

Hampton Board of Education

STUDENTS

5000 SERIES

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REPORTING TO PARENTS

The Board of Education encourages regular and effective two-way communication between parent and teacher through frequent and varied reporting methods. Parent-teacher conferences, letters and informal notes, telephone calls to parents, and school visitation should be used regularly, among other means, to inform parents of student successes and student needs and to inform teachers of parent concerns about, suggestions for, and perceptions of their children which may help the teacher in his or her work with particular children.

1. Report Card. Written reports on student progress will be issued in accordance with a schedule approved by the superintendent of schools after consultation with Principals and faculties. Reporting dates shall be determined annually and placed on the school calendar. Parents will be advised no later than the penultimate reporting period of a student's potential failure in a course or grade and the possibility of the student repeating the grade or course.

Report cards should reflect the educational growth of the student in relationship to each student's ability, attitudes, interests, conduct or citizenship, and achievement and in relationship to standards for his/her age and grade.

Teachers also will report on student progress at regularly scheduled parent conferences.

2. Warning Notices. Student progress reports to parents/guardians should be sent as needed between marking periods — not only to indicate student failure but also to note deficiencies needing attention — or special student achievement. Parental acknowledgment of these communications should be encouraged.

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. Noncustodial parents shall receive written reports and conference notifications upon a request to the school principal.

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 noncustodial parent.

Tentative Approval: 06/13/07

Final Approval: 07/11/07

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STUDENT RECORDS; CONFIDENTIALITY

Educational records, defined as records directly related to a student, will be kept for each student and will reflect the physical, emotional, social and academic aspects of a student's development in the educational process.

The Board of Education recognizes the need to comply with the legal state and federal requirements regarding the confidentiality, access to and amendment of student records. The procedures for the confidentiality of student records shall be consistent with federal statutes, including the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, and its implementing and revised regulations, The No Child Left Behind Act of 2001, and the Connecticut General Statutes.

Safeguards shall be established by the school administration to protect the student and the student's family from invasion of privacy in the collection, maintenance and dissemination of information, and to provide accessibility to recorded information by those legally entitled thereto. Access to inspect or review a student's educational record or any part thereof may include the right to receive copies under limited circumstances.

For the purposes of this policy:

"Parent" means a natural parent, an adopted, or a legal guardian or an individual acting as a parent in the absence of a parent or guardian. If parents are divorced or legally separated the parent granted custody and the parent not granted custody of a minor child both have the right of access to the academic, medical, hospital, or other health records of the child, unless a court order prohibits access. Whenever a student has attained the age of 18 years or is attending an institution of post-secondary education, the permission or consent required of, and the rights accorded to, the parents or guardians of the student shall thereafter only be required of, and accorded to, the student.

"Student" means an individual who is or has been "in attendance" in person at an educational agency or institution for whom education records are maintained. It also includes those situations in which students "attend" classes but are not physically present, including attendance by videoconference, satellite, Internet, or other electronic information and telecommunication technologies.

"Student record" means any item of information directly related to an identifiable student, other than directory information, which is maintained by a school district or required to be maintained by an employee in the performance of his/her duties whether recorded in handwriting, print, computer media, video or audio tape, film, microfilm and microfiche. Student records include information relative to an individual student gathered within or without the school system and maintained within the school system, regardless of the physical form in which it is maintained. Any information maintained for the purpose of review by a second party is considered a student record. Records that pertain to an individual's previous attendance as a student are "education records" under FERPA regardless of when they were created or received within the school system. Shall not include informal notes related to a student compiled by a school officer or employee which remain in the sole possession of the maker and are not accessible or revealed to any other person except a substitute. Records of the law enforcement unit of the District or school are not considered student records.

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"Law Enforcement Unit" means an individual office, department, division, or other component of an education agency or institution that is officially authorized or designated by that agency or institution to (1) enforce laws or refer matters of law enforcement to appropriate authorities, or (2) maintain the physical security and safety of the agency or institution.

"Substitute" means a person who performs the duties of the individual who made the notes on a temporary basis, and does not refer to a person who permanently succeeds the maker of the notes in his or her position.

"School Official" means a person employed by the District as an administrator, supervisor, instructor, or support staff member, including health or medical staff and law enforcement unit personnel, a person serving on the Board of Education, a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist), or a parent or student serving on an official committee such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks.

"Authorized Representative" means any entity or individual designated by a state or local educational authority or an agency headed by an official listed in §99.31(a)(3) to conduct with respect to Federal or State-supported education programs, any audit or evaluation, or any compliance or enforcement activity in connection with Federal legal requirements that relate to these programs.

"Education Program" means any program that is principally engaged in the provision of education, including, but not limited to, early childhood education, elementary and secondary education, postsecondary education, special education, job training, career and technical education and adult education, and any program that is administered by an educational agency or institution.

"Early Childhood Education Program" means a Head Start program, a state licensed or regulated child care program, or a program that serves children from birth through age six that addresses the children's cognitive, social, emotional and physical development and is a (i) state prekindergarten program; (ii) a program authorized under the Individuals with Disabilities Education Act; or (iii) is a program operated by a local educational agency.

"Directory Information" means information contained in a student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information includes, but is not limited to, one or more of the following items: parent's name and/or e-mail address, student's name, address, telephone number, date and place of birth, major field(s) of study, participation in officially recognized activities and sports, photographic, computer and/or video images, grade levels, electronic mail address, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous public or private school attended by the student.

A student's social security number or student ID number is prohibited from designation as directory information. However, student ID numbers and other electronic personal identifiers used to access or communicate in electronic systems may be disclosed only if the identifier is not used by itself to authenticate identity and cannot be used to gain access to education records.

A student's ID number or other unique personal identifier that is displayed on a student ID badge is considered directory information, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user.

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The Superintendent shall be responsible for ensuring that all requirements under federal and state statutes shall be carried out by the district. He / She will develop procedures (administrative regulations) providing for the following:

1. Annually informing parents of their rights.
2. Permitting parents to inspect and review educational records, including, at least, a statement of the procedure to be followed by a parent or eligible student who requests to inspect and review the educational records, with an understanding that the procedure may not deny access to educational records; a description of the circumstances in which the district feels it has a legitimate cause to deny a request for a copy of such records; a schedule of fees for copies; and a listing of the types and locations of education records maintained by the school and the titles and addresses of school officials responsible for those records.
3. Not disclosing personally identifiable information from a student's education records without the prior written consent of the student's parent, except as otherwise permitted by administrative regulations; including at least a statement of whether the school will disclose personally identifiable information from the records to other school officials within the school who have been determined by the school to have legitimate educational interests, and, if so, a specification of the criteria for determining which parties are "school officials" and what the school considers to be a "legitimate educational interest"; and a specification of the personally identifiable information to be designated as directory information.
4. Maintaining the record of disclosures of personally identifiable information from a student's education records and permitting a parent to inspect that record.
5. Providing a parent with an opportunity to seek the correction of the student's education records through a request to amend the records or a hearing, and permitting the parent or an eligible student to place a statement in the education records of the student.
6. Guaranteeing access to student records to authorized persons within five days following the date of request.
7. Assuring security of student records.
8. Enumerating and describing the student records maintained by the school system.
9. Annually informing parents under what conditions that their prior consent is not required to disclose information.
10. Ensuring the orderly retention and disposition, per applicable state statutes, of the district's student records.
11. Notifying parents annually of the District's policy on the collection or use of personal information collected from students for the purpose of marketing or selling that information or otherwise providing that information to others for that purpose, including arrangements to protect student privacy that are provided by the agency in the event of such collection, disclosure or use.

Legal Reference: Connecticut General Statutes

- 1-19(b)(11) Access to public records. Exempt records.
- 7-109 Destruction of documents.
- 10-15b Access of parent or guardians to student's records.
- 10-154a Professional communications between teacher or nurse & student.
- 10-209 Records not to be public.
- 10-221b Boards of education to establish written uniform policy re: treatment of recruiters.
- 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.

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Connecticut Public Records Administration Schedule V Disposition of Education Records (Revised 1983).

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).

Dept. of Educ. 34 C.F.R. Part 99 (May 9, 1980 45 FR 30802) regs. implementing FERPA enacted as part of 438 of General Educ. provisions act (20 U.S.C. 1232g) parent and student privacy and other rights with respect to educational records, as amended 11/21/96, and Final Rule 34 CFR Part 99, December 9, 2008)

USA Patriot Act of 2001, PL 107-56, 115 Stat. 272, Sec 507, 18 U.S.C. §2332b(g)(5)(B) and 2331

Owasso Independent Sch. Dist. No.1-011 v. Falvo, 534 U.S.426 (2002)

PL 112-278 "The Uninterrupted Scholars Act"

Presented: 09/27/17

Approved: 10/25/17

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HEALTH/MEDICAL RECORDS

When applicable, District schools will comply with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) to maintain the privacy of protected health information that it receives, obtains, transmits or sends. The Board of Education designates the School Nurse as its HIPAA Privacy Officer.

Student education records, including personally identifiable health information, maintained by the District is subject to and protected by the Family Educational Rights and Privacy Act (FERPA). Both the United States Department of Health and Human Services and the United States Department of Education Family Policy Compliance Office have stated that student records under FERPA are not subject to HIPAA. Therefore, District schools will comply with FERPA's confidentiality provisions rather than HIPAA's.

The District will seek Medicaid eligibility information to determine if services to a student may be billed. Bills will be processed electronically for Medicaid reimbursement for qualified services to eligible special education students. The District will comply with HIPAA's electronic transactions requirements. Procedures and safeguards will be developed to protect the privacy of health information and prevent wrongful user and disclosure. At a minimum, the policy and procedure for student records will comply with the Family Educational Rights and Privacy Act of 1974 (FERPA) with assurances that the District has obtained authorization from the parent or adult student prior to the release of protected health information for the purpose of Medicaid billing. Individuals involved in the Medicaid billing process for the District shall be trained on the privacy procedures. Discipline shall be imposed, up to and including discharge, for staff that wrongfully uses or discloses protected health information.

(cf. 3231 - Medical Reimbursement for Special Education Students)

(cf. 5125 - Student Records; Confidentiality)

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.

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

46b-56 (e) Access to Records of Minors.

Connecticut Public Records Administration Schedule V - Disposition of Education Records (Revised 1983).

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

USA Patriot Act of 2001, PL 107-56, 115 Stat. 272, Sec 507, 18 U.S.C. §2332b(g)(5)(B) and 2331

PL 107-110 "No Child Left Behind Act of 2001" Sections 5208 and

42 U.S.C. 1320d-1320d-8, P.L. 104-191, Health Insurance Portability and Accountability Act of 65 Fed. Reg. 50312-50372

65 Fed. Reg. 92462-82829

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63 Fed. Reg. 43242-43280

67 Fed. Reg. 53182-53273

Tentative Approval: 12/17/2008

Final Approval: 01/22/2009

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AWARDS FOR ACHIEVEMENT

The Board of Education encourages the professional staff to maintain a set of criteria and procedures for presenting awards to students for scholarship and distinguished service in school activities. The Superintendent or designee shall oversee the development of staff guidelines for review and approval of proposed trophies, prizes, scholarships, or other awards from non-school donors.

The relationship between awards and relevant goals of the schools should be clear, and approval of student achievement awards from outside the school shall require affirmative answers to at least the following questions:

1. Is the proposed award free from inappropriate personal or corporate gain and/or publicity?
2. Are criteria for the award established by the professional staff or acceptable to the staff?
3. Are the purposes, either implied or explicit, of the proposed award consistent with the goals of district schools?

Tentative Approval: 06/13/07

Final Approval: 07/11/07

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GRADUATION CEREMONY

There shall be only one district graduation ceremony upon completion of grade twelve in the high school. All other exercises upon student completion of elementary and middle school grades shall be referred to by another name.

Any student who has fulfilled Board of Education graduation requirements from the high school shall be granted a diploma, however participation in graduation exercises may be dependent upon his or her satisfying financial obligations to the school district.

(cf. 6141.5 Advanced College Placement)

(cf. 6146 Graduation Requirements)

Tentative Approval: 06/17/2007

Final Approval: 07/11/2007

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CONDUCT AT SCHOOL AND ACTIVITIES

Areas of Responsibility for Student Conduct and School Discipline

The ultimate goal of all student discipline is cultivation, or development of appropriate self-discipline in each student; direct staff responsibilities in pursuit of this goal include the following:

1. Certified staff. Teachers, administrators, and other certified staff are responsible for the proper conduct and control of students while they are under the supervision and jurisdiction of the particular school and the school district.
2. Principal. Principals may implement necessary procedures and school rules and regulations on student behavior consistent with Board of Education policies. Principals may involve representatives from school personnel, students, parents, and citizens of the community in developing standards, specific rules and regulations, and procedures for student conduct at school and in out of school activities.
3. Teachers. Teachers are responsible for proper and adequate control of students and for student instruction on rules and regulations of proper conduct. Teacher responsibility and authority extends to all students of the school district under the assigned supervision of the teacher and to other students with whom the teacher comes into contact throughout his or her work day.
4. Support Staff. Instructional and other aides, custodians, secretaries and clerks, cafeteria employees, bus drivers, and other non-certified staff are responsible for appropriate reporting of inappropriate student behavior and actions to teachers and administrators and for intervention and necessary action in the absence of certified staff to preserve personal safety of other students, staff, and to safeguard school district property.
5. Parents. Parents are expected to cooperate with and to support school authorities on the behavior and discipline of their children. Parents shall be held responsible for willful misbehavior of their children and for any destructive acts on school property.

Student Behavior

Students shall be properly instructed in rules and regulations of acceptable conduct and are responsible for understanding and complying with school and school district standards of behavior. Any student who fails to comply with these rules and regulations concerning student behavior may be liable to suspension, exclusion, or expulsion.

Publication to Parents/Guardians of Behavior Code

The Superintendent of Schools shall, at the beginning of each school year, notify parents/guardians of district policies, and regulations on student discipline and shall insure that the Principal in the school communicates these policies and regulations to students at the beginning of each school year as well as to transfer students at the time of their enrollment in the school through the Handbook.

(cf. 5114 Suspension/Expulsion/Exclusion/Removal) (cf. 5131.5 Vandalism)

Legal Reference: Connecticut General Statutes
52-572 Parental liability for torts of minors. Damage defined.

APPENDIX

Provision of an Alternative Educational Opportunity for Eligible Expelled Students

Options for Alternative Educational Opportunity

The District shall provide an alternative educational opportunity for eligible expelled students by exercising one of the following two permissible options.

1. Enroll the student in an alternative education program which is compliant with requirements for such programs, including the length of school year and number of hours, with an individualized learning plan IF the district provides such alternative education, (use of this option requires the alternative education program to comply with C.G.S. [10-74j](#) which requires adherence to C.G.S. [10-15](#) and [10-6](#) requiring a minimum of 180 days and 900 hours of actual school work per year) and the program is appropriate for the student. OR
2. Provide the student with an alternative educational opportunity in accordance with the State Board of Education (SBOE) adopted standards, including through an alternative education program offered by another school district or operator. (A standard program for its alternative educational opportunity providing such program meets the other requirements of the Standards, including the individualized learning plan.)

1. State Department of Education (SDE) Positions to Consider

1. In order to properly implement the provision of an alternative educational opportunity to expelled students, whether the District implements option #1 or #2 above, the District must comply with the SBOE adopted (1/3/18) Standards.
2. SDE "expects that, in most cases, school districts will determine that enrollment in an alternative education program...is the appropriate alternative educational opportunity" for an expelled student. Such an alternative education program could be operated by the local district or another provider.
3. There may be "unusual cases" where placement in an alternative education program may not be appropriate or available.
4. The alternative educational opportunity must be "full-time" and "comprehensive," and such opportunity for learning is comparable to a regular school setting. (This provides the district that does not provide placement for the expelled student in alternative educational program some flexibility in developing an alternative educational opportunity that provides comparable learning opportunities for the expelled student without dictating a certain number of minimum instructional hours, but, per the Standards, must be "full-time" and "comprehensive.")

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5. Assignment to homebound instruction will not satisfy the "Guiding Principles" of the Standards.

Requirements of Standards for Alternative Educational Opportunities for Students Who Have Been Expelled

Guiding Principles

Consistent with the Guidelines for Alternative Education Settings, these standards are grounded in the conviction that alternative educational opportunities for students who have been expelled should exhibit the following characteristics:

- whole student approach that addresses the personal, social, emotional, intellectual, work skills, safety, and security needs of all students in addition to academic content (including the Connecticut Core Standards);
- full time, comprehensive experience, where the learning is comparable to what the student would experience in a regular school environment;
- instruction that is based on a curriculum aligned to the Connecticut Core Standards unless modified as indicated by goals and objectives of an Individualized Education Program (IEP);
- high expectations that are consistent with LEA goals and Connecticut state standards including the belief that all students are capable and can be successful regardless of their discipline history; and
- research/evidence-based practices with student success in mind including the engagement of parents/guardians and families as well as community partners, as appropriate.

These principles are unlikely to be satisfied by assignment to homebound instruction.

Requirements of Standards for Alternative Educational Opportunities for Students Who Have Been Expelled

The SBOE adopted Standards for Alternative Educational Opportunities require the District to:

1. Provide a full time, comprehensive alternative educational opportunity, with a focus on an opportunity for learning that is comparable to those in a regular school setting.
2. Notify parents/students at the time of expulsion of the right to apply for early readmission, which can be granted at the discretion of the Board of Education or the Superintendent, if the Board delegates this authority to the Superintendent (C.G.S. [10-233\(j\)](#)). (The criteria for early readmission should be recorded in the individualized learning plan (ILP)).

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3. Meet with parents/guardians prior to placement to provide information about potential alternative educational opportunities and a placement meeting to finalize such placement. (Such meeting can take place directly after the expulsion hearing.)
4. Consult with relevant school personnel knowledgeable about the student's academic, social and behavioral history to help in the determination of an appropriate alternative educational opportunity.
5. Involve the PPT for expelled special education students who are determined to have educational programming and placement during the period of expulsion in accordance with the Individuals with Disabilities Act (IDEA).
6. Develop an Individualized Learning Plan (ILP) to address:
 - Information pertaining to the student's academic and behavioral needs and appropriate academic and behavioral goals and interventions including the core classes and current placement or progress in the curriculum of those classes at the time of expulsion.
 - Benchmarks to measure progress towards the goals and progress towards graduation. (This will include monitoring attendance, work completion, and progress toward meeting the coursework's academic standards.)
 - Reviewing the student's progress and communicating that progress to parent/guardian or student. (What would be done for students generally.)
 - Transfer of records to/from the alternative educational provider and the school from which the student was expelled.
 - Language pertaining to the possibility of early readmission to the school from which the student was expelled.
7. Monitor progress of student performance and placement. (This must be done and documented at least once per marking period, review of the student's ILP and make any needed adjustments.)
8. Adopt procedures to address a student's transition from an alternate educational opportunity to the student's regular school. (The criterion for readmission is the completion of the expulsion period.)

Procedural Steps to be taken by District following the Expulsion of a Student to Provide the Required Alternative Educational Opportunity

The Superintendent or his/her designee is responsible for the fulfillment of the following:

1. Determine the eligibility of the expelled student for an alternative education opportunity.

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- a. The student is under the age of sixteen (16) and must be offered an alternative educational opportunity.
 - b. The student is between the ages of sixteen (16) and eighteen (18) and has not been previously expelled and wishes to continue his or her education shall be offered such an alternative educational opportunity. (The District is not obligated to provide an alternative educational opportunity to students in this age bracket who have been previously expelled, even if the prior expulsion occurred before the student was sixteen years of age.)
 - c. The student is eighteen years of age or older and the Board of Education is not obligated to provide an alternative educational opportunity.
 - d. Other considerations:
 - i. Any parent/guardian of an expelled student who does not choose to have his or her child enrolled in an alternative educational opportunity shall not be subject to the provision of Section [10-184](#) of the Connecticut General Statutes regarding school attendance.
 - ii. A student seventeen (17) years of age or older may be assigned to an adult education program and not be required to withdraw from school per C.G.S. [10-184](#).
 - iii. The student may be placed in a regular classroom program of a school other than the one from which the student has been excluded.
 - iv. A student expelled for the sale or distribution of a controlled substance, shall be referred to an appropriate state or local agency for rehabilitation, intervention or job training, or any combination thereof.
 - v. A student expelled for possession of a firearm, deadly weapon, dangerous instruments (those that can be used to cause death or serious injury) or martial arts weapons shall be reported to the local police department.
 - vi. An expelled special education student's alternative educational opportunity shall be established by the IEP team (PPT).
2. Determine the appropriate option for the alternative educational opportunity option to be offered to the expelled student.
- a. Enroll the student in an alternative education program operated by the District which is compliant with requirements for such programs, (hours, length of school year and number of hours) with an individualized learning plan IF the district provides such alternative education.
 - b. Provide the student with an alternative educational opportunity in accordance with the SBOE adopted standards, including through an alternative education program offered

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by another school district or operator. (A standard program for its alternative educational opportunity providing such program meets the other requirements of the Standards, including the individualized learning plan.)

3. Consult with relevant school personnel knowledgeable about the student to obtain information regarding the student's academic, social and behavioral history that will help inform the decision concerning an appropriate alternative educational opportunity. The input shared by school personnel may be gathered via written reports.\
4. Meet with the student's parent(s)/guardian(s) prior to placement to provide information concerning the potentially appropriate alternative educational opportunities for the student.
5. Hold a placement meeting after parents/guardians have been informed and the appropriate school personnel have shared information regarding the student.
 - a. Explore all alternative educational opportunities at this meeting.
 - b. The placement decision should be made at this meeting.
 - c. Other considerations:
 - i. Parents/students, at the time of expulsion, should be informed of the right to apply for early readmission, which can be granted at the discretion of the Board of Education or Superintendent (if the BOE delegates this authority to the Superintendent under C.G.S. Section [10-233d\(j\)](#)).
 - ii. Any criteria for early readmission to the school from which the student has been expelled should be recorded in the Individualized Learning Plan (ILP).
6. Development of an Individualized Learning Plan (ILP) to inform and direct the student's learning goals and activities for the duration of the expulsion.
 - a. After placement in the alternative education opportunity, an ILP must be developed to govern the student's programming during period of the expulsion.
 - b. Develop the ILP through collaboration among school personnel, the student and the parent/guardian.
 - c. Reference student records with information relevant to the alternative educational opportunity. (student success plan, Individualized Education Program (IEP) under special education, Section 504 Plan, Individualized Health Plan, and/or other academic and behavioral data.)
 - d. The student's ILP is to contain:
 - i. The student's academic and behavioral needs and appropriate academic and behavioral goals and interventions;

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- ii. The student's core classes at the time of expulsion;
- iii. The student's current placement or progress in the curriculum of those classes so that the student has an opportunity to continue to progress in the LEA's academic program and earn graduation credits, if applicable;
- iv. Benchmarks to measure progress towards the goals and ultimately, progress towards graduation;
- v. Timing and method for reviewing the student's progress and for communicating that progress to the parent/guardian or student; (For most students, monitoring and reviewing the student's progress will include monitoring the student's attendance, work completion and progress toward meeting the relevant academic standards for particular coursework, and thus progressing toward graduation, if applicable.)
 - The progress monitoring of student performance and placement must be done and documented at least once per marking period, including a review of the ILP and the making of any necessary adjustments.
- vi. Such progress to be communicated to the parent/guardian and/or student with the same frequency as similar progress for students in the regular school environment is reported and communicated to parents/guardians or students;
- vii. Provision for the timely transfer of the student's records both from the student's school to the alternative educational opportunity provider, and also from the alternative educational opportunity provider to the student's school; and
- viii. The possibility of early readmission to the school from which the student was expelled and the early readmission criteria.
- ix. A process for transition planning based upon the following considerations:
 - Efforts to readmit students at semester start points at the high school level to facilitate re-entry;
 - A plan to transfer the student's credits and record back to the school from which the student was expelled;
 - The student's needs for academic and other supports upon return to the home school environment; and
 - Efforts to connect returning students with opportunities to participate in extracurricular activities to support student engagement and general health and development.

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7. If a determination is made that placement in the current alternative educational opportunity is no longer beneficial to an expelled student but it is also inappropriate to have the student return to the school from which the student was expelled, a plan for different alternative educational opportunities should be developed, following the procedure outlined above.
8. Students who have a student success plan as mandated by state law, such plan may inform the ILP but does not replace the ILP.

Presented: 08/22/18

Final Approved: 09/26/18

Hampton Board of Education

5131.1

STUDENTS

BUS CONDUCT

School transportation is a student privilege conditional upon satisfactory behavior on buses and at bus stops.

Students will be advised that, while awaiting or receiving transportation to and from school, they may be suspended from transportation services for unsatisfactory conduct which endangers persons or property or violates a Board policy or administrative regulation. Principals shall follow procedures in Policy 5114 Suspension/Expulsion/Exclusion/Removal when suspending student bus privileges.

(cf. 5114 Suspension/Expulsion/Exclusion/Removal)

(cf. 5131.5 Vandalism)

Legal Reference: Connecticut General Statutes

10-186 Duties of local and regional Boards of education re school attendance.

10-220 Duties of boards of education.

10-221 boards of education to prescribe rules.

10-233c Suspension of students.

Tentative Approval: 06/13/2007

Final Approval: 07/11/2007

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5131.111

STUDENTS

VIDEO SURVEILLANCE

The Board of Education recognizes the district's responsibility to maintain order and discipline on school property and in school vehicles. The Board also desires to afford students and staff privacy in respect to the records maintained by the district. The Board recognizes the value of electronic surveillance systems in monitoring activity on school property and in school vehicles in furtherance of protecting the health, welfare and safety of its students and staff. The students and staff of the district recognize that their security and safety depends upon the capacity of the district to maintain discipline and that a certain amount of restraint upon the activities of students is assumed and expected.

The Board of Education having carefully weighed and balanced the rights of privacy of students and staff against the district's duty to maintain order and discipline, finds that it is appropriate to provide for the use of video camera surveillance in its transportation vehicles and on school grounds as follows:

1. The district shall notify its students and staff that video surveillance may occur on any school property or on any transportation vehicle. The district shall incorporate said notice in the student handbook;
2. The use of video surveillance equipment on transportation vehicles shall be supervised by the district transportation supervisor. The use of video surveillance equipment on school grounds and on other district property shall be supervised and controlled by the building administrator or other responsible administrator;
3. The use of video recordings from surveillance equipment shall be subject to the other policies of the district including policies concerning the confidentiality of student and personnel records;
4. Video surveillance shall only be used to promote the order, safety and security of students, staff and property.

Legal Reference: Title I - Amendments to the Individuals with Disabilities Act. (PL 105-17)

Family Educational Rights and Privacy Act, sec. 438, 20 U.S.C. sec. 1232g (1988).

Connecticut General Statutes
10-221 Boards of Education to prescribe rules

Tentative Approval: 06/13/2007

Final Approval: 07/11/2007

Hampton Board of Education

5131.21

STUDENTS

THREATS OR ACTS OF VIOLENCE

The Board of Education recognizes that threats or acts of violence have become a major problem in schools throughout the country among young people and, consequently, is a concern to this school system and the community it serves. The Board recognizes that threats or acts of violence are complex and that, while the school may recognize potentially at risk youth, it cannot make clinical assessment of risk and provide in-depth counseling, but must refer the youth to an appropriate place for such assessment and counseling.

Therefore, any school employee who may have knowledge of a threat or act of violence must take the proper steps to report this information to the school principal who will, in turn, notify the appropriate school officials, the student's family and appropriate resource services.

cf. 5114 - Suspension and Expulsion/Due Process)
(cf. 5130 - Student Conduct)
(cf. 5131.7 - Weapons and Dangerous Instruments)
(cf. 5141.5 - Crisis Management)
(cf. 5141.6 - Safety)
(cf. 5144 -Discipline/Punishment)
(cf. 5144.2 - Use of Physical Force)
(cf. 5144.3 - Discipline of Students with Disabilities)
(cf. 5145.12 - Search and Seizure)

Legal Reference: Connecticut General Statutes
4-176e through 4-180a. Contested Cases. Notice. Record.
10-233a through 10-233f. Suspension, removal and expulsion of students, as amended by PA 95-304 and PA 96-244.
53a-3 Definitions.
53a-217b Possession of Firearms and Deadly Weapons on School Grounds.
PA 94-221 An Act Concerning School Discipline and Safety.
GOALS 2000: Educate America Act, Pub. L. 103-227.
18 U.S.C. 921 Definitions.
Title III - Amendments to the Individuals with Disabilities Education Act.
Sec. 314 (Local Control Over Violence)
Elementary and Secondary Act of 1965 as amended by the Gun Free Schools Act of 1994
P.L. 105-17 The Individuals with Disabilities Act, Amendment of 1997.

Tentative Approval: 06/13/2007

Final Approval: 07/11/2007

Hampton Board of Education

5131.5

STUDENTS

VANDALISM

The parent or guardian of any minor/unemancipated child who willfully cuts, defaces, or otherwise damages, in any way, any property, real or personal, belonging to the school system shall be held monetarily liable for such actions up to the maximum amount allowed under state law. Injury shall include intentional unauthorized modifications made to computer hardware and/or software.

The liability provided under Connecticut General Statutes 52-572 does not relieve the minor(s) of personal liability for such damage or injury. This liability of the parent for damages done by a minor child is in addition to any other liability which exists in law. Liability shall include all costs incurred to remedy the situation.

The parent or guardian of a minor child shall also be held liable for all property belonging to the school system lent to the student and not returned upon demand of the school system. The student may also be liable to disciplinary action.

Vandalism by an Adult Student

An adult student shall be held personally liable for any damage done to any property, real or personal, belonging to the school district. The student may also be subject to disciplinary action.

(cf. - 6161.2 Guidelines for Care of Instructional Materials)

Legal Reference: Connecticut General Statutes

10-221 Boards of Education to prescribe rules. (re sanctions that may be imposed by a Board against students who damage or fail to return textbooks, library materials, or other educational materials)

52-572 Parental liability for torts of minors. Damage defined.

Tentative Approval: 06/13/2007

Final Approval: 07/11/2007

Hampton Board of Education

5131.6

STUDENTS

ALCOHOL USE, DRUGS, AND TOBACCO (INCLUDING PERFORMANCE ENHANCING SUBSTANCES)

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

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

Privacy Rights

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

Illegal Activities

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

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Notification of Policy

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

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

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

Disciplinary Action

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

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

1. If a certified or paraprofessional (non-certified) employee suspects student drug abuse, the employee shall refer the matter to the Student Support Team and administration for evaluation. Following the evaluation, disciplinary action may be imposed if the situation warrants.
2. If a certified or paraprofessional employee obtains physical evidence of controlled substances from a student in school, on school grounds, on school transportation or at a school sponsored event, the employee shall turn the student and the controlled substance over to the school principal or designee. The Principal will notify law enforcement personnel and shall surrender possession of the controlled substance to the proper authorities within the time period required by state law.

Drug-Free Awareness Program

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

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

Inhalant Abuse

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

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

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

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

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

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

Students who violate this policy shall be subject to disciplinary action as outlined in this policy, up to and including suspension and a recommendation for expulsion. Violators of this policy may also be required to complete an appropriate rehabilitation program. The Superintendent shall propose and the Board of Education shall approve procedures and regulations to ensure that any student violating this policy is subjected to disciplinary action, and that any disciplinary actions imposed for similar violations are treated consistently.

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

Performance-Enhancing Drugs (including food supplement)

In addition to the prohibition pertaining to alcohol, drugs, tobacco and inhalants, the Board of Education prohibits the use of performance-enhancing drugs, including anabolic steroids and

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

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

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

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

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

Tobacco Use by Students

There shall be no smoking or any other unauthorized use or possession of tobacco by students in any school building or school vehicle at any time or on any school grounds during the school day, or at any time when the student is subject to the supervision of designated school personnel. Such as when the student is at any school function, extracurricular event, field trip, or school related activity such as a work-study program. An ongoing program of student support and counseling will be offered to provide support for students who wish to break the smoking habit.

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

(cf. 5114 - Suspension/Expulsion)

(cf. 5131 - Conduct)

(cf. 5131.61 - Inhalant Abuse)

(cf. 5131.62 - Steroid Use)

(cf. 5131.612 - Surrender of Physical Evidence Obtained from Students)

(cf. 5131.8 - Out of School Grounds Misconduct)

(cf. 5131.92 - Corporal Punishment)

(cf. 5144 - Discipline/Punishment)

(cf. 5145.12 - Search and Seizure)

(cf. 5145.121 - Vehicle Searches on School Grounds)

(cf. 5145.122 - Use of Dogs to Search School Property)

(cf. 5145.124 - Breathalyzer Testing)

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(cf. 5145.125 - Drug Testing-Extracurricular Activities)

(cf. 6164.11 - Drugs, Alcohol, Tobacco)

Legal Reference: Connecticut General Statutes

1-21b Smoking prohibited in certain places

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

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

10-220b Policy statement on drugs

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

21a-240 Definitions dependency producing drugs.

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

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

21a-243 Regulation re schedules of controlled substances.

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

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

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

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

Veronia School District 47J v. Acton, 515 U.S. 646

(1995)Board of Education of Independent School District No 92 of Pottawatomie County v. Earls 01-332 U.S. (2002)

Tentative Approval: 06/13/2007

Final Approval: 07/11/2007

Hampton Board of Education

5131.62

STUDENTS

ALCOHOL, DRUGS AND TOBACCO

STEROID USE

The Board of Education recognizes that the illegal and/or inappropriate use of androgenic/anabolic steroids constitutes a health hazard to the students of this District and, therefore, prohibits the use, possession or sale of non-prescriptive steroids. The use of physician prescribed steroids is exempt for the interpretation of this policy.

(cf. 5131.6 - Alcohol, Drugs and Tobacco)

(cf. 6164.11 - Drugs, Tobacco, Alcohol-Instruction)

Legal Reference: Connecticut General Statutes

10-16b Prescribed courses of study.

10-221(d) Boards of education to prescribe rules.

21 U.S.C. 812 Controlled Substance Act

Tentative Approval: 04/15/2010

Final Approval: 05/20/2010

Hampton Board of Education

5131.7

STUDENTS

WEAPONS AND DANGEROUS INSTRUMENTS

The Board of Education determines that possession, concealment, and/or use of a weapon by a student is detrimental to the welfare and safety of the students and school personnel within the district. Possession and/or use of any dangerous or deadly weapon, firearm, or destructive device in any school building on school grounds, in any school vehicle, or at any school-sponsored activity is prohibited.

Such weapons include but are not limited to any pistol, revolver, rifle, shotgun, air gun or spring gun; slingshot; bludgeon; brass knuckles or artificial knuckles of any kind; knives having a blade of greater than two inches, any knife the blades of which can be opened by a flick of a button or pressure on the handle, or any pocketknife where the blade is carried in a partially opened position; martial arts weapon; destructive device.

Pursuant to federal law, the term firearm includes, but is not limited to, any weapon designed to or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for such a weapon, or destructive device. A student who violates this policy will be reported to law enforcement authorities.

A "destructive device" is considered any device with an explosive, incendiary or poison gas component or any combination of parts either designed or intended for use in converting any device into any destructive device or from which a destructive device may be readily assembled. A destructive device does not include any device which is designed primarily for use as a signaling, pyrotechnic, line-throwing, safety or similar device.

The possession or use of any such weapon or devices will require that the proceedings for the suspension and/or expulsion of the student involved will be initiated immediately by the principal. If the student is found to have possessed a firearm or other dangerous weapon as defined in Connecticut General Statutes 53a-[3](#) in violation of [29-35](#) or [53-206](#), in or on the real property of a school or at any school activity as defined in Connecticut General Statutes [10-233a](#), he/she must be expelled for one calendar year. The Board of Education or hearing board may modify the period of expulsion on a case by case basis. To comply with federal law, any finding of an exception shall be reduced to writing. All legal restrictions and requirements will be adhered to pertaining to special education students.

The Board shall consider a student's conduct off school grounds that is seriously disruptive of the educational process or is violative of publicized policies of the Board as grounds for expulsion.

Weapons under the control of law enforcement personnel are permitted. The Superintendent may authorize other persons to possess weapons for courses, programs and activities approved by the District and conducted on District property.

In accordance with the federal Gun-Free School Zone Act, possession or discharge of a firearm in a school zone is prohibited. A "school zone" is defined by federal law, means in/on school grounds or within 1,000 feet of school grounds.

"Gun-Free School Zone" signs may be posted in cooperation with town officials as appropriate. Violations, unless otherwise excepted by law or this policy, shall be reported to the appropriate law enforcement agency.

(cf. [5114](#) - Suspension/Expulsion)

(cf. [5145.12](#) - Search and Seizure)

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Legal Reference: Connecticut General Statutes

[10-221](#) Boards of education to prescribe rules.

[10-233a](#) through [10-233f](#) - Expulsion as amended by PA 95-304

[53a-3](#) Definitions.

[53a-217b](#) - Possession of firearms and deadly weapons on school grounds

[53-206](#) Carrying and sale of dangerous weapons.

PA 94-221 An Act Concerning School Discipline and Safety.

Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2006)

GOALS 2000: Educate America Act

18 U.S.C. 921 Definitions.

USCA 7151 - No Child Left Behind Act

Youth Handgun Safety Act, 18 U.S.C. §§ 922(x), 924(a)(6) (2006)

Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117

Presented: 12/21/2016

Final Approval: 01/25/2017

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5131.8

STUDENTS

OUT OF SCHOOL MISCONDUCT

Students are subject to discipline, up to and including suspension and expulsion for misconduct, which is seriously disruptive of the educational process and is a violation of a publicized Board policy, even if such misconduct occurs off-school property and during non-school time.

In compliance with judicial decisions, the Board considers conduct which is "severely disruptive of the educational process" to mean conduct that "markedly interrupts or severely impedes the day-to-day operations of a school" in addition to such conduct also being violative of publicized school policy. Such conduct includes, but is not limited to, phoning in a bomb threat, or making a threat, off school grounds, to kill or hurt a teacher or student.

In addition, in making the determination as to whether conduct is "seriously disruptive of the educational process," the administration may consider, but such consideration shall not be limited to (1) whether the incident occurred within close proximity of a school; (2) whether other students from the school were involved or whether there was any gang involvement; (3) whether the conduct involved violence, threats of violence or the unlawful use of a weapon, as defined in section 29-38 and whether any injuries occurred; and (4) whether the conduct involved the use of alcohol. The Board of Education or impartial hearing board, in matters of expulsion for out of school misconduct, in making a determination as to whether conduct is "seriously disruptive of the educational process," may consider, but consideration is not limited to the same items listed previously.

Such discipline may result whether: 1) the incident was initiated in the school or on school grounds, or 2) even if the incident occurred or was initiated off-school grounds and non-school time; if after the occurrence there was a reasonable likelihood that return of the student would contribute to a disruptive effect on the school education or its process, markedly interrupting or severely impeding the day-to day operation of a school, by threatening:

1. The school's orderly operations;
2. The safety of the school property;
3. The welfare of the persons who work or study there.

Examples of the type of such off-school misconduct that may result in such discipline include but are not limited to:

1. Use, possession, sale, or distribution of dangerous weapons; (as defined C.G.S. 53a-3, 53-206, and 29-35)
2. Use, possession, sale, or distribution of illegal drugs; or
3. Violent conduct,
4. Making of a bomb threat,
5. Threatening to harm or kill another student or member of the staff.

where any such activity has the reasonable likelihood of threatening the health, safety or welfare of school property, individuals thereon, and/or the educational process.

For example, if it is determined that a student's use, possession, or sale of drugs in the community has a strong likelihood of endangering the safety of students or employees because of the possibility of such sales in the school; or if violent conduct in the community presents a reasonable likelihood of repeating itself in the school

Hampton Board of Education

environment; or if any similar type of misconduct in the community has a reasonable likelihood of being continued or repeated in school or of bringing retaliation or revenge into the school for such off-school misconduct, the Board may impose discipline up to and including suspension and/or expulsion. The rationale to be applied in considering disciplinary action is whether the off-school grounds conduct will markedly interrupt or severely impede the day-to-day operation of a school.

A student who possessed and used a firearm, deadly weapon, dangerous instrument or martial arts weapon in the commission of a crime off-campus shall be expelled for one calendar year unless said expulsion is modified on an individual case basis.

Legal Reference: Connecticut General Statutes

4- 176e through 4- 185 Uniform Administrative Procedure Act.

10-233a through 10-233f re in-school suspension, suspension, expulsion.

29-35 Carrying of pistol or revolver without permit prohibited.

29-38 Weapons in vehicles.

53a-3 Firearms and deadly weapons.

53-206 Carrying and sale of dangerous weapons.

53a-217b Possession of firearms and deadly weapons on school grounds.

18 U.S.C. 921 Definitions.

PL 103-382 Elementary and Secondary Education Act. (Sec. 14601 - Gun Free Requirements: Gun Free School Act of 1994)

Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education. (SC 15862)

Tentative Approval: 06/13/2007

Final Approval: 07/11/2007

Hampton Board of Education

5131.81

STUDENTS

USE OF ELECTRONIC DEVICES

While on school property, on school transportation or while attending a school sponsored activity on or off school property:

- a) Students shall not possess or use a laser pointer and attachments unless under teacher supervision for instructional purposes.
- b) Students may possess but not use cell phones during the school day.
- c) Students will not use electronic devices to access the Internet unless supervised by a teacher or other authorized school staff.
- d) Administration will update regulations regarding all electronic devices at least on an annual basis.

Tentative Approval: 07/15/2010

Final Approval: 08/26/2010

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5131.9

STUDENTS

GANG ACTIVITY OR ASSOCIATION

Gangs which initiate, advocate, or promote activities which threaten the safety or well-being of persons or property on school grounds or which disrupt the school environment are harmful to the educational process. The use of hand signals, graffiti, or the presence of any apparel, jewelry, accessory, or manner of grooming which, by virtue of its color, arrangement, trademark, symbol, or any other attribute which indicates or implies membership or affiliation with such a group, presents a clear and present danger. This is contrary to the school environment and educational objectives and creates an atmosphere where unlawful acts or violations of school regulations may occur.

Incidents involving initiations, hazings, intimidations, and/or related activities of such group affiliations which are likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to students are prohibited.

The Superintendent will establish procedures and regulations to ensure that any student wearing, carrying or displaying gang paraphernalia, or exhibiting behavior or gestures which symbolize gang membership, or causing and/or participating in activities which intimidate or affect the attendance of another student shall be subject to disciplinary action.

The administration will provide service training in gang behavior and characteristics to facilitate staff identification of students at-risk and promote membership in authorized school groups and/or activities as an alternative.

Legal Reference: Jeglin v. San Jacinto United School District (827F. Supp. 1459-C.D.Ca. 1993)

Olesen v. Board of Education School District No. 228
(676F. Supp. 820-N.D. Ill. 1987)

Tentative Approval: 06/13/2007

Final Approval: 07/11/2007

Hampton Board of Education

5131.9

Students

Gang Activity or Association

The type of dress, apparel, activities, acts, behavior or manner of grooming displayed, reflected or participated in by the student shall not:

1. Lead school officials to reasonably believe that such behavior, apparel, activities, acts, or other attributes are gang related and would disrupt or interfere with the school environment or activity and/or education objectives. No student on or about school property or at any school activity shall: wear, possess, use distribute, display or sell any clothing, jewelry, emblem, badge, symbol, sign, or other things which are evidence of membership or affiliation in any gang;
2. Present a physical safety hazard to self, students, staff, and other employees;
3. Create an atmosphere in which a student, staff or other person's well-being is hindered by undue pressure, behavior, intimidation, overt gesture, or threat of violence; including but not limited to:
 - soliciting others for membership into any gangs
 - requesting any person to pay protection or otherwise intimidating or threatening any person.
 - committing any other illegal act or other violation of school district policies
 - inciting other students to act with physical violence upon any other person

Imply gang membership or affiliation by gesture, handshakes, etc., and written communication, marks, drawing, painting, design, emblem upon any school or personal property or on one's person.

If the student's behavior or other attribute is in violation of these provision, the Principal or designee will request the student to make the appropriate correction. If the student refuse, the parent/guardian may be notified and asked to make the necessary correction. The Principal will take appropriate corrective and disciplinary action.

Students identified as being gang involved, influences, or affiliated will be provided assistance, and/or programs which discourage gang involvement or affiliation, enhance self-esteem, encourage interest and participation in school or other positive activities and promote membership in authorize school organizations.

Training to provide increased awareness of the threat to the safety of students, staff, and school property which gang-related activity poses, shall be provided on an as-needed basis. Additional presentation will be made available to individual schools, staff or students at the request of the Principal. Presentations will provide training in current identification symbols used by those involved in gang-related activity and will include things such as the identification of hand signal, apparel, jewelry, and/or any other pertinent gang-related information.

Tentative Approval: 06/13/07

Final Approval: 07/11/2007

Hampton Board of Education

5131.91

STUDENTS

GANG ACTIVITY OR ASSOCIATION

HAZING

Hazing, harassment, intimidation or any act that injures, degrades, or disgraces a student or staff member will not be tolerated. Any student who engages in such behavior is subject to disciplinary action including suspension, expulsion or referral to law enforcement officials.

No person in charge of a school-sponsored activity will permit the above-mentioned behavior. Violations will result in disciplinary action.

(cf. 5114 - Suspension/Expulsion)

(cf. 5131 - Conduct)

(cf. 5145.5 - Sexual Harassment)

Tentative Approval: 06/13/2007

Final Approval: 07/11/2007

Hampton Board of Education

5131.911

STUDENTS

HAZING

BULLYING

The Hampton Board of Education promotes a secure and happy school climate, conducive to teaching and learning that is free from threat, harassment and any type of bullying behavior. Therefore it shall be the policy of the Board that bullying of a student by another student is prohibited.

The Board believes that a school environment in which students feel safe, supported, engaged and helpfully challenged is optimal for learning and healthy development. The Board seeks an environment in which students and adults feel socially, emotionally, intellectually and physically safe; an environment that is free of harassment, intimidation and bullying.

Definitions

"**Bullying**" means the repeated use by one or more students of a written, oral or electronic communication, such as cyberbullying, directed at or referring to another student attending school in the same school district or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same school district that:

- A. causes physical or emotional harm to such student or damage to such student's property,
- B. places such student in reasonable fear of harm to himself or herself, or of damage to his or her property,
- C. creates a hostile environment at school for such student,
- D. infringes on the rights of such student at school, or
- E. substantially disrupts the education process or the orderly operation of a school.

Bullying shall include, but not be limited to, a written, oral, or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics. (The student against whom the activity is directed must be attending school in the same district as the students engaged in the activity.)

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

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

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

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"Electronic communication" means any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic or photo-optical system.

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

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

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

"School climate" means the quality and character of school life with a particular focus on the quality of the relationships within the school community between and among students and adults. (and reflects norms, values, interpersonal relationships, teaching and learning practices and organizational structures.)

Examples of bullying include, but are not limited to:

1. physical violence and attacks
2. verbal taunts, name-calling and put-downs including ethnically-based or gender-based verbal put-downs
3. threats and intimidation
4. extortion or stealing of money and/or possessions
5. exclusion from peer groups within the school
6. The misuse of electronic communications for the purpose of bullying, harassing, or sexually harassing other students within school or out of school ("cyberbullying")
7. Targeting of a student based on the student's actual or perceived "differentiating" characteristics such as race; color; religion; ancestry; national origin; gender; sexual orientation; gender identity or expression; socioeconomic or academic status; physical appearance; or mental, physical, developmental, or sensory disability.

Such conduct is disruptive of the educational process and, therefore, bullying is not acceptable behavior in this district and is prohibited.

Students who engage in any act of bullying, on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by the Board of Education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board of Education, and outside of the school setting if such bullying:

1. creates a hostile environment at school for the victim,
2. infringes on the rights of the victim at school, or

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3. substantially disrupts the education process or the orderly operation of a school, are subject to appropriate disciplinary action up to and including suspension, expulsion and/or referral to law enforcement officials.

A comprehensive program, to improve the school climate, involving everyone in the schools and the community, to address bullying at all school levels is essential to reducing incidences of bullying. Such a program must involve interventions at all levels, school wide, classroom and individual.

The District's program: *(Also outlined in the section pertaining to the "Safe School Climate Plan.")*

1. Requires the development and implementation of a safe school climate plan by the Board of Education to address the existence of bullying and teen dating violence in its schools and requires at the beginning of each school year that students and their parents/guardians be notified of the process by which students may make such reports;
2. Permits anonymous reports of bullying or teen dating violence by students to school employees and written reports of suspected bullying or teen dating violence by parents or guardians and requires at the beginning of each school year that students and their parents/guardians be notified of the process by which students may make such reports;
3. Requires school employees who witness acts of bullying or teen dating violence or receive reports of bullying or teen dating violence to orally notify the safe school climate specialist or another school administrator if the safe school climate specialist is unavailable, not later than one school day after such school employee witnesses or receives a report of bullying and to file a written report not later than two school days after making such an oral report;
4. Requires the safe school climate specialist to investigate or supervise the investigation of all reports of bullying or teen dating violence and ensure that such investigation is completed promptly after receipt of any written report, and that the parents or guardians of the student alleged to have committed an act or acts of bullying or teen dating violence and the parents or guardians of the student against whom such alleged act or acts were directed receive prompt notice that such investigation has commenced;
5. Requires the safe school climate specialist to review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report;
6. Requires each school to have a prevention and intervention strategy, as defined by statute, as amended, for school employees to deal with bullying or teen dating violence, including language about bullying and teen dating violence in student codes of conduct and in all student handbooks;
7. Provides for the inclusion of language in student codes of conduct concerning bullying and teen dating violence;
8. Requires school to notify parents or guardians of all students involved in a verified act of bullying or teen dating violence not later than forty-eight hours after the completion of the investigation. The notice shall be simultaneously mailed to the parent/guardian with whom the student primarily resides and to the other parent/guardian if requested. The notice must describe the school's response and any consequences that may result from further acts of bullying or teen dating violence;
9. Requires school to invite the parents/guardians of a student against whom such act was directed to a meeting to communicate to such parents/guardians the measures being taken by the school to ensure the safety of the students against whom such act of bullying was directed and the policies and procedures in place to prevent further acts of bullying and teen dating violence;

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10. Requires school to invite the parents or guardians of a student who commits any verified act of bullying or teen dating violence to a meeting, separate and distinct from the meeting of the parents/guardians of the student against whom the act of bullying or teen dating violence was directed, to discuss specific interventions undertaken by the school to prevent further acts of bullying and teen dating violence;
11. Establishes a procedure for school to document and maintain records relating to reports and investigations of bullying and teen dating violence in such school and make such list publicly available; and report such number to the Department of Education and in such manner as prescribed by the Commissioner of Education;
12. Requires the development of case-by-case interventions for addressing reported incidents of bullying or teen dating violence against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline;
13. Prohibits discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying or teen dating violence;
14. Requires the development of student safety support plans for students against whom an act of bullying or teen dating violence was directed that addresses safety measures the school will take to protect such students against further acts of bullying or teen dating violence;
15. Requires the principal of a school or the principal's designee, to notify the appropriate local law enforcement agency when such principal or the principal's designee believes that any acts of bullying or teen dating violence constitute criminal conduct;
16. Prohibits bullying and teen dating violence (A) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a local or regional board of education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the local or regional board of education, and (B) outside of the school setting if such bullying or teen dating violence (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying or teen dating violence was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;
17. Requires all school employees to annually complete the training required by C.G.S. [10-220a](#), as amended. Such training shall include identifying and responding to bullying and preventing and responding to youth suicide;
18. Requires all school employees to annually complete the training required by C.G.S. [10-220a](#), as amended. Such training shall include identifying and responding to bullying and preventing and responding to youth suicide;

Note: Certified employees are required to complete annual training on the prevention and identification of bullying and response to bullying and the prevention and response to youth suicide.

The State Department of Education, within available appropriations, is required to provide annual training to non-certified school employees.

19. Requires students and the parents/guardians of students to be notified at the beginning of the school year of the process by which they may make reports of bullying or teen dating violence;

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20. As required, the Board of Education shall approve the safe school climate plan developed pursuant to statute and submit such plan to the Department of Education for its review, analysis, cooperative assistance and approval not later than July 1, 2014; and
21. Requires that not later than thirty calendar days after approval by the State Department of Education, the safe school climate plan shall be made available on the Board's and each individual school in the District's Internet website and such plan is to be included in the District's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

The Board expects prompt and reasonable investigations of alleged acts of bullying and teen dating violence. The safe school climate specialist of each school is responsible for handling all complaints of alleged bullying and teen dating violence. The safe climate specialist shall investigate or supervise the investigation of all reports of bullying and teen dating violence promptly.

In addition, the norms that are established by adults through consistent enforcement of all policies pertaining to conduct and modeling appropriate behavior at school and at home will reduce the instances and damage of bullying and teen dating violence. It is necessary for students to promote the concept that caring for others is a valued quality, one that is accepted and encouraged.

Prevention and Intervention Strategy

The District shall implement, as required by C.G.S. [10-222d](#), as amended, a prevention and intervention strategy which may include, but is not limited to:

1. Implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying and teen dating violence identified by the Department of Education.
2. School rules prohibiting bullying, teen dating violence, harassment, and intimidation and establishing appropriate consequences for those who engage in such acts.
3. Adequate adult supervision of outdoor areas, hallways, the lunchroom, and other specific areas where bullying or teen dating violence is likely to occur.
4. Inclusion of grade-appropriate bullying and teen dating violence education and prevention curricula in kindergarten through high school.
5. Individual interventions with the bully or student who commits teen dating violence, parents and school employees and interventions with the students against whom the acts of bullying and teen dating violence are directed, parents, and school employees.
6. School wide training related to safe school climate.
7. Student peer training, education and support.
8. Promotion of parent involvement in bullying and teen dating violence prevention through individual or team participation in meetings, trainings, and individual interventions.
9. Culturally competent school-based curriculum focusing on social-emotional learning, self-awareness and self-regulation.

Note: Funding for the school-based bullying intervention and school climate improvement may originate from public, private, or philanthropic sources. For purposes of this section, "interventions with the bullied child"

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includes referrals to a school counselor, psychologist or other appropriate social or mental health service, and periodic follow-up by the safe school climate specialist with the bullied child.

District Safe School Climate Coordinator

For the school year commencing July 1, 2012, and each school year thereafter, the Superintendent of Schools shall appoint, from among existing District staff, a District Safe School Climate Coordinator.

The Coordinator shall:

1. Implement the District's safe school climate plan;
2. Collaborate with safe school climate specialists, the Board, and the Superintendent to prevent, identify, and respond to bullying and teen dating violence in District schools;
3. Provide data and information derived from the safe school climate assessments, in collaboration with the Superintendent, to the Department of Education;
4. Respond to bullying and teen dating violence in District schools;
5. Meet with the safe school climate specialists at least twice during the school year to discuss bullying and teen dating violence issues in the District and make recommended changes to the District's safe school climate plan.
6. Successfully complete, for the school year commencing July 1, 2014, the mental health first aid training provided by the Commissioner of Mental Health and Addiction Services. (Such training only required once.)

Safe School Climate Specialist

For the school year commencing July 1, 2012, and each school year thereafter, each school Principal shall serve, or designate someone to serve, as the Safe School Climate Specialist for the school.

The Specialist in each school shall:

1. Investigate or supervise the investigation of reported acts of bullying or teen dating violence in the school in accordance with the District's Safe School Climate Plan;
2. Collect and maintain records of reports and investigations of bullying and teen dating violence in the school; and
3. Act as the primary school official responsible for preventing, identifying and responding to bullying and teen dating violence reports in the school.

Safe School Climate Committee

For the school year commencing July 1, 2012, and each school year thereafter, the Principal shall establish a new committee or designate at least one existing committee that is responsible for developing and fostering a safe school climate and addressing issues related to bullying in the school. The committee must include at least one parent/guardian of a student enrolled in the school, appointed by the Principal.

The Safe School Climate Committee shall:

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1. Receive copies of completed reports following investigations of bullying;
2. Identify and address patterns of bullying and teen dating among students in the school;
3. Implement the provisions of the school security and safety plan, (developed pursuant to Section 87 of PA 13-3) regarding the collection, evaluation and reporting of information relating to instances of disturbing or threatening behavior that may not meet the definition of bullying or teen dating violence (defined in Connecticut General Statutes [10-222d](#)) and report such information, as necessary, to the District Safe School Climate Coordinator and to the school's security and safety committee.
4. Review and amend school policies relating to bullying and teen dating violence;
5. Review and make recommendation to the District Safe School Climate Coordinator regarding the District's Safe Climate Plan based on issues and experiences specific to the school;
6. Educate students, school employees and parents and guardians of students on issues relating to bullying and teen dating violence;
7. Collaborate with the District Safe School Climate Coordinator in the collection of data regarding bullying and teen dating violence; and
8. Perform any other duties as determined by the School Principal that are related to the prevention, identification and response to school bullying and teen dating violence for the school.

Parent members of the Safe School Climate Committee are excluded from activities #1 and #3 or any other activity that may compromise the confidentiality of a student.

Safe School Climate Plan

As part of this policy, the Board of Education shall develop and implement a Safe School Climate Plan to address the existence of bullying and teen dating violence in its schools. Such plan shall establish deadlines for reporting investigating, and notifying parents and guardians about bullying and teen dating incidents; prohibit retaliation against those who report bullying and/or teen dating violence; and require school officials to notify law enforcement officials when it is believed that bullying or teen dating conduct constitutes a crime.

The Board requires each school on and after July1, 2012, and biennially thereafter, to complete an assessment using school climate assessment instruments, including uniform surveys that collect information about students' perspectives and opinions about school climate at the school and allow students to complete and submit such surveys anonymously, approved and disseminated by the Department of Education pursuant to C.G.S. [10-222h](#), as amended by PA 11-232. The Board will collect the school climate assessments of each District school and submit them to the Department of Education.

Note: The Department of Education, within available appropriations, is required by the amended C.G.S. [10-222h](#), to approve in collaboration with the Connecticut Association of Schools (CAS), and disseminate to all public schools grade-level appropriate school climate assessment instruments, including surveys, to be used by Boards of Education for the purpose of collecting information pertaining to a district's "prevention and intervention strategy" in order to enable the Department to monitor bullying efforts over time and to compare each district's progress to state trends.

A safe school climate resource network is to be established by the Department of Education, in consultation with the State Education Resource Center, the Governor's Prevention Partnership and the Commission on Children, within available appropriations, for the identification, prevention, and education of school bullying in

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the state. This network will make available to all schools information, training opportunities and resource materials to improve school climate to diminish bullying.

The Superintendent shall develop rules and procedures, which carry out the provisions of this policy. In addition, the Superintendent shall provide that students and parents of students are notified of this prohibition against bullying and the penalties for violating the prohibition by ensuring the posting of such information at each school and by ensuring inclusion of such information in student and parent handbooks.

This policy shall not be interpreted to prohibit a reasonable and civil exchange of opinions, or debate that is protected by state or federal law.

(cf. [0521](#) - Nondiscrimination)

(cf. [4131](#) - Staff Development)

(cf. [5114](#) - Suspension and Expulsion/Due Process)

(cf. [5131](#) - Conduct)

(cf. [5131.21](#) - Violent and Aggressive Behavior)

(cf. [5131.8](#) - Out-of-School Misconduct)

(cf. 5131.912 - Aggressive Behavior)

(cf. 5131.913 - Cyberbullying)

(cf. [5131.91](#) - Hazing)

(cf. 5144 - Discipline/Punishment)

(cf. 5145.4 - Nondiscrimination)

(cf. [5145.5](#) - Sexual Harassment)

(cf. [5145.51](#) - Peer Sexual Harassment)

(cf. [6121](#) - Nondiscrimination)

(cf. [6121.1](#) - Equal Educational Opportunity)

Legal Reference: Connecticut General Statutes

[10-15b](#) Access of parent or guardian to student's records. Inspection and subpoena of school or student records.

[10-222d](#) Policy on bullying behavior as amended by PA 08-160, PA 11-232 and PA 14-172.

PA 06-115 An Act Concerning Bullying Policies in Schools and Notices Sent to Parents or Legal Guardians.

PA 11-232 An Act Concerning the Strengthening of School Bullying Laws.

PA 14-172 An Act Concerning Improving Employment Opportunities through Education and Ensuring Safe School Climates.

PA 14-234 An Act Concerning Domestic Violence and Sexual Assault

Presented: 12/21/16

Final Approval: 01/25/16

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5132

STUDENTS

DRESS AND GROOMING

Students shall dress in clothing appropriate to the school situation. Restrictions on freedom of student dress may be applied whenever the mode of dress in question:

1. is unsafe either for the student or those around the student;
2. is disruptive to school operations and the education process in general;
3. is contrary to law.

No restrictions on freedom of dress and adornment will be imposed which:

1. are discriminatory;
2. enforce particular codes of morality or religious tenets;
3. attempt to dictate or adjudicate style or taste;
4. do not fall within the direct or implied powers of the Board of Education.

The administration is encouraged to establish any needed regulations consistent with this policy through cooperative planning with staff, students and parents.

Tentative Approval: 06/13/07

Final Approval: 07/11/07