA 21-2.		D. Schwartz
3.	Discussion: Legislative issues for submittal to CABE for their Delegate Assembly.		L. Brown
4.	Scheduling of next meeting.		Committee



P.A. 21-1 (June Special Session): An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis

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Overview of the Act:

This legislation makes numerous changes related to criminal justice, licensing, employment, tax, traffic enforcement, and other laws to establish legal adult recreational use of cannabis (marijuana).

The effective date of the legislation regarding workplace regulation of cannabis is July 1, 2022. Employers still retain the ability to regulate recreational use of cannabis. Rules regulating smoking in the workplace became effective October 1, 2021. The law creates two sets of rules depending on whether the employer or a particular employee position is considered “exempt” from regulation. Schools are considered in the group of “exempt employers and exempt employees.”

Regarding adult recreational use, the legislation allows individuals age 21 or older (consumers) to possess, use, or otherwise consume cannabis and cannabis products. It generally limits possession to (1) 1.5 ounces of cannabis plant material and five ounces of such material in a locked container in the person’s residence or locked vehicle glove box or trunk or (2) equivalent cannabis product amounts or combined amounts. It erases certain cannabis-related criminal convictions, in some cases automatically and in others upon the person’s petition.

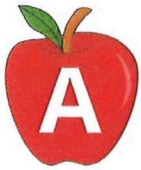
Starting July 1, 2023, the legislation allows any individual age 21 or older to cultivate up to three mature and three immature cannabis plants in his or her primary residence, if the plants are kept secure from anyone else. The legislation limits each household to growing 12 cannabis plants at a given time. Starting October 1, 2021, the legislation similarly allows home cultivation by medical marijuana patients age 18 or older.

The legislation establishes a Social Equity Council (Council) to promote and encourage full participation in the cannabis industry by people from communities disproportionately harmed by cannabis prohibition. It requires the Council to establish criteria and review social equity applications.

The legislation establishes various Department of Consumer Protection licensing and registration requirements for individuals and entities to work in the cannabis industry. Application requirements include, among other things, that cannabis establishment licensees be at least age 21, their employees be at least age 18, and certain individuals submit to criminal history checks. The legislation sets cannabis establishment licensure requirements for each license type.

For example, it (1) generally limits purchases to one ounce for consumers and five ounces for qualifying patients or caregivers per day, (2) prohibits certain advertising practices by cannabis establishments (e.g., targeting those under age 21 or claiming therapeutic effects), (3) limits how cannabis may be delivered to consumers, and (4) sets requirements for how undelivered products must be securely stored.

The legislation establishes guidelines, rules, and protections for employers and employees regarding recreational cannabis use. It generally bans certain employer actions, such as penalizing an employee for the employee’s use of cannabis prior to employment. The legislation specifically authorizes other actions, such as allowing employers to establish a workplace policy prohibiting cannabis possession or use by an employee, except for possession of medical marijuana.



P.A. 21-1 (June Special Session): An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis

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The legislation (1) exempts some employers and types of positions from its requirements and (2) specifies that it does not limit an employer's ability to require employees to submit to drug testing. It also creates a civil action for employees aggrieved by a violation of the legislation's employer limitations. Employers are provided with significant authority to prohibit marijuana use in the workplace. Additional restrictions on smoking and vaping of tobacco and cannabis are also imposed.

The Act creates two sets of rules for employers based upon whether the employer or a particular job or position in question is considered "exempt" from regulation. Employers (such as school districts) providing educational services, including K-12 schools are considered "Exempt Employees," and excluded from coverage.

It directs the revenue to a new General Fund account, the General Fund, and two new appropriated funds for designated purposes (the Social Equity and Innovation Fund and Prevention and Recovery Services Fund) according to a specified schedule. It imposes a 3% municipal sales tax on the sale of cannabis that applies in addition to the state cannabis tax and the state's 6.35% sales tax. (Cannabis for palliative use is exempt from all three taxes under the legislation.)

Regarding traffic enforcement, the legislation modifies the state's driving under the influence (DUI) and boating under the influence laws and the related administrative sanction processes to enhance enforcement against those who are drug impaired but do not have an elevated blood alcohol content. It includes increasing the number of police officers trained in impaired driving assessment techniques. It also makes it illegal to use cannabis while driving or as a

passenger in a motor vehicle. The legislation establishes penalties for various actions, such as (1) consumers possessing cannabis in excess of the possession limit, (2) underage individuals possessing cannabis or attempting to buy it, (3) retailers selling cannabis to customers under age 21, and (4) property owners allowing persons under age 21 to possess cannabis at the property.

The legislation generally lowers existing penalties for illegally selling cannabis and related actions. The legislation makes certain other changes to the state's medical marijuana laws, such as allowing DCP to add to the list of qualifying medical conditions without adopting regulations.



The legislation also has several student-related provisions including prohibiting, with some exceptions, a positive drug test that solely indicates a specified metabolite of THC from being the sole basis for a school to penalize a student. It also generally bans higher education institutions from (1) revoking financial aid or student loans or (2) expelling a student, solely for using or possessing small amounts of cannabis.

Among numerous other cannabis-related provisions, the legislation also: (1) prohibits minors from being adjudicated delinquent for certain cannabis possession offenses; (2) limits when cannabis odor or possession can justify a search or motor vehicle stop; (3) limits when cannabis possession or use can be grounds to revoke parole, special parole, or probation; (4) (a) allows municipalities to regulate certain aspects of cannabis businesses through zoning ordinances and (b) requires municipalities, upon petition of 10% of their voters, to hold a referendum on whether to allow recreational cannabis sales;



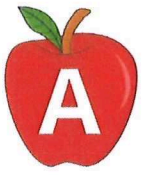
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(5) extends existing law's prohibition on smoking and e-cigarette use in certain establishments and public areas to include cannabis, hemp, and electronic cannabis delivery systems, and expands the locations where the prohibition applies; (6) restricts when landlords and property managers can take certain cannabis-related actions regarding tenants; and (7) authorizes the governor, without further legislative approval, to enter into agreements with the Mashantucket Pequot and Mohegan tribes concerning cannabis regulation.

Contents of the Act Impacting the Public School Setting:

1. Expansion of the definition of smoking to include using a lighted cigarette cigar, pipe or other similar device that contains in whole or in part, cannabis or hemp, in addition to tobacco. Smoking means burning these devices, instead of lighting or carrying them. (§§86-87)
2. Smoking and the use of e-cigarettes in existing law was banned from various locations, including restaurants, health care institutions and state and municipal buildings. The Act adds to this prohibition the smoking of cannabis and hemp. (§§86-87)
3. Expansion of the law of prohibited locations to include **any** area of a school building, instead of only inside the building. It provides an exemption to situations in which a classroom is used during a smoking or e-cigarette demonstration that is part of a medical or scientific experiment or lesson. (§§86-87)
4. Employers are required to ban smoking and e-cigarette use in any area of the workplace and outside within 25 feet of a doorway, operable window or air intake vent. The workplace smoking ban applies to smoking tobacco, cannabis, hemp, and e-cigarette use, including cannabis. (§88)
5. An individual must be 21 years of age or older to possess, use, or otherwise consume cannabis or cannabis products. As of July 1, 2023, an individual must be 21 years of age or older to cultivate the plants in one's residence.
6. Employers are permitted to establish and implement a policy prohibiting cannabis possession, use, or other consumption by an employee except for possession of medical marijuana by a qualifying patient. Such policy must be in writing in either physical or electronic form and made available to each employee before the policy's enactment. Such policy must also be made available to each prospective employee when making an offer or conditional offer of employment. (§98) The legislation permits the employer to maintain a drug-free workplace. (§§97-101)
7. Further, the employer's ability to require employees to submit to drug testing is not limited. Therefore, the legislation allows an employer to prohibit cannabis use by an employee outside of the workplace. (§98)



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8. Employers can take disciplinary action against employees for possession, use, and consumption of recreational marijuana outside the workplace, provided the employer has a written policy which is made available to employees.
9. Minors are prohibited from being adjudicated delinquent for certain cannabis possession offenses. (1st and 2nd offenses) (§5)
10. On or after January 1, 2022, policies pertaining to alcohol and drugs must indicate that no such policies shall result in a student facing greater discipline, punishment or sanctions for the use, sale or possession of cannabis that a student would have faced for the use, sale, or possession of alcohol. (§19)
11. Employers are not required to make accommodations for an employee to perform his/her duties while under the influence of cannabis or for the employee to possess, use or otherwise possess, use or otherwise consume cannabis while performing work duties on the employer's premises, except for the possession of medical marijuana by a qualifying patient. (§98)



Policy Implications:

This legislation permitting the recreational use of marijuana does not provide students the right to use or be under the influence of marijuana on school property at any time. Specifically, persons under the age of 21 cannot receive, possess, use, acquire, cultivate, process, manufacture, deliver, sell or transfer marijuana or marijuana accessories. In short, the possession or consumption of marijuana or marijuana accessories on school property is prohibited.

Concern is voiced regarding the recreational use of marijuana by adult staff members in the school setting or appearing under the influence while performing one's duties.

Rather than developing a new policy pertaining to recreational use of marijuana, this topic can be appropriately covered in a district's mandated policy pertaining to the maintenance of a drug-free workplace. Therefore, previous sample versions of this policy will be discarded, replaced by a new policy, #4118.232/4218.232, "Drug and Alcohol Free Workplace." That policy follows for your consideration.

In addition, policy #4118.231/4218.231, "Alcohol, Drugs and Tobacco," also pertains to the same topic. This is redundant and has been removed from our sample files. Therefore, henceforth, only policy #4118.232/4218.232, will address this issue.

Modifications have also been made to policy #5131.6, "Alcohol, Drugs, and Tobacco," and its accompanying administrative regulation. This policy pertains to students. The language which has been added to this policy also follows.

Alcohol Use, Drugs, and Tobacco (including Performance Enhancing Substances)

Pursuant to the goal of the Board of Education (Board) to maintain a drug, tobacco and alcohol-free school district, schools shall take positive action through education, counseling, parental involvement, and medical and police referral in handling incidents in the schools involving possession, sale, and/or use of behavior affecting substances. These substances shall include but not be limited to alcohol and controlled substances as defined in the Penal Code of the State of Connecticut.

Alcohol, tobacco, stimulants, street drugs, including but not limited to marijuana, heroin and cocaine; anabolic steroids, hormones and analogues, diuretics and other performance enhancing substances; including supplements and Creatine, are addressed by this policy and accompanying administrative regulations.

Possessing, using, or transmitting any substance which is represented to be or looks like a narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, stimulant, depressant, or intoxicant of any kind, including such substances that contain chemicals which produce the same effect of illegal substances including but not limited to Spice and K2 and bath salts are addressed by this policy.

Definitions

Drugs are defined as any substance other than food or water that is intended to be taken or administered (ingested, injected, applied, implanted, inhaled, etc.) for the purpose of altering, sustaining, or controlling the recipient's physical, mental, or emotional state. Drugs may include, but not be limited to, alcoholic beverages; controlled substances such as marijuana, hallucinogens, cocaine, barbiturates, amphetamines, narcotics; and non-authorized prescription drugs.

Controlled substances, for purposes of this policy shall include all controlled substances prohibited by federal and state law, look-alike drugs, alcoholic beverages, anabolic steroids, drug paraphernalia, any volatile solvents or inhalants, such as but not limited to glue and aerosol products, and prescription or patent drugs, except those for which permission for use in school has been granted pursuant to Board policy.

Under the influence, for purposes of this policy shall include any consumption or ingestion of controlled substances by a student.

Electronic nicotine delivery system means an electronic device that may be used to simulate smoking in the delivery of nicotine or other substance to a person inhaling from the device, and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device.

Alcohol Use, Drugs, and Tobacco (including Performance Enhancing Substances, continued)

Liquid nicotine container means a container that holds a liquid substance containing nicotine that is sold, marketed or intended for use in an electronic nicotine delivery system or vapor product, except “liquid nicotine container” does not include such a container that is prefilled and sealed by the manufacturer and not intended to be opened by the consumer.

Vapor product means any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not include nicotine that is inhaled by the user of such product.

Privacy Rights

Personal privacy rights of students shall be protected as provided by law. School properties may be inspected by school authorities to maintain health and safety. Searches to locate drugs, narcotics, liquor, weapons, poisons, and missing properties are matters relating to health and safety and may be regarded as reasonable grounds for searches by school personnel. Privileged communication between a certified or paraprofessional employee and a student concerning drug abuse shall remain confidential except in cases where the employee is obtaining physical evidence of a controlled substance, and/or where there is an immediate threat to, or where students' health, safety, and welfare may be jeopardized.

Illegal Activities

Use, possession, sale or distribution of drugs, including prescription drugs, drug paraphernalia and/or alcoholic beverages in violation of state law or Board of Education policy is prohibited at any time on school premises or at any school-sponsored activity. If a student is under the influence of a drug or alcohol, or engaged in the illegal activity of possessing or selling drugs and/or alcohol, the police will be notified, his/her parent(s)/guardian will be contacted, he/she will be suspended from school, referred to a Student Support Team, and considered for expulsion. In cases of the illegal activity of possessing or selling drugs or alcohol, students will be referred to the appropriate law enforcement authorities. If a student is arrested and is awaiting trial for possession of, or possession of with intent to sell drugs in or on school property or at a school-sponsored event, the student will not be allowed to attend school without the permission of the Superintendent, per the guidelines set forth in Policy #5114.

Notification of Policy

Annually, students will be notified through the student handbook, or through other means, of disciplinary sanctions for violation of this policy.

Principals shall include statements, appropriate to student maturity, in school handbooks and on District/school websites to the effect that:

Alcohol Use, Drugs, and Tobacco (including Performance Enhancing Substances, continued)

1. the unlawful manufacture, distribution, sale, dispensing, possession or use of controlled substances, other illegal drugs, performance-enhancing substances, alcohol or tobacco, including electronic nicotine delivery systems and vapor products, is prohibited in school, on school grounds, on school transportation and at school sponsored activities;
2. compliance with the standards of conduct stated in the handbook is mandatory;
3. a violation of its provisions will subject students to disciplinary action up to and including expulsion and referral for prosecution;
4. CIAC controlled activities at the high school and middle school levels sponsored by the District/school are included in this policy and accompanying administrative regulations; and
5. CIAC may impose sanctions beyond those applied by the District for the use of performance-enhancing substances, as defined in this policy, by athletes.

Disciplinary Action

Students who violate this policy will be subject to disciplinary action which includes, but is not limited to, suspension or expulsion, and/or a program recommended by the Student Support Team. Student athletes who violate this policy, participating in CIAC-controlled activities shall also be declared ineligible for such activities in accordance with CIAC policy and regulation. Any disciplinary actions imposed will ensure that similar violations will be treated consistently. The Superintendent shall propose and the Board of Education shall approve procedures and regulations to ensure that any student violating this policy is subjected to disciplinary action, and that any disciplinary actions imposed for similar violations are treated consistently.

The following guidelines for reporting alleged violations are to be followed:

1. If an employee suspects student possession, use, abuse, distribution or sale of controlled substances, including cannabis, other illegal drugs, performance-enhancing drugs, alcohol, or tobacco/tobacco products the employee shall refer the matter to the Principal or his/her designee. The Principal or designee will notify the student's parent/guardian, recommend a specific assessment, as appropriate, and contact law enforcement personnel as appropriate.
2. If an employee obtains physical evidence of a controlled substance, other illegal drug, drug paraphernalia, performance-enhancing drugs, alcohol, tobacco products or tobacco paraphernalia from a student in school, on school grounds, on school provided transportation or at a school sponsored event, the employee shall turn the student and the controlled substance over to the school principal or designee. The Principal will notify the student's parent/guardian, recommend a specified assessment as appropriate, notify law enforcement personnel and shall surrender possession of the controlled substance to the proper authorities within the time period required by state law.

Alcohol Use, Drugs, and Tobacco (including Performance Enhancing Substances, continued)

3. In conformity with the Board's discipline policy, students may be suspended or expelled for drug or alcohol use off school grounds if such drug or alcohol use is considered seriously disruptive of the educational process. In determining whether the conduct is seriously disruptive of the educational process, the Administration and the Board may consider, among other factors: 1) whether the drug or alcohol use occurred within close proximity of a school; 2) whether other students from the school were involved; and 3) whether any injuries occurred.
4. Disciplinary action taken by District officials against a student for the use, sale, or possession of marijuana (cannabis) on school premises or at any District/school sponsored activity, on or after January 1, 2022, shall not result in any discipline, punishment, or sanction greater than that which a student would face for the use, sale, or possession of alcohol. (C.G.S. 10-221(d), as amended by P.A. 21-1, June Special Session, Section 19)



Alcohol Use, Drugs, and Tobacco (including Performance Enhancing Substances, continued)

Drug-Free Awareness Program

The Superintendent shall assure that the school District provides a drug-free awareness program for students including the following topics:

- health and safety-related dangers of drug abuse;
- review of the Board of Education's policy of maintaining drug-free schools;
- notification of the availability of drug counseling and rehabilitation programs; and
- official penalties for drug abuse violations in schools.

Drugs and Alcohol

It is the policy of the Board to prevent and prohibit the use (except as duly authorized through the school nurse), possession, distribution or sale of any drug, drug paraphernalia, or alcohol by any student at any time on school property, at school-sponsored events or on school-provided transportation. The District provides (1) a supportive environment for recovering chemically dependent students during and/or after their involvement in a treatment program for chemical dependency; and will provide (2) assistance to those students who are affected by drug/alcohol possession or use by others. Any student in District schools found to be using, selling, distributing, in possession of or under the influence of intoxicants, mood altering drugs or substances, or look-alike drugs, or in possession of any related drug paraphernalia during a school session, on school premises, or anywhere at a school-sponsored activity or trip, on school-provided transportation, or otherwise off school grounds when such student's conduct violates the substance abuse policy and is seriously disruptive of the educational process shall be subject to consequences as stated in the student handbook.

A breath alcohol tester is approved for use at events/activities such as dances and proms at the middle school and high school levels where, in the judgment of the school administrator, there exists reasonable suspicion that a student has consumed an alcoholic beverage and then, only under the following circumstances:

- The student denies to an administrator that he/she has consumed alcoholic beverages and wishes to establish his/her innocence. Should the student register a positive reading on the breath alcohol tester, consequences will be administered as outlined in the discipline/behavior regulations in the Code of Conduct.
- The student denies to an administrator that he/she has consumed alcoholic beverages and elects not to utilize the breath alcohol tester to establish his/her innocence. The judgment of the administrator will then be utilized to determine if the student has consumed an alcoholic beverage. In this instance, consequences will be administered as outlined in the discipline/behavior regulations in the Code of Conduct.

Alcohol Use, Drugs, and Tobacco (including Performance Enhancing Substances, continued)**Inhalant Abuse**

In addition to the prohibitions pertaining to alcohol, drugs and tobacco contained in this policy, no student shall inhale, ingest, apply, use or possess an abusable glue, aerosol paint or substance containing a volatile chemical with intent to inhale, ingest, apply or use any of these in a manner:

1. Contrary to directions for use, cautions or warnings appearing on a label of a container of the glue, paint aerosol or substance; and
2. Designed to affect the central nervous system, create or induce a condition of intoxication, hallucination or elation, or change, distort, or disturb the person's eyesight, thinking process, balance or coordination.

For purposes of this policy, inhalants are defined as follows, but not limited to:

Nitrous Oxide – Laughing Gas, Whippets, CO₂ Cartridge
Amyl Nitrite – “Locker Room,” “Rush,” “Poppers,” “Snappers”
Butyl Nitrite – “Bullet,” “Climax”
Chlorohydrocarbons – Aerosol Paint Cans, Cleaning Fluids
Hydrocarbons – Aerosol Propellants, Gasoline, Glue, Butane

Further, no student, 18 years of age or older, shall intentionally, knowingly or recklessly deliver or sell potentially abusable inhalant materials as listed above to a minor student.

No student shall intentionally use or possess with intent to use inhalant paraphernalia to inhale, ingest, or otherwise introduce into the body an abusable glue, aerosol paint or substance or other substance that contains a volatile chemical.

Any student in the District schools found to be in possession of, using, distributing, or selling potentially abusable inhalant materials shall be subject to disciplinary action as outlined in this policy, up to and including suspension and a recommendation for expulsion. Violators of this policy may also be required to complete an appropriate rehabilitation program. The Superintendent shall propose and the Board of Education shall approve procedures and regulations to ensure that any student violating this policy is subjected to disciplinary action, and that any disciplinary actions imposed for similar violations are treated consistently.

The Board of Education shall incorporate into the curriculum at all levels education pertaining to potential inhalant abuse which is appropriate for students given their age, maturity, and grade level. Inhalant abuse educational programs/information for parents/guardians will be offered in a manner convenient to parents/guardians.

Performance-Enhancing Drugs (including food supplement)

In addition to the prohibition pertaining to alcohol, drugs, tobacco and inhalants, the Board of Education prohibits the use, possession, distribution or sale of performance-enhancing drugs,

Alcohol Use, Drugs, and Tobacco (including Performance Enhancing Substances, continued)

including anabolic steroids and food supplements, including Creatine, by students involved in school-related athletics or any co-curricular or extracurricular school activity/program, other than use for a valid medical purpose as documented by a physician. Bodybuilding and enhancement of athletic ability and performance are not considered valid medical purposes.

School personnel and coaches will not dispense any drugs, medication or food supplements except as in compliance with Connecticut State law, District policy and as prescribed by a student's physician, dentist, physician assistant or advanced practice registered nurse.

Students shall be made aware of the dangers of steroid abuse and that such abuse, unauthorized possession, purchase, or sale will subject them to disciplinary action and CIAC sanctions.

Students who violate this policy will be subject to disciplinary action. The Superintendent shall propose, and the Board of Education shall approve, procedures and regulations to ensure that any student violating this section is subjected to disciplinary action, and that any disciplinary actions imposed for similar violations are treated consistently.

It is the expectation of the Board that District schools, as members of the Connecticut Interscholastic Athletic Association (CIAC), require all athletes playing in CIAC-controlled sports to be chemical free.

Tobacco/E-Cigarette Use by Students

There shall be no smoking or any other unauthorized use or possession of tobacco, tobacco products, including chewing tobacco or tobacco paraphernalia, and electronic nicotine delivery systems or vapor products by students in any school building or school vehicle at any time or on any school grounds during the school day, or at any time when the student is subject to the supervision of designated school personnel. Such as when the student is at any school function, extracurricular event, field trip, or school related activity such as a work-study program.

For purposes of this policy, "use of tobacco" shall mean all uses of tobacco, including but is not limited to, cigarettes, cigars, snuff, blunts, bidis, pipes, chewing tobacco, or any other substance that contains tobacco or nicotine, and all other forms of smokeless tobacco, rolling papers and any other items containing or reasonably resembling tobacco or tobacco products and electronic nicotine delivery systems or vapor product. In order to protect students and staff, the Board prohibits the use of tobacco or nicotine-based products in school buildings, on school grounds, in school vehicles, or at any school-related event.

Students who violate this policy will be subject to disciplinary action. The Superintendent shall propose and the Board of Education shall approve procedures and regulations to ensure that any student violating this policy is subjected to disciplinary action, and that any disciplinary actions imposed for similar actions are treated consistently.

Alcohol Use, Drugs, and Tobacco (including Performance Enhancing Substances, continued)**Medical Marijuana**

The conditions which follow are applicable to a District student who holds a certificate authorizing the palliative use of marijuana issued by the Connecticut Department of Consumer Protection (DCP) for the medical use of marijuana as set out in P.A. 12-55, “An Act Concerning the Palliative Use of Marijuana” and as amended by P.A. 16-23.

The District will not refuse to enroll a student or otherwise penalize a student for being a medical marijuana certificate holder unless failure to do so would cause the school to lose a monetary or licensing benefit under federal law or regulations.

A student medical marijuana certificate holder is subject to, without bias, the same code of conduct and disciplinary standards applicable to all students attending District schools.

A student medical marijuana certificate holder shall not:

- Undertake any task under the influence of marijuana that would constitute negligence;
- Possess or engage in the medical use of marijuana
 - On a school bus,
 - On the grounds of any preschool, elementary or secondary school,
 - Utilize marijuana in any form on public transportation or in any public place;
- Operate, navigate, or be in actual physical control of any motor vehicle while under the influence of marijuana, except that a qualifying certified marijuana user for medical purposes shall not be considered to be under the influence of marijuana solely because of the presence of metabolites or components of marijuana that appear in insufficient concentration to cause impairment;
- Use marijuana in any manner not authorized by P.A. 12-55; as amended by P.A. 16-23.
- Offer to give, sell, or dispense medical marijuana to another student or other individual on school property, in school-provided vehicles, at school events, or when functioning as a representative of the school.

If District officials have reasonable belief that a student may be under the influence, in possession of, or distributing medical marijuana, in a manner not authorized by the medical marijuana statute, law enforcement authorities will be informed.

A student who violates any portion of this policy shall be subject to disciplinary action and applicable criminal prosecution.

Although possession and use of marijuana for certain medical conditions, consistent with Connecticut’s P.A. 12-55, “An Act Concerning the Palliative Use of Marijuana,” as amended by P.A. 16-23, is no longer a crime in Connecticut, the possession and use of marijuana remains illegal under federal law. Consistent with federal law, including the Controlled Substances Act and the Drug-Free Schools and Communities Act, the use and or possession of marijuana continues to be prohibited while a student is on a school bus, at school, on school grounds or at a school-sponsored activity. The District will continue to enforce its policies regarding controlled

Alcohol Use, Drugs, and Tobacco (including Performance Enhancing Substances, continued)

substances and any students who violate District policy prohibiting the use, sale or possession of illegal drugs in District facilities and school property will be subject to disciplinary and criminal action.

Legal Reference: —Connecticut General Statutes

~~1-21b Smoking prohibited in certain places.~~

~~10-19 Teaching about alcohol, nicotine or tobacco, drugs and acquired immune deficiency syndrome. Training of personnel.~~

~~10-154a Professional communications between teacher or nurse and student. Surrender or physical evidence obtained from students.~~

~~10-220b Policy statement on drugs.~~

~~10-221(d) Boards of education to prescribe rules, policies and procedures re sale or possession of alcohol or controlled drugs.~~

~~21a-240 Definitions dependency producing drugs.~~

~~21a-240(8) Definitions "Controlled Drugs," dependency producing drugs.~~

~~21a-240(9) Definitions "controlled substance."~~

~~21a-243 Regulation re schedules of controlled substances.~~

~~21a-408 et. seq. Palliative Uses of Marijuana (as amended by P.A. 16-23)~~

~~53-198 Smoking in motor buses, railroad cars and school buses.~~

~~P.A. 11-73 An Act Regulating the Sale and Possession of Synthetic Marijuana and Salvia Divinorum.~~

~~P.A. 12-55 An Act Concerning the Palliative Use of Marijuana.~~

~~P.A. 16-23 An Act Concerning the Palliative Use of Marijuana.~~

~~P.A. 14-76 An Act Concerning the Governor's Recommendations Regarding Electronic Nicotine Delivery Systems and Youth Smoking Prevention.~~

~~P.A. 15-206 An Act Regulating Electronic Nicotine Delivery Systems and Vapor Products~~

~~Federal Regulation 34 CFR Part 85 Drug free Schools & Communities Act.~~

~~P.L. 114-95 Every Student Succeeds Act, Section 8573~~

~~20 U.S.C. Section 7181 et. seq., No Child Left Behind Act.~~

~~Synthetic Drug Abuse Prevention Act of 2012. (part of s.3187, the Food and Drug Administration Safety and Innovation Act)~~

~~New Jersey v. T.L.O., 469 U.S. 325 (1985).~~

~~Veronia School District 47J v. Acton, 515 U.S. 646. (1995)~~

~~Board of Education of Independent School District No 92 of Pottawatomie County v. Earls 01-332 U.S. (2002).~~

(cf. 5114 - Suspension/Expulsion)

(cf. 5131 - Conduct)

(cf. 5131.61 - Inhalant Abuse)

(cf. 5131.62 - Steroid Use)
(cf. 5131.612 - Surrender of Physical Evidence Obtained from Students)
(cf. 5131.8 - Out of School Grounds Misconduct)
(cf. 5131.92 - Corporal Punishment)
(cf. 5144 - Discipline/Punishment)
(cf. 5145.12 - Search and Seizure)
(cf. 5145.121 - Vehicle Searches on School Grounds)
(cf. 5145.122 - Use of Dogs to Search School Property)
(cf. 5145.124 - Breathalyzer Testing)
(cf. 5145.125 - Drug Testing-Extracurricular Activities)
(cf. 6164.11 - Drugs, Alcohol, Tobacco)

Legal References: Connecticut General Statutes

1-21b Smoking prohibited in certain places.
10-19 Teaching about alcohol, nicotine or tobacco, drugs and acquired immune deficiency syndrome. Training of personnel.
10-154a Professional communications between teacher or nurse and student. Surrender or physical evidence obtained from students.
10-220b Policy statement on drugs.
10-221(d) Boards of education to prescribe rules, policies and procedures re sale or possession of alcohol or controlled drugs. (as amended by P.A. 21-1, June Special Session, Section 19)
21a-240 Definitions dependency producing drugs.
21a-240(8) Definitions "Controlled Drugs," dependency producing drugs.
21a-240(9) Definitions "controlled substance."
21a-243 Regulation re schedules of controlled substances.
21a-408 et. seq. Palliative Uses of Marijuana (as amended by P.A. 16-23)
53-198 Smoking in motor buses, railroad cars and school buses.
P.A. 11-73 An Act Regulating the Sale and Possession of Synthetic Marijuana and Salvia Divinorum.
P.A. 12-55 An Act Concerning the Palliative Use of Marijuana.
P.A. 16-23 An Act Concerning the Palliative Use of Marijuana
P.A. 14-76 An Act Concerning the Governor's Recommendations Regarding Electronic Nicotine Delivery Systems and Youth Smoking Prevention.
P.A. 15-206 An Act Regulating Electronic Nicotine Delivery Systems and Vapor Products
P.A. 21-1 (June Special Session) An Act Concerning Responsible and Equitable Regulation of Adult-use Cannabis.
Federal Regulation 34 CFR Part 85 Drug-free Schools & Communities Act.
PL 114-95 Every Student Succeeds Act, Section 8573
Synthetic Drug Abuse Prevention Act of 2012. (part of s.3187, the Food and Drug Administration Safety and Innovation Act)
New Jersey v. T.L.O, 469 U.S. 325 (1985).
Veronia School District 47J v. Acton, 515 U.S. 646. (1995)
Board of Education of Independent School District No 92 of Pottawatomie County v. Earls 01-332 U.S. (2002).

Policy adopted by the Waterbury Board of Education on November 16, 2016



P.A. 21-2 JSS, §258: Automatic Admissions Program Eligibility

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This section of the Budget Implementer Act requires boards of education to calculate and notify students of their eligibility for the Automatic Admissions Program using a standardized method. The automatic admissions process provides for in-state high school graduates to attend Connecticut's four regional universities. This initiative requires the Connecticut State Colleges and Universities Board of Regents to establish the automatic admissions program by April 1, 2022 for any student in the state finishing their education at a public or non-public school.

The Act states that both a standard grade point average and a minimum class ranking percentile will be used to determine if a student is qualified to participate in the program. What those exact numbers will be are still being worked out, and the final threshold for admissions will be left to the Board of Regents to determine.

Each board of education is required by the Act, beginning with the 2022-23 school year, to make certain annual calculations to determine which students qualify for the automatic admissions program. Specifically, each board must do the following:

1. calculate a GPA using the Board of Regents for Higher Education established standardized method for each student who completes grade 11;
2. determine whether these students' class rank percentile is above or below the BOR-established minimum; and
3. share a student's GPA, and whether the student is above or below the minimum class rank percentile, with the student;

his or her parents or guardians; the State Department of Education (SDE); and, upon the student's request, a participating institution for purposes of the program.

The Act specifies that it does not require a board of education to:

1. publish or provide any student's class ranking,
2. publish the Board of Regents for Higher Education established GPA calculation on a student's transcript, or
3. publish whether a student is above or below the Board of Regents-established minimum class rank percentile for the automatic admissions program.

Each board of education is required, starting in the 2022-23 school year, to annually notify each student in his or her final year of high school, and their parent or guardian, about whether the student may be admitted to at least one participating institution under the automatic admissions program, based on the academic threshold described above.

The effective date of this portion of the Act is July 1, 2021.

Policy Implications

Policy #6146.11, "Class Rank/Weighted Grades," pertains to this topic. It will need to be revised prior to the start of the next school year, 2022-2023. It has been modified and follows for your consideration.

November 2021

High School Grading/QPR**FORMULA:**

The formula to be used for grading students' performance in the area of knowledge acquisition will be 100% as defined below:

Calculating Student Grades	
60% Assessments:	i.e. meets expectations through standards based assessments, meets expectations through summative assessments, meets expectations through teacher made test, quizzes, text driven assessment, projects curriculum based and completed with accuracy.
20% Classwork:	i.e. Daily assignments completed, with accuracy, extended assignments completed on time and with accuracy, formative assessments curriculum based.
10% Disposition toward learning:	i.e. actively engages in class, participates in group, displays perseverance, integrity and social and civic expectations.
10% Homework:	i.e. assignments independently completed outside of the classroom.

GRADING: All teachers shall develop and maintain a numerical grade for all students. This is becoming increasingly necessary when students transfer from one school to another in the middle of a semester and don't have grades to accompany their registration. Upon the District updating of classroom student rosters into Progress Book, teachers will upload all student assignment, quiz and test grades into Progress Book on a regular basis, but at a minimum of at least every three weeks. Student grades will be uploaded on a weighted average basis, whereby the teacher will assign a weight to particular types of assignments (e.g. homework, quizzes, and tests) by following the applicable Board of Education grading policy. A numerical grade indicating student performance at the time of exit from a school must be made available for the receiving high school. Teachers shall make two or more comments per student per subject for each marking period. Report cards shall be expeditiously processed and returned to the teacher as soon as practicable after submission to Central Office.

INTERIM REPORTS: Reports shall be sent home half-way through each marking period. These reports are issued to students whose academic achievement is below expected level. A copy shall be submitted to the building principal.

MAKE- UP WORK: Work missed due to absences will be completed within five (5) school days upon return to school. Exceptions may be made with administrative approval.

GRADING SENSITIVITY: Teachers are reminded to be sensitive to students who receive poor grades and feel there is no way to improve their grade or pass the course. Teachers shall dialogue with students, guidance counselors, department heads, and administrators to seek an alternative route to improve student performance.

High School Grading/QPR, continued

HOMEBOUND INSTRUCTION: All long term homebound instructors will contact the classroom teacher for material to be covered and administer quizzes and tests developed by the classroom teacher. The homebound instructor will return the test to the classroom instructor for grading. Regular reports on the status of the student's performance will be sent to the building principal at the high school the student attends.

EXTRA-CURRICULAR ACTIVITIES: Students who have not earned the required Carnegie Units for the designated rank will be ineligible to participate in extra-curricular activities. As soon as students exceed unexcused absences, in accordance with the Board of Education attendance policy, they will be immediately ineligible to participate in extra-curricular activities (all after school programs). Students who have not maintained a 1.67 GPA or higher during the marking period preceding AND during the student's participation will be ineligible to participate in extra-curricular activities. (See Student –Athlete Eligibility Checklist-High School also).

PASSING GRADE: The passing numerical grade is 65.

District-wide curriculum offerings at the high schools will consist of core academics and electives. Selected district-wide core and elective courses at the Accelerated Level will be modified to incorporate extended requirements for students to earn additional quality points.

To achieve a passing grade for the class for the year a student must have an average credit value of 1.0 for the entire year as calculated for a final grade.

Final grades will be calculated with the each Quarter worth 20% of a students' grade and the midterm exam and final exam each worth 10% of the final grade. (In half-year courses, the final exam for the course will count as 20% of the course grade).

To qualify for Summer School students need to earn a numerical grade of 40 for the academic year as a sum of the four quarter credit values (exam grades are not included).

A grade of "E" is given to any student that is denied credit for excessive absences.

A grade of "I" is given if the teacher determines that the student's work is incomplete. Grades of "I" can be changed by a teacher at any point during the year. Any grade of "I" that remains at the conclusion of September of the next school year will be changed to an "F".

GRADE WEIGHTING & CLASS RANKING: The Board of Education promotes weighted grading for more rigorous coursework. Students are provided with a non-weighted Grade Point Average and a weighted Quality Point Ranking (QPR) at the end of each academic year, excluding senior year. Final senior GPAs and QPRs will be determined after seven semesters. GPA (non-weighted) ranges from 4.33 to 0 and is an indicator of academic success; QPR (weighted) ranges from 15.5 to 0 and is an indicator of average academic rigor. In each case, the higher the numeric value, the more successful the academic performance.

Parents/guardians and students shall be advised as to whether or not a grade from a course is weighted in the Program of Studies.

High School Grading/QPR, continued

OVERALL GRADE POINT AVERAGE: An overall GPA will be calculated based on the un-weighted arithmetic average of grades in all courses, using numerical grade values as follows:

A+	= 4.33	B+	= 3.33	C+	= 2.33	D+	= 1.33
A	= 4.0	B	= 3.0	C	= 2.0	D	= 1.0
A-	= 3.67	B-	= 2.67	C-	= 1.67	F	= 0.00

$$\text{Overall QPR} = \frac{\sum(\text{Course Credit}) * (\text{Course QPR})}{\sum \text{Course Credits}}$$

QUALITY POINT RANKING (QPR)/CLASS RANK: The Waterbury Public School System believes it is necessary and important to provide differentiated quality points for the purpose of weighting its academic course offerings at the high school. The current curriculum contains a wide variety of courses at various levels of academic challenge. Students are allowed considerable choice and are encouraged to strive for academic excellence. Grade weighting encourages and reward students for selecting courses at more challenging levels of difficulty.

Quality points are the weights that are assigned to courses in order to communicate their differing academic challenge. Weights assigned to academic courses communicate the level of academic challenge inherent in each course to students and their parents; therefore, the weights assigned help students to make more appropriate course selections. Additional weights assigned to college preparatory courses recognize that more challenging courses require advanced levels of work; therefore, advanced courses have higher course weights.

A grade weighting/class ranking system shall be implemented for the high schools as follows:

Grade Range			Advanced AP & Post- Secondary	Accelerated ACES, ATOMS & SOAR	Honors	General
Min	Max					
97	100	A+	15.5	14	13	11
93	96	A	14.5	13	12	10
90	92	A-	13.5	12	11	9
87	89	B+	12.5	11	10	8
83	86	B	11.5	10	9	7
80	82	B-	10	9	8	6
77	79	C+	9	8	7	5
73	76	C	8	7	6	4
70	72	C-	7	6	5	3
67	69	D+	6	5	4	2
65	66	D	5	4	3	1
Below 65		F	0	0	0	0

All grades shall be rounded to the nearest whole number

$$\text{Overall QPR} = \frac{\sum(\text{Course Credit}) * (\text{Course QPR})}{\sum \text{Course Credits}}$$

High School Grading/QPR, continued

HONOR ROLL: The designation of High Honors and Honors will be based on GPA each marking period.

High Honor Roll: Average of 90 or above and no individual grade below 80
Honor Roll: Average of 80-89 and no individual grade below 70

In the event that schools are unexpectedly closed under a municipal, state or federal mandate for ten (10) or more consecutive school days, and with the approval of the Board of Education, the Superintendent will provide equitable grading procedures in the best interest of all students that account for such a closure and communicate the changes in procedures. In the event of such a closure, the Superintendent's grading procedures will supersede the formulas and grading policies. These procedures will remain in effect, by decision of the Superintendent and the Board of Education, until a time deemed appropriate.

CONNECTICUT AUTOMATIC ADMISSIONS PROGRAM:

The Board of Education (Board), beginning with the 2022-2023 school year, and for each school year thereafter, for the purpose of qualifying a student for the Connecticut Automatic Admissions Program, will:

1. calculate a grade point average using the standardized method established by the Board of Regents for Higher Education for each student who completes eleventh grade, and
2. determine whether such student's class rank percentile is above or below the minimum established by the Board of Regents for Higher Education.

The Board will share a student's grade point average and whether such student is above or below the minimum class rank percentile with the student, the student's parent or guardian, the Department of Education, in the form and manner prescribed by the Department, and upon the student's request, a participating institution for the purposes of applying to such participating institution under the Connecticut Automatic Admissions Program.

The Board recognizes that it is not required to publish or provide a class ranking for any student or to publish on a student's transcript the grade point average calculated pursuant to the Connecticut Automatic Admissions Program, or whether such student is above or below the minimum class rank percentile established by the Board of Regents for Higher Education pursuant to the Connecticut Automatic Admissions Program.

The Board, beginning with the 2022-2023 school year and each school year thereafter, will notify each student enrolled in his/her final year of high school, and the parent or guardian of such student, whether such student may be admitted to at least one participating institution under the Connecticut Automatic Admissions Program based on the academic threshold established by such institution.

(cf. 6146 - High School Graduation Exit Criteria)

Legal Reference: Connecticut General Statutes

10-220g. Policy on weighted grading for honors and advanced placement classes.

21-199 Section 4, An Act Concerning Various Revisions to the Education Statutes

[P.A. 21-2, June Special Session, sections 257-258](#)



Policy adopted by the Waterbury Board of Education on March 7, 2013. Revised on May 7, 2015, October 1, 2015, May 5, 2016, December 20, 2018, May 21, 2020, and December 16, 2021