

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

December 18, 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
 - a. Policy Committee Meeting November 20, 2023
3. Public Comment
4. Review of revisions to Policies from November 20, 2030 Committee Meeting
 - a. 5131.81 (Use of Cell Phones and Other Electronic Communication Devices)
 - b. 6141.321 (Acceptable Use of Computers and Technology)
5. Discussion of Policies on Complaints About Staff
 - a. (Policies 4118.22; 4118.112/ 4218.112; 4115; 4115.3; 4117.4; 4117.41; 4215; 4216; 4217.4)
6. Discussion and Possible Action on Policies from the 5000 Series
 - a. Policy 5141.5 - Suicide Prevention/Suicide Attempts
 - i. Policy 1180 - Memorials For Deceased Students Or Staff
 - b. Policy 5141.6 - Crisis Prevention/Response
 - c. Policy 5142.1 - Relations with Non-Custodial Parents
 - d. Policy 5142.2 - Safety: Student Dismissal Precautions
 - e. Policy 5143.1 - Insurance
7. Discussion and Possible Action on Bylaw 9132 - Committees
8. Discussion and Possible Action on Policy 1110.1 - Communications with the Public; Parent Involvement
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."***

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

November 20, 2023 at 5:30 p.m.

25 Newton Road, Woodbridge, CT

District Office Conference Room

COMMITTEE MEMBERS PRESENT

Chairperson Christina Levere-D’Addio, Dr. Carol Oladele, Dr. Jennifer Turner, Donna Schuster, Samuel Bae (student representative)

COMMITTEE MEMBERS ABSENT

Amy Tirollo

STAFF MEMBERS IN ATTENDANCE

Dr. Byars

1. Call to Order

Chairperson Levere-D’Addio called the meeting to order at 5:36 p.m.

2. Approval of Policy Committee Meeting Minutes October 23, 2023

MOTION BY Dr. Turner to approve the Policy Committee Meeting Minutes October 23, 2023 as submitted.

VOTES IN FAVOR, 2 (Christine Levere- D'Addio, Dr. Jennifer Turner)

ABSATINED, 2 (Dr. Oladele, Donna Schuster)

MOTION CARRIES

3. Public Comment

None

4. Discussion and Possible Action on Feedback from First Read Policies from November 13, 2023 BOE Meeting

a. Policy 5141.231 - Administering Medication – Opioid Overdose Prevention

b. Policy 5141.3 - Health Assessments and Immunizations

MOTION BY Dr. Oladele to move both policies to the BOE for Second Read

VOTES IN FAVOR, 4 (UNANIMOUS)

MOTION CARRIES

PLEASE POST

PLEASE POST

5. Discussion of Policies 5131.81 (Use of Cell Phones and Other Electronic Communication Devices) and 6141.321 (Acceptable Use of Computers and Technology)
6. Discussion of Policies on Complaints About Staff (Policies 4118.22; 4118.112/ 4218.112; 4115; 4115.3; 4117.4; 4117.41; 4215; 4216; 4217.4)

Postponed until the December meeting

7. Discussion and Possible Action on Policies from the 5000 Series
 - a. Policy 5141.5 - Suicide Prevention/Suicide Attempts
 - i. Policy 1180 - Memorials For Deceased Students Or Staff
 - b. Policy 5141.6 - Crisis Prevention/Response
 - c. Policy 5142.1 - Relations with Non-Custodial Parents
 - d. Policy 5142.2 - Safety: Student Dismissal Precautions
 - e. Policy 5143.1 - Insurance

Postponed until the December meeting

8. Adjourn

Meeting adjourned by Dr. Jennifer Turner with no objection at 6:34 p.m.

Respectfully submitted,

Lisa Zaleski

Lisa Zaleski

BOE Recording Secretary

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.
- The required use of cell phone and/or other personal electronic devices for instructional purposes is prohibited. Alternative methods shall be provided for students who do not have access to a cell phone or who do not wish to use a personal device for the completion of school work.
- 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

Students

Use of Cell Phones and Other Electronic Communication Devices

confiscated and not returned until a parent conference has been held. Students violating 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 reveal that a law, Board policy, regulation or school rule has been violated. The search must be reasonable in scope. **Administrators shall notify parents/guardians without one (1) school day when such reasonable search is conducted.** 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

Students

Use of Cell Phones and Other Electronic Communication Devices

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)

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

Students

Use of Cell Phones and Other Electronic Communication Devices

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 (District) Board of Education (Board) 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 innovative 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.

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

Instruction

Acceptable Use of Computers and Technology

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.

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

Instruction

Acceptable Use of Computers and Technology

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.

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.

Instruction

Acceptable Use of Computers and Technology

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.

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

Instruction

Acceptable Use of Computers and Technology

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.
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

Instruction

Acceptable Use of Computers and Technology

the General Education Provisions Act, as amended, added by section 513 of PL93-568, 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)).

Students

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.

Students

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

Students

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)

Students

Suicide Prevention/Suicide Attempts

The Amity Regional School District No. 5 (District) Board of Education (Board) recognizes that suicide is a complex issue and that, while the school may recognize a potentially suicidal youth, it cannot make a clinical assessment of risk and provide in-depth counseling but must refer the youth to an appropriate place for such assessment and counseling. ~~Instead, the Board directs school staff to refer students who may be at risk of attempting suicide to an appropriate community agency for professional assessment, counseling, and treatment outside of the school.~~

The Board of Education recognizes the need for ~~suicide prevention procedures and will establish program(s) to identify risk factors for suicide among our students, procedures to intervene with such students, referral services and training for teachers, other school professionals and students to provide assistance in these programs.~~

~~The Board directs all school personnel to be alert to the student who exhibits signs of potential self-destruction or who threatens or attempts suicide.~~

~~Any school employee who may have knowledge of a suicide threat, attempt, or ideation must take the proper steps to immediately report this information to building administration and/or appropriate building mental health staff (School Counselor, School Psychologists, and/or School Social Worker).~~

~~Any school employee who may have knowledge of a suicide threat or attempt must take the proper steps to report this information to the building Principal or his/her designee who will, in turn, notify the appropriate school officials, the student's family and appropriate resource services.~~

~~In addition, information regarding the 988 crisis line should be made widely available in schools and district offices. The Board shall include the 9-8-8 National Suicide Prevention Lifeline number on the student identification card distributed to each student in grades seven to twelve.~~

Legal Reference: Connecticut General Statutes

~~10-221(e) Boards of education to prescribe rules, policies, and procedures.
(e) re “policy and procedures for dealing with youth suicide prevention and youth suicide attempts.”~~

~~10-222x Inclusion of 9-8-8 National Suicide Prevention Lifeline number on student identification cards.~~

Community Relations

Memorials for Deceased Students or Staff

~~From time to time requests are made to honor a deceased student or employee of the Amity Regional School District. Recognizing that the loss of a member of the school community is deeply felt, our schools provide support for staff, students and families who feel the loss, and assist with connections to appropriate community resources.~~

The Amity Regional School District No. 5 (District) recognizes the far-reaching impact a student's or staff member's death may have on other students, staff, families and the community. The District believes that remembrance of a student or staff member whose life ended during his/her years in the School District should be consistent and equitable from case to case, and considerate of the grief process of family, friends, and coworkers, and in accordance with Board policy. Further, the District recognizes that decisions made about memorials immediately after traumatic events may not take into full consideration the potential impacts to students, staff, and community members. Memorials set a precedent for the future and need to be equitable. The purpose of this policy is to assist staff, students, and families affected by a death by providing guidelines for decision-making regarding memorials and memorialization activities.

Memorial gifts/fund raisers organized in school must have the consent of the school administration and any other consent as required by District policies and/or procedures. The District's established processes and procedures for fund raisers should be followed. Students and staff may be given direction as to what is appropriate as a memorial. Suggested memorials include a blood drive, partnering with local nonprofit organizations and related activities, or establishing a scholarship. It is required that the family of the deceased student or staff member should also provide consent before engaging in the activity.

The preferred method for memorializing a deceased member of the school community is by means of a memorial scholarship. Criteria for the memorial scholarship may be developed by the individual or group wishing to honor the deceased member of the community. Criteria shall be finalized in consultation with the high school Principal and the Director of Counseling Services. Memorial scholarship awardees shall be selected solely by the high school scholarship committee following the criteria established. Individuals or groups conveying the scholarship shall be invited to present the scholarship to the selected student(s) at the appropriate awards event.

Physical memorials are not encouraged.

Students

Crisis Prevention/Response

The **Amity Regional School District No. 5 (District)** recognizes that schools are subject to a number of potentially disruptive events. These events include major crises. No school is immune no matter the size or location. The challenge, however, is to protect students as much as possible ~~in an increasingly violent world~~. While the very nature of a crisis may make preparation difficult, the Board of Education (Board) believes that staff and students should be ready to respond quickly and appropriately to emergency situations. The Board recognizes that all District staff and students must be prepared to respond quickly and responsibly to emergencies, disasters, and threats of disaster. Being prepared for crises can enhance the district's effectiveness in responding to smaller incidents.

Although there is no guarantee that a district (school) will ever be completely safe from crisis, the district will take the appropriate security measures to **provide a safe, orderly, civil, and positive learning environment for students, staff, and visitors**, ~~lessen the chances of violence occurring on school grounds~~, including development, implementation, and regular updating of a **comprehensive** crisis/emergency management plan. **Such plans shall be based on the school security and safety plan standards and the accompanying School Security and Safety Plan Template developed by the Department of Emergency Services and Public Protection, pursuant to section 86 of PA 13-3.**

In developing the District and school security and safety plans, the Superintendent or their designee shall collaborate closely with law enforcement, fire and emergency services personnel and community partners, including public health and mental health professionals who can assist with the development of a plan that addresses a wide range of crises.

The Superintendent or their designee shall also develop and maintain emergency plans for each school site, with the cooperation of the school's security and safety committee.

The Board shall annually, by November 1st of each year, submit the school security and safety plan for each school to the Department of Emergency Services and Public Protection, via submission to the District's DEMHS Regional Coordinator in the manner prescribed by said agency.

The Board shall grant the use of school buildings, grounds, and equipment to public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The Board shall cooperate with such agencies in furnishing and maintaining whatever services they deem necessary to meet the community's needs.

Legal References: Connecticut General Statutes

10-154a Professional communications between teacher or nurse and student.

10-207 Duties of medical advisors.

10-209 Records not to be public.

10-210 Notice of disease to be given parent or guardian.

Students

Crisis Prevention/Response

10-221e Boards of education to prescribe rules.

10-222m - School security and safety plans. School security and safety committees

10-222n - School security and safety plan standards

19a-221 Quarantine of certain persons.

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

PA 13-3 An Act Concerning Gun Violence and Children's Safety

The Family Educational Rights and Privacy Act of 1974, (FERPA), 20 U.S.C. 1232g, 45 C.F.R. 99.

Students

Relations with Noncustodial Parents

The Amity Regional School District No. 5 (District) Board of Education (Board), unless informed otherwise, assumes that there are no restrictions regarding the noncustodial parent's right to be kept informed of the student's school progress and activities. If restrictions are made relative to these rights, the custodial parent will be required to submit a certified copy of the court order to the superintendent which curtails these specific rights.

Unless there are specific court-imposed restrictions, such as a final divorce decree which includes specific denial of visitation rights or a restraining order denying such rights, the noncustodial parent, upon written request **and in accordance with Board of Education records policies 5124 and 5125** may view the student's educational, medical, or similar records maintained in such student's cumulative record, receive school progress reports, visit the child briefly at school, and have an opportunity to conference with the student's teacher(s).

In addition, upon written request to the child's school principal, the school will subsequently and routinely mail to the parent making the request copies of all school information which is normally sent home with the child. This will include mailings of copies of report cards and class and school newsletters during the school year in which the request is made. Noncustodial parents and parents with shared custody not normally receiving materials from the school may annually request this service.

The Board of Education presumes that the person who enrolls a student in school is the student's custodial parent. Further, the parent with whom the student resides is known as the custodial parent unless a legal document or signed parental agreement indicates otherwise. Verification may be required from the custodial parent.

While both parents can visit the student at school, only the custodial parent has the right to remove the student from school property. Only a verified note from the custodial parent will be cause for exception to this provision. If school personnel anticipate a possible student abduction, law enforcement personnel are to be notified immediately.

The custodial parent has the responsibility to keep the school office informed as to the address of residence, in a manner determined by the school, and how he/she may be contacted at all times. Any legal documents which restrict the rights of the noncustodial parent must be provided by the custodial parent and updated annually.

(cf. 5113.2 - Attendance and Excuses) (cf. 5118 - Nonresident Students)

(cf. 5124 - Reporting to Parents)

(cf. 5125/5125.1 - Student Records/Confidentiality) (cf. 5142.2 - Student Dismissal Precautions)

Legal Reference: Connecticut General Statutes

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

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

Federal Family Educational Rights and Privacy Act of 1974

Policy Revised:

AMITY REGIONAL SCHOOL DISTRICT NO.5
Woodbridge, Connecticut

Students

Relations with Noncustodial Parents

Department of Education 34 C.F. R. Part 99 (May 9, 1980 45FR 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.

Students

Safety: Student Dismissal Precautions

The school district is legally responsible for the safety of its students during the school day. Therefore, each building Principal will establish procedures to validate requests for early dismissal, to assure that students are released only for proper reasons, and only to authorized person(s).

Staff members shall not excuse any student from school prior to the end of the school day, or into any person's custody without the direct prior approval and knowledge of the building Principal or ~~his or her~~ **their** designee.

In keeping with these precautions, the following procedures will be adhered to:

- The building Principal or designee shall not excuse a student before the end of the school day without a request for early dismissal by the student's **custodial** parent or guardian.
- Telephone requests for early dismissal of a student shall be honored only if the caller can be positively identified as the student's **custodial** parent or guardian.
- ~~Children of single parent families will be released only upon the request to the custodial parent; i.e., the parent whom the court holds directly responsible for the child, and who is identified as such on the school record.~~
- **Only the custodial parent has the right to remove the student from school property. Only a verified note from the custodial parent will be cause for exception to this provision.**
- Students are only released (Middle School) to responsible adult upon signing the student out.

Additional precautions may be taken by the school administration, appropriate to the age of students, and as needs arise. Parents shall provide documentation concerning parental rights, including divorce decrees and restraining orders, if any.

Students

Insurance

The Board of Education will provide students with opportunity to participate at low cost in an accident insurance program, providing medical **and/or dental** coverage of at least \$10,000 per student. Coverage includes all school supervised activities and **school-sponsored extracurricular activities** at school or elsewhere, with the exception of interscholastic sports, and travel to and from school and on school-sponsored trips.

Coverage for Participants in Interscholastic Sports

The Board of Education will pay the cost of accident insurance for all participants in interscholastic athletic programs.

Bylaws of the Board

Committees

The Board of Education (Board) shall act as a committee of the whole on all matters coming before it except that committees may be created by vote of the Board for the consideration or investigation of certain matters, or for the performance of certain Board functions.

1. Committees

a. Standing Committees

The Board may create standing committees. Any standing committee shall remain in effect indefinitely or until such time as the committee is abolished by the Board.

b. Ad Hoc Committees

Ad hoc committees may be established by the Board with a fixed objective and for a limited period of time. The Board shall take formal action to dissolve such committees when their stated purposes have been carried out and/or the services of the committee are no longer required.

2. Scope of Authority

A committee's only authority is to make recommendations to the Board regarding matters that have been referred to it, unless the Board specifically authorizes otherwise; however, the Board cannot delegate the powers granted it under the State Statutes to such committees.

3. Committee Membership

The Board Chairperson shall appoint the members of all committees, and the Board Chairperson shall also appoint a Chairperson for each committee. The Board Chairperson may serve as ex-officio member of any standing or ad hoc committee. As ex-officio, the Chairperson can vote but cannot count as part of a quorum.

The Board Chairperson is empowered to appoint alternate member(s) to each committee. When performing the duties of an absent committee member, the alternate(s) shall count as part of a quorum. Alternate(s) may perform all the duties, including motioning and voting, of a committee member in the absence of an assigned committee member. Alternate(s) may not vote on action items if a quorum of assigned committee members are present. Alternates may not serve as Chair of the committee in the absence of the Chair.

4. Meetings and Reports

- a.** Meetings of committees shall be posted as required by the Freedom of Information Act. Minutes of each posted committee meeting shall be prepared.

Bylaws of the Board

Committees

- b. Committees shall submit their recommendations and/or reports at meetings of the Board.

5. Electronic Committee Meetings

The Board recognizes that due to the schedule, time, frequency and content of committees, committee meetings may be best accomplished through a meeting by electronic means. The decision to conduct a committee meeting electronically shall be determined by mutual consensus between the committee chair and the school personnel who serve on the committee. In the event that a committee meets by electronic means, the following shall be adhered to:

- a. All members of the committee shall meet by electronic means. A hybrid meeting is not permissible.
- b. Committee members shall make every attempt to participate through a technology portal where they can be viewable, or at a minimum heard, by each other and members of the public.
- c. Notice of the committee meeting's virtual location shall be published through the traditional means and outlets as well as being noticed on the District (ARSD) website and in the Board of Education Office no less than 48 hours in advance.
- d. ARSD shall post the agenda for the committee meeting no later than 24 hours in advance for review and reference by members of the public. The agenda will also be posted on the ARSD website.
- e. The live public comment portion of the committee meeting shall be temporarily suspended during an electronic meeting. However, members of the public can submit their comments to be added to the public record by emailing the Clerk of the Board of Education prior to 2:00 pm on the day of the meeting. These comments will be summarized by the Committee Chairperson in the place so designated in the agenda for the meeting. The public may also email the Clerk of the Board by 2:00 pm on the day of the meeting and request to speak during public comment as noted on the agenda. Those members of the public making such request will be provided with the information necessary to join the meeting electronically to provide public comment.
- f. ARSD shall provide any member of the public with a physical location and the electronic equipment needed to attend a fully remote meeting in real-time. Members of the public must request this provision by emailing the Clerk of the Board of Education by the close of the last business day before the day of the fully remote meeting.

Bylaws of the Board

Committees

- g.** When a committee meeting is conducted by electronic means, a recording of the meeting with video, in addition to minutes, will be posted. These recordings will not stand as the minutes; only the written record as approved will do so.
- h.** The Board shall take the steps necessary for the public to view electronic committee meetings and proceedings in real time.
- i.** Executive session will not be conducted during an electronic committee meeting.

(cf. 9131 – Committee of the Whole)

(cf. 9132.2 – Amity Finance Committee)

(cf. 9312 – Time, Place, and Notification of Meetings)

Legal Reference: Connecticut General Statutes

1-200 through 1-241 of the Freedom of Information Act 1-200 Definitions
1-225 Meetings of government agencies to be public

Community Relations

Communications with the Public

Parental Involvement

The Amity Regional District No. 5 (ARSD) Board of Education (Board) recognizes that a child's education is a responsibility shared by the school and family during the entire period the child spends in school. To support the goal of ARSD to educate all students effectively the schools and parents must work as well informed partners.

Although families are diverse in culture, language, and needs, they share ARSD's commitment to the educational success of their students. ARSD and its schools, in collaboration with parents, shall establish programs and practices that enhance parent involvement and reflect the specific needs of students and their families.

To this end ARSD Board supports the development, implementation, and regular evaluation of a parent involvement program in each school that will involve parents at all grade levels in a variety of roles. Such parent involvement policies will include, but not be limited to, the following components:

- Communication and shared information between home and school is regular, two-way, and meaningful.
- Parents are welcome in the school, and their support and assistance are sought.
- Input from parents on significant school-related issues is sought.
- Parents are informed as to how they can assist in their children's learning.
- Community resources are available to strengthen school programs, family practices, and student learning.
- The two required parent-teacher conferences per year, beginning July 1, 2021 and each school year thereafter, can be fulfilled by ARSD offering parents the option of attending any parent-teacher conference by the use of telephonic, video, or other conferencing platforms.
- An additional parent-teacher conference, in addition to the two required conferences, shall be conducted during periods when ARSD provides remote learning for more than three consecutive weeks and one additional parent-teacher conference every six months thereafter for the duration of such period of remote learning.
 - ARSD will request from the parent/guardian of each student the name and contact information of an emergency contact person who may be contacted, if the student's parent/guardian cannot be reached to schedule a parent-teacher conference required when ARSD is providing remote learning for a period of three consecutive weeks or more.
 - In situations in which the teacher is unable to contact a student's parent/guardian after three attempts to schedule the required parent-teacher conference during a period of remote learning provided by ARSD for three consecutive weeks or more, such teacher is directed to report such inability to the principal, school

Community Relations

Communications with the Public

counselor, or other school administrator designated by the Board. Such principal, counselor, or administrator is to contact the student's emergency contact to determine the student and family's health and safety.

By December 1, 2021 the Board shall utilize the document developed by the State Department of Education that provides information concerning educational, safety, mental health, and food insecurity resources and programs available to students and their families.