



Regional School District #4
Chester – Deep River – Essex – Region 4
JOINT BOARD OF EDUCATION COMMITTEE

Public – please note:

We anticipate being able to provide a hybrid option for this meeting.

If desired, please use dial-in information to join the anticipated hybrid meeting.

AGENDA

To: Members of the Chester, Deep River, Essex, and Region 4 Boards of Education
Subject: **Thursday, June 01, 2023 Joint Board Committee Meeting**
Time: **7:00 p.m.**
Place: **John Winthrop Middle School Library or Dial (724) 491-2273 PIN: 496 752 823#**

(We kindly ask that if participating remotely, you **please mute your phone immediately** upon connecting to the meeting as this will improve the audio quality for all participants)

Please contact Jennifer Bryan at Central Office jbryan@reg4.k12.ct.us if you are unable to attend.

Mission Statement

We, the communities of Chester, Deep River, Essex and Region 4, engage all students in a rigorous and collaborative educational program.
We prepare our learners to be respectful citizens who are empowered to contribute in a globalized society.

1. Call to order 7:00 p.m.

- 1.1 The Appointed Chair of the Supervision District Committee acts as the Chair of the Joint Board of Education Committee meeting and calls the meeting to order. (The Vice-Chair of the Supervision District is the alternate in the absence of the Supervision District Chair).

*** Chair of Supervision District rotates each Dec. – Essex BOE Chair is now the Supv. Dist. Chair**

- 1.2 The Chester, Deep River, Essex, and Region 4 Board of Education Chairs call their respective Boards to order and report a quorum (# of BOE members needed for a quorum)
Chester (5 members), Deep River (5 members), Essex (4 members), Region 4 (5 members)

- 1.3 Regarding Action Items: the Chair of the Joint Board of Education meeting follows parliamentary procedure on items requiring a vote of the Joint Board of Education. All discussion shall be held with the Joint Board. The Chair of the Joint Board shall call for and record a vote by the respective Boards of Education in alphabetical order. Items are approved only with an affirmative majority vote of each respective Board of Education

2. Consent agenda – The following items are to be handled as combined and by single vote. Any Board member may request that an item be pulled out for further discussion.

- 2.1 Minutes of Regular Joint Board Meeting of April 06, 2023 (*encl #1*)
2.2 Minutes of Joint BOE Retreat May 06, 2023 (*encl #2*)

3. Public comment

The public is reminded to state name for the record. Comments should be kept to a maximum of three minutes. Public comment is not intended to be a question and answer period; rather it is an opportunity for the Committee to hear citizen comment related to educational matters

4. Reports and Other Items:

- 4.1 Superintendent's report (*B. White*)
a. District Update
b. Information and Communication

- 4.2 Assistant Superintendent's Report (*S. Brzozowy*)
a. General Update (none this evening)

- 4.3 Finance Director's Report (No reports - HOLD until next individual Board meetings) (*R. Grissom*)

4.4 Other Items:

- a. Update on Evaluative Software Platform – *S. Brzozowy*
- b. Summary of Key Provisions of the Paraeducators Contract negotiated for July 01, 2023 – June 30, 2026 – *B. White*
- c. Possible **VOTE** to approve the *Agreement Between Chester, Deep River, Essex, And Regional School District No. 4 Boards Of Education and Municipal Employees Union Independent, Seiu Local 506 (Paraeducators)*
- d. Substitute Pay Rates for 2023-24 (*encl #3*) - *R. Grissom, B. White*
- e. Discussion and Possible **VOTE** to approve tuition rates for the 2023-24 school year as recommended by the Joint BOE Tuition Committee (*encl #4*) *R. Grissom, B. White*
- f. Discussion and possible **VOTE for the Chester, Deep River and Essex Boards of Education** to renew the *Agreement Concerning the Establishment and Operation of an Interim Collaborative Preschool Program* dated February 13, 2008. The original contract expires on June 30, 2012 and per agreement may be renewed in 1 year increments upon agreement of all signing parties (Boards of Education for Chester, Deep River, Essex and the Regional Supervision District Committee) no later than June 30th (*encl. #5*) – *B. White/ R. Grissom*
- g. Discussion and possible **VOTE** to approve revised BOE meeting calendar through December 31, 2023 (*encl #6*)
- h. Discussion regarding general process for superintendent contract negotiations (*encl #7*)

4.5 Committee reports.

- a. Joint PK-12 Committees – (*Comm. Chair*) Policy – *L. Seidman*; Curriculum – *N. Johnston*; Finance – *R. Daniels*

Curriculum	Finance	Policy
Oct. 18 th , 2023 @ Noon	Oct. 18 th , 2023 @ Noon	Oct. 19 th , 2023 @ Noon
Dec. 13 th , 2023 @ Noon	Dec. 13 th , 2023 @ Noon	Dec. 14 th , 2023 @ Noon
Feb. 14 th , 2024 @ Noon	Feb. 14 th , 2024 @ Noon	Feb. 15 th , 2024 @ Noon
Apr. 17 th , 2024 @ Noon	Apr. 17 th , 2024 @ Noon	Apr. 18 th , 2024 @ Noon

- b. Policy committee report (8 members). (*Chair Seidman*)

- b.1 **First Reading** of the Joint BOE Policy Committee’s recommendation to update and/or adopt the following policies: (existing policies may be viewed in our online [Policy Manual](#) – click for access). These will be on the individual agendas for each BOE during the month of September, for discussion, before returning for a second reading and vote at the October Joint BOE meeting.

Update Existing with the following:

Policy #5141 Student Health Services (*encl #8*)

Creation of New Policy:

Policy 3542.44 Reserve Fund for School Food Service Accounts (*encl #9*)

- b.2 **Second Reading and possible VOTE to adopt the following policies as recommended by the Joint BOE Policy** (existing policies may be viewed in our online [Policy Manual](#) – click for access)

Update Existing with the following:

Policy #3160 Transfer of Funds between Categories (Fund Balance Section) (*encl #10*)

Policy #4118.231/4218.231 Alcohol, Tobacco and Drug Free Workplace (*encl #11*)

Policy #5114 Suspension and Expulsion / Due Process (*encl #12*)

Policy #5132 Dress Code (*encl #13*)

Policy #6162.4 Volunteers (*encl #14*)

Policy / Bylaw #9221 (*encl #15*)

- c. Finance committee report (8 members) (*R. Daniels*)
- d. Curriculum committee (9 members) (*N. Johnston*)
- e. Ad hoc committees (as needed).

5. Public comment

The public is reminded to state name and town for the record. Comments should be kept to a maximum of three minutes. Public comment is not intended to be a question and answer period; rather it is an opportunity for the Boards to hear citizen comment related to educational matters.

6. Future agenda items

6.1 Next Regular Joint BOE Meeting, October 05, 2023 @ 7:00 p.m. @ JWMS Library

7. Executive Session – Personnel

Superintendent's Contract Renewal

8. Action Item – Possible Vote to renew the Superintendent's contract

9. Adjournment* *All Boards will vote to adjourn except for Region 4 who will stay in session for the following Region 4 Only business:*

10. Region 4 BOE Only Business

10.1 **Action Item** – Possible VOTE to direct the Superintendent to renew the realtor contract with Berkshire Hathaway for a 1 year period, under the same terms, for the district owned property at Falls Landing.

10.2 Update on JWMS Security Project and Timeline from architect, *Rusty Malik, QA&M*

10.3 Recommendations from JWMS Security Project Building Committee –*R. Daniels, Comm. Chair, R. Grissom*

10.4 Discussion and Possible VOTE to approve the project revisions as recommended by the JWMS Security Project Building Committee.

10.5 Discussion and Possible VOTE to direct the Administration to engage with legal counsel to proceed with the project revisions as recommended by the JWMS Security Project Building Committee and approved by the Board

10.6 **Adjournment of Region 4 BOE**



Regional School District 4
Chester – Deep River – Essex – Region 4
Boards of Education Committees – School Year 2022-23 (Updates in Progress)

<u>Joint BOE Standing Committees</u> (standing committees have regularly scheduled meetings)			
*Joint PK-12 Policy Sub-Committee	R4(Clark/Strauss) CH(Taigen/Scherber) DR(Maikowski/Grunko) ES (Seidman/TBD)		
*Joint PK-12 Curriculum Sub-Comm.	R4(Cavanaugh/Silva) CH(Bernardoni/Johnson) DR(McIntyre/Whelan) ES (Johnston/Pillion/Russell)		
*Joint PK-12 Finance Sub-Committee	R4 (Clark/Daniels/Fearon) CH (Rice/TBD) DR (Rioux/Scholfield) ES (Seidman/Watson)		
Supervision District Committee (2 yr terms end in Nov. of the year listed after each name)	R4 (Sandmann 23 / Cavanaugh 23 / Stack 23) CH (Fitzgibbons 23 / Bernardoni 23 / Greenberg-Ellis 23) DR (Morrissey 23 / Ferretti 23 / Maikowski 23) ES (Seidman 23 /Pillion 23 / Johnston 23)		
<u>Joint Ad Hoc Committees</u> (ad hoc committees meet for a designated period or as needed)			
Personnel & Negotiations		<u>Contract duration</u>	<u>Initiate negotiations</u>
- Joint BOE Teacher negotiations	R4 (Daniels/Sandmann/Strauss) CH (Taigen) DR (Morrissey) ES (Watson/Pillion)	Expires 7/2025	6/2024
- Joint BOE Administrator negotiations	Same as ABOVE for Teacher negotiations	Expires 7/2026	9/2025
- Joint BOE Paraeducator negotiations	Same as BELOW for Net Tech et al.	Expires 7/2023	3/2023
- Joint BOE NetTechs et al negotiations (ElemSec/Elem Nurses/ElemNetTech/R4NetTEch/ElemCustodians)	R4 (Daniels/Sandmann/Strauss) CH (Fitzgibbons) DR (Maikowski/Ferretti) ES (Watson/Pillion)	Expires 7/2023	3/2023
- Cafeteria (all schools)		Expires 7/2022	4/2022
Technology	R4(Seidman), CH(TBD), ES (Seidman), DR (TBD)		
School Calendar	R4(Sandmann/Daniels), CH (TBD), ES (TBD), DR (Morrissey)		
LEARN Joint BOE representative(s)	R4(Cavanaugh), CH(Bernardoni), ES(TBD), DR(TBD)		
School Safety Committee	R4(Cavanaugh, Daniels), CH(Greenberg-Ellis), DR(TBD), ES(TBD)		
Tuition Committee	R4(Cavanaugh/Sandmann/Daniels), CH (Johnson), DR (Morrissey), ES (Seidman Alt.)		
RFP Review	R4(Cavanaugh/Daniels), CH (Scherber), DR (Morrissey), ES (Seidman/Johnston)		
<u>Individual BOE Ad Hoc Committees</u> (ad hoc committees meet for a designated period or as needed)			
<u>Chester BOE</u>			
CATV Advisory Council (Cable TV)	For Discussion		
<u>Deep River BOE</u>			
Facilities	Morrissey/Ferretti		
CATV Advisory Council (Cable TV)	TBD		
<u>Essex BOE</u>			
Building	Seidman		
Essex Foundation	TBD		
CATV Advisory Council (Cable TV)	TBD		
<u>Region 4 BOE</u>			
Personnel & Negotiations		<u>Contract duration</u>	<u>Initiate negotiations</u>
▪ R4 Secretaries/Nurses	Daniels/Sandmann/Strauss	Expires 7/2025	4/2025
▪ R4 Custodians	Daniels/Sandmann/Strauss	Expires 7/2024	3/2024
R4 Grounds and Buildings Maintenance & Oversight Committee	Stack/Seidman/Strauss (alt. Sandmann)		
JWMS Security Project Building Committee	Daniels/ Cavanaugh/ Sandmann / Stack		
R4 Educational Foundation	TBD		
Region 4 Extra compensation points committee	Clark/Daniels/Sandmann (only 1 rep needed)		

F.O.I. Compliance – Subject to BOE approval at a future meeting

JOINT BOARD OF EDUCATION MEETING

Date: April 6, 2023

Regular Meeting – John Winthrop Middle School Library

CHESTER BOARD OF EDUCATION:	David Fitzgibbons, Maria Scherber, Rebecca Greenberg-Ellis, Lorraine Connelly, Faith Sprigg
DEEP RIVER BOARD OF EDUCATION:	Miriam Morrissey, Pat Maikowski, Nick Rioux, Melissa McIntyre, Bob Ferretti, Lenore Grunko, Betsy Scholfield, Alyson Whelan, Robert Ferretti
ESSEX BOARD OF EDUCATION:	Lon Seidman, Mark Watson, Nancy Johnston, Justin Pillion, Marjorie Russell
REGION 4 BOARD OF EDUCATION:	Kate Sandmann, Richard Strauss, Lon Seidman, John Stack, Jennifer Clark, Lol Fearon, Jane Cavanaugh

Also in attendance: Brian White, Superintendent; Sarah Brzozowy, Assistant Superintendent; Robert Grissom, Finance Director; Thomas Peterlik, Director of Food Services

CALL TO ORDER and Verbal Roll Call

Mr. Seidman called the meeting to order at 7:05 p.m.

The Chairs of the Deep River, Essex and Region 4 Boards called their respective Boards to order at 7:06 p.m.
(Note: Chester did not have a quorum and did not gain a quorum during the meeting. All votes missed by the Chester BOE will be taken at their next regularly scheduled BOE meeting on May 25th).

CONSENT AGENDA

On motion duly made and seconded the Deep River, Essex and Region 4 Boards unanimously **VOTED** to accept the consent agenda consisting of the minutes from the regular meeting of February 23, 2023.

PUBLIC COMMENT

No Comment.

REPORTS AND OTHER ITEMS

Superintendent Update

District Update/Information and Communication

Mr. White provided a security update of the audit that is being done. Three sites have been completed. Two schools and Central Office will be done in April. A group of emergency responders from all three towns will review this information and recommendations will be shared with Board members. Training will be done after the recommendations are received. A committee will meet to discuss the Capital Plan for all Regional schools after the Spring break. A Board retreat has been scheduled for May 6th to discuss a facilities master plan, capital needs and cost. Board of Selectmen and Board of Finance members from all three towns will be invited.

Assistant Superintendent Report

General Update

No Update.

Finance Director's Report

Held until Individual Board Meetings.

Other Items

Presentation of Healthy Food Certification

Mr. Peterlik discussed the healthy food certification reimbursement and items for purchase.

Upon a motion duly made and seconded the Region 4, Essex Elementary and Deep River Elementary Boards of Education unanimously **VOTED** to approve the Superintendent's recommendation to vote "yes" on implementing the healthy food option of C.G.S. Section 10-215f and to approve the following motion language for the healthy food option: Pursuant to C.G.S. Section 10-21f, the Board of education or governing authority certifies that all food items offered for sale to students in the schools under its jurisdiction, and not exempted from the Connecticut Nutrition Standards published by the Connecticut State Department of Education, will comply with the Connecticut Nutrition Standards during the period of July 1, 2023, through June 30, 2024. This certification shall include all food offered for sale to students separately from reimbursable meals at all time and from all sources, including but not limited to school stores, vending machines, school cafeterias, culinary programs, and any fundraising activities on school premises sponsored by the school or non-school organizations and groups.

Upon a motion duly made and seconded the Region 4, Essex Elementary and Deep River Elementary Boards of Education unanimously **VOTED** to approve the Superintendent's recommendation to vote "yes" to allow food and beverage exemptions and approve the following motion language: The board of education or governing authority will allow the sale to students of food items that do not meet the Connecticut Nutrition Standards and beverages not listed in Section 10-221q of the Connecticut General Statutes provided that the following conditions are met: 1) the sale is in connection with an event occurring after the end of the regular school day or on the weekend; 2) the sale is at the location of the event; and 3) the food and beverage items are not sold from a vending machine or school store. An "event" is an occurrence that involves more than just a regularly scheduled practice, meeting, or extracurricular activity. For example, soccer games, school plays, and interscholastic debates are events but soccer practices, play rehearsals, and debate team meetings are not. The "regular school day" is the period from midnight before to 30 minutes after the end of the official school day. "Location" means where the event is being held and must be the same place as the food and beverage sales.

Universal Screener Pilot for 2023-24 – S. Brzozowy

Dr. Brzozowy gave a presentation discussing the need for a Universal Screener and their function.

Committee Reports

Policy

A First Reading was held on the following policies, as recommended by the Joint BOE Policy Committee. These will be discussed at individual BOE meetings in May, before coming back in June for a second reading and vote:

Update Existing with the following:

Policy #3160 Transfer of Funds between Categories (Fund Balance Section) (encl #2)

Policy #4118.231/4218.231 Alcohol, Tobacco and Drug Free Workplace (encl # 3)

Policy #5114 Suspension and Expulsion / Due Process (encl # 4)

Policy #5132 Dress Code (encl # 5)

Policy #6162.4 Volunteers (encl # 6)

Policy / Bylaw #9221 (encl # 7)

A Second Reading was held on the following policies as recommended by the Joint BOE Policy Committee

Update Existing with the following:

Policy #1110.1 Communication – Parent Involvement (encl #8)
Policy #1324 Fundraising (encl # 9)
Policy #1331 Prohibition Against Smoking (encl # 10)
Policy #3171.1 Non-lapsing Education Fund (encl #11)
Policy #3542 School Lunch Service (encl # 12)
Policy #4122 Evaluation, Termination, and non-Renewal of Athletic Coaches (encl #13)
Policy #5113/5113.2 Attendance / Truancy (encl #14)
Policy #5131.6 Drug, Alcohol and Tobacco Use by Students (encl #15)
Policy #5131.911 Bullying (encl #16)

Adopt New:

Policy #3542.22 Food Services Personnel Code of Conduct (encl #17)
Policy #3542.41 Food Services Personnel Professional Standards (encl # 18)
Policy #3542.43 Charging Policy Food Service (encl # 19)
Policy #4118.234 Psychotropic Drug Use (encl # 20)
Policy #5131.62 Chemical Health for Student Athletes (encl # 21)
Policy #5144.4 Physical Exercise and Discipline of Students (encl # 22)
Policy #5163 Policy to Improve Completion Rates of the Free Application for Federal Student Aid (FAFSA) (encl # 23)
Policy #6141.51 Enrollment in an Advanced Course or Program and Challenging Curriculum (encl # 24)
Policy #6172.1 Equitable Identification of Gifted and Talented Students (encl #25)

Upon a motion duly made and seconded the Region 4, Essex Elementary and Deep River Elementary Boards of Education unanimously **VOTED** to adopt the above listed policies (encl #8 - #25) as presented.

Finance

No Report

Curriculum

No Report

PUBLIC COMMENT

No Comments made

***ADJOURNMENT:**

On motion duly made and seconded, the Essex and Deep River Boards of Education unanimously **VOTED** to adjourn at 7:45p.m.

*Region 4 remained in session to discuss the following business:

There was a discussion regarding the approval of payment to East Coast Sports Surfaces from the capital reserve account for emergency crack repair and repainting of the VRHS tennis courts. This work is expected to be reimbursed by the state.

Upon a motion duly made and seconded the Region 4 Board of Education unanimously **VOTED** to approve payment to East Coast Sports Surfaces in the amount of \$12,732 from the capital reserve account for emergency crack repair and repainting of the VRHS Tennis Courts.

Two potential donations were discussed.

Upon a motion duly made and seconded the Region 4 Board of Education unanimously **VOTED** to accept a donation of \$500 from the Lee Co. to be used at the discretion of the administration to benefit the VRHS Robotics Program.

Upon a motion duly made and seconded the Region 4 Board of Education unanimously **VOTED** to accept a donation of \$4,000 to JWMS from the R4 Foundation to be used at the discretion of the administration to enhance the technology education classroom with virtual reality headsets.

A discussion was held regarding the security update at John Winthrop.

ADJOURNMENT OF REGION 4 BOE

Upon a motion duly made and seconded the Region 4 Board of Education unanimously **VOTED** to adjourn at 8:20pm.

Respectfully Submitted,

Kelley Frazier, Clerk

**Minutes of the
JOINT BOARD OF EDUCATION**
Subject to approval at future Joint BOE Meeting

Joint BOE Retreat – District Strategic Planning and Long-Range Pre-K-12 Facility/Operational Needs

Date: Saturday, May 06, 2023

Location: John Winthrop Middle School Library

Attendance:

Chester Board Of Education: David Fitzgibbons, Dale Bernardoni, Jan Taigen, Stuart Johnson, Lorraine Connolly, Faith Sprigg

Chester Board of Selectmen: invited to participate - None present

Chester Board of Finance: invited to participate - None present

Deep River Board Of Education: Miriam Morrissey, Alyson Whelan

Deep River Board of Selectmen: invited to participate - None present

Deep River Board of Finance: invited to participate - None present

Essex Board Of Education: Lon Seidman, Marjorie Russell

Essex Board of Selectmen: invited to participate - None present

Essex Board of Finance: invited to participate - None present

Region 4 Board Of Education: Rick Daniels, Jennifer Clark, Richard Strauss, Lon Seidman, John Stack, Lol Fearon, Jane Cavanaugh

Administration: Superintendent Brian J. White and Assistant Superintendent Sarah Brzozowy

Other: Nick Caruso, Connecticut Association of Boards of Education (CABE) Facilitator

Audience of Citizens: 2 present

The Retreat was called to order at approx. 9:00 a.m.

This retreat was scheduled, as requested by the Boards of Education at their January 2023 BOE retreat, for the purpose of discussing District Strategic Planning and Long-Range Pre-K-12 Facility/Operational Needs. Also invited to participate in the discussion today were the Boards of

Finance and Boards of Selectmen from the towns of Chester, Deep River, and Essex, although none were able to attend.

Superintendent White presented an overview of the Strategic Plan for 2023-2028 (as approved by the Joint BOE on Feb., 23, 2023). He also re-shared enrollment projections, as well as the summary of the outcomes of a building study previously presented to the Joint BOE, highlighting the long term needs to be mindful of for facilities master planning.

Nick Caruso of CAFE facilitated discussions regarding the Long Term Vision for Public Education in the Towns of Chester, Deep River and Essex, and how the above information impacts planning for that vision.

Audience of Citizens: Those present were given a chance to share their comments

ADJOURNMENT

The retreat adjourned at approx. 12:35 p.m..

The Schools of Chester, Deep River, Essex, and Regional School District No. 4

Proposed Substitute Pay Rates for FY 2023-2024

TEACHER Subs	
Certified Teachers	Depending on experience: \$125 / day OR \$150 / day
Non Certified	\$125 / day (must have at least a BA degree)
Long-Term Sub Teacher: After 40 consecutive days in the same assignment	On 41st day - BA Step 1 of current contract no benefits
Long-Term Sub Teacher: After 90 consecutive days in the same assignment	On 91st day - Rate based on Degree & Years exp as per current contract with benefits
Long-Term Sub Teacher: Full Year	Rate based on Degree & Years exp as per current contract with benefits
OTHER Sub Positions	
Para	\$15.00 / hr (equal to minimum wage)
Nurse	All Qualified Substitute Nurses starting rate = \$26.00 / hr Previously employed Nurse - The rate at which the Nurse was last paid as a permanent employee.
Custodian	Starting rate = \$15.00 / hr (equal to minimum wage)
Secretary	Starting rate = \$16.00 / hr Previously employed Secretary - The rate at which the Secretary was last paid as a permanent employee.
Cafeteria	\$15.00 / hr (equal to minimum wage)

Joint BOE Tuition Committee Recommendation for Proposed Yearly Tuition Fee Structure for 2023-24

High School - \$16,500/yr. – (2nd and subsequent children at VRHS would equal \$15,500/yr.)

(Plus fees for International Baccalaureate (IB), Advanced Placement (AP), & Virtual High School (VHS) as applicable)

- IB Diploma Programme – \$3,500 per year plus responsible for additional testing fees
- AP – Responsible for additional testing fees
- VHS – \$500 per course where available
- Sports – Fees dependent upon CIAC regulations
- \$1,000/yr. discount on subsequent students from the same family
- Discount offered for all children of active military parent(s) – 80% of stated rates

Middle School - \$15,500/yr. – (2nd and subsequent children at JWMS would equal \$14,500/yr.)

- \$1,000/yr. discount on subsequent students from the same family
- Discount offered for all children of active military parent(s) – 80% of stated rates

Elementary Schools - \$13,500/yr. – (subsequent students from same family discounts as listed below)

- \$13,500/yr. 1st Child
- \$13,000/yr. 2nd Child
- \$12,500/yr. 3rd Child
- \$12,000/yr. 4th and Subsequent Children
- Discount offered for all children of active military parent(s) – 80% of stated rates



**Regional School District #4
Chester – Deep River – Essex – Region 4**

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**AGREEMENT CONCERNING THE ESTABLISHMENT AND OPERATION OF AN
INTERIM COLLABORATIVE PRESCHOOL PROGRAM**

THIS COLLABORATIVE PRESCHOOL PROGRAM AGREEMENT, (“Agreement”) is entered into on Feb. 13, 2008 by and among the undersigned boards of education of Chester, Deep River, Essex (collectively, the “Boards), and the Regional Supervision District Committee.

WHEREAS, this Agreement is entered into pursuant to the authority granted by Connecticut General Statute Section 10-158a, which allows two or more boards of education to agree in writing to establish cooperative arrangements to provide special services, programs or activities to enable such boards to carry out the duties specified in the general statutes.

WHEREAS, the said Boards are desirous of establishing a cooperative arrangement regarding the operation of a collaborative preschool program (the “Program”) to provide educational services to identified resident special education children ages three through five as required by State and Federal law.

NOW, THEREFORE, the Boards, intending to be legally bound, hereby agree as follows:

1. Each of the individual undersigned boards of education remains responsible for meeting the requirements of State and Federal law to the identified resident special education children of their respective Towns.
2. The Regional Supervision District Committee established by the Interdistrict Agreement entered into on September 28, 2000 by the Chester, Deep River, Essex, and Regional School District No. 4 Boards of Education, shall be responsible for the oversight and management of the Program.
3. This Agreement incorporates by reference the terms of the Interdistrict Agreement, including, but not limited to the authority and general powers of the Regional Supervision District Committee.
4. The teachers and staff dedicated to the Program shall be employees of the Regional Supervision District Committee. The Director of Pupil Services shall be responsible for oversight, staff supervision, evaluations, and general management of the Program. The school-based administrator for the school in which the program is housed shall be responsible for daily operations of the Program.
5. Each of the individual undersigned Boards shall be responsible for providing transportation through the Supervision District Committee for identified special education students participating in the Program consistent with the Interdistrict Agreement entered into on September 28, 2000.

6. Notwithstanding the provision of this Agreement to the contrary, the costs associated with housing and improvements associated with the Program should renovations and/or alternative space construction be necessary shall be based on the Average Daily Membership (ADM) among the participating Boards. *(For the purpose of determining shared costs for the subsequent school year, ADM = total number of students in each district K-6 or 7-12 based upon the October 1 census of the current year + PK special needs students (minus typical peers) assigned to the home district + students educated out of district assigned to the home district (special education, vocational agriculture) not including students attending Technical High Schools and Adult Education.)*
7. The Essex Board of Education has agreed to be the host district of the Program on an interim basis, providing two classroom spaces and an auxiliary space to the collaborative preschool program. Any addition to these space needs shall require a vote of the Essex Board of Education, which may decline to provide such additional space.
8. The Essex Board of Education shall not be obligated to accept more than 70 students in this Program including typical peers and in no case shall be obligated to provide more space than that which is provided in section 7 of this agreement.
9. The Essex Board of Education shall evaluate its participation as the host community each October while this agreement is in effect.
10. The undersigned Boards of Education recognize that the Essex Elementary School has limited space to host the program. Should The Essex Board of Education determine that elementary programs are negatively impacted by the space needs of the collaborative preschool program, the undersigned boards will discuss and act upon alternative space solutions.
11. The undersigned Boards of Education agree to promptly form a long-term plan for the collaborative pre-school program.
12. The Program is required by State and Federal law to provide the minimum of a one to one ratio of students with disabilities to students without disabilities otherwise known as "community children." This one to one ratio is accomplished through the participation of community children from the respective towns in the Program on a tuition* basis. The host district in which the Program is housed shall have the benefit of providing the Program to community children who reside in the host community tuition-free, and priority shall be given to such community children from the host district, who meet specific criteria and can provide the necessary benefit to the program to support the educational programs of our disabled students
13. In accordance with Connecticut General Statute Section 10-158a(b), any of the undersigned Boards of Education may withdraw from this Agreement provided it gives written notice of its intent to do so by October 31st to each of the other Boards. The withdrawal would be effective at the start of the next academic year.
14. The Boards of Education may amend this agreement.
15. This agreement shall expire on June 30, 2013. It may be renewed in one-year increments, with said renewal to be approved no later than June 30, 2012.

IN WITNESS WHEREOF, the parties hereto have authorized their designated representatives to set their hand this 13th day of February, 2008.

Chester Board of Education

Pamela M. Christman
Chairperson Pamela Christman

Deep River Board of Education

Lori Lenz
Chairperson Lori Lenz

Essex Board of Education

Lon Seidman
Chairperson Lon Seidman

Regional Supervision District Committee

Terry Stewart
Chairperson Terry Stewart

REVISED R4 BOE
Regular Meeting Start Time
for Sept. & Nov. 2023

Regional School District 4- Chester – Deep River – Essex
CALENDAR OF BOARD OF EDUCATION MEETINGS & WORKSHOPS
August 2023 through December 2023

Proposed
revisions to
current BOE
meeting
calendar are
highlighted

DRAFT - Proposed REVISION to be approved - DRAFT					
<u>Board</u>	<u>REGION 4</u>	<u>ESSEX</u>	<u>DEEP RIVER</u>	<u>CHESTER</u>	<u>SUPERVISION & JOINT BOE</u>
Time and Venue REMOTE via Google Meet until further notice	6:00 p.m. Revised Time	7:00 p.m.	7:00 p.m.	7:00 p.m.	6:30 p.m. & 7:00 p.m.
August 2023	R4BOE Aug. 03, 2023* *4:00 p.m. (only if needed)	No mtgs.	No mtgs.	No mtgs.	Supv. Dist. ONLY Aug. 03, 2023 * *5:00 p.m. (only if needed)
September 2023 <i>NOTE: Earlier start time of 6:00 p.m. (for Region 4 BOE regular meetings) begins this month</i>	R4 BOE Sept. 07, 2023 6:00 p.m.	EES BOE Sept. 14, 2023	DRES BOE Sept. 21, 2023	CES BOE Sept 28, 2023	
October 2023	R4 BOE Oct. 05, 2023 *Immediately following Joint BOE mtg.				SD & JOINT BOE Oct. 05, 2023
November 2023	R4 BOE Nov. 02, 2023 6:00 p.m.	EES BOE Nov. 09, 2023	DRES BOE Nov. 16, 2023	CES BOE Nov. 20, 2023* Set on Monday due to holiday conflict	
December 2023					SD & JOINT BOE Dec. 07, 2023
					Dec. 14, 2023* Supv. District Budget Wkshp 1 *6:00 p.m.

Background

Chester, Deep River and Essex jointly employ the Superintendent of schools through the Supervision District. Employing the Superintendent through a committee is authorized under CGS 10-157(a) which specifically deals with the sharing of a Superintendent of Schools:

The boards of education of any two or more towns, or the board of education of any regional school district and the board of education of one or more of the towns comprising the district, or a committee formed and authorized by agreement of such boards on behalf of such boards may jointly employ a superintendent of schools, and said superintendent of schools shall have the powers and duties for each of said boards as provided in section 10-157.

The law gives the committee authority to develop and approve a contract of employment:

Such boards of education or such committee shall specify in a written agreement the term of office of such superintendent, which shall not exceed three years, and the proportionate share and limits of authorized expenditures for the salary of such superintendent and other necessary expenses, and any other pertinent matters, and shall provide for the evaluation of the superintendent pursuant to section 10-157

Our Supervision District agreement does not have language specific to an employment agreement so the practice has varied throughout the years. However the committee was authorized under 10-157a to conduct the process as it sees fit to do so. Single board districts do need to vote as a group to approve an employment agreement.

Currently the Supervision agreement only refers to the "Election of Superintendent" and the "Evaluation of the Superintendent:"

3.2 Election of Superintendent. The election of a Superintendent of Schools shall be a function of the four Boards of Education acting in concert, not the Committee. Such election shall be in accordance with the provisions of Connecticut general Statute 10-157a. Should the need arise for the election of a Superintendent, the Boards acting in concert shall determine the search process.

3.3 Evaluation of Superintendent. The Superintendent shall be evaluated annually by the several Boards of Education, using a process mutually agreed upon by the Superintendent and the Boards, and in accordance with Connecticut General Statute 10-157a.

It should be noted that CGS 10-157 stipulates the election is a function of Boards, which is why the Supervision agreement requires the boards to each vote separately. However 10-157(a) gives the committee the authority to negotiate the contract.

In the absence of a contract process in the Supervision agreement the Superintendent's Contract does have language referring to a renewal process:

The term of this Agreement is for three years. The Superintendent, the Member Boards and the District agree that they shall adhere to the following procedures to extend the Superintendent's employment under this contract for an additional period of three years: prior to the end of the first year of a three year agreement, the District at the request of the Superintendent may vote for a new three year agreement.

It should be noted that the Superintendent's contract refers to the "District" as the Supervision District and refers to the boards as "Member Boards."

The Boards' only direct employee is the Superintendent of Schools. We have a good existing practice for collecting and processing feedback for the purposes of evaluation. In almost every school district, including ours, the Board Chair as the elected representative of the board members is the day-to-day liaison between members and the Superintendent.

Few, if any, boards throughout the state involve the entire board in the contract negotiation. Most leave that task either to the Board Chair, the Board Executive committee, or appoints a small committee that reports back to the main body. It should be noted that all single board districts are required to vote to *approve* the contract unless they are part of a collaboration per 10-157(a).

Because of our unique configuration the following proposal is being made for your consideration. (next page):

Proposal:

1. Amend the Supervision District Agreement to reflect the following:
 - a. At the April meeting of the Supervision District an executive session will be held to give the Superintendent the opportunity to discuss the year in review (per policy). This meeting will also give the Superintendent the opportunity to propose any changes to their contract and help set expectations for a contract negotiation.
 - b. Per policy, a formal evaluation meeting is held with the Board Chairs and the Superintendent in June prior to the regularly scheduled Supervision District meeting. At that meeting the Board Chairs and Superintendent may negotiate and draft a renewed contract for consideration.
 - c. At the regular Supervision District meeting in June the Board Chairs will present the proposed contract renewal to the Supervision District members for discussion and vote. Should the vote be approved, the contract will be sent to the Member Boards for their approval. Should all boards approve the contract will be in effect on the renewal.
 - d. In the case of a newly elected Superintendent, the Board Chairs will meet with the candidate to negotiate the initial contract. The Supervision District will vote to approve the contract which will then be sent to Member Boards for their approval. Should all boards approve the contract will be in effect on the renewal.

Students

Student Health Services

School District Medical Advisor

The Board of Education shall appoint a school district medical advisor and appropriate medical support service personnel including nurses.

School health efforts shall be directed toward detection and prevention of health problems and to emergency treatment, including the following student health services:

1. Appraising the health status of student and school personnel;
2. Counseling students, parents, and others concerning the findings of health examination;
3. Encouraging correction of defects;
4. Helping prevent and control disease;
5. Providing emergency care for student injury and sudden illness;
6. Maintaining school health records.

Health Records

There shall be a health record for each student enrolled in the school district which will be maintained in the school nurse's room. For the purposes of confidentiality, records will be treated in the same manner as the student's cumulative academic record.

Student health records are covered by the Family Educational Rights and Privacy Act (FERPA) and are exempt from the Health Insurance Portability Accountability Act (HIPAA) privacy rule. However, it is recognized that obtaining medical information from health care providers will require schools to have proper authorization and to inform parents that such information once released by health care providers is no longer protected under HIPAA but is covered under FERPA.

Students

Student Health Services (continued)

Regular Health Assessments

Prior to enrollment in kindergarten, each child shall have a health assessment by one of the following medical personnel of the parents or guardians choosing to ascertain whether the student has any physical disability or other health problem tending to prevent him or her from receiving the full benefit of school work and to ascertain whether such school work should be modified in order to prevent injury to the student or to secure for the student a suitable program of education:

1. a legally qualified physician;
2. an advanced practice registered nurse;
3. a registered nurse;
4. a physician's assistant.

Such health assessment shall include:

1. Physical examination which shall include hematocrit or hemoglobin tests, height, weight, and blood pressure;
2. Updating of immunizations required under C.G.S. 10-204a as periodically amended;
3. Vision, hearing, postural, and gross dental screening;
4. If required by the school district medical advisor, testing for tuberculosis and sickle cell anemia or Cooley's Anemia;
5. Any other information including a health history as the physician believes to be necessary and appropriate.

Students

Student Health Services (continued)

Health assessments shall also be required in grades 6 or 7 and in grades 9 or 10 by a legally qualified physician of each student's parents or guardians own choosing, or by the school medical advisor, or the advisor's designee, to ascertain whether a student has any physical disability or other health problem. Such health assessments shall include:

1. Physical examination which shall include hematocrit or hemoglobin tests, height, weight, and blood pressure;
2. Updating of immunizations required under C.G.S. 10-204a and the Department of Public Health, Public Health Code, 10-204a-2a, 10-204-3a and 10-204a-4;
3. Vision, hearing, postural, and gross dental screening;
4. If required by the school district medical advisor, testing for tuberculosis and sickle cell anemia or Cooley's Anemia; TB screening will be required as determined by the child's health care provider or required from children who are at increased risk of acquiring tuberculosis infection and disease. Students entering from outside the United States will be required to have a new tuberculin test and results reported prior to entry into the District's schools.
5. Any other information including a health history as the physician believes to be necessary and appropriate.

A child will not be allowed, as the case may be, to begin or continue in district schools unless health assessments are performed as required. Students transferring into the district must provide evidence of required Connecticut vaccinations, immunizations, and health assessments at enrollment and prior to school attendance.

Health assessments will be provided by the school medical advisor or the advisor's designee without charge to all students whose parents or guardians meet the eligibility requirement of free and reduced priced meals under the National School Lunch Program or for free milk under the special milk program.

The Board of Education shall annually designate a representative to receive reports of health assessments and immunizations from health care providers.

Health assessment results and recommendations signed by the examining physician or authorized medical personnel shall be recorded on forms provided by the Connecticut State Board of Education and kept on file in the school the student attends. Upon written authorization from the student's parent or guardian, original cumulative health records shall be sent to the chief administrative

Students

Student Health Services (continued)

officer of the school district to which such student moves and a true copy of the student's cumulative health records maintained with the student's academic records. The Superintendent of Schools, or designee, shall notify parents of any health-related problems detected in health assessments and shall make reasonable efforts to assure that further testing and treatment is provided, including advice on obtaining such required testing or treatment.

Students who are in violation of Board requirements for health assessments and immunizations will be excluded from school after appropriate parental notice and warning.

Vision Screening

All students in grades K-6, and grade 9 will be screened using a Snellen chart, or equivalent screening, by the school nurse or school health aide. Additional vision screening will also be conducted in response to appropriate requests from parents/guardians or professionals working with the student in question. Results will be recorded in the student's health record on forms supplied by the Connecticut State Board of Education, and the superintendent shall cause a written notice to be given to the parent or guardian of each student found to have any defect of vision, with a brief statement describing such defect.

As necessary, special educational provisions shall be made for students with disabilities.

Hearing Screening

All students will be screened for possible hearing impairments in grades K-3, grade 5, and grade 8. Additional audiometric screening will be conducted in response to appropriate requests from parents/guardians or professionals working with the student. Results will be recorded in the student's health record on forms supplied by the Connecticut State Board of Education, and the Superintendent shall cause a written notice to be given to the parent or guardian of each student found to have any defect of hearing, with a brief statement describing such defect.

As necessary, special educational provisions shall be made for students with disabilities.

Students

Student Health Services (continued)

Postural Screening

School nurses will screen all students in grades 5 through 9 inclusive for scoliosis or other postural problems. Additional postural screening will also be conducted in response to appropriate requests from parents/guardians or professionals working with the student. Results will be recorded in the student's health record on forms supplied by the Connecticut State Board of Education, and the Superintendent shall cause a written notice to be given to the parent or guardian of each student found to have any postural defect or problem, with a brief statement describing such defect or disease.

As necessary, special educational provisions shall be made for students with disabilities.

Tuberculin Testing

In addition to tuberculin testing required by the school district medical advisor as part of regular student health assessments, all new students, including preschool students, will be required to have at least one test for tuberculosis prior to entry in district schools.

A test for tuberculosis should be performed if any of the following risk factors prevail:

1. birth in a high risk country of the world (to include all countries in Africa, Asia, the former Soviet Union, Eastern Europe, Central South America, Dominican Republic, and Haiti);
2. travel to a high risk country staying at least a week with substantial contact with the indigenous population since the previously required examination;
3. extensive contact with persons who have recently come to the United States since the previously required examination;
4. contact with persons suspected to have tuberculosis, or
5. had contact with anyone who was in a homeless shelter, jail or prison, uses illegal drugs or has an HIV infection.

Students

Student Health Services (continued)

Immunizations/Vaccinations

No student will be allowed to enroll in any program operated as part of the district schools without adequate immunization against the following diseases:

1. Measles
2. Rubella
3. Poliomyelitis
4. Diphtheria
5. Tetanus
6. Pertussis
7. Mumps
8. Hemophilus influenza type B
9. Any other vaccine required by Section 19a-7f of Connecticut General Statutes.
10. Hepatitis B
11. Varicella (chickenpox)
12. Hepatitis A
13. Pneumococcal disease
14. Influenza ([see preschool specific requirement below per Regulations of CT State Agencies 10-204a-2a](#))
15. Meningococcal disease

All students in grades K-12 are required to have received 2 doses of measles, mumps and rubella vaccine or serologic proof of immunity. Students entering kindergarten and seventh grade shall show proof of having received 2 doses of varicella vaccine, laboratory confirmation of immunity, or present a written statement signed by a physician, physician assistant or advanced practice registered nurse indicating the individual has had varicella based on family or medical history. (Varicella requirement effective August 1, 2011)

Effective August 1, 2011, all seventh grade students must show proof of 1 dose of meningococcal vaccine and 1 dose of Tdap in addition to the completion of the primary DTP series.

All students in grades K-12 are required to have 3 doses of Hepatitis B vaccine or serologic evidence of immunity.

By January 1 of each year, children aged 24-59 months enrolled in the District's preschool program must show proof of receipt of at least one dose of influenza vaccine between August 1 and

December 31 of the preceding year. All children aged 24-59 months have not received vaccination against influenza previously must show proof of receipt of two doses of the vaccine the first influenza season they are vaccinated. Children seeking to enroll in the District's preschool program between January 1 and March 31 are required to receive the influenza vaccine prior to being permitted to enter the program. Children who enroll in the preschool program after March 31 of any given year are not required to meet the influenza vaccine requirement until the following January.

Students

Student Health Services

Immunizations/Vaccinations (continued)

Students shall be exempt from the appropriate provisions of this policy when:

1. they present a certificate from a physician, physician assistant, advanced practice registered nurse, or local health agency stating that initial immunizations have been given and additional immunizations are in process under guidelines and schedules specified by the Commissioner of Health Services; or
2. they present a certificate from a physician, physician assistant, advanced practice registered nurse stating that in the opinion of such physician medical provider, immunization is medically contraindicated because of the physical condition of such child Such certification shall be provided on the medical exemption certificate form developed by the Department of Public Health and available on its website; or
3. they present a statement from their parents or guardians that such immunization would be contrary to the religious beliefs of such child or his/her parents/guardians; such statement to be officially acknowledged by a notary public or a judge, a court clerk/deputy clerk, a town clerk, a justice of the peace, a Connecticut attorney, or a school nurse, and such religious exemption was granted prior to April 28, 2021 (by midnight April 27, 2021). Such student retains this exemption through grade twelve, even if the student transfers to another school in Connecticut; or

Note: To be eligible for such an exemption, a student: (a) must have been enrolled in school in Grades K-12 on or before midnight April 28, 2021; and (b) must have submitted a valid religious exemption prior to midnight, April 27, 2021. Students must meet both conditions in order to be eligible for a religious exemption.

5141(h)

4. In the case of a child enrolled in pre-school or pre-kindergarten on or before April 28, 2021 whose parent/guardian appropriately submitted a statement necessary for the religious exemption shall have until September 1, 2022 to comply with Connecticut's required immunizations or within fourteen days after transferring to a different public or private school, whichever is later. The deadline for such pre-school/pre-K student complying with the immunization requirements can be altered if the school/district is provided with a written declaration from the child's physician, physician assistant or advanced practice registered nurse recommending a different immunization schedule for the child.; or

4. in the case of measles, mumps or rubella, present a certificate from a physician, physician assistant or advanced practice registered nurse or from the Director of Health in such child's present or previous town of residence, stating that the child has had a confirmed case of such disease; or
5. in the case of Hemophilus influenza type B has passed his or her fifth birthday; or
6. in the case of diphtheria, tetanus and pertussis, has a medical exemption confirmed in writing by a physician, physician assistant or advanced practice registered nurse (per C.G.S. 19a-7f).

The school nurse will report to the local Director of Health any occurrence of State of Connecticut defined reportable communicable diseases.

Note: In the situation regarding the religious exemption, a child is considered enrolled in school on or before April 28, 2021 as a parent/guardian provides documentation, consistent with District policy, establishing that such child is eligible to attend school in the district in the current or upcoming school year based upon age and residency, and that the family intends for the child to do so, whether the District refers to eligibility as "registration" or "enrollment." Families that took such steps, on or before April 28, 2021, toward having children attend Kindergarten for the 2020-2021 school year would be considered enrolled in the District as a Kindergarten student. Such a student would be eligible for a religious exemption if the student also provided a valid religious exemption statement by midnight on April 27, 2021. (CSDE Guidance-5/25/21)

Health Assessments/Interscholastic Sports Programs

Any student participating in an interscholastic sports program must have a health assessment, within the past thirteen months prior to the first training session for the sport or sports. After the initial examination, repeat examinations are required every two years. Each participant in a sport program must complete a health questionnaire before participating in each sport.

Students

Student Health Services (continued)

Parents are expected to use the services of their private physician. If a student is unable to obtain a health assessment from his/her personal physician for financial or other reasons, an examination can be arranged with school medical advisor. Health assessment results shall be recorded on forms provided by the Connecticut State Board of Education, signed by the examining physician, school medical advisor or advisor's designee, filed in the student's health folder, and maintained up to date by the school nurse.

Coaches and physical education staff shall insure appropriate monitoring of an athlete's physical condition.

Student Medical Care at School

School personnel are responsible for the immediate care necessary for a student whose sickness or injury occurs on the school premises during school hours or in school-sponsored and supervised activities.

Schools shall maintain files of emergency information cards for each student. If a child's injury requires immediate care, the parent or guardian will be called by telephone by the nurse, the building principal, or other personnel designated by the principal, and advised of the student's condition. When immediate medical or dental attention is indicated, and when parents or guardians cannot be reached, the student will be transported to the nearest hospital unless otherwise indicated on the student's Emergency Information card. In this event, the family physician/dentist and school district medical advisor will be notified of school district actions.

(cf. 5125.11 - Health/Medical Records HIPAA)

(cf. 5142 - Student Safety)

(cf. 5141.3 - Health Assessments & Immunizations)

(cf. 5141.4 - Child Abuse and Neglect)

(cf. 5141.5 - Suicide Prevention)

(cf. 6142.1 - Family Life and Sex Education)

(cf. 6145.2 - Interscholastic/Intramural Athletics)

(cf. 6171 - Special Education)

Students

Student Health Services (continued)

Legal Reference: Connecticut General Statutes
 10-203 Sanitation.
 10-204a Required immunizations (as amended by PA 15-174 and PA 15-242 and PA 21-6).
 10-204c Immunity from liability
 10-205 Appointment of school medical advisors.
 10-206 Health assessments (as amended by PA 07-58).
 10-206a Free health assessments.
 10-207 Duties of medical advisers.
 10-208 Exemption from examination or treatment.
 10-208a Physical activity of student restricted; boards to honor notice.
 10-209 Records not to be public. (as amended by P.A. 03-211)
 10-210 Notice of disease to be given parent or guardian.
 10-212 School nurses and nurse practitioners.
 10-212a Administration of medicines by school personnel.
 10-213 Dental hygienists.
 10-214 Vision, audiometric and postural screening: When required; notification of parents re defects; record of results. (as amended by PA 96-229 An Act Concerning Scoliosis Screening)
 10-214a Eye protective devices.
 10-214b Compliance report by local or regional board of education.
 10-217a Health services for children in private nonprofit schools. Payments from the state, towns in which children reside and private nonprofit schools.

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

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).

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

Policy adopted: Nov. 10, 1997

Policy revised: Oct. 6th, 2011

Policy revised: TBD

CHESTER BOARD OF EDUCATION
 DEEP RIVER BOARD OF EDUCATION
 ESSEX BOARD OF EDUCATION
 REGION 4 BOARD OF EDUCATION

Non-Instructional Operations

Non-Lapsing Education Fund

(Reserve Fund for Nonprofit School Food Service Accounts and Cafeteria Meal Programs)

Sections [7 CFR 210.14 \(a\)](#) of the National School Lunch Program (NSLP) regulations and [7 CFR 220.13\(i\)](#) of the School Breakfast Program (SBP) regulations require School Food Authorities (SFAs) to establish a Nonprofit School Food Service Account (NSFSA). The NSFSA is the restricted account in which all the revenue from all food service operations conducted by the SFA, principally for the benefit of school children, is retained and used only for the operation or improvement of the nonprofit school food service.

The following policy will govern the Reserve Fund for Nonprofit School Food Service Accounts and Cafeteria Meal Programs:

1. The school food authority shall limit its net cash resources (NCR) to an amount that does not exceed 3 months average expenditures for its nonprofit school food service or such other amount as may be approved by the State agency in accordance with [§ 210.19\(a\)](#). “Net cash resources” means all monies, as determined in accordance with the state agency’s established accounting system that are available to or have accrued to a SFA’s nonprofit school food service at any given time, less cash payable. Such monies may include, but are not limited to, cash on hand, cash receivable, earnings on investments, cash on deposit and the value of stocks, bonds, or other negotiable securities.
2. The school food authority shall meet the requirements of the State agency for compliance with [§ 210.19\(a\)](#) including any separation of records of nonprofit school food service from records of any other food service which may be operated by the school food authority.
3. To document compliance with the NCR requirement, SFAs must submit the annual Financial Report for School Nutrition Programs in the Connecticut Online Application and Claiming System for Child Nutrition Programs (CNP System). SFAs that exceed three months’ average expenditures must submit a Plan to Reduce Excess Operating Balance to the CSDE to indicate how the excess balance will be spent to maintain the SFA’s nonprofit status. Expenditures must make improvements to the school nutrition programs such as improving food quality and replacing or purchasing necessary equipment.
4. This fund cannot be used to subsidize the cost of unpaid student paid meal charges or adult meals.
5. Interest and investment earnings received with respect to amounts held in the Cafeteria Reserve Fund shall be credited to the Cafeteria Reserve Fund. The Cafeteria

Reserve Fund shall be a separate, non-lapsing account and such funds shall be held in a separate account from operating funds.

6. This policy shall be reviewed by a committee of the Region 4 Board at least once every five years. Said committee shall include Town officials from each member town.

Legal Reference:

Code of Federal Regulations:

Section [7 CFR 210.14\(a\)](#) of the NSLP regulations

Section [7 CFR 210.14\(b\)](#) of the NSLP regulations

Section [7 CFR 210.19\(a\)\(1\)](#) of the NSLP regulations

Sections [7 CFR 220.13\(i\)](#) of the SBP regulations

Policy adopted: TBD

CHESTER BOARD OF EDUCATION
DEEP RIVER BOARD OF EDUCATION
ESSEX BOARD OF EDUCATION
REGION 4 BOARD OF EDUCATION

Business

Transfer of Funds between Categories; Amendments

The Board of Education may transfer any unexpended or unobligated portion of any appropriation for school purposes to any other item of such itemized estimate, but expenditures shall not exceed the total appropriation made by the fiscal authority combined with such money as may be received from other sources for school purposes, i.e., grants, reimbursements, etc.

The Superintendent is authorized to reallocate funds within the budget categories listed below. Reallocations, which result in an increase in staff, shall be approved in advance by the Board of Education. An exception is an increase in staff required by the Planning and Placement Team for special education purposes. An increase in staff required by the Planning and Placement Team shall be reported to the Board of Education.

All requests for reallocation of funds between budget line items shall be in writing from the staff to the Superintendent with sufficient justification to assess the need. The intention of this policy is to encourage school staff to operate within the adopted budget line items and categories, however, it is understood that a condition may arise which would necessitate the reallocation of funds. Any such transfer shall be subsequently reported to the Board of Education in the financial status report.

The Superintendent is authorized to transfer funds in an amount not to exceed \$25,000 from any budget category, under emergency conditions, if the urgent need for the transfer prevents the Board from meeting in a timely fashion to consider such transfer. All transfers made in such instances shall be announced at the next regularly scheduled meeting of the Board. If the Board is not scheduled to meet within 30 days, the Board Chair will be notified in writing.

The budget categories applicable to this policy are as follows:

- Personal Services - Salary and Employee Benefits (Object Codes 100 and 200)
- Purchased Professional and Technical Services (Object Code 300)
- Purchased Property Services (Object Code 400)
- Other Purchased Services (Object Code 500)
- Supplies, Textbooks and Library Books (Object Code 600)
- Property (Object Code 700)
- Other Goods and Services (Object Code 800)
- Debt Service and Transfers In/Out (Object Code 900)

The Superintendent will notify the Board of Education when expenditures are expected to exceed any budgeted category by five (5%) percent or \$5,000, whichever is greater. Board approval of transfer is required prior to the budget line item being over expended except under emergency conditions.

Business

Transfer of Funds between Categories; Amendments

Fund Balances (applies to Regional School District 4 and Supervision District only, referred to herein each as "District")

The ~~Board of Education- District~~ shall record any audited, unexpended funds ("surplus"), less any amount appropriated by the Region 4 Board of Education to their Reserve Fund for Capital and Nonrecurring Expenditures per Policy 3171.1 in accordance with Conn. Gen. Statute 10-51(d)(2), as an anticipated revenue line in the proposed budget document for the year following confirmation by audit - use any budget appropriation which has not been expended by the end of the fiscal year, once confirmed by the Annual Audit, to reduce the net expenses of the district for the following fiscal year (defined as "the year following confirmation by audit"), as required by Conn. Gen. Statute 10-51 subsection (c). The anticipated revenue line shall indicate a reduction in the net expenses by check issued to each town on the basis of ADM allocation from the year in which the surplus was incurred. The ~~Board of Education- District~~ must maintain expenses within limits of the approved budget. However, it is possible that the district may operate in a deficit in a given year due to unforeseen circumstances.

In the case of the ~~Board of Education- District~~ confronting a deficit due to unanticipated expenses in the current school year, the ~~Board- District~~ must make every effort to reduce spending to assure that projected expenditures are maintained within the appropriated budget. Where additional funds are necessary beyond the appropriated budget, the board must secure approval of a supplementary budget for expenditures in excess of the appropriated budget through the procedures that apply to the annual budget process.

The Regional Board of Education may establish reserve funds for accrued liabilities for employee sick leave and severance benefits and for capital and non-recurring expenses, subject to specified conditions. The total of such appropriation may not exceed the actuarially recommended contribution for accrued liability or ~~one~~ two percent of the operating budget for the capital reserve fund.

It is the intent of this policy to comply with state regulations as amended from time to time.

Legal Reference: Connecticut General Statutes

10-222 Appropriations and budget (as amended by Public Act No. 98-141)

Financial Accounting for Local and State School Systems 2003 Mooney

10-51 Fiscal year. Budget. Payments by member towns; adjustments to payments. Investment of funds. Temporary borrowing. Reserve fund.

June Special Session, Public Act No. 212

Policy revised: August 27, 2009

Policy reviewed: November 12, 2018

Policy revised: TBD

CHESTER PUBLIC SCHOOLS
DEEP RIVER PUBLIC SCHOOLS
ESSEX PUBLIC SCHOOLS
REGIONAL SCHOOL DISTRICT NO. 4

Personnel -- Certified/Non-Certified

Alcohol, Tobacco and Drug-Free Workplace

PURPOSE

The purpose of this policy is to establish a workplace that is free of the effects of alcohol and second-hand smoke, and free from drug abuse. By accomplishing this purpose, the Board of Education (the “Board”) also seeks to promote a safe, healthy working environment for all employees and to reduce absenteeism, tardiness, and other job performance problems that may be caused by alcohol and/or drug abuse. This policy is adopted in accordance with state law and the Drug Free Workplace Act.

STATEMENT OF POLICY

Employees shall not be involved with the unlawful manufacture, distribution, possession, or use of an illegal drug, a controlled substance, or alcohol, and shall not be under the influence of such substances while on school property or while conducting Board business on or off school property. Any employee who discovers illegal drugs, a controlled substance, or alcohol on school property shall notify the Superintendent or the Superintendent’s designee who shall investigate the matter.

An employee must report any conviction under a criminal drug statute for violations occurring on or off school property while on Board business to the Superintendent or his/her designee within five (5) days after the conviction. The Board will notify any agency awarding a grant to the Board of such conviction within ten (10) days thereafter.

Employees shall only use prescription drugs on school property, or during the conduct of Board business, that have been prescribed to them by a licensed medical practitioner, and such drugs shall be used only as prescribed. However, in accordance with Conn. Gen. Stat. § 21a-408a through 408q, the Board specifically prohibits the palliative use of marijuana on school property, at a school-sponsored activity, or during the conduct of Board business, and specifically prohibits employees from being under the influence of intoxicating substances, including marijuana used for palliative purposes, during work hours. Employees may use over-the-counter or non-prescription medication provided that the medication has been legally obtained, is being used for the purpose for which it is intended and in accordance with recommended dosage limits and other conditions noted on the label.

The Board prohibits smoking, including smoking using an electronic nicotine delivery system (e.g., e-cigarettes), electronic cannabis delivery system, or vapor product, and the use of tobacco products in any area of a school building, on school property, including property owned, leased, contracted for, or utilized by the Board, or at any school-sponsored activity.

While Connecticut law allows for the legal use of marijuana under certain circumstances, because marijuana use is still prohibited under federal law, the use of marijuana at work, or outside of work if it impairs an employee's ability to perform their job, constitutes a violation of this policy.

Violations of this policy may result in disciplinary action, up to and including possible termination of employment.

DEFINITIONS

“Any area” means the interior of a school building and the outside area within twenty-five feet of any doorway, operable window or air intake vent of a school building.

“Cannabis” means marijuana, as defined in Conn. Gen. Stat. § 21a-240.

“Controlled substance” means a controlled substance in schedules I through V of section 202 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 ([21 U.S.C. 812](#)), including marijuana.

“Electronic cannabis delivery system” means an electronic device that may be used to simulate smoking in the delivery of cannabis to a person inhaling the device and includes, but is not limited to, a vaporizer, electronic pipe, electronic hookah and any related device and any cartridge or other component of such device.

“Electronic nicotine delivery system” means an electronic device used in the delivery of nicotine to a person inhaling from the device, and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device, including, but not limited to, electronic cigarette liquid or synthetic nicotine.

“School property” means any land and all temporary and permanent structures comprising the district's school and administrative office buildings and includes, but is not limited to, classrooms, hallways, storage facilities, theatres, gymnasiums, fields, and parking lots.

“School-sponsored activity” means any activity sponsored, recognized, or authorized by a board of education and includes activities conducted on or off school property.

“Smoke” or “smoking” means the burning of a lighted cigar, cigarette, pipe or any other similar device, whether containing, wholly or in part, tobacco, cannabis or hemp.

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

EMPLOYEE ASSISTANCE

In appropriate circumstances, the Board shall provide an employee with an opportunity for rehabilitation in overcoming addiction to, dependence upon or other problem with alcohol or drugs.

Employees who feel they have developed an addiction to, dependence upon, or other problem with alcohol or drugs are encouraged to seek assistance. Certain benefits for alcoholism or drug addiction are provided under the Board's group medical insurance plan. An employee may be given an opportunity to participate in a rehabilitation program that requires absence from work for bona fide treatment. Such absence may be charged to the employee's accrued and unused sick leave, subject to the provisions of the employee's collective bargaining agreement and/or any applicable Board policies and regulations.

Any request for assistance with a drug or alcohol problem will be treated as confidential and only those persons "needing to know" will be made aware of such request.

Legal References:

Connecticut General Statutes:

Conn. Gen. Stat. § 10-233a(h) (definition of school-sponsored activity)

Conn. Gen. Stat. § 19a-342

Conn. Gen. Stat. § 19a-342a

Conn. Gen. Stat. § 21a-408a through 408q (palliative use of marijuana)

June Special Session, Public Act No. 21-1

United States Code:

Pro-Children Act of 2001, 20 U.S.C. § 7973, as amended by the Every Student Succeeds Act, Public Law 114-95, § 4001

Drug Free Workplace Act, 41 U.S.C. § 8101 et seq.

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CHESTER PUBLIC SCHOOLS
DEEP RIVER PUBLIC SCHOOLS
ESSEX PUBLIC SCHOOLS
REGIONAL SCHOOL DISTRICT NO. 4
REGIONAL SUPERVISION DISTRICT

Students

Suspension and Expulsion/Due Process

I. Definitions

- A. **Cannabis** means marijuana, as defined by Conn. Gen. Stat. § 21a-240.
- B. **Dangerous Instrument** means any instrument, article or substance which, under the circumstances in which it is used or attempted or threatened to be used, is capable of causing death or serious physical injury, and includes a "vehicle" or a dog that has been commanded to attack.
- C. **Deadly Weapon** means any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon or metal knuckles. A weapon such as a pellet gun and/or air soft pistol may constitute a deadly weapon if such weapon is designed for violence and is capable of inflicting death or serious bodily harm. In making such determination, the following factors should be considered: design of weapon; how weapon is typically used (e.g., hunting); type of projectile; force and velocity of discharge; method of discharge (e.g., spring v. CO2 cartridge) and potential for serious bodily harm or death.
- D. **Electronic Defense Weapon** means a weapon which by electronic impulse or current is capable of immobilizing a person temporarily, but is not capable of inflicting death or serious physical injury, including a stun gun or other conductive energy device.
- E. **Emergency** means a situation in which the continued presence of the student in school poses such a danger to persons or property or such a disruption of the educational process that a hearing may be delayed until a time as soon after the exclusion of such student as possible.
- F. **Exclusion** means any denial of public school privileges to a student for disciplinary purposes.
- G. **Expulsion** means the exclusion of a student from school privileges for more than ten (10) consecutive school days and shall be deemed to include, but not be limited to, exclusion from the school to which such pupil was assigned at the time such disciplinary action was taken. The expulsion period may not extend beyond one (1) calendar year.
- H. **Firearm**, as defined in 18 U.S.C § 921, means (a) any weapon (including a starter gun) that will, is designed to, or may be readily converted to expel a projectile by the action of an explosive, (b) the frame or receiver of any such weapon, (c) a firearm muffler or silencer, or (d) any destructive device. The term firearm does not include an antique firearm. As used in

this definition, a "**destructive device**" includes any explosive, incendiary, or poisonous gas device, including a bomb, a grenade, a rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, or any other similar device; or any weapon (other than a shotgun or shotgun shell which the Attorney General finds is generally recognized as particularly suited for sporting purposes) that will, or may be readily converted to, expel a projectile by explosive or other propellant, and which has a barrel with a bore of more than ½" in diameter. The term "destructive device" also includes any combination of parts either designed or intended for use in converting any device into any destructive device and from which a destructive device may be readily assembled. A "destructive device" does not include: an antique firearm; a rifle intended to be used by the owner solely for sporting, recreational, or cultural purposes; or any device which is neither designed nor redesigned for use as a weapon.

- I. **In-School Suspension** means an exclusion from regular classroom activity for no more than ten (10) consecutive school days, but not exclusion from school, provided such exclusion shall not extend beyond the end of the school year in which such in-school suspension was imposed. No student shall be placed on in-school suspension more than fifteen (15) times or a total of fifty (50) days in one (1) school year, whichever results in fewer days of exclusion.
- J. **Martial Arts Weapon** means a nunchaku, kama, kasari-fundo, octagon sai, tonfa or chinese star.
- K. **Removal** is the exclusion of a student from a classroom for all or part of a single class period, provided such exclusion shall not extend beyond ninety (90) minutes.
- L. **School Days** shall mean days when school is in session for students.
- M. **School-Sponsored Activity** means any activity sponsored, recognized or authorized by the Board of Education (the "Board") and includes activities conducted on or off school property.
- N. **Seriously Disruptive of the Educational Process**, as applied to off-campus conduct, means any conduct that markedly interrupts or severely impedes the day-to-day operation of a school.
- O. **Suspension** means the exclusion of a student from school and/or transportation services for not more than ten (10) consecutive school days, provided such suspension shall not extend beyond the end of the school year in which such suspension is imposed; and further provided no student shall be suspended more than ten (10) times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless such student is granted a formal hearing as provided below.

- P. **Weapon** means any BB gun, any blackjack, any metal or brass knuckles, any police baton or nightstick, any dirk knife or switch knife, any knife having an automatic spring release device by which a blade is released from the handle, having a blade of over one and one-half inches in length, any stiletto, any knife the edged portion of the blade of which is four inches and over in length, any martial arts weapon or electronic defense weapon, or any other dangerous or deadly weapon or instrument, unless permitted by law under Section 29-38 of the Connecticut General Statutes.
- Q. Notwithstanding the foregoing definitions, the reassignment of a student from one regular education classroom program in the district to another regular education classroom program in the district shall not constitute a suspension or expulsion.
- R. For purposes of this policy, references to “school”, “school grounds” and “classroom” shall include physical educational environments, as well as environments in which students are engaged in remote learning, which means instruction by means of one or more Internet-based software platforms as part of a remote learning model.
- II. Scope of the Student Discipline Policy
- A. *Conduct on School Grounds, on School Transportation, or at a School-Sponsored Activity:*
1. Suspension. Students may be **suspended** for conduct on school grounds, on school transportation, or at any school-sponsored activity that **violates a publicized policy of the Board or is seriously disruptive of the educational process or endangers persons or property.**
 2. Expulsion. Students may be **expelled** for conduct on school grounds, on school transportation, or at any school-sponsored activity that either **(1) violates a publicized policy of the Board and is seriously disruptive of the educational process, or (2) endangers persons or property.**
- B. *Conduct off School Grounds:*
- Discipline. Students may be disciplined, including suspension and/or expulsion, for conduct off school grounds if such conduct **violates a publicized policy of the Board and is seriously disruptive of the educational process.**

C. *Seriously Disruptive of the Educational Process:*

In making a determination as to whether such conduct is seriously disruptive of the educational process, the Administration and the Board of Education may consider, but such consideration shall not be limited to, the following factors: (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 of the Connecticut General Statutes, and **whether any injuries occurred;** and (4) **whether the conduct involved the use of alcohol.** The Administration and/or the Board of Education may also consider (5) **whether the off-campus conduct involved the illegal use of drugs.**

- D. On and after January 1, 2022, a student shall not have greater discipline, punishment, or sanction for the use, sale, or possession of cannabis on school property than a student would face for the use, sale, or possession of alcohol on school property, except as otherwise required by applicable law.

III. Actions Leading to Disciplinary Action, including Removal from Class, Suspension and/or Expulsion

Conduct that is considered to violate a publicized policy of the Board of Education includes the offenses described below. Any such conduct may lead to disciplinary action (including, but not limited to, removal from class, suspension and/or expulsion in accordance with this policy):

1. Striking or assaulting a student, member of the school staff or other person(s).
2. Theft.
3. The use of obscene or profane language or gestures, the possession and/or display of obscenity or pornographic images or the unauthorized or inappropriate possession and/or display of images, pictures or photographs depicting nudity.
4. Violation of smoking, dress, transportation regulations, or other regulations and/or policies governing student conduct.
5. Refusal to obey a member of the school staff, law enforcement authorities, or school volunteers, or disruptive classroom behavior.

6. Any act of harassment based on an individual's sex, sexual orientation, race, color, religion, disability, national origin, alienage, ancestry, gender identity or expression, marital status, age, pregnancy, veteran status or any other characteristic protected by law.
7. Refusal by a student to respond to a staff member's request for the student to provide the student's name to a staff member when asked, misidentification of oneself to such person(s), lying to school officials or otherwise engaging in dishonest behavior.
8. Inappropriate displays of public affection of a sexual nature and/or sexual activity on school grounds, on school transportation, or at a school-sponsored activity.
9. A walk-out from or sit-in within a classroom or school building or school grounds.
10. Blackmailing, threatening or intimidating school staff or students (or acting in a manner that could be construed to constitute blackmail, a threat, or intimidation, regardless of whether intended as a joke).
11. Possession of any weapon, weapon facsimile, deadly weapon, martial arts weapon, electronic defense weapon, pistol, knife, blackjack, bludgeon, box cutter, metal knuckles, pellet gun, air pistol, explosive device, firearm, whether loaded or unloaded, whether functional or not, or any other dangerous object or instrument including pepper spray. The possession and/or use of any object or device that has been converted or modified for use as a weapon.
12. Possession of any ammunition for any weapon described above in Paragraph 11.
13. Unauthorized entrance into any school facility or portion of a school facility or aiding or abetting an unauthorized entrance.
14. Possession or ignition of any fireworks, combustible or other explosive materials, or ignition of any material causing a fire. Possession of any materials designed to be used in the ignition of combustible materials, including matches and lighters.
15. Possession, sale, distribution, use, or consumption of tobacco, electronic nicotine delivery systems (e.g., e-cigarettes), electronic cannabis delivery system, or vapor products, or the unlawful possession, sale, distribution, use or consumption of drugs,

narcotics or alcoholic beverages (or any facsimile of tobacco, drugs, narcotics or alcoholic beverages, or any item represented to be tobacco, drugs or alcoholic beverages), including being under the influence of any such substances or aiding in the procurement of any such substances. For the purposes of this Paragraph 15, the term “electronic nicotine delivery system” shall mean an electronic device used in the delivery of nicotine or other substances to a person inhaling from the device, and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device, including, but not limited to, electronic cigarette liquid. For purposes of Paragraph 15, the term “electronic cannabis delivery system” shall mean an electronic device that may be used to simulate smoking in the delivery of cannabis to a person inhaling the device and includes, but is not limited to, a vaporizer, electronic pipe, electronic hookah and any related device and any cartridge or other component of such device. For the purposes of Paragraph 15, the term “vapor product” shall mean any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not include nicotine and is inhaled by the user of such product. For the purposes of this Paragraph 15, the term “drugs” shall include, but shall not be limited to, any medicinal preparation (prescription and non-prescription) and any controlled substance whose possession, sale, distribution, use or consumption is illegal under state and/or federal law, including cannabis.

16. Sale, distribution, or consumption of substances contained in household items; including, but not limited to glue, paint, accelerants/propellants for aerosol canisters, and/or items such as the aerators for whipped cream; if sold, distributed or consumed for the purpose of inducing a stimulant, depressant, hallucinogenic or mind-altering effect.
17. Possession of paraphernalia used or designed to be used in the consumption, sale or distribution of drugs, alcohol or tobacco, as described in Paragraph 15 above. For purposes of this policy, drug paraphernalia includes any equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing controlled drugs or controlled substances into the human body, including but not limited to items such as “bongs,” pipes, “roach clips,” vials, tobacco rolling papers, and any object or container used, intended or designed for use in storing,

concealing, possessing, distributing or selling controlled drugs or controlled substances, including cannabis.

18. The destruction of real, personal or school property, such as, cutting, defacing or otherwise damaging property in any way.
19. Accumulation of offenses such as school and class tardiness, class or study hall cutting, or failure to attend detention.
20. Trespassing on school grounds while on out-of-school suspension or expulsion.
21. Making false bomb threats or other threats to the safety of students, staff members, and/or other persons.
22. Defiance of school rules and the valid authority of teachers, supervisors, administrators, other staff members and/or law enforcement authorities.
23. Throwing snowballs, rocks, sticks and/or similar objects, except as specifically authorized by school staff.
24. Unauthorized and/or reckless and/or improper operation of a motor vehicle on school grounds or at any school-sponsored activity.
25. Leaving school grounds, school transportation or a school-sponsored activity without authorization.
26. Use of or copying of the academic work of another individual and presenting it as the student's own work, without proper attribution; or any other form of academic dishonesty, cheating or plagiarism.
27. Possession and/or use of a cellular telephone, radio, portable audio player, CD player, blackberry, personal data assistant, walkie talkie, Smartphone, mobile or handheld device, or similar electronic device, on school grounds, on school transportation, or at a school-sponsored activity in violation of Board policy and/or administrative regulations regulating the use of such devices.
28. Possession and/or use of a beeper or paging device on school grounds, on school transportation, or at a school-sponsored activity without the written permission of the principal or designee.
29. Unauthorized use of or tampering with any school computer, computer system, computer software, Internet connection or similar school property or system, or the use of such property or system for inappropriate purposes.

30. Possession and/or use of a laser pointer, unless the student possesses the laser pointer temporarily for an educational purpose while under the direct supervision of a responsible adult.
31. Hazing.
32. Bullying, defined as an act that is direct or indirect and severe, persistent or pervasive, which:
 - a. causes physical or emotional harm to an individual;
 - b. places an individual in reasonable fear of physical or emotional harm; or
 - c. infringes on the rights or opportunities of an individual at school; or

Bullying shall include, but need not be limited to, a written, oral or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity 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.

33. Cyberbullying, defined as 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.
34. Acting in any manner that creates a health and/or safety hazard for staff members, students, or the public, regardless of whether the conduct is intended as a joke, including but not limited to violating school or district health and safety protocols.
35. Engaging in a plan to stage or create a violent situation for the purposes of recording it by electronic means; or recording by electronic means acts of violence for purposes of later publication.
36. Engaging in a plan to stage sexual activity for the purposes of recording it by electronic means; or recording by electronic means sexual acts for purposes of later publication.
37. Using computer systems, including email, remote learning

platforms, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by this policy.

38. Use of a privately owned electronic or technological device in violation of school rules, including the unauthorized recording (photographic or audio) of another individual without permission of the individual or a school staff member.
39. Engaging in teen dating violence, defined as any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, which occurs between two students who are currently in or who have recently been in a dating relationship.
40. Any action prohibited by any Federal or State law.
41. Any other violation of school rules or regulations or a series of violations which makes the presence of the student in school seriously disruptive of the educational process and/or a danger to persons or property.

IV. Discretionary and Mandatory Expulsions

- A. A principal may consider recommendation of expulsion of a student in **grades three to twelve, inclusive**, in a case where the principal has reason to believe the student has engaged in conduct described at Sections II.A. or II.B., above.
- B. A principal must recommend expulsion proceedings in all cases against any student in **grades kindergarten to twelve, inclusive**, whom the Administration has reason to believe:
 1. was in **possession on school grounds, on school transportation, or at a school-sponsored activity of a deadly weapon, dangerous instrument, martial arts weapon, or firearm** as defined in 18 U.S.C. § 921 as amended from time to time; or
 2. **off school grounds, possessed a firearm** as defined in 18 U.S.C. § 921, in violation of Conn. Gen. Stat. § 29-35, or **possessed and used a firearm** as defined in 18 U.S.C. § 921, a **deadly weapon**, a **dangerous instrument** or a **martial arts weapon** in the **commission of a crime** under chapter 952 of the Connecticut General Statutes; or
 3. was engaged **on or off school grounds or school transportation in offering for sale or distribution a controlled substance** (as defined in Conn. Gen. Stat. § 21a-240(9)), whose manufacturing,

distribution, sale, prescription, dispensing, transporting, or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under Conn. Gen. Stat. §§21a-277 and 21a-278.

The terms “**dangerous instrument**,” “**deadly weapon**,” “**electronic defense weapon**,” “**firearm**,” and “**martial arts weapon**,” are defined above in Section I.

- C. In any preschool program provided by the Board of Education or provided by a regional educational service center or a state or local charter school pursuant to an agreement with the Board of Education, no **student enrolled in such a preschool program** shall be expelled from such preschool program, except an expulsion hearing shall be conducted by the Board of Education in accordance with Section VIII of this policy whenever the Administration has reason to believe that that a student enrolled in such preschool program was in **possession of a firearm** as defined in 18 U.S.C. § 921, as amended from time to time, on or off school grounds, on school transportation, or at a preschool program-sponsored event. The term “**firearm**” is defined above in Section I.

- D. Upon receipt of an expulsion recommendation, the Superintendent may conduct an inquiry concerning the expulsion recommendation.

If the Superintendent or designee determines that a student should or must be expelled, the Superintendent or designee shall forward such recommendation to the Board of Education so that the Board can consider and act upon this recommendation.

- E. In keeping with Conn. Gen. Stat. § 10-233d and the Gun-Free Schools Act, it shall be the policy of the Board to expel a student in grades kindergarten to twelve, inclusive, for one (1) full calendar year for the conduct described in Section IV.B(1), (2) and (3) of this policy and to expel a student enrolled in a preschool program for one (1) calendar year for the conduct described in Section IV.C. For any mandatory expulsion offense, the Board may modify the term of expulsion on a case-by-case basis.

V. Procedures Governing Removal from Class

- A. A student may be removed from class by a teacher or administrator if the student deliberately causes a serious disruption of the educational process. When a student is removed, the teacher must send the student to a designated area and notify the principal or the principal’s designee at once.
- B. A student may not be removed from class more than six (6) times in one school year nor more than twice in one week unless the student is referred

to the building principal or designee and granted an informal hearing at which the student should be informed of the reasons for the disciplinary action and given an opportunity to explain the situation.

- C. The parents or guardian of any minor student removed from class shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of such removal from class.

VI. Procedures Governing Suspension

- A. The principal of a school, or designee on the administrative staff of the school, shall have the right to suspend a student for breach of conduct as noted in Section II of this policy for not more than ten (10) consecutive school days. In cases where suspension is contemplated, the following procedures shall be followed.
 - 1. Unless an emergency situation exists, no student shall be suspended prior to having an informal hearing before the principal or designee at which the student is informed of the charges and given an opportunity to respond. In the event of an emergency, the informal hearing shall be held as soon after the suspension as possible.
 - 2. If suspended, such suspension shall be an in-school suspension, except the principal or designee may impose an out-of-school suspension on any pupil:
 - a. in grades three to twelve, inclusive, if, during the informal hearing, (i) the principal or designee determines that the student poses such a danger to persons or property or such a disruption of the educational process that he or she should be excluded from school during the period of suspension; or (ii) the principal or designee determines that an out-of-school suspension is appropriate based on evidence of (A) the student's previous disciplinary problems that have led to suspensions or expulsion of such student, and (B) previous efforts by the Administration to address the student's disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies, or
 - b. in grades preschool to two, inclusive, if the principal or designee determines that an out-of-school suspension is appropriate for such pupil based on evidence that such pupil's conduct on school grounds or on school transportation is of a violent or sexual nature that endangers persons.

3. Evidence of past disciplinary problems that have led to removal from a classroom, suspension, or expulsion of a student who is the subject of an informal hearing may be received by the principal or designee, but only considered in the determination of the length of suspensions.
4. By telephone, the principal or designee shall make reasonable attempts to immediately notify the parent or guardian of a minor student following the suspension and to state the cause(s) leading to the suspension.
5. Whether or not telephone contact is made with the parent or guardian of such minor student, the principal or designee shall forward a letter promptly to such parent or guardian to the last address reported on school records (or to a newer address if known by the principal or designee), offering the parent or guardian an opportunity for a conference to discuss same.
6. In all cases, the parent or guardian of any minor student who has been suspended shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the suspension.
7. Not later than twenty-four (24) hours after the commencement of the suspension, the principal or designee shall also notify the Superintendent or designee of the name of the student being suspended and the reason for the suspension.
8. The student shall be allowed to complete any classwork, including examinations, without penalty, which the student missed while under suspension.
9. The school Administration may, in its discretion, shorten or waive the suspension period for a student who has not previously been suspended or expelled, if the student completes an Administration-specified program and meets any other conditions required by the Administration. Such Administration-specified program shall not require the student and/or the student's parents to pay for participation in the program.
10. Notice of the suspension shall be recorded in the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record if the student graduates from high school. In cases where the student's period of suspension is shortened or waived in accordance with Section VI.A(9), above, the Administration may choose to expunge the suspension notice from the cumulative record at the time the

student completes the Administration-specified program and meets any other conditions required by the Administration.

11. If the student has not previously been suspended or expelled, and the Administration chooses to expunge the suspension notice from the student's cumulative record prior to graduation, the Administration may refer to the existence of the expunged disciplinary notice, notwithstanding the fact that such notice may have been expunged from the student's cumulative file, for the limited purpose of determining whether any subsequent suspensions or expulsions by the student would constitute the student's first such offense.
 12. The decision of the principal or designee with regard to disciplinary actions up to and including suspensions shall be final.
 13. During any period of suspension served out of school, the student shall not be permitted to be on school property and shall not be permitted to attend or participate in any school-sponsored activities, unless the principal specifically authorizes the student to enter school property for a specified purpose or to participate in a particular school-sponsored activity.
- B. In cases where a student's suspension will result in the student being suspended more than ten (10) times or for a total of fifty (50) days in a school year, whichever results in fewer days of exclusion, the student shall, prior to the pending suspension, be granted a formal hearing before the Board of Education. The principal or designee shall report the student to the Superintendent or designee and request a formal Board hearing. If an emergency situation exists, such hearing shall be held as soon after the suspension as possible.

VII. Procedures Governing In-School Suspension

- A. The principal or designee may impose in-school suspension in cases where a student's conduct endangers persons or property, violates school policy or seriously disrupts the educational process as determined by the principal or designee.
- B. In-school suspension may not be imposed on a student without an informal hearing by the building principal or designee.
- C. In-school suspension may be served in the school that the student regularly attends or in any other school building within the jurisdiction of the Board.

- D. No student shall be placed on in-school suspension more than fifteen (15) times or for a total of fifty (50) days in one school year, whichever results in fewer days of exclusion.
- E. The parents or guardian of any minor student placed on in-school suspension shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the period of the in-school suspension.

VIII. Procedures Governing Expulsion Hearing

A. ***Emergency Exception:***

Except in an emergency situation, the Board of Education shall, prior to expelling any student, conduct a hearing to be governed by the procedures outlined herein and consistent with the requirements of Conn. Gen. Stat. § 10-233d or Conn. Gen. Stat. § 10-233l, if applicable, as well as the applicable provisions of the Uniform Administrative Procedures Act, Conn. Gen. Stat. §§ 4-176e to 4-180a, and § 4-181a. Whenever an emergency exists, the hearing provided for herein shall be held as soon as possible after the expulsion.

B. ***Hearing Panel:***

- 1. Expulsion hearings will be conducted by an impartial hearing board composed of one (1) or more persons to hear and decide the expulsion matter. No member of the board may serve on such an impartial hearing board.

Each member of an impartial hearing board shall be a current or former attorney who does not have an interest in the outcome of the proceeding.

- 2. The expulsion hearing procedures shall be conducted in accordance with Regulation 5114.

C. ***Hearing Notice and Rights of the Student and Parent(s)/Guardian(s):***

- 1. Written notice of the expulsion hearing must be given to the student, and, if the student is a minor, to the student's parent(s) or guardian(s) at least five (5) business days before such hearing.
- 2. A copy of this Board policy on student discipline shall also be given to the student, and if the student is a minor, to the student's

parent(s) or guardian(s), at the time the notice is sent that an expulsion hearing will be convened.

3. The written notice of the expulsion hearing shall inform the student of the following:
 - a. The date, time, place and nature of the hearing, including if the hearing will be held virtually, via video conference.
 - b. The legal authority and jurisdiction under which the hearing is to be held, including a reference to the particular sections of the legal statutes involved.
 - c. A short, plain description of the conduct alleged by the Administration.
 - d. The student may present as evidence relevant testimony and documents concerning the conduct alleged and the appropriate length and conditions of expulsion; and that the expulsion hearing may be the student's sole opportunity to present such evidence.
 - e. The student may cross-examine witnesses called by the Administration.
 - f. The student may be represented by an attorney or other advocate of the student's choice at the student's expense or at the expense of the student's parent(s) or guardian(s).
 - g. A student is entitled to the services of a translator or interpreter, to be provided by the Board of Education, whenever the student or the student's parent(s) or guardian(s) requires the services of an interpreter because they do not speak the English language or are disabled.
 - h. The conditions under which the Board is not legally required to give the student an alternative educational opportunity (if applicable).
 - i. Information concerning the parent's(s') or guardian's(s') and the student's legal rights and about free or reduced-rate legal services and how to access such services.
 - j. The parent(s) or guardian(s) of the student have the right to have the expulsion hearing postponed for up to one week to

allow time to obtain representation, except that if an emergency exists, such hearing shall be held as soon after the expulsion as possible.

D. *Hearing Procedures:*

1. The hearing will be conducted by the Presiding Officer, who will call the meeting to order, introduce the parties, Board members and counsel, briefly explain the hearing procedures, and swear in any witnesses called by the Administration or the student.
2. The hearing will be conducted in executive session. A verbatim record of the hearing will be made, either by tape recording or by a stenographer. A record of the hearing will be maintained, including the verbatim record, all written notices and documents relating to the case and all evidence received or considered at hearing.
3. The Administration shall bear the burden of production to come forward with evidence to support its case and shall bear the burden of persuasion. The standard of proof shall be a preponderance of the evidence.
4. Formal rules of evidence will not be followed. The Board has the right to accept hearsay and other evidence if it deems that evidence relevant or material to its determination. The Presiding Officer will rule on testimony or evidence as to it being immaterial or irrelevant.
5. The hearing will be conducted in two (2) parts. In the first part of the hearing, the Board will receive and consider evidence regarding the conduct alleged by the Administration.
6. In the first part of the hearing, the charges will be introduced into the record by the Superintendent or designee.
7. Each witness for the Administration will be called and sworn. After a witness has finished testifying, the witness will be subject to cross-examination by the opposite party or the witness' legal counsel, by the Presiding Officer and by Board members.
8. The student shall not be compelled to testify at the hearing.
9. After the Administration has presented its case, the student will be asked if the student has any witnesses or evidence to present concerning the charges. If so, the witnesses will be sworn, will testify, and will be subject to cross examination and to questioning

by the Presiding Officer and/or by the Board. The student may also choose to make a statement at this time. If the student chooses to make a statement, the student will be sworn and subject to cross examination and questioning by the Presiding Officer and/or by the Board. Concluding statements will be made by the Administration and then by the student and/or the student's representative.

10. In cases where the student has denied the allegation, the Board must determine whether the student committed the offense(s) as charged by the Superintendent.
11. If the Board determines that the student has committed the conduct as alleged, then the Board shall proceed with the second portion of the hearing, during which the Board will receive and consider relevant evidence regarding the length and conditions of expulsion.
12. When considering the length and conditions of expulsion, the Board may review the student's attendance, academic and past disciplinary records. The Board may not review notices of prior expulsions or suspensions which have been expunged from the student's cumulative record, except as so provided in Section VI.A (9), (10), (11), above, and Section X, below. The Board may ask the Superintendent for a recommendation as to the discipline to be imposed.
13. Evidence of past disciplinary problems that have led to removal from a classroom, suspension or expulsion of a student being considered for expulsion may be considered only during the second portion of the hearing, during which the Board is considering length of expulsion and nature of alternative educational opportunity to be offered.
14. Where administrators presented the case in support of the charges against the student, such administrative staff shall not be present during the deliberations of the Board either on questions of evidence or on the final discipline to be imposed. The Superintendent may, after reviewing the incident with administrators, and reviewing the student's records, make a recommendation to the Board as to the appropriate discipline to be applied.
15. The Board shall make findings as to the truth of the charges, if the student has denied them; and, in all cases, the disciplinary action, if any, to be imposed. While the hearing itself is conducted in executive session, the vote regarding expulsion must be made in open session and in a manner that preserves the confidentiality of the student's name and other personally identifiable information.

16. Except for a student who has been expelled based on possession of a firearm or deadly weapon as described in subsection IV.B(1) and (2) above, the Board may, in its discretion, shorten or waive the expulsion period for a student who has not previously been suspended or expelled, if the student completes a Board-specified program and meets any other conditions required by the Board. The Board-specified program shall not require the student and/or the student's parents to pay for participation in the program.
17. The Board shall report its final decision in writing to the student, or if such student is a minor, also to the parent(s) or guardian(s), stating the reasons on which the decision is based, and the disciplinary action to be imposed. Said decision shall be based solely on evidence presented at the hearing. The parents or guardian or any minor student who has been expelled shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of the period of the expulsion.
18. The hearing may be conducted virtually, via video conference, at the direction of the Board, in the event school buildings are closed to students or individuals are provided limited access to school buildings due to a serious health emergency. Any virtual hearing must provide the student the due process rights identified in this Subsection D.

E. *Presence on School Grounds, on School Transportation, and Participation in School-Sponsored Activities During Expulsion:*

During the period of expulsion, the student shall not be permitted to be on school property or on school transportation, and shall not be permitted to attend or participate in any school-sponsored activities, except for the student's participation in any alternative educational opportunity provided by the district in accordance with this policy, unless the Superintendent specifically authorizes the student to enter school property or school transportation for a specified purpose or to participate in a particular school-sponsored activity.

F. *Stipulated Agreements:*

In lieu of the procedures used in this Section, the Administration and the parent(s) or legal guardian(s) of a student facing expulsion may choose to enter into a Joint Stipulation of the Facts and a Joint Recommendation to the Board concerning the length and conditions of expulsion. Such Joint Stipulation and Recommendation shall include language indicating that the parent(s) or legal guardian(s) understand their right to have an expulsion hearing held pursuant to these procedures, and language indicating that the Board, in its discretion, has the right to accept or reject

the Joint Stipulation of Facts and Recommendation. If the Board rejects either the Joint Stipulation of Facts or the Recommendation, an expulsion hearing shall be held pursuant to the procedures outlined herein. If the Student is eighteen years of age or older, the student shall have the authority to enter into a Joint Stipulation and Recommendation on the student's own behalf.

If the parties agree on the facts, but not on the disciplinary recommendation, the Administration and the parents (or legal guardians) of a student facing expulsion may also choose to enter into a Joint Stipulation of the Facts and submit only the Stipulation of the Facts to the Board in lieu of holding the first part of the hearing, as described above. Such Joint Stipulation shall include language indicating that the parents understand their right to have a hearing to determine whether the student engaged in the alleged misconduct and that the Board, in its discretion, has the right to accept or reject the Joint Stipulation of Facts. If the Board rejects the Joint Stipulation of Facts, a full expulsion hearing shall be held pursuant to the procedures outlined herein.

IX. Alternative Educational Opportunities for Expelled Students

A. *Students under sixteen (16) years of age:*

Whenever the Board of Education expels a student under sixteen (16) years of age, it shall offer any such student an alternative educational opportunity.

B. *Students sixteen (16) to eighteen (18) years of age:*

1. The Board of Education shall provide an alternative educational opportunity to a sixteen (16) to eighteen (18) year-old student expelled for the first time if the student requests it and if the student agrees to the conditions set by the Board of Education. Such alternative educational opportunity may include, but shall not be limited to, the placement of a pupil who is at least seventeen years of age in an adult education program. Any pupil participating in an adult education program during a period of expulsion shall not be required to withdraw from school as a condition to participation in the adult education program.
2. The Board of Education is not required to offer an alternative educational opportunity to any student between the ages of sixteen (16) and eighteen (18) who is expelled for a second, or subsequent, time.
3. The Board of Education shall count the expulsion of a pupil when the student was under sixteen (16) years of age for purposes of

determining whether an alternative educational opportunity is required for such pupil when the student is between the ages of sixteen and eighteen.

C. ***Students eighteen (18) years of age or older:***

The Board of Education is not required to offer an alternative educational opportunity to expelled students eighteen (18) years of age or older.

D. **Content of Alternative Educational Opportunity**

1. For the purposes of Section IX, and subject to Subsection IX.E, below, any alternative educational opportunity to which an expelled student is statutorily entitled shall be (1) alternative education, as defined by Conn. Gen. Stat. § 10-74j and in accordance with the *Standards for Educational Opportunities for Students Who Have Been Expelled*, adopted by the State Board of Education, with an individualized learning plan, if the Board provides such alternative education, or (2) in accordance with the *Standards for Educational Opportunities for Students Who Have Been Expelled*, adopted by the State Board of Education.
2. The Superintendent, or designee, shall develop administrative regulations concerning alternative educational opportunities, which administrative regulations shall be in compliance with the standards adopted by the State Board of Education. Such administrative regulations shall include, but are not limited to, provisions to address student placement in alternative education; individualized learning plans; monitoring of students placements and performance; and a process for transition planning.

E. ***Students identified as eligible for services under the Individuals with Disabilities Education Act ("IDEA"):***

Notwithstanding Subsections IX.A. through D. above, if the Board of Education expels a student who has been identified as eligible for services under the Individuals with Disabilities Education Act ("IDEA"), it shall offer an alternative educational opportunity to such student in accordance with the requirements of IDEA, as it may be amended from time to time, and in accordance with the *Standards for Educational Opportunities for Students Who Have Been Expelled*, adopted by the State Board of Education.

F. ***Students for whom an alternative educational opportunity is not required:***

The Board of Education may offer an alternative educational opportunity to a pupil for whom such alternative educational opportunity is not

required by law or as described in this policy. In such cases, the Board, or if delegated by the Board, the Administration, shall determine the components, including nature, frequency and duration of such services, of any such alternative educational opportunity.

X. Notice of Student Expulsion on Cumulative Record

Notice of expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such notice, except for notice of an expulsion of a student in grades nine through twelve, inclusive, based upon possession of a firearm or deadly weapon, shall be expunged from the cumulative educational record by the Board if the student graduates from high school.

In cases where the student's period of expulsion is shortened or waived in accordance with Section VIII.D(16), above, the Board may choose to expunge the expulsion notice from the cumulative record at the time the student completes the Board-specified program and meets any other conditions required by the Board.

If a student's period of expulsion was not shortened or waived, the Board may choose to expunge the expulsion notice from the student's cumulative record prior to graduation if such student has demonstrated to the Board that the student's conduct and behavior in the years following such expulsion warrants an expungement. In deciding whether to expunge the expulsion notice, the Board may receive and consider evidence of any subsequent disciplinary problems that have led to removal from a classroom, suspension or expulsion of the student.

If the student has not previously been suspended or expelled, and the Administration chooses to expunge the expulsion notice from the student's cumulative record prior to graduation, the Administration may refer to the existence of the expunged notice, notwithstanding the fact that such notice may have been expunged from the student's cumulative file, for the limited purpose of determining whether any subsequent suspension or expulsion by the student would constitute the student's first such offense.

XI. Change of Residence During Expulsion Proceedings

A. *Student moving into the school district:*

1. If a student enrolls in the district while an expulsion hearing is pending in another district, such student shall not be excluded from school pending completion of the expulsion hearing unless an emergency exists, as defined above. The Board shall retain the authority to suspend the student or to conduct its own expulsion hearing.
2. Where a student enrolls in the district during the period of expulsion from another public school district, the Board may adopt

the decision of the student expulsion hearing conducted by such other school district. The student shall be excluded from school pending such hearing. The excluded student shall be offered an alternative educational opportunity in accordance with statutory requirements. The Board shall make its determination based upon a hearing held by the Board, which hearing shall be limited to a determination of whether the conduct which was the basis of the previous public school district's expulsion would also warrant expulsion by the Board.

B. *Student moving out of the school district:*

Where a student withdraws from school after having been notified that an expulsion hearing is pending, but before a decision has been rendered by the Board, the notice of the pending expulsion hearing shall be included on the student's cumulative record and the Board shall complete the expulsion hearing and render a decision. If the Board subsequently renders a decision to expel the student, a notice of the expulsion shall be included on the student's cumulative record.

XII. Procedures Governing Suspension and Expulsion of Students Identified as Eligible for Services under the Individuals with Disabilities Education Act ("IDEA")

A. *Suspension of IDEA students:*

Notwithstanding the foregoing, if the Administration suspends a student identified as eligible for services under the IDEA (an "IDEA student") who has violated any rule or code of conduct of the school district that applies to all students, the following procedures shall apply:

1. The Administration shall make reasonable attempts to immediately notify the parents of the student of the decision to suspend on the date on which the decision to suspend was made, and a copy of the special education procedural safeguards must either be hand-delivered or sent by mail to the parents on the date that the decision to suspend was made.
2. During the period of suspension, the school district is not required to provide any educational services to the IDEA student beyond that which is provided to all students suspended by the school district.

B. *Expulsion and Suspensions that Constitute Changes in Placement for IDEA students:*

Notwithstanding any provision to the contrary, if the Administration

recommends for expulsion an IDEA student who has violated any rule or code of conduct of the school district that applies to all students, the procedures described in this section shall apply. The procedures described in this section shall also apply for students whom the Administration has suspended in a manner that is considered under the IDEA, as it may be amended from time to time, to be a change in educational placement:

1. Upon the decision by the Administration to recommend expulsion or impose a suspension that would constitute a change in educational placement, the Administration shall promptly notify the parent(s)/guardian(s) of the student of the recommendation of expulsion or the suspension that would constitute a change in educational placement, and provide the parents(s)/guardian(s) a copy of the special education procedural safeguards either by hand-delivery or by mail (unless other means of transmission have been arranged).
2. The school district shall immediately convene the student's planning and placement team ("PPT"), but in no case later than ten (10) school days after the recommendation for expulsion or the suspension that constitutes a change in placement was made. The student's PPT shall consider the relationship between the student's disability and the behavior that led to the recommendation for expulsion or the suspension which constitutes a change in placement, in order to determine whether the student's behavior was a manifestation of the student's disability.
3. If the student's PPT finds that the behavior was a manifestation of the student's disability, the Administration shall not proceed with the recommendation for expulsion or the suspension that constitutes a change in placement.
4. If the student's PPT finds that the behavior was not a manifestation of the student's disability, the Administration may proceed with the recommended expulsion or suspension that constitutes a change in placement.
5. During any period of expulsion, or suspension of greater than ten (10) days per school year, the Administration shall provide the student with an alternative education program in accordance with the provisions of the IDEA.
6. When determining whether to recommend an expulsion or a suspension that constitutes a change in placement, the building administrator (or designee) should consider the nature of the misconduct and any relevant educational records of the student.

C. *Removal of Special Education Students for Certain Offenses:*

1. School personnel may remove a student eligible for special education under the IDEA to an appropriate interim alternative educational setting for not more than forty-five (45) school days if the student:
 - a. Was in possession of a dangerous weapon, as defined in 18 U.S.C. 930(g)(2), as amended from time to time, on school grounds, on school transportation, or at a school-sponsored activity, or
 - b. Knowingly possessed or used illegal drugs or sold or solicited the sale of a controlled substance while at school, on school transportation, or at a school-sponsored activity; or
 - c. Has inflicted serious bodily injury upon another person while at school, on school premises, on school transportation, or at a school function.
2. The following definitions shall be used for this subsection XII.C.:
 - a. **Dangerous weapon** means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2.5 inches in length.
 - b. **Controlled substance** means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act, 21 U.S.C. 812(c).
 - c. **Illegal drug** means a controlled substance but does not include a substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of federal law.
 - d. **Serious bodily injury** means a bodily injury which involves: (A) a substantial risk of death; (B) extreme physical pain; (C) protracted and obvious disfigurement; or (D) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

XIII. Procedures Governing Expulsions for Students Identified as Eligible under Section 504 of the Rehabilitation Act of 1973 (“Section 504”)

- A. Except as provided in subsection B below, notwithstanding any provision to the contrary, if the Administration recommends for expulsion a student identified as eligible for educational accommodations under Section 504 who has violated any rule or code of conduct of the school district that applies to all students, the following procedures shall apply:
 - 1. The parents of the student must be notified of the decision to recommend the student for expulsion.
 - 2. The district shall immediately convene the student’s Section 504 team (“504 team”) for the purpose of reviewing the relationship between the student’s disability and the behavior that led to the recommendation for expulsion. The 504 team will determine whether the student’s behavior was a manifestation of the student’s disability.
 - 3. If the 504 team finds that the behavior was a manifestation of the student’s disability, the Administration shall not proceed with the recommended expulsion.
 - 4. If the 504 team finds that the behavior was not a manifestation of the student’s disability, the Administration may proceed with the recommended expulsion.
- B. The Board may take disciplinary action for violations pertaining to the use or possession of illegal drugs or alcohol against any student with a disability who currently is engaging in the illegal use of drugs or alcohol to the same extent that such disciplinary action is taken against nondisabled students. Thus, when a student with a disability is recommended for expulsion based solely on the illegal use or possession of drugs or alcohol, the 504 team *shall not be required to meet* to review the relationship between the student’s disability and the behavior that led to the recommendation for expulsion.

XIV. Procedures Governing Expulsions for Students Placed in a Juvenile Detention Center

- A. Any student who commits an expellable offense and is subsequently placed in a juvenile detention center or any other residential placement for such offense may be expelled by the Board in accordance with the provisions of this section. The period of expulsion shall run concurrently with the period of placement in a juvenile detention center or other residential placement.
- B. If a student who committed an expellable offense seeks to return to a

school district after participating in a diversionary program or having been placed in a juvenile detention center or any other residential placement and such student has not been expelled by the board of education for such offense under subdivision (A) of this subsection, the Board shall allow such student to return and may not expel the student for additional time for such offense.

XV. Early Readmission to School

An expelled student may apply for early readmission to school. The Board delegates the authority to make decisions on readmission requests to the Superintendent.

Students desiring readmission to school shall direct such readmission requests to the Superintendent. The Superintendent has the discretion to approve or deny such readmission requests, and may condition readmission on specified criteria.

XVI. Dissemination of Policy

The Board of Education shall, at the beginning of each school year and at such other times as it may deem appropriate, provide for an effective means of informing all students, parent(s) and/or guardian(s) of this policy.

XVII. Compliance with Documentation and Reporting Requirements

- A. The Board of Education shall include on all disciplinary reports the individual student's state-assigned student identifier (SASID).
- B. The Board of Education shall report all suspensions and expulsions to the State Department of Education.
- C. If the Board of Education expels a student for sale or distribution of a controlled substance, as defined in Conn. Gen. Stat. § 21a-240(9), whose manufacture, distribution, sale, prescription, dispensing, transporting or possessing with the intent to sell or dispense, offering, or administration is the subject to criminal penalties under Conn. Gen. Stat. §§ 21a-277 and 21a-278, the Board shall refer such student to an appropriate state or local agency for rehabilitation, intervention or job training and inform the agency of its action.
- D. If the Board of Education expels a student for possession of a firearm, as defined in 18 U.S.C. § 921, or deadly weapon, dangerous instrument or

martial arts weapon, as defined in Conn. Gen. Stat. § 53a-3, the Board shall report the violation to the local police.

Legal References:

Connecticut General Statutes:

- § 10-16 Length of school year
- § 10-74j Alternative education
- §§ 4-176e through 4-180a and § 4-181a Uniform Administrative Procedures Act
- § 10-222d Safe school climate plans. Definitions. Safe school climate assessments
- §§ 10-233a through 10-233f Suspension and expulsion of students
- § 10-233l Expulsion and suspension of children in preschool programs
- § 10-253 School privileges for children in certain placements, nonresident children, children in temporary shelters, homeless children and children in juvenile detention facilities. Liaison to facilitate transitions between school districts and juvenile and criminal justice systems.
- § 19a-342a Use of electronic nicotine delivery system or vapor product prohibited. Exceptions. Signage required. Penalties
- § 21a-240 Definitions
- § 21a-277 Penalty for illegal manufacture, distribution, sale, prescription, dispensing
- § 21a-278 Penalty for illegal manufacture, distribution, sale, prescription, or administration by non-drug-dependent person
- §§ 21a-408a through 408p Palliative Use of Marijuana
- § 29-35 Carrying of pistol or revolver without permit prohibited. Exceptions
- § 29-38 Weapons in vehicles
- § 53a-3 Definitions
- § 53-206 Carrying of dangerous weapons prohibited
- § 53-344 Sale or delivery of cigarettes or tobacco products to persons under twenty-one.
- § 53-344b Sale and delivery of electronic nicotine delivery system or vapor products to persons under twenty-one years or age

Public Act No. 21-46, “An Act Concerning Social Equity and the Health, Safety and Education of Children.”

Packer v. Board of Educ. of the Town of Thomaston, 717 A.2d 117 (Conn. 1998).
State v. Hardy, 896 A.2d 755 (Conn. 2006).
State v. Guzman, 955 A.2d 72 (Conn. App. Ct. 2008).

Connecticut State Department of Education, *Standards for Educational Opportunities for Students Who Have Been Expelled*, adopted January 3, 2018.

Federal law:

Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, as amended by the Individuals with Disabilities Education Improvement Act of 2004, Pub. L. 108-446.

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794(a).

18 U.S.C. § 921 (definition of “firearm”)

18 U.S.C. § 930(g)(2) (definition of “dangerous weapon”)

18 U.S.C. § 1365(h)(3) (identifying “serious bodily injury”)

21 U.S.C. § 812(c) (identifying “controlled substances”)

34 C.F.R. § 300.530 (defining “illegal drugs”)

Gun-Free Schools Act, 20 U.S.C. § 7961

Honig v. Doe, 484 U.S. 305 (1988)

Policy Approved: May 1999

Policy Revised: June 2006

Policy Revised: December 2009

Policy Revised: October 2014

Policy Revised: February 2020

Policy Revised: TBD

CHESTER PUBLIC SCHOOLS
DEEP RIVER PUBLIC SCHOOLS
ESSEX PUBLIC SCHOOLS
REGIONAL SCHOOL DISTRICT NO.4

Students

Dress Code

The Chester, Deep River, Essex and Regional School District No. 4 Boards of Education encourage students to dress appropriately and to be neatly groomed while at school. The Board does not dictate to students and parents as to grooming or what clothing may or may not be worn, but it expects each student's clothing and appearance to meet generally accepted standards of taste and common sense.

Garments with obscenities or drug/alcohol related print and attachments will not be allowed. Students wearing modes of dress which are unsafe either to the students or those around the students or whose dress or appearance is disruptive to school operations and the educational process will be prohibited from attending class.

Prohibited attire in the public schools during the academic school day shall include:

1. Coats, jackets or other attire normally worn as outerwear.
2. Head coverings of any kind, including but not limited to scarves, bandannas, non-medical masks, kerchiefs, athletic headbands, caps, hats or hoods. Approved coverings worn as part of a student's religious practice or belief shall not be prohibited under this policy. Nothing in this policy shall be construed to prohibit protective hairstyles. "Protective hairstyles" includes, but is not limited to, wigs, headwraps and hairstyles such as individual braids, cornrows, locs, twists, Bantu knots, afros and afro puffs.

In specific instances, the building principal shall be the sole judge as to the suitability of a student's clothing, grooming and/or appearance. Subsequently, the student or the student's parents may appeal the Principal's decision to the Superintendent of Schools. Parents dissatisfied by the decision of the Superintendent of Schools may appeal to the Board of Education at the next regularly scheduled board meeting. Such an appeal must be first presented in writing prior to the meeting of the Chairperson of the Board.

Connecticut General Statutes § 46a-51 (definition of protective hairstyles)

Policy adopted: November 10, 1997

Policy revised: February 22, 2018

Policy revised: TBD

CHESTER PUBLIC SCHOOLS
DEEP RIVER PUBLIC SCHOOLS
ESSEX PUBLIC SCHOOLS
REGIONAL SCHOOL DISTRICT No. 4

Instruction

School Volunteers, Student Interns and Other Non-Employees

The Chester, Deep River, Essex and Region 4 Boards of Education (the “Board”) recognizes the importance of school volunteers at all levels of schooling. Volunteers can enhance collaboration between the school and community, broaden the school’s educational environment and ultimately enrich students’ school experience. The Board further acknowledges that it may, from time to time, be asked to provide learning experiences for student interns within the school environments, which experiences are not part of the teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes. In recognition of the benefit of having volunteers, interns and other such non-employees providing services within the schools, the Board supports the involvement of these individuals in accordance with suitable regulations and safeguards to be developed by the Administration.

Volunteers, interns and other such non-employees working within the schools (“volunteers”) must work under the supervision of Chester, Deep River, Essex or Region 4 Public Schools (“District”) staff. Volunteers are held to the same standards of conduct as school staff and must observe all Board policies, including applicable policies on the confidentiality of student information.

Volunteers may be required to submit to state and federal criminal record checks and a record check of the Department of Children and Families (“DCF”) Child Abuse and Neglect Registry. No person who is required to register as a sex offender under state or federal law, or whose name is currently listed on the DCF registry, may volunteer in the District.

All volunteers must comply with all school health and safety protocols in place at the time, including but not limited to any health screening protocols.

No employee of the District shall serve as a volunteer in any capacity, except as may be approved by the Superintendent or his/her designee based on the specific situation.

Persons interested in volunteering their services should contact the school principal.

Legal References: Connecticut General Statutes § 10-4g Parental and community involvement in schools; model program; school-based teams.

Connecticut General Statutes § 10-220 Duties of boards of education.

Connecticut General Statutes § 10-235 Indemnification of teachers, board members, employees and certain volunteers and students in damages suits; expenses of litigation.

Connecticut General Statutes § 54-250 et seq. Registration of sexual offenders.

Policy adopted: November 10, 1997

Policy revised: TBD

CHESTER PUBLIC SCHOOLS
DEEP RIVER PUBLIC SCHOOLS
ESSEX PUBLIC SCHOOLS
REGIONAL SCHOOL DISTRICT No. 4

Bylaws of the Board

Filling Vacancies – Local Board of Education

Any vacancy occurring on the Board, unless otherwise provided by charter or special act, shall be filled by a vote of the remaining members of the Board until the next regular election.

As soon as possible after a vacancy on the Board arises, the Chairperson shall cause an announcement of the vacancy to be sent to appropriate individuals and organizations, including but not limited to local political organizations and local news media.

Thereafter, the Board may interview candidates for the vacancy, in executive session if appropriate, at a meeting of the Board held within 30 days after the vacancy arises. The vacancy may be filled at that meeting by a majority vote of all members of the Board of Education, and the action shall be recorded in the minutes of the meeting.

Legal Reference: Connecticut General Statutes

7-107 Vacancy appointments by selectmen.

9-204 Minority representation on boards of education.

10-219 Procedure for filling vacancy on board of education.

10-156e Employees of boards of education permitted to serve as elected officials; exception.

10-232 Restriction on employment of members of the board of education.

Bylaw adopted by the Boards: April 26, 1999
Revised: TBD

CHESTER PUBLIC SCHOOLS
DEEP RIVER PUBLIC SCHOOLS
ESSEX PUBLIC SCHOOLS

Bylaws of the Board

Filling Vacancies – Regional School Board

If a vacancy occurs in the office of any member of the regional board of education, the ~~Legislative Body~~ **Board of Selectmen** of the town affected shall elect a successor to serve until the next general election, at which time a successor shall be elected to serve any unexpired portion of such term.

Legal Reference: Connecticut General Statutes

SP. No. 199 An Act Concerning the Election of the Board of Education of Regional School District 4 at Town Elections

7-107 Vacancy appointments by selectmen

9-204 Minority representation on boards of education

10-46 c) Procedure for filling vacancy on regional boards of education

10-156 e) Employees of boards of education permitted to serve as elected officials; exception

1-232 Restriction on employment of members of boards of education