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AMITY REGIONAL SCHOOL DISTRICT NO. 5

***Bethany Orange Woodbridge
25 Newton Road, Woodbridge, Connecticut 06525***

***Dr. Jennifer P. Byars
Superintendent of Schools***

AMITY REGIONAL POLICY COMMITTEE MEETING AGENDA

***October 23, 2023 at 5:30 p.m.
25 Newton Road, Woodbridge, CT
District Presentation Room***

1. Call to Order
2. Approval of Policy Committee Meeting Minutes August 14, 2023
3. Public Comment
4. Discussion and Possible Action on Feedback from First Read Policies from August 21, 2023 ~~BOE~~ Meeting
 - a. Bylaw 9160 – Student Government Representatives to the Board of Education
 - b. Policy 5124 – Reporting to Parents
5. Discussion and Possible Action on Policies from the 5000 Series
 - a. Policy 5141.231 - Administering Medication – Opioid Overdose Prevention
 - b. Policy 5141.23 - Medication Emergency Procedures
 - c. Policy 5141.25 - Students with Special Health Care Needs
 - d. Policy 5141.3 - Health Assessments and Immunizations
6. Discussion and Possible Action on Bylaw 9311 - Formulation, Adoption, Amendment of Policies
7. Discussion of Policies 5131.81 (Use of Cell Phones and Other Electronic Communication Devices) and 6141.321 (Acceptable Use of Computers and Technology)
8. Discussion of Policies on Complaints About Staff (Policies 4118.22; 4118.112; 4115; 4115.3; 4117.41; 4215; 4216; 4217.4)
9. Adjourn



Jennifer P. Byars, Ed.D.
Superintendent of Schools

pc: Town Clerks: Bethany, Orange, Woodbridge

***Working to "enable every Amity student to become a lifelong learner
and a literate, caring, creative and effective world citizen."
District Mission Statement***

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If you require accommodations to participate because of a disability,
please contact the office of the Superintendent of Schools in advance at 203-397-4811.

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AMITY REGIONAL SCHOOL DISTRICT NO. 5
Bethany Orange Woodbridge
25 Newton Road, Woodbridge, Connecticut 06525

Dr. Jennifer P. Byars
Superintendent of Schools

AMITY REGIONAL POLICY COMMITTEE MEETING AGENDA
August 14, 2023 at 5:30 p.m.
25 Newton Road, Woodbridge, CT
District Presentation Room

COMMITTEE MEMBERS PRESENT

Chairperson Christina Levere-D'Addio, Donna Schuster, Amy Tirollo, Dr. Jennifer Turner (arrived at 5:38)

COMMITTEE MEMBERS ABSENT

Dr. Carol Oladele

STAFF MEMBERS IN ATTENDANCE

Dr. Byars

1. Call to Order

Chairperson Levere-D'Addio called the meeting to order at 5:33 p.m.

2. Approval of Policy Committee Meeting Minutes May 27, 2023

MOTION by Amy Tirollo to approve the minutes of the May 27, 2023 Policy Committee meeting

VOTES IN FAVOR, 2 (Christina Levere-D'Addio, Amy Tirollo)

ABSTAINED, 1 (Donna Schuster)

MOTION CARRIES

3. Public Comment

None

4. Discussion and Possible Action on Feedback from First Read Policies from June 2023 BOE Meeting

a. Policy 5121 - Students Examination/ Grading/ Rating

b. Policy 5121.3 (Former Policy 5128.1) - Plagiarism/ Cheating

MOTION by Amy Tirollo to move Policy 5121 and Policy 5121.3 forward to the Amity Board of Education for second read.

VOTES IN FAVOR, 3 (UNANIMOUS)

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MOTIONS CARRIES

5. Discussion and Possible Action on Bylaw 9311 - Formulation, Adoption, Amendment of Policies

Discussion and Possible Action on Bylaw 9311 tabled until next Policy Meeting

6. Discussion and Possible Action on Bylaw 9160 – Student Representatives to the Board of Education

MOTION by Amy Tirollo to move Bylaw 9160 forward to the Amity Board of Education for first read.

VOTES IN FAVOR, 3 (UNANIMOUS)

MOTIONS CARRIES

7. Discussion and Possible Action on Policy 6174 – Summer School

Mark as reviewed and update date of review as 081423

8. Discussion and Possible Action on Policy 5124 – Reporting to Parents

MOTION by Christina Levere-D’Addio to move Policy 5124 forward to the Amity Board of Education for first read.

VOTES IN FAVOR, 3 (UNANIMOUS)

MOTIONS CARRIES

9. Adjournment

Meeting adjourned with no objections by Christina Levere-D’Addio at 6:49 pm.

Respectfully submitted,

Lisa Zaleski

BOE Recording Secretary

Bylaws of the Board

Student Government Representatives to the Board of Education

To ensure greater student voice and Amity Regional School District No. 5 (District) Board of Education (Board) awareness on matters concerning students, the Board shall seat an 11th and 12th grade member of the Amity Regional High School Student Government. The student government representatives to the Board of Education shall represent the middle and high school students of the Amity Regional School District. The primary purposes for designating seats on the Board of Education for students lies in the inherent connection between Board decisions and their resulting impact on students and the opportunity for the Board to provide students with an experiential learning opportunity in local governance. Students should participate in the deliberations that share their present and future interests.

Appointment Term:

1. Two student government representatives, one 11th grade and one 12th grade, will be appointed as non-voting members to the Board of Education.
2. Annually, one member of the elected Student Government will be selected from the junior class to serve a two-year term. The purpose of this is to have the senior representative support, train, and coach the junior representative.

Criteria and Selection:

1. The student representatives must be in good academic and disciplinary standing and shall be drawn from the Student Government representatives.
2. The students shall indicate their interest to serve as a Student Government Representative to the Board of Education to the Student Government Advisor in the Spring of their 10th grade year following the Student Government elections.
3. The student shall be selected prior to the end of the school year by members of the Student Government.
4. The student representative shall be recommended by the Principal of Amity Regional High School and the Student Government Advisor to the Superintendent. The Superintendent shall approve and introduce the student representative to the Board of Education at the June Board meeting.
5. The Board and/or Administration retain the right to remove and replace a student representative who does not remain in good standing or who fails to fulfill the duties of their position.

Responsibilities:

1. Student representatives will attend regular board meetings. Students will be seated with the Board of Education and shall be expected to share information about Amity Schools with the Board of Education and participate in discussions with the Board. Student representatives shall represent the students' voices and opinions.

Bylaw Adopted:

Amity Regional School District No. 5
Woodbridge, Connecticut

Bylaws of the Board

Student Government Representatives to the Board of Education

2. Student representatives will meet with the superintendent of schools prior to regularly scheduled board meetings to review agenda items and ask clarifying questions.
3. Student representatives may request to schedule presentations/information sessions at BOE meetings; they may invite other students to these sessions. These need to be identified in a timely manner to allow for their inclusion on the board agenda.
4. Student representatives will receive all regular meeting agendas, minutes, and other pertinent information, excluding executive minutes and Board correspondence.
5. Student representatives may frequent Board of Education Committee meetings as non-voting participants. It is recommended that one student representative sit on the Policy committee and one student representative sit on the Curriculum committee. The representatives may join other committees that are of interest to them.
6. Student representatives shall regularly update the Amity student body on the work and decisions of the Board of Education.
7. Student representatives will not participate in meetings from which the general public is excluded, including executive sessions, negotiation sessions, or personnel portions of regular meetings of the Board of Education.

Legal Reference: Connecticut General Statutes

9-203 Number and term of members of the board of education

Students

Reporting to Parents

The Amity Regional School District No. 5 (District) Board of Education (Board) encourages regular and effective two-way communication between parent and teacher through varied reporting methods. Parent-teacher conferences, written communications, and telephone calls to parents should be used to inform parents of student successes and student needs, and to inform teachers of parents'/guardians' concerns and perceptions of their children which may help the teacher in their work with particular students.

Report Cards

There will be four marking periods in the year. Reporting dates shall be determined annually and shall be communicated on the electronic school calendar. Report cards shall be provided to parents/guardians each quarter. Mid-marking period grades shall be available in the Student Information System. Parents/guardians shall be notified when mid-marking period grades are up to date.

Parent-Teacher Conferences

Afternoon and evening conference periods shall be scheduled by the administration to allow parents/guardians an opportunity to meet with teachers and discuss their students' progress.

Conferences for the Middle Schools and High School shall not be on the same nights. Amity administrators will confer with Bethany, Orange, and Woodbridge administrators in scheduling conferences to avoid conflicts with elementary conferences.

Teachers shall speak with parents/guardians of all students whose grades indicate a potential failure in a course. Parent conferences shall be scheduled by a counselor for parents/guardians of all students whose grades indicate a potential for non-advancement.

Test Results

Results of assessments required by the Connecticut State Department of Education shall be sent to parents/guardians. Parents/guardians wishing other test information should contact their students' school counselor.

If parents are separated or divorced, both have equal rights to be informed of their child's school progress unless there is an order from the court to the contrary.

(c.f. 5125 - Student Records – Confidentiality and Access to Student Records)
(c.f. 6146.1 – Grading/Assessment System)

Legal Reference: Connecticut General Statutes

10-15b Access of parent or guardian to student's records

46b-56 Access to records of minor children by non-custodial parent

Policy Revised:

Amity Regional School District No. 5
WOODBIDGE, CONNECTICUT

Students

Reporting to Parents

Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C.1232g.)

Students

Administering Medication – Opioid Overdose Prevention (Emergency Administration of Naloxone)

The Amity Regional School District No. 5 (District) Board of Education (Board) is committed to enhancing the health and safety of individuals within the school environment. The District will identify specific locations for the storage of Naloxone and protocols for its administration in emergency situations to assist individuals suspected to be experiencing an opioid overdose.

Definitions

Drug overdose means an acute medical condition, including, but not limited to, severe physical illness, coma, mania, hysteria or death, which is the result of consumption or use of one or more controlled substances causing an adverse reaction. The signs of opioid overdose include unresponsiveness; nonconsciousness; shallow breathing with rate less than 10 breaths per minute or not breathing at all; blue or gray face, especially fingernails and lips; and loud, uneven snoring or gurgling noises.

Naloxone (Narcan) means a medication that can reverse an overdose caused by an opioid drug. As a narcotic antagonist, Naloxone displaces opiates from receptor sites in the brain and reverses respiratory depression that usually is the cause of overdose deaths.

Opioid means illegal drugs such as heroin, as well as prescription medications used to treat pain such as morphine, codeine, methadone, oxycodone (OxyContin, Percodan, Percocet), hydrocodone (Vicodin), fentanyl, hydromorphone (Dilaudid), and buprenorphine.

Delegation of Responsibility

The School Medical Advisor shall provide and annually renew a standing order for the administration of Naloxone to students, staff members or other individuals believed or suspected to be experiencing an opioid overdose on school grounds or at a school-sponsored activity. The standing order shall include at least the following information:

1. Type of Naloxone (intranasal and auto-injector)
2. Date of issuance
3. Dosage
4. Signature of the school physician/School Medical Advisor

The standing order shall be maintained in the Superintendent's office and copies of the standing order shall be kept in each location where Naloxone is stored.

The school nurse shall be responsible for building-level administration and management of Naloxone and management of Naloxone stocks. Each school nurse and any other individual(s) authorized by the Superintendent shall be trained in the administration of Naloxone.

Naloxone shall be safely stored in the school nurse's office or other location designated by the school nurse in accordance with the drug manufacturer's instructions.

Students

Administering Medication – Opioid Overdose Prevention (Emergency Administration of Naloxone)

Acquisition, Storage and Disposal

Naloxone shall be safely stored in the school nurse's office or other location designated by the school nurse in accordance with the drug manufacturer's instructions.

The school nurse shall obtain sufficient supplies of Naloxone pursuant to the standing order in the same manner as other medical supplies acquired for the school health program. The school nurse or designee shall regularly inventory and refresh Naloxone stocks and maintain records thereof in accordance with internal procedures, manufacturer's recommendations, and any applicable Department of Public Health guidelines.

(cf. 5141 – Student Health Service)

(c.f. 5141.21 – Administration of Medication by School Personnel)

Legal Reference:

Connecticut General Statutes

10-212 School nurses and nurse practitioners. Administration of medications by parents or guardians on school grounds. Criminal history; records check.

10-212a Administration of medications in schools. 17a-714 Immunity for prescribing, dispensing or administering an opioid antagonist to treat or prevent a drug overdose.

21a-279(g)Penalty for illegal possession. Alternate sentences. Immunity.

52-557b Immunity from liability for emergency medical assistance first aid or medication by injection. School personnel not required to administer or render.

Connecticut Regulations of State Agencies 10-212a-1 through 10-212a-10, inclusive, as amended.

PA 22-80 An Act Concerning Childhood Mental and Physical Health Services in School

Students

Medication Emergency Procedures

The school district must establish procedures to be followed in the event of an adverse reaction of a student to a medication. These procedures must ensure that the following information is available in all schools in its jurisdiction:

1. The local poison information center information number;
2. The physician, clinic, or emergency room to ~~be~~ **be** contacted in the event of a medication emergency; and
3. The name of the person responsible for decision-making in the absence of the school nurse.

Legal Reference: Connecticut General Statutes

10-212a-10-212a-3 Administration of Medication by School Personnel

52-557b Immunity from liability for emergency medical assistance, first aid, or medication by injection. School personnel not required to administer or render.

State Department of Health Regulations

10-212a-1-10-212a-3 Administration of Medication by School Personnel

Students
Medication Emergency Procedures

MEDICATION ERROR OR INCIDENT REPORT

Date or Report _____ School _____ Prepared by _____

Name of Student: _____ Grade _____

Home Address: _____ Phone _____

Date error occurred: _____ Timed noted: _____

Person Administering Medication _____

Prescribing Practitioner: _____

Reason medication was prescribed: _____

Date of Order: _____ Instructions for Administration: _____

Medication(s)	Dose	Route	Scheduled Time	Dispensing Pharmacy	Prescription Number

Describe the error and how it occurred (use reverse side if necessary)

Action Taken:

Prescribing practitioner notified: Yes _____ No _____ Date _____ Time _____

Parent notified Yes _____ No _____ Date _____ Time _____

Outcome: _____

Name: _____

Print or Type	Signature	Title	Date
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Students

Students with Special Health Care Needs

Accommodating Students with Special Dietary Needs (Food Allergy Management)

The focus of a District-wide Food Allergy Management Plan shall be prevention, education, awareness, communication and emergency response. The management plan shall strike a balance between the health, social normalcy, and safety needs of the individual student with life threatening food allergies and the education, health and safety needs of all students. The Amity Regional School District No. 5 (ARSD) Food Allergy Management Plan shall be the basis for the development of the procedural guidelines that will be implemented at the school level and provide for consistency across all schools within the district.

The goals for the District-wide Plan include:

1. To maintain the health and protect the safety of children who have life-threatening food allergies in ways that are developmentally appropriate, promote self-advocacy and competence in self-care and provide appropriate educational opportunities.
2. To ensure that interventions and individual health care plans for students with life-threatening food allergies are based on medically accurate information and evidence-based practices.
3. To define a formal process for identifying, managing, and ensuring continuity of care for students with life- threatening food allergies across all transitions. (~~Pre-K~~-**Grades 7-12**)

It is the policy of the ARSD Board of Education to follow the guidelines developed and promulgated by the Connecticut Department of Public Health and Department of Education for students within the district with life- threatening food allergies and glycogen storage disease. Such guidelines include (1) education and training for school personnel on the management of students with life-threatening food allergies and glycogen storage disease, including training related to the administration of medication with a cartridge injector and the provision of food or dietary supplements, (2) procedures for responding to life threatening allergic reactions to food, (3) a process for the development of individualized health care and food allergy action plans for every student with a life-threatening food allergy, (4) a process for the development of individualized health care and glycogen storage disease action plans for every student with glycogen storage disease and such plan shall include, but not be limited to, the provision of food or dietary supplements by the school nurse or by any school employee approved by the school nurse, to a student with glycogen storage disease provided such plan does not prohibit a parent/guardian or a person they so designate, to provide food or dietary supplements on school grounds during the school day, and (5) protocols to prevent exposure to food allergens.

It is the Board's expectation that specific building-based guidelines/actions will take into account the health needs and well-being of all children without discrimination or isolation of any child. It is the Board's belief that education and open and informative communication are vital for the creation of an environment with reduced risks for all students and their families. In order to assist children with life-threatening allergies to assume more individual responsibility for maintaining

Students

Students with Special Health Care Needs

Accommodating Students with Special Dietary Needs (Food Allergy Management)

their safety as they grow, it is the policy of the Board that guidelines shift as children advance through the primary grades and through secondary school.

The District's plan for managing students with life-threatening food allergies shall be posted on the website of each school within the District.

(cf. 5141 - Student Health Services)
(cf. 5141.21 - Administering Medication)
(cf. 5141.23 - Students with Special Health Care Needs)
(cf. 5145.4 - Nondiscrimination)

Legal Reference: Connecticut General Statutes
10-15b Access of parent or guardian to student's records.
10-154a Professional communications between teacher or nurse and student.
10-207 Duties of medical advisors.
10-212a Administrations of medications in schools
10-212c Life threatening food allergies; Guidelines; district plans, as amended by P.A. 12- 198)
10-212a(d) Administration of medications in schools by a paraprofessional.
10-220i Transportation of students carrying cartridge injectors
19a-900 Use of cartridge injectors by staff members of before or after school programs, day camp or day care facility.
52-557b Good Samaritan Law. Immunity from liability for emergency medical assistance, first aid or medication by injection
The Regulations of Connecticut State Agencies section 10-212a through 10-212a-7, Administration of Medication by School Personnel.
Guidelines for Managing Life-Threatening Food Allergies in Connecticut Schools, Connecticut State Department of Education (2006)
Federal Legislation
Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794 § 504; 34 C.F.R. § 104 et seq.)
Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. §12101 et seq.; 29C.F.R. §1630 et seq.

Students

Health Assessments and Immunizations

The Amity Regional School District No. 5 (District) Board of Education (Board) recognizes the importance of periodic health assessments, including oral assessments, according to state health regulations.

To determine health status of students, facilitate the removal of disabilities to learning and find whether some special adaptation of the school program may be necessary, the Board of Education requires that students have health assessments.

The Board of Education adheres to those state laws and regulations that pertain to school immunizations and health assessments, including oral health assessments. It is the policy of the Board of Education to ensure that all enrolled students are adequately immunized against communicable diseases. The Board may deny continued attendance in school to any student who fails to obtain the health assessments required under C.G.S. 10-206, as may be periodically amended.

The Superintendent shall designate the school nurse to receive reports of health assessments and immunizations from health care providers.

Parents/Guardians wishing their children exempted or excused from health assessments, must request such exemption to the Superintendent of Schools in writing. This request must be signed by the parent/guardian.

Parents/Guardians may present a medical exemption form developed by the Department of Public Health (DPH), posted on the DPH website, that their medical provider believes a required vaccination is medically contraindicated for their child based on the child's medical condition. The DPH form is to be signed by a physician, physician assistant or advanced practice registered nurse.

Any child enrolled in kindergarten through twelfth grade on or before April 28, 2021 and whose parents/guardians had presented a religious exemption written request before April 28, 2021 will be permitted continued use of the exemption even if such child transfers to another school in Connecticut.

It is the responsibility of the Principal to insure that each student enrolled has been adequately immunized and has fulfilled the required health assessments. The school nurse shall check and document immunizations and health assessments on all students enrolling in school and to report the status to the school principal. The school nurse shall also contact parents or guardians to make them aware if immunizations and/or health assessments are insufficient or not up-to-date. The school nurse will maintain in good order the immunization and health assessment records of each student enrolled.

Students born in high risk countries and entering school in Connecticut for the first time, should receive either TST (tuberculin skin test) or IGRA (interferon-gamma release assay). Any individual found to be positive shall have an appropriate medical management plan developed that includes a chest radiograph.

Students

Health Assessments and Immunizations

Students not already known to have a positive test for tuberculosis should be tested if they meet any of the risk factors for TB infection, as described in the administrative regulations accompanying this policy.

No record of any student's medical assessment may be open to the public.

As required, the District will report, on a triennial basis, to the Department of Public Health and to the local Health Director the asthma data, pertaining to the total number of students per school and for the district, obtained through the required asthma assessments, including student demographics. Such required asthma diagnosis shall occur at the time of mandated health assessment at the time of enrollment, in either grade six or seven, and in either grade nine or ten. Such asthma diagnosis shall be reported whether or not it is recorded on the health assessment form, at the aforementioned intervals. The District, as required, will also participate in annual school surveys conducted by the Department of Public Health pertaining to asthma.

As required, the District will annually report to the Department of Public Health information required on the School Immunization Entry Survey.

The Superintendent of Schools/their designee shall give written notice to the parent/guardian of each student who is found to have any defect of vision or disease of the eyes, with a brief statement describing such defect or disease and a recommendation that the student be examined by an appropriately licensed optometrist or ophthalmologist.

(cf. 5111 - Admission)

(cf. 5125 - Student Records)

(cf. 5141 – Student Health Services)

Legal Reference: Connecticut General Statutes

10-204a Required immunizations (as amended by P.A. 15-174 and P.A. 15-242 and PA 21-6)

10-204c Immunity from liability

10-205 Appointment of school medical adviser

10-206 Health assessments (as amended by PA 17-146 and PA 18-168, and P.A. 21-121, Section 67)

10-207 Duties of medical advisors

10-206a Free health assessments(

10-208 Exemption from examination or treatment

10-208a Physical activity of student restricted; board to honor notice

10-209 Records not to be public. Provision of reports to school.

Policy Adopted:

Amity Regional School District No. 5
Woodbridge, Connecticut

Students

Health Assessments and Immunizations

10-212 School nurses

10-214 Vision, audiometric and postural screenings. When required. Notification of parents re defects; record of results. (as amended by PA 17-173)

Department of Public Health, Public Health Code, 10-204a-2a, 10-204a-3a, 10-204a-4

Section 4 of PA 14-231

Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C. 1232g.

P.L. 93-568; codified as 20 U.S.C. 1232g

42 U.S.C. 1320d-1320d-8 P.L. 104-191, Health Insurance Portability and Accountability Act of 1996 (HIPAA)

PA 17-146 “An Act Concerning the Department of Public Health’s Various Revisions to the Public Health Statutes,” Section 5, effective 10/1/17

PA 18-168 An Act Concerning the Department of Public Health’s Recommendations Regarding Various Revisions to the Public Health Statutes, Sections 7-9, 539 & 5

Bylaws of the Board

Formulation, Adoption, Amendment of Policies

The development of sound educational policies is one of the primary duties of the Board of Education (Board). Policies serve to promote democratic and responsive school governance and constitute a major method by which the Board exercises its leadership. Policies are guides for discretionary administrative action by the Superintendent of Schools and their staff. The Amity Regional School District No. 5 (District) shall be guided by Board-adopted written policies that are given appropriate distribution and are accessible to staff members, parents, students, and community residents through the District website.

Policies and policy amendments may be initiated by the Superintendent, Board members, school personnel, or community citizens. Although the Board encourages and welcomes community, staff and student involvement, only the Board may establish policy. The Superintendent is encouraged to submit written recommendations for new policies and for revision of existing policies as necessary for the effective operation of the public schools. The Superintendent will prepare a draft policy statement for consideration and development by the Policy Committee; subsequently the Board of Education shall act upon the recommended policy.

~~Local policies may be adopted or amended by a majority of the Board at any regular or special meeting, provided that Board members have advance written notice of the proposed change and that it has been placed on the agenda for such meeting. Policies will be adopted or deleted only after consideration at two regular meetings of the Board. Local policies become effective upon Board adoption or at a future date designated by the Board at the time of adoption.~~

The procedure for the adoption of a new policy or the amendment of existing policy shall be:

1. Upon referral to the policy committee, the committee will develop a statement of policy or change of existing policy based on the following:
 - a. Suggestions and requests from Board members;
 - b. Recommendations from the Superintendent of Schools;
 - c. Statutory requirements.
2. The policy committee shall present a policy statement, or revised policy statement, with its recommendations to the Board. No action shall be taken at the meeting in which the first read is presented. Recommendations for changes to the proposed policy statement should be made to members of the Policy Committee.
3. The policy shall bring the proposed or revised policy statements back to the Board for a second read with a recommendation from the Board's policy committee. Proposed policy changes approved by majority vote of the Board shall take immediate effect.
4. For proposed policy statements, new or revised, because of changes or additions to Connecticut General Statutes or State Board of Education Regulations, approval may be given at the initial presentation.
5. Formal adoption of policies and/or amendments of policies shall be recorded in the minutes of the Board meeting. Only those written statements so adopted and recorded shall be regarded as official policies.

The Board shall designate one copy of the policy manual as the official policy manual of the District. The official copy shall be kept in the Superintendent's office, and the Superintendent or

Bylaws of the Board

Formulation, Adoption, Amendment of Policies

designee shall be responsible for its accuracy and integrity and shall maintain a historical record of the District's policy manual. ~~After Board review of legally referenced policies and adoption of local policies the new material shall be incorporated into the official policy manual, made available through the website, and placed in other localized policy manuals maintained by the District.~~ If discrepancies occur between the policies on the website and the official policy manual, the version contained in the official policy manual shall be regarded as authoritative.

Legally referenced policies contain provisions from federal and state statutes and regulations, case law, and other legal authority that together form the framework for local decision-making and implementation. These policies are binding on the District until the cited provisions are repealed, revised, or superseded by legislative, regulatory, or judicial action.

No policy or regulation, or any portion thereof, shall be operative if it is found to be in conflict with applicable law. If any portion of a policy or its application to any person or circumstance is found to be invalid, that invalidity shall not affect other provisions or applications of policy that can be given effect without the invalid provision or application; and to this end the provisions of this policy manual are declared to be severable.

Legal Reference: Connecticut General Statutes

10-221 Boards of education to prescribe rules, policies and procedures

Students

Use of Cell Phones and Other Electronic Communication Devices

The Amity Regional School District (ARSD) recognizes the safety and educational value of students having cell phones or other personal electronic communication devices in their possession while at school. At the same time, the Board is cognizant of the potential disruption that cell phones or other personal electronic communication devices can cause in school. Due to the proliferation of cell phones/smartwatches and other personal electronic communication devices, and their increasing sophistication, the frequency of interruptions to the educational process is inherent.

Therefore, the ARSD adopts this policy with the goal of defining permissible use by students of cell phones and other electronic devices while minimizing disruption to the educational process. This policy must be read in conjunction with Board Policy 6141.321, and its regulations and any administrative guidelines for such use.

For purposes of this policy, the term ‘cell phone’ refers to any portable phone or communication device that may or may not also have computing capability. The term smartwatch refers to any mobile computing device with a touchscreen display that may or may not connect to a smartphone, designed to be worn on the wrist.

While certain electronic communication devices are allowed in school, use shall be in accordance with the following requirements:

- Cellular telephones shall be powered off during instructional or class time, during passing times between classes and at any school-sponsored events where there is a reasonable expectation of quiet attentiveness or where use of the device would cause any disruption unless there is a bona fide health or safety emergency. Teachers may allow student use of personal electronic devices, including cell phones, for appropriate educational purposes.
- Use and possession of a remotely activated paging device such as a pager/beeper is prohibited unless a student obtains the written permission of the school principal for such possession and use. The principal shall grant such permission only if the student or his parent or guardian establishes to the satisfaction of the principal that a reasonable basis exists for the possession and use of the device.
- Devices operated in violation of this rule may be confiscated and not returned until, where appropriate, a parent/guardian conference has been held.
- Students found to be using any electronic communications device to in any way send or receive personal messages, data, or information that would contribute to or constitute cheating on tests or examinations may be subject to discipline and the device may be confiscated and not returned until a parent conference has been held. Students violating

Students

Use of Cell Phones and Other Electronic Communication Devices

this rule may be disallowed from carrying any personal communication device following the incident unless a bona fide health emergency exists.

- If students are authorized to use cell phones/smartwatches or other personal electronic communication devices while in school, their use must comply with policies and regulations related to acceptable use of technology in the ARSD. The Board considers allowing students to bring to school such devices to be a privilege and not a right. The Board authorizes the Superintendent or his/her designee to revoke this privilege if a student fails to adhere to the guidelines and/or the ARSD's Acceptable Use and student Conduct/discipline policies.
- The use of cell phones/personal electronic communication devices in violation of Board policies and/or regulations or state/federal laws could result in discipline up to and including suspension or expulsion, and referral to law enforcement officials.
- The ARSD shall not be liable for the loss, damage or misuse of any personal communication device brought from home.
- The Board directs the Superintendent or his/her designee to develop conduct and curricular guidelines for the use of cell phones or personal electronic communication devices at the middle and high school levels aimed at promoting an optimal learning environment.
- The taking, disseminating, transferring or sharing of obscene, pornographic, lewd or otherwise illegal images, photographs or videos, whether by electronic data transfer or otherwise (commonly called texting, emailing or sexting, etc.) may constitute a crime under State and/or Federal law. Any person sexting, disseminating or sharing obscene, pornographic, lewd or otherwise illegal images or photographs may be punished under this policy and ARSD student codes of conduct and will be reported to law enforcement and/or other appropriate state or federal agencies, as deemed appropriate.
- Employing the photographic, videographic, audio recording or reproduction capacity of any electronic device for the purposes of photographing, video capture, recording or reproduction of the same of any student or staff person without the express consent of the individual, or under the supervision of a teacher or administrator for approved academic purposes is prohibited. This section applies at all times while on school premises including school buses or at school sponsored events, regardless of the location.
- An administrator may search a student's cell phone/smartwatch or other personal communication device if the administrator has reasonable suspicion that a search will

Students

Use of Cell Phones and Other Electronic Communication Devices

reveal that a law, Board policy, regulation or school rule has been violated. The search must be reasonable in scope. Administrators may not search a student's cell phone/smartwatch or other personal communication device if the student's conduct consisted only of having such device out and/or using such device at an inappropriate time in violation of Board policy or school rules. However, under such circumstances, an administrator may confiscate the device and return it to the student at a later appropriate time; return may be conditioned upon a meeting with a student's parent/guardian. If the administrator has reasonable suspicion that the search will turn up evidence of sexting (i.e. nude and/or sexually explicit pictures of children), the administrator shall contact police officials prior to conducting a search. An administrator shall hand over to the police any evidence related to the potential commission of a crime.

- Use of electronic devices that stream music will be permissible if used with headphones provided the device is not used during class and is only used in locations and at times as directed by school personnel. Care for these items is the student's responsibility. Any inappropriate use will result in confiscation.

Legal References: Connecticut General Statutes

10-233j Student possession and use of telecommunications devices

31-48d Employees engaged in electronic monitoring required to give prior notice to employees. Exceptions. Civil Penalties

53a-182 Disorderly Conduct. Class C misdemeanor

53a-183 Harassment in the second degree: Class C misdemeanor

53a-250 Definitions

Federal statutes and case law

Electronic Communication Privacy Act, 28 U.S.C. §§2510 through 2520

Eisner v. Stamford Board of Education, 440 F. 2d 803 (2nd Cir 1971)

Trachtman v. Anker, 563 F. 2d 512 (2nd Cir. 1977) cert. denied, 435 U.S. 925 (1978)

Students

Use of Cell Phones and Other Electronic Communication Devices

Hazelwood School District v. Ruhlmeir, 484 U.S. 260, 108 S Ct 562 (1988)

Bethel School District v. Fraser, 478 US 675 (1986)

Tinker v. Des Moines Independent Community Dist., 393 US 503, (1969)

New Jersey v. T.L.O., 469 U.S. 325; 105 S. Ct. 733

Safford Unified District # 1 v. Redding, 129 S. Ct. 2633

Instruction
Acceptable Use of Computers and Technology

The Internet and electronic communications (e-mail, chat rooms and other forms of electronic communication) have vast potential to support curriculum and student learning. The Amity Regional School District (ARSD) Board of Education believes they should be used in schools as a learning resource.

Use of the Internet and electronic communications require students to think critically, analyze information, write clearly, and use problem-solving skills, and hone computer and research skills that employers demand. A main goal of internet/computer use is the development of creative and innovation thought by students. Use of these tools also encourages an attitude of lifelong learning and offers an opportunity for students to participate in distance learning activities, ask questions of and consult with experts, communicate with other students and individuals, and locate material to meet educational and personal information needs.

The Board believes that the educational opportunities inherent in these tools far outweigh the possibility that users may procure material not consistent with the education goals of the District. However, the Internet and electronic communications are fluid environments in which students may access materials and information from many sources, including some that may be harmful to students. The Board acknowledges that while it is impossible to predict with certainty what information students might locate or come into contact with, it shall take all reasonable steps to protect students from accessing material and information that is obscene, pornographic or otherwise harmful to minors, as defined by the Board. Students shall take responsibility for their own use of District computers and computer systems to avoid contact with material or information that may be harmful to minors.

Safe Usage and Monitoring of District Technology

While the Internet/Intranet can provide students with a vast array of educational and informational resources, it can also be a window through which students can access information which is neither pertinent to nor appropriate for an educational setting. The availability of such electronic information does not imply endorsement by the Board of Education of its content nor of the use of such information by students and staff. All reasonable efforts will be made to ensure that students are not accessing such material.

In order to ensure the safety of its students, the ARSD subscribes to an Internet filtering service that blocks websites with potentially harmful material. The filter blocks objectionable sites from the District's computers and restricts the ability to chat. The Board recognizes that given the scope of the Internet, the filter may not restrict access to all controversial or potentially inappropriate materials. The possibility of accessing such material does not mean that the Board endorses such content or consents to the accessing of such material. ARSD staff shall supervise student use of the Internet.

Instruction
Acceptable Use of Computers and Technology

The building principal will serve as the building-level coordinator for the ARSD system, will approve building-level activities, ensure teachers receive proper training in the use of the system and the requirements of this policy, establish a system to ensure adequate supervision of students using the system, shall maintain executed user agreements, and will be responsible for interpreting the District Acceptable Use Policy at the building level.

It is important to give student assistance and guidance in accessing information which is beneficial to their education and equally important to recognize that total monitoring of students' access to the Internet/Intranet would be impossible. While teachers and other staff will make reasonable efforts to supervise and monitor student use of District technology, they must have student and parent cooperation in exercising and promoting responsible use. Students will be educated about appropriate and safe online behavior, including interacting with other individuals on social networking websites and in chat rooms, as well as cyberbullying awareness and response.

The ARSD reserves the right to obtain software alert system to aid the District in monitoring student use of District technology occurring both on and off school grounds. The focus of such a program is to identify potential self-harm, suicidal ideation, and cyberbullying by students. ARSD does not assume any duty or obligation to continuously monitor notifications or alerts and disclaims liability in accordance a full disclaimer statement provided to parents and students for their review. ARSD is under no obligation to obtain a software alert system and may discontinue use of an alert program without notice to students or parents.

All computers, including all hardware and software and all electronic files and communications stored on or transmitted by ARSD technology are the property of the ARSD. All files stored on ARSD networks or on ARSD technology remain the property of the ARSD and no user shall have any expectation of privacy regarding such material. However, the District will not routinely use the cameras or microphones in the school provided devices to monitor students, but reserves the right to do so in a given circumstance if such action is warranted to ensure the safety and wellbeing of the school community or school property or to comply with the law.

Blocking or Filtering Obscene, Pornographic, and Harmful Information

Software that blocks or filters material and information that is obscene, pornographic or otherwise harmful to minors, as defined by the Board, shall be installed on all District computers having Internet or electronic communications access. Students shall report access to material and information that is obscene, pornographic, harmful to minors or otherwise in violation of this policy to the supervising staff member. All devices using the Amity network will comply with recruiting standards as defined by the District.

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Acceptable Use of Computers and Technology

No Expectation of Privacy

District computers and computer systems are owned by the District and are intended for educational purposes at all times. Students shall have no expectation of privacy when using the Internet or electronic communications. The District reserves the right to monitor, inspect, copy, review and store (at any time and without prior notice) all usage of District computers and computer systems, including all Internet and electronic communications access and transmission/receipt of materials and information. All material and information accessed/received through District computers and computer systems shall remain the property of the District.

Confidentiality

All users of the District's computers and means of Internet access shall maintain the confidentiality of student records. Reasonable measures to protect against unreasonable access shall be taken before confidential student information is placed onto the network.

Acceptable Use Agreement

Individual users of the ARSD network are responsible for their use of the network and other District technology and are expected to use it responsibly and lawfully. Students are to utilize the District's computers, networks, and Internet services and other District technology for school-related purposes only. This includes the use of email and social networks.

Students and parents are required to sign an Acceptable Use of Computers and Technology agreement each school year in order for a student to be authorized to access the ARSD's computers, networks and Internet services or other District technology.

In signing the agreement, the students and their parents acknowledge having read this policy and accompanying regulations and that they accept it in its entirety, including the provisions regarding the monitoring and review of student technology activity. If the student is 18 or older, a parent/guardian signature is not required.

Students who use ARSD computers, networks and Internet services for personal or non-academic purposes will be subject to disciplinary action in accordance with this policy, its regulations, District student codes of conduct, and state law. Any incidental use by student must be with the permission of a teacher or administrator and for good reason.

A student and his parents may be responsible for costs associated with the repair or replacement of ARSD technology as a result of damage caused by a student through vandalism or irresponsible use.

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Acceptable Use of Computers and Technology

Prohibitions

Inappropriate communications or other unacceptable uses or abuses of all ARSD technology, including all hardware/software, all electronic files/communications stored on or transmitted on District computers are prohibited. Specifically prohibited is any illegal use, or use that is a violation of Board policies, regulations, or school rules including, but not limited to, those prohibiting harassment, discrimination, bullying, defamation, violence, threatening, infringement of copyright or trademark laws, use involving obscene or pornographic materials or use that harms the reputation of the school District or its employees or disrupts the educational environment or causes damage to District technologies or services.

Prohibited also is student use of ARSD technology for Internet social networking, if such use is not directed by a teacher or school administrator in support of planned and approved learning activities. Students are strictly prohibited from using District technology to access personal social networking sites at any time. Students are also prohibited from using their personal electronic devices to view, access, or use personal social networking sites during the school day.

The District will not be liable for information/comments posted by students on ARSD social media websites that violate District policy, regulations, school rules, or state or federal law. The opinions expressed therein by students shall not be construed to represent the opinion of the school District. The District will not be liable for any information/comments posted by students to personal social networking sites. The District will not be responsible for any damages suffered by any user in the use of and/or access to District computers, networks, or the Internet and will not be responsible for unauthorized financial obligations resulting from such use or access.

Discipline Resulting from Violations

The use of the District's computer systems, networks, the Internet, or other District technology is a privilege, not a right. Students are expected to follow Board of Education policy and regulations at all times when using District computers, networks, the Internet or other District technology and when engaging in any permitted use of personal technology on school grounds.

Failure to follow this policy and its regulations and others related to the use of technology in and outside of school may lead to disciplinary action up to and including suspension and expulsion, as well as the loss of privileges to use technology in one or more locations within the school for specific periods of time. Illegal activity will also be reported to appropriate authorities. The Superintendent or his/her designee reserves the right to eliminate use of the District's computer systems or other District technology by any student at any time.

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Acceptable Use of Computers and Technology

School System Property

All ARSD computers including all hardware/software, all electronic files/communications stored on or transmitted on District computers, and other District technology are the property of the District and remain under the control, custody, and supervision of the ARSD. The ARSD reserves the right to monitor, inspect, copy, review, and store without prior notice information about the content and usage of ARSD computers, networks, Internet/Intranet, and all other District technology used by students.

Students should have no expectation of privacy in their use of District computers, networks, or other technology.

Regulations

The Board of Education directs the Superintendent or his/her designee to develop regulations for the acceptable and safe use of ARSD computers and technology including, but not limited to, electronic email, instant messaging, and use of social networking sites, chat rooms, and cyberbullying awareness and response.

The Superintendent or his/her designee shall be responsible for overseeing the implementation of this policy and accompanying regulations and for advising the Board of the need for any future amendments or revisions to the policy/regulations.

The failure of any student or staff member to follow the terms of the authorization form, or this policy, will result in the loss of privileges, disciplinary action, and/or appropriate legal action.

Legal Reference: Connecticut General Statutes

1-19(b)(11) Access to public records. Exempt records.
10-15b Access of parent or guardians to student's records.
10-209 Records not to be public.
10-222d policy on bullying behavior, as amended by PA 11- 232
10-233c suspension of pupils
10-233d expulsion of pupils
10-53a-196g Possessing child pornography: affirmative Defenses
11-8a Retention, destruction and transfer of documents
11-8b Transfer or disposal of public records. State Library Board to adopt regulations.

Instruction
Acceptable Use of Computers and Technology

46b-56 (e) Access to Records of Minors.
Connecticut Public Records Administration Schedule V - Disposition of
Education Records (Revised 1983).
53a-182b. Harassment in the first degree: Class D felony. (as amended by PA
95-143)
53a-183 Harassment in the second degree
53a-250 et seq. re computer-related offenses
28 USC 2510 through 2520, Electronics Communication
Privacy Act,
20 USC 6751-6777 Enhancing Education Through Technology Act, No Child
Left Behind Act, Title II, Part D 6777 Internet Safety
20 U.S.C. 254 Children's Internet Protection Act of 2000
47 USC 254 Universal service discounts (E-rate Code of Federal Regulations,
Title 47 54.520 Internet safety policy Protecting Children in the 21st Century
Act 215; 47 U.S.C. 254(h)(5)(B)

Federal Family Educational Rights and Privacy Act of 1974 (section 438 of
the General Education Provisions Act, as amended, added by section 513 of
PL 93-568, codified at 20 U.S.C. 1232g.).

Dept. of Education. 34 CFR. Part 99 (May 9, 1980 45 FR 30802) regs.
implementing FERPA enacted as part of 438 of General Education
Provisions Act (20 U.S.C. 1232g)-parent and student privacy and other
rights with respect to educational records, as amended 11/21/96.

Children's Internet Protection Act of 2000 (HR 4577, P.L.106-554)
Communications Act of 1934, as amended (47 U.S.C. 254[h],[I])
Elementary and Secondary Education Act of 1965, as amended (20
U.S.C. 6801 et seq., Part F)

Public Law 94-553, The Copyright Act of 1976, 17 U.S.C. 101 et. seq.

Reno v. ACLU, 521 U.S. 844 (1997)
Ginsberg v. New York, 390 U.S. 629, at 642, n.10 (1968)
Board of Education v. Pico, 457 U.S. 868 (1988)
Hazelwood School District v. Kuhlmeier, 484 U.S. 620, 267 (1988)

Personnel – Certified

Code of Professional Responsibility

Certified staff are expected to demonstrate knowledge of the Connecticut Code of Professional Responsibility for Teachers. Certified staff are also bound to the Code of Ethics in their respective areas of discipline.

Reference: Connecticut Code of Professional Responsibility for Teachers

Students

Prohibition Against Sexual Harassment

The Amity Regional School District No. 5 (District or ARSD) recognizes that sexual harassment, including sexual assault, is unlawful sex discrimination. The Board of Education (Board) prohibits sex discrimination/sexual harassment in the District's education program or activities. Education program or activity includes locations, events, or circumstances over which the school exercises substantial control over both the respondent (alleged perpetrator of sexual harassment) and the context in which the sexual harassment occurs. In addition to occurring on school grounds, sexual harassment may potentially occur off campus, in places or situations where athletic and extracurricular activities occur, on field trips, on the school bus, at school-related conferences or through use of school technology.

Schools shall respond to sexual harassment occurring in the District's education program or activities for which they have "actual knowledge." "Actual knowledge" means notice of sexual harassment or an allegation of sexual harassment brought to the attention of the Title IX Coordinator, any official of the school who has authority to institute corrective measures on the behalf of the school, as well as to any other employee of an elementary and secondary school.

Sexual harassment may take the form of student-on-student, employee-on-student, employee-on-employee, student-on-employee sexual harassment, or may be perpetrated against students or employees by third parties under the control of the District. Students who engage in proven sexual harassment may be subject to discipline, up to and including expulsion. Employees who engage in proven sexual harassment may be subject to disciplinary action, up to and including termination, as well as other action required under the law.

Definition of Sexual Harassment for the Purposes of Title IX

Sexual harassment is conduct on the basis of sex that satisfies one or more of the following:

- (i) A school employee conditioning an education benefit or service on participation in unwelcome sexual conduct (i.e. quid pro quo)
- (ii) Unwelcome conduct that a reasonable person would determine as so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity;
- (iii) "Sexual assault" as defined in 20 U.S.C. 1092 (f)(6)(A)(v)(the Clery Act), "dating violence" as defined 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(3) (the Violence Against Women Act (VAMA)).

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Prohibition Against Sexual Harassment

Examples of sexual harassment may include, but are not limited to:

- pressure for sexual activity
- repeated remarks with sexual or sexually demeaning implications
- unwelcome or inappropriate touching
- sexual assault
- suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning a student's grades or academic standing or an employee's employment status
- telling lewd jokes or sharing stories about sexual experiences – even if not directed at you but done in your presence to cause you discomfort
- sending unwanted suggestive or lewd emails, letters, or other communications or sharing images of a sexual nature around the workplace or displaying posters, items, or screensavers of a sexual nature
- repeatedly asking for dates despite being rebuffed
- making sexually offensive gestures or facial expressions
- dating violence or stalking

Other Definitions

‘Complainant’ is defined as a person who is alleged to be the victim of conduct that could constitute sexual harassment.

“Respondent” is defined as a person who is alleged to be the perpetrator of conduct that could constitute sexual harassment.

“Supportive measures” are defined as non-disciplinary, non-punitive, individualized services, offered as appropriate and without charge to a complainant or respondent before or after the filing of a formal complaint or where no complaint has been filed.

Title IX Coordinator

The Superintendent of Schools designates and authorizes the Coordinator of Pupil Services to be the District's Title IX Coordinator. This individual shall be given the title of and be referred to as the Title IX Coordinator and is responsible for ensuring compliance across the school district with Title IX, corresponding state law, and applicable board policy concerning sex discrimination/sexual harassment.

Students

Prohibition Against Sexual Harassment

Applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, employees, and all unions shall be notified of the name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator.

The Title IX Coordinator's contact information shall be posted on the District's website and included in student and employee handbooks and published in other locations as deemed appropriate.

Reporting Sexual Harassment

Any person, including, but not limited to, students, their parents or guardians, employees, bystanders or third parties (whether or not the person is the alleged victim), may report sex sexual harassment, including sexual assault, occurring in the District's education program or activities. Reporting may occur in person, by mail, by telephone or by electronic mail, using the contact information provided for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Reports may be made at any time including during non-business hours.

A formal complaint is defined as a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against an individual and requesting that the school investigate the alleged sexual harassment. In an instance where the Title IX Coordinator signs the complaint, the Title IX Coordinator is not a party to the complaint nor is such action taken on behalf of the complainant.

The Title IX Coordinator will make forms available for both informal reports and formal complaints of sexual harassment. Additionally, such forms will be posted on the District's website. Informal reports are permissible and may be brought by any person. However, only a complainant and the District's Title IX Coordinator may file a formal complaint. All formal complaints will be investigated. Supportive measures shall be offered to a complainant with or without the filing of a formal complaint.

There is no time limit on a complainant's decision to file a formal complaint, but complainants are encouraged to promptly report incidents of sexual harassment and/or to file a formal complaint.

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Prohibition Against Sexual Harassment

Response including Supportive Measures

Any school employee with actual knowledge of sex discrimination/sexual harassment shall promptly inform the District's Title IX Coordinator. The failure to do so may be grounds for disciplinary action.

Upon actual knowledge of sexual harassment, the Title IX Coordinator will promptly contact the complainant to advise and discuss with the complainant: 1.) the availability of supportive measures with or without the filing of a formal complaint, 2.) the right to file a formal complaint, and 3.) how to file a formal complaint.

A complainant, as well as a respondent, shall be offered free, individualized "supportive measures" (e.g. counseling, course-related adjustments, modification of work or class schedules, escort services, increased security/monitoring of certain areas, mutual restrictions on contact between the parties) designed to restore or preserve equal access to education with or without a formal complaint. These, as well as other measures, may be part of a final remedy.

Upon filing a formal complaint, the complainant will be provided with a copy of this policy and its grievance procedures.

Written notice shall be provided to the respondent and the complainant advising that a formal complaint has been filed. The respondent shall be entitled to a presumption of innocence during investigation of the complaint. Both parties will be treated fairly throughout the investigation and shall be entitled to an unbiased investigator who has not prejudged the matter being investigated.

Complaints that fail to allege a violation of Title IX shall be dismissed without investigation. This does not preclude the school administration from investigating or addressing the underlying conduct under relevant codes of conduct or board policy.

Emergency Removal/Administrative Leave

An emergency removal of a respondent from the education program or activity is permissible, provided that the District conducts an individualized safety and risk analysis and determines that emergency removal is necessary in order to protect a student or other individual from an immediate threat to physical health or safety and notice and an opportunity to challenge the decision is provided. This does not modify any rights under the Individuals with Disabilities

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Prohibition Against Sexual Harassment

Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act (ADA).

An employee-respondent may be placed on administrative leave during the pendency of a grievance process.

Informal Resolution

At any point in the formal complaint process the Districtwide Title IX Coordinator, in his/her discretion, may offer to facilitate an informal resolution option such as mediation or restorative justice.

Both parties must give voluntary, informed written consent.

Either party has a right to withdraw consent at any time, in which case the formal investigation shall proceed.

The informal resolution process shall not be available if the complainant/victim is a student and the respondent is an employee.

Grievance Procedures

The District will promptly and thoroughly investigate all formal complaints of sexual harassment in accordance with established grievance procedures.

District grievance procedures shall be established in the form of a regulation accompanying this policy.

The grievance procedure shall be used for the reporting and investigation of and response to a formal complaint of sexual harassment in the District's education program and activities against a person in the United States.

The District's grievances procedures shall be designed to comply with the regulation under Title IX as promulgated by the U.S. Department of Education, as it may be amended from time to time. Among other required provisions, the grievance procedures shall establish standards for fairness and equity including a requirement that the decision-maker not be the same individual as the Title IX Coordinator or the investigator, explain how to file a complaint, address required notice, set out timelines for various components of the investigation and adjudication process,

Students

Prohibition Against Sexual Harassment

establish and explain grounds for the dismissal of a complaint and provide and explain the appeal process available to both parties, include a presumption of innocence for the respondent, state the evidence standard to be used to determine responsibility, and require objective evaluation of all available evidence.

Training

Training shall be provided to Title IX personnel in accordance with the regulation under Title IX as promulgated by the U.S. Department of Education, as it may be amended from time to time. Additional training may be provided to all school employees as deemed advisable.

Training materials used to train Title IX personnel shall be posted on the District's website.

Prohibition Against Retaliation

Retaliation against any party, witness, or other participant to the grievance process is prohibited. Retaliation may form a basis for a complaint under this policy. The charging of a person with a code of conduct violation based upon a person making a materially false statement in bad faith in an investigation is not considered retaliatory.

Dissemination, Posting, and Discussion of Policy

This policy, along with its accompanying regulation/grievance procedure, shall appear in the Student Handbook, be discussed with students at least annually and more often as needed, be posted in prominent and accessible locations in each school building and in the Board of Education offices, and be published on the District's website along with the name/title and contact information for the Title IX Coordinator.

Record Keeping

The District must keep records related to reports of alleged sexual harassment for a minimum of seven years including investigation records, disciplinary sanctions, remedies, appeals, and records of any action taken including supportive measures. Additionally, Districts must also keep for a minimum of seven years any materials used to train Title IX Coordinators, investigators, decision-makers, and any employee designed to facilitate an informal process.

Students

Prohibition Against Sexual Harassment

Alternate Complaint Procedures

In addition, or as an alternative to the filing of a sex discrimination/sexual harassment complaint through the District's grievance procedure, a person may choose to file a complaint with the Office for Civil Rights of the United States Department of Education.

Statement of Protected Rights

Application of this policy and its grievance procedure shall not be interpreted to restrict rights protected under the U.S. Constitution, including the right to free speech, to be free from self-incrimination, and to due process of law.

Legal References: Connecticut General Statutes

10-15c Discrimination in public schools prohibited. School attendance by five-year-olds.

United States Constitution, Article XIV.

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

Title IX of the Education Amendments of 1972, 34 C.F.R. 106.1, *et seq.*

Title IX Regulation, 34 C.F.R. Part 106

20 U.S.C. 1092 (f)(6)(A)(v)

34 U.S.C. 12291 (a)(8), (a)(10), (a)(36)

Franklin v. Gwinnett County Public Schools, 503 U.S. 60 (1992)

Gebser v. Lago Vista Independent School District, 524 U.S. 274 (1998)

Davis v. Monroe County Bd. Of Educ., 526 U.S. 629 (1999)

Personnel – Certified

Evaluation and Support Program

The Amity Regional School District No. 5 (ARSD) Board of Education (Board) believes that good teaching is the most important element in a sound educational program. Student learning is directly affected by teacher competence; therefore, teacher evaluation shall be accomplished using a teacher evaluation plan, which demonstrates a clear link between teacher evaluation, professional development, and improved student learning.

The submission of ARSD's evaluation plans for SDE review and approval, including flexibility requests, shall take place no later than the annual deadline set by the Connecticut State Department of Education (CSDE).

"Teacher" or "Administrator" for purposes of evaluation shall include each professional employee of the Board, below the rank of Superintendent, who holds a certificate or permit issued by the State Board of Education.

Appraisal of teaching performance should serve three purposes:

1. To raise the quality of instruction and educational services to the children of our community resulting in improved student learning.
2. To raise the standards of the teaching profession as a whole.
3. To aid the individual teacher to grow professionally, linking district-wide teacher evaluation and professional development plans.

Evaluation of teacher performance must be a cooperative, continuing process designed to improve student learning and the quality of instruction. The Superintendent shall annually evaluate or cause to be evaluated all certified employees in accordance with the teacher evaluation and support program, developed through mutual agreement with the Professional Development and Evaluation Committee (PDEC) for ARSD. The PDEC members share the responsibility for developing effective evaluation procedures and instruments and for the development and maintenance of professional standards and attitudes regarding the evaluation process. The required union representation on such committee shall include at least one representative from each of the teachers' and administrators' unions.

The Board shall adopt and implement a teacher evaluation and support program. Such teacher evaluation and support program shall be developed through mutual agreement with the PDEC. If unable to attain mutual agreement, the Board and the PDEC shall consider adopting by mutual agreement the State Board of Education (SBE) adopted model teacher evaluation and support program without any modification. Further, if the Board and the PDEC fail to agree on the SBE model, the Board will use its statutory authority to adopt and implement a teacher evaluation program of its choice provided such program is consistent with the SBE adopted guidelines.

The system-wide program for evaluating the instructional process and all certified personnel is viewed as one means to improve student learning and insure the quality of instruction. The evaluation plan shall include, but need not be limited to, strengths, areas needing

Personnel – Certified

Evaluation and Support Program

improvement, strategies for improvement, and multiple indicators of student academic growth. Further, claims of failure to follow the established procedures of such teacher evaluation and support program shall be subject to the grievance procedure in collective bargaining agreements negotiated subsequent to July 1, 2004.

The Superintendent and all employees whose administrative and supervisory duties equal at least 50% of their time shall include a minimum of fifteen hours of training in the evaluation of teachers, pursuant to Section 10-151b, as part of the required professional development activity during each five-year period for reissuance of their professional educator certificate.

The Superintendent shall annually evaluate or cause to be evaluated each teacher and administrator in accordance with the teacher evaluation and support program and may conduct additional formative evaluations toward producing an annual summative evaluation.

In the event that a teacher or an administrator does not receive a summative evaluation during the school year, such individual shall receive a rating of "not rated" for that year.

By dates determined by the CSDE, the Superintendent shall report to the Commissioner of Education on the implementation of the teacher evaluation and support program and other requirements as determined by the State Department of Education.

Improvement and Remediation Plans

The PDEC will develop as part of the teacher evaluation and support program a process for teacher improvement and remediation that:

1. Is differentiated by the level of identified need and/or stage of development;
2. Identifies resources, support, and other strategies to be provided to address documented deficiencies;
3. Contains a timeline for implementing such measures;
4. Provides success indicators; and
5. Is developed in consultation with the teacher and his/her union representative.

Evaluation Training

The Superintendent or his/her designee, prior to any evaluation conducted under the teacher evaluation and support program, shall conduct training programs for all evaluators and orientation for all ARSD teachers regarding the ARSD's teacher evaluation and support program. Such training shall provide instruction to evaluators regarding how to conduct proper performance evaluations prior to conducting an evaluation under the teacher evaluation and support program. The orientation for each teacher shall be completed before a teacher receives an evaluation under the teacher evaluation and support program.

Personnel – Certified

Evaluation and Support Program

Implementation Plan

The Board recognizes that the State Board of Education (SBE) utilizes a flexible plan for the implementation of Connecticut's Educator Evaluation and Support System.

The submission of the ARSD's evaluation plans for the CSDE's review and approval, including flexibility requests, shall take place by annual deadlines set by the Connecticut State Department of Education.

Complementary Observers

The primary evaluator for most teachers will be the school principal or assistant principal who will be responsible for the overall evaluation process, including assigning summative ratings. ARSD may also decide to use complementary observers to assist the primary evaluator. Complementary observers are certified educators who may have specific content knowledge, such as department heads or curriculum coordinators. Complementary observers shall be fully trained as evaluators in order to be authorized to serve in this role.

Primary evaluators will have sole responsibility for assigning final summative ratings. Both primary evaluators and complementary observers must demonstrate proficiency in conducting standards-based observations.

Dispute Resolution Process

In accordance with the requirement in the "Connecticut Guidelines for Teacher Evaluation and Professional Development" in establishing or amending the local teacher evaluation plan, the Board shall include a process for resolving disputes in cases where the evaluator and teacher cannot agree on goals/objectives, the evaluation period, feedback, or the professional development plan.

When such agreement cannot be reached the issue in dispute may be referred for resolution to a sub-committee of the Professional Development and Evaluation Committee (PDEC). Per the ARSD Teacher Evaluation and Support Plan this sub-committee shall be comprised of the Director of Curriculum and Staff Development, President of the Amity Education Association (AEA) or designee, and two neutral people mutually selected by the Director of Curriculum and Staff Development and the President of the AEA. In the event the designated sub-committee does not reach a unanimous decision, the issue shall be considered by the Superintendent whose decision shall be binding. This provision is to be utilized in accordance with the specified processes and parameters regarding goals/objectives, evaluation period, feedback, and professional development contained in the document entitled "Connecticut Guidelines for Educator Evaluation."

Personnel – Certified

Evaluation and Support Program

Data Management

Annually ARSD's Professional Development and Evaluation Committee will review the user experiences and efficiency of the District's data management system/platform to be used by teachers and administrators to manage the evaluation plans.

Audit

The Board, if selected, will participate as required in an audit of its evaluation program conducted by the State Department of Education.

All teachers teaching in public schools at the elementary, middle, and high school levels (including special education teachers) must be determined to be an "effective educator," as defined in the Every Student Succeeds Act. To be determined an "effective educator" a teacher must meet state certification and licensure criteria.

The reauthorized Individuals with Disabilities Act (IDEA) identifies special education teachers as teachers who must demonstrate competency in the core academic subjects that they teach.

ARSD evaluates a teacher's subject-matter competency in the core academic content areas based on the Common Core of Teaching (CCT) using both of the following:

- A. foundational skills and competencies; and
- B. the discipline-based professional standards.

(cf. 4111 - Recruitment and Selection)

Legal Reference: Connecticut General Statutes
 10-145b Teaching certificates.
 10-151a Access of teacher to supervisory records and reports in
 personnel file.
 10-151b Evaluation by superintendent of certain educational personnel.
 (amended by PA 04-137, P.A.
 10-111, P.A. 12-116, PA 12-2 (June Special Session), PA 13-245, PA
 15-5 (June Special Session)
 10-151c Records of teacher performance and evaluation not public
 records.
 10-220a(b) In-service training. Professional development. Institutes for
 educators. Cooperative and beginning teacher programs, regulations.
 PA 11-135 An Act Concerning Implementation Dates for Secondary
 School Reform.

Personnel – Certified

Evaluation and Support Program

PA 12-116 An Act Concerning Education Reform (as amended by PA 13-145 An Act Concerning Revisions to the Reform Act of 2012.)
Connecticut Guidelines for Educator Evaluation, adopted by the State Board of Education, June 27, 2012.
Connecticut's System for Educator Evaluation and Development (SEED) state model evaluation system.
"Flexibility to Guidelines for Educator Evaluation" adopted by Connecticut State Board of Education, February 6, 2014
34 C.F.R. 200.55 Federal Regulations.
PL 114-95 Every Student Succeeds Act, §9213

Personnel – Certified

Evaluation of Coaches

There shall be an annual evaluation of all coaches, to be conducted by the Athletic Director or his/her designee. The purposes of evaluation are:

1. To provide a systematic process whereby coaches may increase the effectiveness of their services to the athletic program utilizing the available professional resources.
2. To provide an opportunity for coaches to analyze their strengths and weaknesses and to discuss objectively the contributions they have made to the athletic program.
3. To provide an opportunity for the administrative staff to analyze the strengths and weaknesses of individual coaches and to utilize this knowledge to develop supervisory service to assist individuals in developing their competence.
4. To provide an effective means by which administrators may make recommendations concerning the continued employment of personnel and/or other recommendations to the Board of Education (Board).

It is the responsibility of all administrators, coaches, and other professional staff members to recognize that the Amity Regional School District No. 5 (ARSD) schools intend to seek and maintain the best qualified staff to provide quality coaching for student athletes. In keeping with this goal, all personnel are expected to participate fully in the appraisal process. An integral part of this process is self-appraisal. The self and administrative appraisals include: knowledge of sports area, coaching skills and techniques, attitudes, behavior patterns, and values and ethics.

Any coach who has held the same coaching position for three or more years for which the Board terminates or non-renews the contract shall be informed of the Board's decision within ninety (90) days of the completion of the sport season covered by the contract. The coach may request a written statement from the Board specifying the reason(s) for the Board's action. The statement shall be provided within thirty (30) days of the request. The decision to terminate or non-renew the coach's contract may be appealed by the coach in a manner prescribed by the Board. The Board may terminate the contract of any coach at any time for reasons of moral misconduct, insubordination, or a violation of the rules of the Board or because a sport has been cancelled by the Board.

Legal Reference: Connecticut General Statutes
 [10-149](#) Qualifications for coaches of intramural and interscholastic athletic coaches (as amended by P.A. 13-41)
 [10-151b](#) Evaluation by superintendent of certain educational personnel
 [10-220a](#) In-service training
 [10-222e](#) Policy on evaluation and termination of athletic coaches (as amended by P.A. 13-41)
 P.A. 13-41 An Act Concerning Hiring Standards for Athletic Directors
 P.A. 02-243 An Act Concerning Notification in Cases of Termination of Coaches

Personnel – Certified

Administrative Leave/Non-Renewal/Suspension

Non-Renewal – Non-tenured Teachers

The contract for employment of a teacher who has not attained tenure may be terminated at any time for any of the reasons enumerated below:

- a. Inefficiency, incompetence, or ineffectiveness;
- b. Insubordination against reasonable rules of the Board of Education (Board);
- c. Moral misconduct;
- d. Disability as shown by competent medical evidence;
- e. Elimination of the position to which the teacher was appointed or loss of a position to another teacher in accordance with C.G.S 10—151(d)(5); or
- f. Other due and sufficient cause.

A teacher shall be deemed ineffective, if said teacher is rated with a holistic summative evaluation score of 0.0 to 2.0 for that specific academic year. Otherwise, the contract of such teacher shall be continued into the next school year, unless such teacher receives a written notice by May 1st in one school year that such contract will not be renewed for the following year.

Prior to obtaining tenure a certified employee's contract may be non-renewed, provided that the employee is notified in writing prior to May 1st by the Superintendent. A teacher so notified may request, no later than three (3) calendar days after such teacher receives such notice of non-renewal, a written statement of the reasons for non-renewal of the contract; and Amity Regional School District No. 5 (ARSD) will furnish such a statement no later than four (4) calendar days of the receipt of the request. The teacher may also file with the Board no later than ten (10) calendar days of receipt of the notice of non-renewal for a hearing before the Board or, if indicated in such request designated by the Board, before a single impartial hearing officer chosen by the teacher and the Superintendent. The hearing shall commence no later than fifteen (15) calendar days after receipt of such request, unless an extension not to exceed fifteen (15) calendar days is mutually agreed upon.

A teacher who has not attained tenure shall not be entitled to a hearing concerning non-renewal, if the reason for such non-renewal is either elimination of position or loss of position to another teacher. The Board shall rescind a non-renewal decision, only if the Board finds such decision to be arbitrary and capricious.

Personnel – Certified

Administrative Leave/Non-Renewal/Suspension

Non-Renewal – Tenured Teachers

The contract of employment of a teacher who has attained tenure shall be continued from school year to school year, except that it may be terminated at any time for one or more of the following reasons:

- a. Inefficiency, incompetence, or ineffectiveness;
- b. Insubordination against reasonable rules of the Board of Education;
- c. Moral misconduct;
- d. Disability, as shown by competent medical evidence;
- e. Elimination of the position to which the teacher was appointed or loss of a position to another teacher, in accordance with C.G.S 10—151(d)(5); or
- f. Other due and sufficient cause.

A tenured teacher shall in general be deemed ineffective if said teacher is rated with a holistic summative evaluation score of 0.0 to 2.0 for that specific academic year.

Suspension

A certified employee may be suspended by the Board for an alleged or actual violation of any of the reasons for termination in C.G.S. 10-151(c) or 10-151(d) when insufficient cause for dismissal is considered to exist or may be suspended pending Board or legal action for dismissal of the employee on charges of violation of one or more of said causes for termination. The Superintendent may suspend an employee pending Board action when, in the opinion of the Superintendent, continuation of the employee in the position presents a clear danger to the students, staff, property, or reputation of ARSD or to the employee.

Legal Reference: Connecticut General Statutes
 [10-151\(b\)](#) Employment of teachers. Definitions. Tenure, etc. (as amended by P.A. [12-116](#), An Act Concerning Educational Reform)
 [10-151\(c\)](#) Employment of teachers. (as amended by P.A. [11-136](#), An Act Concerning Minor Revisions to the Education Statutes.)
 PA 95-58 An Act Concerning Teacher Evaluations, Tenure and Dismissal.
 PA 97-247 An Act Concerning Revisions to the Education Statutes.
 Connecticut Guidelines for Educator Evaluation adopted by the State Board of Education, June 27, 2012
 Connecticut’s System for Educator Evaluation and Development (SEED)
 Shanbrom v. Orange Board of Education, 2 Conn. L. Rpts. 396, 398 (1990)
 Americans with Disabilities Act

Personnel – Certified/Non-Certified

Suspension

It is the policy of the Amity Regional School District No. 5 (ARSD) Board of Education (Board) to use due process and comply with relevant portions of the collective bargaining agreement when disciplining and/or dismissing employees.

Progressive Discipline

Staff members will be disciplined according to the severity and frequency of the conduct at issue. Discipline may be in the form of verbal reprimand, written reprimand, plan of assistance, or suspension depending on the circumstances of each case.

1. **Verbal Reprimand:** The administrator will hold a conference with the employee. He/she will outline the nature of the problem and listen to any comments from the employee. The administrator will indicate that compliance with specified procedures or cessation of certain conduct is required and future consequences, if directives are ignored.
2. **Written Reprimand:** The administrator will hold a conference with the employee. The employee may have a representative present. The administrator will outline the nature of the problem and listen to any comments from the employee or his/her representative. The administrator will indicate that compliance with specified procedures or cessation of certain conduct is required and future consequences, if directives are ignored. A "letter of reprimand" shall be written and placed in the employee's personnel file pursuant to provisions in Board policy or the collective bargaining agreement. Legal counsel is to be attained prior to the issuance of any written reprimand.
3. **Plan of Assistance:** Performance deficiencies may require a written plan of assistance to aid improvement. The plan of assistance will incorporate the following elements:
 - a. A written description of the problem or problems to be corrected;
 - b. The method or methods which will be used to correct the problem;
 - c. The length of time during which improvement or correction must occur; and
 - d. Frequency and type of supervision to be provided.

The administrator will hold a conference with the employee to discuss the plan. The employee may have a representative present. The administrator will explain the plan of assistance and listen to any comments from the employee or his/her representative. The plan of assistance will be implemented as written or modified and implemented as modified.

Personnel – Certified/Non-Certified

Suspension

Suspension without Pay

Employees may be suspended without pay as a disciplinary measure for misconduct detrimental to ARSD. Before invoking a suspension without pay the Superintendent will conduct a hearing to determine whether the facts warrant such a suspension. The employee may have a representative present at the hearing.

Following are examples of actions that are considered misconduct. This list is representative only and not to be considered inclusive:

- possessing, using, manufacturing, distributing, or dispensing any illegal drugs or alcohol while on duty on or off ARSD property;
- interfering with other employees in the discharge of their duties;
- fighting or deliberately harming another;
- disregard for the safety of a fellow employee or student;
- being absent without approval;
- refusing to follow a supervisor's instructions and directions (insubordination);
- destroying school property intentionally;
- using obscene language which is unsuitable in the school setting;
- possessing weapons on school property without proper authorization; and
- behaving in any inappropriate manner to the extent of adversely affecting the employee's ability to perform his/her work.

Suspension with Pay

The Board authorizes the Superintendent to suspend an employee with pay during an investigation into allegations of disobedience or misconduct whenever the employee's continued presence in his or her position would not be in the best interests of ARSD or pending a hearing to suspend a teacher without pay. The Superintendent shall meet with the teacher to present the allegations and give the teacher an opportunity to refute the charges. The teacher will be told the dates and times the suspension will begin and the conditions under which it will end.

The requirement of policy 5141.4 pertaining to allegations of child abuse by a school employee will be followed as it relates to suspension.

An employee may be suspended pending the outcome of a dismissal hearing.

(cf. 5141.4 - Reporting of Child Abuse, Neglect and Sexual Assault)

Personnel – Non-Certified

Evaluation/Supervision

The Amity Regional School District No. 5 (ARSD) Board of Education (Board) endorses a continuous process of evaluation of all employees of ARSD. It is the desire of the Board that all employees receive supervision to ensure that all aspects of their job assignments are properly and competently performed and the quality of service in the district is improved.

The Board endorses an annual written and oral evaluation with all employees of ARSD. To this end, the Board directs the Superintendent of Schools and/or his/her designee to use employee evaluation to ensure a high quality of services by employees.

Personnel – Non-Certified

Probationary/Continuing Contract Status

New employees shall be hired on a trial basis for a period of six calendar months, unless specified differently in a collective bargaining agreement. Upon evaluation by his/her immediate supervisor and the building administrator to which he/she is assigned, a recommendation to either retain or terminate employment shall be made to the Superintendent. The employee under consideration shall be informed of such decision by the Superintendent.

Personnel – Non-Certified

Dismissal/Suspension

Support staff dismissal procedures and employee terminations or suspensions are the responsibility of the Superintendent of Schools, or designee, and shall be in accordance with current state statutes and negotiated employee contracts and with appropriate consideration of an affected employee's constitutional and due process rights and protections.

(cf. [4214](#) Assignment/Transfer/Reassignment)
(cf.4118.[11](#) Nondiscrimination/Equal Employment Opportunity)
(cf.4118.[112](#) Sexual Harassment)
(cf. 4118.231 Alcohol, Drugs, and Tobacco)
(c.f. 4118.232 Drug-Free Workplace)