

# WESTPORT PUBLIC SCHOOLS

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**ELLIOTT LANDON**  
*Superintendent of Schools*

110 MYRTLE AVENUE  
WESTPORT, CONNECTICUT 06880  
TELEPHONE: (203) 341-1010  
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To: Members of the Board of Education

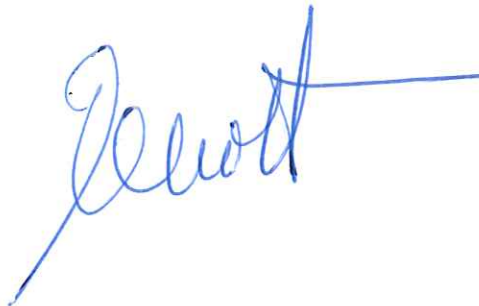
From: Elliott Landon

Subject: Revisions to Policy P 0521, Nondiscrimination;  
Policy P 5131.911, Bullying Prevention and Intervention;  
Policy P 5131.912, Safe School Climate Plan; and, Policy P 6173,  
Homebound Instruction

Date: August 25, 2014

You will find appended to this memorandum revisions to four (4) Board of Education policies prepared by Director of Pupil Services, Michael Rizzo. Each of these revisions is based upon recent statutory changes approved by the Connecticut State Legislature and are consistent with those statutes and recommendations of counsel, Shipman & Goodwin.

Consistent with our adoption of policies of the Board, these policies are being presented to the Board at this time for your review, discussion and modification. These policies will appear on the meeting of September 8 for your approval.



DEPARTMENT OF PUPIL SERVICES  
WESTPORT PUBLIC SCHOOLS

72 North Avenue  
Westport, Connecticut 06880-2721

MICHAEL RIZZO  
DIRECTOR OF PUPIL SERVICES

(203) 341-1253  
FAX (203) 341-1295

To: Dr. Landon  
From: Michael Rizzo  
Subject: Policy Updates:

Revisions to Policy 0521 - Nondiscrimination

Amendments to Policy 5131.911 Bullying Prevention and  
Intervention, and Policy 5131.912 Safe School Climate Plan

Revisions to Policy 6173 - Homebound Instruction

Date: August 28, 2014

The following policy revisions and amendments are recommended in order to keep the Westport Public Schools in compliance with legislative updates and to adhere to technical assistance offered by the Office of Civil Rights.

**Policy 0521 – Nondiscrimination**

The Office of Civil Rights offered technical assistance to the district in recent communication by requesting that the Board more clearly state that engagement in the informal grievance process within the complaint resolution process is optional. Based on this request, the attached revisions have been made.

**Policy 5131.911 Bullying Prevention and Intervention  
Policy 5131.912 Safe School Climate Plan**

The amendments to these two policies are due to Public Act 14-234 which states that school climate plans must now address the existence of teen dating violence as well as bullying in schools. In addition, under Public Act 14-172, there are amendments to procedural requirements under the existing bullying law, which are reflected in these revised policies. Finally, Public Act 14-232 made changes to the existing bullying statute by giving the State Department of Education more direct authority over the approval of safe school climate plans. All of these changes are reflected in the attached amendments.

### **Policy 6173 Homebound Instruction**

Recent changes to Connecticut State Board of Education Regulations have changed homebound instruction requirements. A notable change is that a student's treating physician must provide in writing to the Board on a form suitable to the Board a statement that the physician has consulted directly with school health supervisory personnel and determined that school attendance with reasonable accommodations is not feasible. In the event that there is a disagreement regarding the basis upon which the student's treating physician has asserted the need for instruction, the regulatory updates also include a process for the resolution of disputes. These changes are reflected in the attached revisions.

I look forward to discussing these policies and addressing any questions you may have.

**PROPOSED**

**POLICY: P 0521 NONDISCRIMINATION**

Policy adopted: June 12, 1978  
Amended: 8/25/2014

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut

**P 0521**

## **Mission - Goals - Objectives**

### **Nondiscrimination**

In compliance with Titles VI and VII of Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, and Section 504 of Rehabilitation Act of 1973, THE WESTPORT PUBLIC SCHOOLS shall exclude no person from participation in, denied benefits of , or be otherwise discriminated against in employment or in educational opportunity in the basis of sex, sexual orientation, disability, past or present history of mental disorder, mental retardation, race, color, creed, religion, national origin, ancestry, age or marital status.

### **Complaint Procedures**

File complaint with Principal; copy to coordinator (see below)

If not satisfied, you may appeal to the Assistant Superintendent

Next level is appeal to Superintendent

Next level appeal is to Board of Education

### **Title VI, Title VII and Title 504 Coordinator**

Michael Rizzo  
Director of Pupil Services  
Staples High School  
70 North Avenue  
Westport, CT 06880  
341-1250

### **Title IX Coordinator**

Marjorie Cion, Director of Human Resources  
Westport Town School Office  
Westport Town Hall  
110 Myrtle Avenue, Room 302  
Westport, CT 06880  
341-1004

Legal Reference: Connecticut General Statutes

10-153 Discrimination on account of marital status.  
46a-60 Discriminatory employment practices prohibited.  
Federal Law  
Title VII of the Civil Rights Act 1964  
Section 504 and the Federal Vocational Rehabilitation Act of 1973, 20  
U.S.C. 706(7)(b).  
American Disability Act of 1989.  
*Chalk v. The United States District Court of Central California.*  
Title IX of the Education Amendments of 1972.  
Civil Rights Act of 1987.

**P 0521**

## **Mission-Goals-Objectives**

### **Nondiscrimination**

#### **Grievance Procedure for Section 504, Title IX, and Title VII Regulations**

The Board of Education does not knowingly condone discrimination on the basis of race, color, national origin, sex, sexual orientation or handicap in admission or access to, or treatment, or employment in its programs or activities.

Inquiries regarding compliance, including receipt and investigation of any complaint alleging non-compliance may be directed to the Superintendent of Schools, or in the Superintendent's absence, the Supervisor of Special Services.

### **Definitions**

A "grievance" is a complaint by an employee, or group of employees, or a student or group of students based upon an alleged violation of the provisions of Section 504, Title IX, or Title VII.

The term "employee" is considered to apply to any employee of the Nutmeg Board of Education. The term "student" is considered to apply to any student enrolled in the Nutmeg Public Schools. The term "teacher" is considered to apply to any teacher employed by the Nutmeg Board of Education. The "teacher", "employee", or "student" may include a group of teachers or a group of employees or a group of students who are similarly affected by a grievance.

An "aggrieved person" is the person or persons making the claim.

The term "days", when used in this article, shall, except when otherwise indicated, mean working days.

### **Purpose**

The purpose of this procedure is to secure, at the lowest possible administrative level, equitable solutions to the problems which may arise under the provisions of Section 504, Title IX, or Title VII.

The parties agree that these proceedings shall be kept as informal and confidential as may be appropriate at any level of the procedure.

Nothing herein contained shall be construed as limiting the right of the Complainant having a problem to discuss the matter informally with any appropriate member of the administration.

Any Complainant shall have the right at any time to present any grievance to such persons and through such channels as are designated for that purpose in this article.

### **Time Limits**

Since it is important that grievances be processed as rapidly as possible, the number of days indicated at each level should be considered as a maximum, and every effort should be made to expedite the process. The time limits specified may, however, be extended by mutual agreement in writing.

If a Complainant does not file a grievance in writing as provided herein within 30 days after the aggrieved person knew or should have known of the act or condition on which the grievance is based, then the grievance shall be considered waived.

**Informal Procedure (OPTIONAL)**

Any student, employee or applicant to a program who feels that he/she has been discriminated against on the basis of race, color, national origin, sex, sexual orientation or handicap shall ~~shall~~ may contact the building Principal/supervisor within 30 days of the alleged occurrence to discuss the nature of the complaint.

The-If a Complainant pursues the informal procedure, the Principal/supervisor shall maintain a written record which shall contain the following:

1. Full name and address of Complainant.
2. Full name and position of person(s) who allegedly discriminated against the Complainant.
3. A concise statement of the facts constituting the alleged discrimination.
4. Dates of the alleged discrimination.

At the time the alleged discrimination complaint is filed, Principal/supervisor shall review and explain the grievance procedures with the Complainant and answer any questions. An investigation of the complaint shall begin as soon as practical, but in no case, more than ten (10) working days from the time the complaint was received. Within this time limit, the Principal/supervisor shall meet informally with the Complainant and the individual(s) against whom the complaint was lodged and shall provide confidential counseling where advisable and shall finally seek an informal agreement between the parties concerned. Every attempt shall be made to seek a solution and resolve the alleged discrimination complaint at this level.

If the Complainant is not satisfied with these initial informal procedures, within twenty (20) school days from the date of the original discussion with the principal/supervisor, more formal procedures may be initiated by the Complainant to further explore and resolve the problem.

**Formal Procedure – The Complainant may initiate the complaint beginning with the Formal Procedure, rather than the Informal Procedure.**

**1. Level One – School Principal**

If a Complainant is not satisfied with the disposition of the problem through informal procedures, he/she may submit his/her claim as a formal grievance in writing to the Principal.

The Principal shall within five (5) days render a decision and the reasons therefore in writing to the Complainant, with a copy to the Superintendent of Schools.

**2. Level Two – Superintendent of Schools**

If the Complainant is not satisfied with the disposition of his/her grievance at Level One, or if no decision has been rendered within five (5) days after presentation of the grievance

in writing, the Complainant may file a written appeal for a hearing by the Superintendent of Schools within five (5) days.

The Superintendent of Schools shall represent the administration at Level Two of the grievance procedure. Within ten (10) days after receipt of the written appeal for a hearing by the Superintendent, the Superintendent shall meet with the Complainant for the purpose of resolving the grievance. A full record of such hearing shall be kept by the Superintendent. The Superintendent shall within three (3) days of the hearing render the decision and the reasons therefore in writing to the Complainant.

### **3. Level Three – Board of Education**

If the Complainant is not satisfied with the disposition of the grievance at Level Two, or if no decision has been rendered within three (3) days after first meeting with the Superintendent, the person may file the grievance again with the Board of Education within five (5) days.

Within fifteen (15) days after receiving the written appeal, the Board shall meet with the Complainant for the purpose of resolving the grievance. The decision of the Board shall be rendered in writing within three (3) days.

#### **General Provisions**

Decisions rendered at all levels of the formal grievance shall be in writing setting forth the decision and the reasons therefore.

All documents, communications and records dealing with the processing of a grievance shall be filed separately from the existing files of the participants.

Any person may also file a complaint of illegal discrimination with the Office for Civil Rights, Washington, D.C., at the same time he/she files the grievance during or after use of the grievance process, or without using the grievance process at all. If a complaint is filed with the Office for Civil Rights, it must be filed in writing no later than 180 days after the occurrence of the possible discrimination.

The Superintendent of Schools is responsible for annually appointing the Title VII, Title IX and Section 504 Coordinator and may be contacted at 1-860-376-9167.

Regulation approved: December 8, 2011

Amended: August 25, 2014



**CURRENT**

**POLICY: P 0521 NONDISCRIMINATION**

0521

**Mission - Goals - Objectives**

**Nondiscrimination**

In compliance with Titles VI and VII of Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, and Section 504 of Rehabilitation Act of 1973, THE WESTPORT PUBLIC SCHOOLS shall exclude no person from participation in, denied benefits of , or be otherwise discriminated against in employment or in educational opportunity in the basis of sex, sexual orientation, disability, past of present history of mental disorder, mental retardation, race, color, creed, religion, national origin, ancestry, age or marital status.

**Complaint Procedures**

File complaint with Principal; copy to coordinator (see below)

If not satisfied, you may appeal to the Assistant Superintendent

Next level is appeal to Superintendent

Next level appeal is to Board of Education

**Title VI, Title VII  
and Title 504 Coordinator**

**Title IX Coordinator**

Michael Rizzo  
Resources

Marjorie Cion, Director of Human

Director of Pupil Services

Westport Town School Office

Staples High School

Westport Town Hall

70 North Avenue

110 Myrtle Avenue, Room 302

Westport, CT 0688

Westport, CT 06880

341-1250

341-1004

**Legal Reference: Connecticut General Statutes**

10 153 Discrimination on account of marital status.

46a 60 Discriminatory employment practices prohibited.

Federal Law

Title VII of the Civil Rights Act 1964

Section 504 and the Federal Vocational Rehabilitation Act of 1973, 20 U.S.C. 706 (7)(b).

American Disability Act of 1989.

Chalk v. The United States District Court of Central California.

Title IX of the Education Amendments of 1972.

Civil Rights Act of 1987.

Policy adopted: June 12, 1978

0521

## **Mission-Goals-Objectives**

### **Nondiscrimination**

#### **Grievance Procedure for Section 504, Title IX, and Title VII Regulations**

The Board of Education does not knowingly condone discrimination on the basis of race, color, national origin, sex, sexual orientation or handicap in admission or access to, or treatment, or employment in its programs or activities.

Inquiries regarding compliance, including receipt and investigation of any complaint alleging non-compliance may be directed to the Superintendent of Schools, or in the Superintendent's absence, the Supervisor of Special Services.

### **Definitions**

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The term "employee" is considered to apply to any employee of the Nutmeg Board of Education. The term "student" is considered to apply to any student enrolled in the Nutmeg Public Schools. The term "teacher" is considered to apply to any teacher employed by the Nutmeg Board of Education. The "teacher", "employee", or "student" may include a group of teachers or a group of employees or a group of students who are similarly affected by a grievance.

An "aggrieved person" is the person or persons making the claim.

The term "days", when used in this article, shall, except when otherwise indicated, mean working days.

### **Purpose**

The purpose of this procedure is to secure, at the lowest possible administrative level, equitable solutions to the problems which may arise under the provisions of Section 504, Title IX, or Title VII.

The parties agree that these proceedings shall be kept as informal and confidential as may be appropriate at any level of the procedure.

Nothing herein contained shall be construed as limiting the right of the complainant having a problem to discuss the matter informally with any appropriate member of the administration.

Any complainant shall have the right at any time to present any grievance to such persons and through such channels as are designated for that purpose in this article.

### **Time Limits**

Since it is important that grievances be processed as rapidly as possible, the number of days indicated at each level should be considered as a maximum, and every effort should be made to

expedite the process. The time limits specified may, however, be extended by mutual agreement in writing.

If a complainant does not file a grievance in writing as provided herein within 30 days after the aggrieved person knew or should have known of the act or condition on which the grievance is based, then the grievance shall be considered waived.

### **Informal Procedure**

Any student, employee or applicant to a program who feels that he/she has been discriminated against on the basis of race, color, national origin, sex, sexual orientation or handicap shall contact the building Principal/supervisor within 30 days of the alleged occurrence to discuss the nature of the complaint.

The Principal/supervisor shall maintain a written record which shall contain the following:

1. Full name and address of complainant.
2. Full name and position of person(s) who allegedly discriminated against the complainant.
3. A concise statement of the facts constituting the alleged discrimination.
4. Dates of the alleged discrimination.

At the time the alleged discrimination complaint is filed, Principal/supervisor shall review and explain the grievance procedures with the complainant and answer any questions. An investigation of the complaint shall begin as soon as practical, but in no case, more than ten (10) working days from the time the complaint was received. Within this time limit, the Principal/supervisor shall meet informally with the complainant and the individual(s) against whom the complaint was lodged and shall provide confidential counseling where advisable and shall finally seek an informal agreement between the parties concerned. Every attempt shall be made to seek a solution and resolve the alleged discrimination complaint at this level.

If the complainant is not satisfied with these initial informal procedures, within twenty (20) school days from the date of the original discussion with the principal/supervisor, more formal procedures may be initiated by the complainant to further explore and resolve the problem.

### **Formal Procedure**

#### **1. Level One - School Principal**

If a complainant is not satisfied with the disposition of the problem through informal procedures, he/she may submit his/her claim as a formal grievance in writing to the Principal.

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The Superintendent of Schools is responsible for annually appointing the Title VII, Title IX and Section 504 Coordinator and may be contacted at 1-860-376-9167.

Regulation approved: December 8, 2011

**PROPOSED**

**POLICY: P 5131.911 BULLYING PREVENTION  
AND INTERVENTION**



Policy adopted: XX, XX, XXXX  
Amended: 8/25/2014

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut

P5131.911

**Series 5000**  
**Students**

**Bullying Prevention and Intervention Policy**

The Westport Board of Education is committed to creating and maintaining an educational environment that is physically, emotionally and intellectually safe and thus free from bullying, teen dating violence, harassment and discrimination. In accordance with state law and the Board's Safe School Climate Plan, the Board expressly prohibits any form of bullying behavior on school grounds; at a school-sponsored or school-related activity, function or program, whether on or off school grounds; at a school bus stop; on a school bus or other vehicle owned, leased or used by a local or regional board of education; or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board of Education.

The Board also prohibits any form of bullying behavior outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school. Discrimination and/or retaliation against an individual who reports or assists in the investigation of an act of bullying is likewise prohibited.

Students who engage in bullying behavior or teen dating violence shall be subject to school discipline, up to and including expulsion, in accordance with the Board's policies on student discipline, suspension and expulsion, and consistent with state and federal law.

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

- 1) causes physical or emotional harm to such student or damage to such student's property;
- 2) places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;
- 3) creates a hostile environment at school for such student;
- 4) infringes on the rights of such student at school; or
- 5) substantially disrupts the education process or the orderly operation of a school.

Bullying shall include, but not be limited to, a written, verbal 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 and 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.

For purposes of this policy, “**Cyberbullying**” means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.

For purposes of this policy, “**Teen Dating Violence**” means any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, that occurs between two students who are currently in or who have recently been in a dating relationship.

Consistent with the requirements under state law, the Westport Board of Education authorizes the Superintendent or his/her designee(s), along with the Safe School Climate Coordinator, to be responsible for developing and implementing a Safe School Climate Plan in furtherance of this policy. As provided by state law, such Safe School Climate Plan shall include, but not be limited to provisions which:

- (1) enable students to anonymously report acts of bullying to school employees and require students and the parents or guardians of students to be notified annually at the beginning of each school year of the process by which students may make such reports;
- (2) enable the parents or guardians of students to file written reports of suspected bullying;
- (3) require school employees who witness acts of bullying or receive reports of bullying to orally notify the safe school climate specialist, or another school administrator if the safe school climate specialist is unavailable, not later than one school day after such school employee witnesses or receives a report of bullying, and to file a written report not later than two school days after making such oral report;
- (4) require the safe school climate specialist to investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports made under this section and that the parents or guardians of the student alleged to have committed an act or acts of bullying and the parents or guardians of the student against whom such alleged act or acts were directed receive prompt notice that such investigation has commenced;
- (5) require the safe school climate specialist to review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report;
- (6) include a prevention and intervention strategy for school employees to deal with bullying; bullying and teen dating violence
- (7) provide for the inclusion of language in student codes of conduct concerning bullying;
- (8) require each school to notify the parents or guardians of students who commit any verified acts of bullying and the parents or guardians of students against whom such acts were directed not later than forty-eight hours after the completion of the investigation;



- (9) require each school to invite the parents or guardians of a student who commits any ~~verified act of bullying and the parents or guardians of the student against whom such act was directed~~ to a meeting to communicate to such parents or guardians the measures being taken by the school to ensure the safety of the student against whom such act was directed and policies and procedures in place to prevent further acts of bullying;
- (10) require each school to invite the parents or guardians of a student who commits any verified act of bullying to a meeting, separate and distinct from the meeting required in subdivision (9) above, to discuss specific interventions undertaken by the school to prevent further acts of bullying;
- (11) establish a procedure for each school to document and maintain records relating to reports and investigations of bullying in such school and to maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection, and annually report such number to the Department of Education and in such manner as prescribed by the Commissioner of Education;
- (12) direct the development of case-by-case interventions for addressing repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline;
- (13) prohibit discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying;
- (14) direct the development of student safety support plans for students against whom an act of bullying was directed that address safety measures the school will take to protect such students against further acts of bullying;
- (15) require the principal of a school, or the principal's designee, to notify the appropriate local law enforcement agency when such principal, or the principal's designee, believes that any acts of bullying constitute criminal conduct;
- (16) prohibit bullying (A) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a local or regional board of education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the local or regional board of education, and (B) outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, or (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;
- (17) require, at the beginning of each school year, each school to provide all school employees with a written or electronic copy of the school district's safe school climate plan; and
- (18) require that all school employees annually complete the training described in Conn. Gen. Stat. §10-220a.

The notification required pursuant to subdivision (8) (above) and the invitation required pursuant to subdivisions subdivision (9) and (10) (above) shall include a description of the response of

school employees to such acts and any consequences that may result from the commission of further acts of bullying. Any information provided under this policy or accompanying Safe School Climate Plan shall be provided in accordance with the confidentiality restrictions imposed under the Family Educational Rights Privacy Act ("FERPA") and the district's Confidentiality and Access to Student Information policy and regulations.

~~The~~By September 1, 2014, the Westport Board of Education shall approve ~~submit its~~ the Safe School Climate Plan to the Department of Education for review and approval. ~~developed pursuant to this policy and submit such plan to the Department of Education.~~ Not later than thirty (30) calendar days after approval by the ~~Board~~Department, the Board shall make such plan available on the Board's and each individual school in the school district's web site and ensure that the Safe School Climate Plan is included in the school district's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

Legal References:

~~Public Act 11-232, *An Act Concerning the Strengthening of School Bullying Laws*~~

Conn. Gen. Stat. 10-145a

Conn. Gen. Stat. 10-145o

Conn. Gen. Stat. 10-220a

Conn. Gen. Stat. § 10-222d

Conn. Gen. Stat. 10-222g

Conn. Gen. Stat. 10-222h

Conn. Gen. Stat. §§ 10-233a through 10-233f

Public Act 14-172, "An Act Concerning Improving Employment Opportunities Through Education And Ensuring Safe School Climates"

Public Act 14-232, "An Act Concerning The Review And Approval Of Safe School Climate Plans By The Department Of Education And A Student Safety Hotline Feasibility Study"

Public Act 14-234, "An Act Concerning Domestic Violence And Sexual Assault"

7/4528/1314



**REPORT OF SUSPECTED BULLYING BEHAVIORS OR TEEN DATING VIOLENCE**  
**(School Employees Should File with the School Principal)**  
**(Parents and Students May File with the School Principal or Any Other School Employee)**

Name of Person Completing Report: \_\_\_\_\_

Date: \_\_\_\_\_

Target(s) of Behaviors/Violence: \_\_\_\_\_

Relationship of Reporter to Target (self, parent, teacher, peer, etc.): \_\_\_\_\_

Report Filed  
Against: \_\_\_\_\_

Date of Incident(s): \_\_\_\_\_

Location(s): \_\_\_\_\_ Time: \_\_\_\_\_

Describe the basis for your report. Include information about the incident, participants, background to the incident, and any attempts you have made to resolve the problem. Please note relevant dates, times and places.

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Indicate if there are witnesses who can provide more information regarding your report. If the witnesses are not school district staff or students, please provide contact information.

Name	Address	Telephone Number

Have there been previous incidents (circle one)?      Yes      No

If "yes", please describe the behavior of concern, or the violence that occurred; include the approximate date(s) and the location(s):

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Were these incidents reported to school employees (circle one)?      Yes      No

If "Yes", to whom was it reported and when?

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Was the report verbal or written?

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**Proposed Solution:**

Indicate your opinion on how this problem might be resolved in the school setting. Be as specific as possible.

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I certify that the above information and events are accurately depicted to the best of my knowledge.

Signature of Reporter	Date Submitted	Received By	Date Received
<u>7/28/14</u>			



**INTERNAL INVESTIGATION NOTES FOR REPORTS OF BULLYING BEHAVIORS**

**For Staff Use Only:**

Has student reporter requested anonymity?      Y      N

Does the school have parent/guardian consent to disclose the student's name in connection with the investigation?      Y      N

**Administrative Investigation Notes (use separate sheet if necessary):**

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Bullying Verified? Yes \_\_\_\_ No \_\_\_\_

**Remedial Action(s)**

Taken: \_\_\_\_\_  
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(Attach bullying complaint and witness statements. If bullying is verified, attach notification to parents of students involved, invitation to parent meetings, and records of parent meetings).

7/28/14



**REPORT OF BULLYING FORM/INVESTIGATION SUMMARY**

**For Staff Use Only:**

**School:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Location(s):** \_\_\_\_\_

**Reporter Information:**

Anonymous student report \_\_\_\_\_

Staff Member report \_\_\_\_\_ Name \_\_\_\_\_

Parent/Guardian report \_\_\_\_\_ Name \_\_\_\_\_

Student report \_\_\_\_\_ Name \_\_\_\_\_

**Student Reported as Committing Act:** \_\_\_\_\_

**Student Reported as Victim:** \_\_\_\_\_

**Description of Alleged Act(s):** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Time and Place:** \_\_\_\_\_

**Names of Potential Witnesses:** \_\_\_\_\_

\_\_\_\_\_

**Action of Reporter:** \_\_\_\_\_

**Administrative Investigation Notes (use separate sheet if necessary):**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Bullying Verified?** Yes \_\_\_\_\_ No \_\_\_\_\_

**Remedial Action(s) Taken:**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**If Bullying Verified, Has Notification Been Made to Parents of Students Involved?**

Parents' Names: _____	Date Sent: _____
Parents' Names: _____	Date Sent: _____
Parents' Names: _____	Date Sent: _____
Parents' Names: _____	Date Sent: _____

**If Bullying Verified, Have Invitation to Meetings Been Sent to Parents of Students Involved?**

Parents' Names: _____	Date Sent: _____
Parents' Names: _____	Date Sent: _____
Parents' Names: _____	Date Sent: _____
Parents' Names: _____	Date Sent: _____

**Date of Meetings:**  
\_\_\_\_\_  
\_\_\_\_\_

**If Bullying Verified, Has School Developed Student Safety Support/Intervention Plan?**

Y \_\_\_\_\_ N \_\_\_\_\_

**(Attach bullying complaint and witness statements. If bullying is verified, attach notification to parents of students involved, invitations to parent meetings, and records of parent meetings).**

3/26/12







**REPORT OF TEEN DATING VIOLENCE/CONSENT TO RELEASE STUDENT  
INFORMATION**

**Date:** \_\_\_\_\_

**Name of Student:** \_\_\_\_\_

**School:** \_\_\_\_\_

**To Parent/Guardian:** \_\_\_\_\_

A report of teen dating violence has been made on behalf of your child alleging that he/she has been the victim of teen dating violence. In order to facilitate a prompt and thorough review of the report, the Westport Public Schools may wish to disclose the fact that this complaint has been filed in connection with its review.

***(Please check one):***

\_\_\_\_\_ I hereby give permission for the Westport Public Schools to disclose the fact that a complaint concerning my child has been filed as part of its review of that complaint.

\_\_\_\_\_ I do NOT give permission for the Westport Public Schools to disclose the fact that a complaint concerning my child has been filed as part of its review of that complaint.

\_\_\_\_\_  
Signature of Parent/Guardian \_\_\_\_\_ Date

\_\_\_\_\_  
Name (Please print)

7/28/14

**CURRENT**

**POLICY: P 5131.911 BULLYING PREVENTION  
AND INTERVENTION**

## **Students**

### **Bullying Prevention and Intervention**

The Westport Board of Education is committed to creating and maintaining an educational environment that is physically, emotionally and intellectually safe and thus free from bullying, harassment and discrimination. In accordance with state law and the Board's Safe School Climate Plan, the Board expressly prohibits any form of bullying behavior on school grounds; at a school-sponsored or school-related activity, function or program, whether on or off school grounds; at a school bus stop; on a school bus or other vehicle owned, leased or used by a local or regional board of education; or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board of Education.

The Board also prohibits any form of bullying behavior outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school. Discrimination and/or retaliation against an individual who reports or assists in the investigation of an act of bullying is likewise prohibited.

Students who engage in bullying behavior shall be subject to school discipline, up to and including expulsion, in accordance with the Board's policies on student discipline, suspension and expulsion, and consistent with state and federal law.

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

- 1) causes physical or emotional harm to such student or damage to such student's property;
- 2) places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;
- 3) creates a hostile environment at school for such student;
- 4) infringes on the rights of such student at school; or
- 5) substantially disrupts the education process or the orderly operation of a school.

## **Students**

### **Bullying Prevention and Intervention (continued)**

Bullying shall include, but not be limited to, a written, verbal 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 and 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.

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

Consistent with the requirements under state law, the Westport Board of Education authorizes the Superintendent or his/her designee(s), along with the Safe School Climate Coordinator, to be responsible for developing and implementing a Safe School Climate Plan in furtherance of this policy. As provided by state law, such Safe School Climate Plan shall include, but not be limited to provisions which:

- (1) Enable students to anonymously report acts of bullying to school employees and require students and the parents or guardians of students to be notified annually of the process by which students may make such reports;
- (2) enable the parents or guardians of students to file written reports of suspected bullying;
- (3) require school employees who witness acts of bullying or receive reports of bullying to orally notify the safe school climate specialist, or another school administrator if the safe school climate specialist is unavailable, not later than one school day after such school employee witnesses or receives a report of bullying, and to file a written report not later than two school days after making such oral report;
- (4) require the safe school climate specialist to investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports made under this section;
- (5) require the safe school climate specialist to review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report;
- (6) include a prevention and intervention strategy for school employees to deal with bullying;
- (7) provide for the inclusion of language in student codes of conduct concerning bullying;

**Students**

**Bullying Prevention and Intervention (continued)**

- (8) require each school to notify the parents or guardians of students who commit any verified acts of bullying and the parents or guardians of students against whom such acts were directed not later than forty-eight hours after the completion of the investigation;
- (9) require each school to invite the parents or guardians of a student who commits any verified act of bullying and the parents or guardians of the student against whom such act was directed to a meeting to communicate to such parents or guardians the measures being taken by the school to ensure the safety of the student against whom such act was directed and to prevent further acts of bullying.
- (10) establish a procedure for each school to document and maintain records relating to reports and investigations of bullying in such school and to maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection, and annually report such number to the Department of Education and in such manner as prescribed by the Commissioner of Education;
- (11) direct the development of case-by-case interventions for addressing repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline;
- (12) prohibit discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying;
- (13) direct the development of student safety support plans for students against whom an act of bullying was directed that address safety measures the school will take to protect such students against further acts of bullying;
- (14) require the principal of a school, or the principal's designee, to notify the appropriate local law enforcement agency when such principal, or the principal's designee, believes that any acts of bullying constitute criminal conduct;
- (15) prohibit bullying (A) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a local or regional board of education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the local or regional board of education, and (B) outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;

**Students**

**Bullying Prevention and Intervention (continued)**

- (16) require, at the beginning of each school year, each school to provide all school employees with a written or electronic copy of the school district's safe school climate plan; and
- (17) require that all school employees annually complete the training described in Conn. Gen. Stat. §10-220a.

The notification required pursuant to subdivision (8) (above) and the invitation required pursuant to subdivision (9) (above) shall include a description of the response of school employees to such acts and any consequences that may result from the commission of further acts of bullying. Any information provided under this policy or accompanying Safe School Climate Plan shall be provided in accordance with the confidentiality restrictions imposed under the Family Educational Rights Privacy Act ("FERPA") and the district's Confidentiality and Access to Student Information policy and regulations.

Not later than January 1, 2012, the Westport Board of Education shall approve the Safe School Climate Plan developed pursuant to this policy and submit such plan to the Department of Education. Not later than thirty (30) calendar days after approval by the Board, the Board shall make such plan available on the Board's and each individual school in the school district's web site and ensure that the Safe School Climate Plan is included in the school district's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

**Legal References:**

Public Act 11-232, *An Act Concerning the Strengthening of School Bullying Laws*

Conn. Gen. Stat. 10-145a

Conn. Gen. Stat. 10-145o

Conn. Gen. Stat. 10-220a

Conn. Gen. Stat. § 10-222d

Conn. Gen. Stat. 10-222g

Conn. Gen. Stat. 10-222h

Conn. Gen. Stat. §§ 10-233a through 10-233f

Policy adopted: December 16, 2002  
Policy revised: June 18, 2007; August 25, 2008;  
December 19, 2011

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut



Indicate if there are witnesses who can provide more information regarding your report. If the witnesses are not school district staff or students, please provide contact information.

Name	Address	Telephone Number

Have there been previous incidents (circle one)?                      Yes                      No

If "yes", please describe the behavior of concern, the approximate dates and the location:

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Were these incidents reported to school employees (circle one)      Yes      No

If "Yes", to whom was it reported and when?

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Was the report verbal or written?

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Proposed Solution:

Indicate your opinion on how this problem might be resolved in the school setting. Be as specific as possible.

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I certify that the above information and events are accurately depicted to the best of my knowledge.

Signature of Reporter	Date Submitted	Received By	Date Received
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For Staff Use Only:

Has reporter requested anonymity? Y N

Does the school have parent/guardian consent to disclose the student's name in connection with the investigation? Y N

Administrative Investigation Notes (use separate sheet if necessary):

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Bullying Verified? Yes \_\_\_ No \_\_\_

Remedial Action(s)  
Taken:

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If Bullying Verified, Has Notification Been Made to Parents of Students Involved?

Parents' Names: _____	Date Notified: _____
Parents' Names: _____	Date Notified: _____
Parents' Names: _____	Date Notified: _____
Parents' Names: _____	Date Notified: _____

If Bullying Verified, Has Invitation to Meeting Been Sent to Parents of Students?

Parents' Names: _____	Date Sent: _____
Parents' Names: _____	Date Sent: _____
Parents' Names: _____	Date Sent: _____
Parents' Names: _____	Date Sent: _____

Date of Meetings:

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If Bullying Verified, Has School Developed Student Safety Support/Intervention Plan?

Y    N

(Attach bullying complaint, witness statements, and notification to parents of students involved if bullying is verified, Invitations to Parent Meetings, Records of Parent Meetings)

12.19.2011



**REPORT OF BULLYING FORM/INVESTIGATION SUMMARY**

School \_\_\_\_\_ Date \_\_\_\_\_

Location(s) \_\_\_\_\_

**Reporter Information:**

Anonymous student report \_\_\_\_\_

Staff Member report \_\_\_\_\_ Name \_\_\_\_\_

Parent/Guardian report \_\_\_\_\_ Name \_\_\_\_\_

Student report \_\_\_\_\_ Name \_\_\_\_\_

**Student Reported as Committing Act:** \_\_\_\_\_

**Student Reported as Victim:** \_\_\_\_\_

**Description of Alleged Act(s):** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Time and Place:** \_\_\_\_\_

**Names of Potential Witnesses:** \_\_\_\_\_

\_\_\_\_\_

**For Staff Use Only:**

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Action of Reporter: \_\_\_\_\_

Administrative Investigation Notes (use separate sheet if necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Bullying Verified? Yes \_\_\_ No \_\_\_

Remedial Action(s) Taken: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**If Bullying Verified, Has Notification Been Made to Parents of Students Involved?**

Parents' Names: _____	Date Sent: _____
Parents' Names: _____	Date Sent: _____
Parents' Names: _____	Date Sent: _____
Parents' Names: _____	Date Sent: _____

**If Bullying Verified, Have Invitation to Meetings Been Sent to Parents of Students Involved?**

Parents' Names: _____	Date Sent: _____
Parents' Names: _____	Date Sent: _____
Parents' Names: _____	Date Sent: _____
Parents' Names: _____	Date Sent: _____

**Date of Meetings:**

\_\_\_\_\_  
\_\_\_\_\_

**If Bullying Verified, Has School Developed Student Safety Support/Intervention Plan?**

Y    N

(Attach bullying complaint, witness statements, and notification to parents of students involved if bullying is verified, invitations to parent meetings, records of parent meetings).



**PROPOSED**

**POLICY: P 5131.912 SAFE SCHOOL CLIMATE PLAN**

Policy adopted: XX, XX, XXXX  
Amended: 8/25/2014

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut

P5131.912

**Series-5000  
Students**

**Safe School Climate Plan**

The Board is committed to creating and maintaining a physically, emotionally, and intellectually safe educational environment free from bullying, teen dating violence, harassment and discrimination. In order to foster an atmosphere conducive to learning, the Board has developed the following Safe School Climate Plan, consistent with state law and Board Policy. This Plan represents a comprehensive approach to addressing bullying, ~~and cyberbullying~~ and teen dating violence and sets forth the Board's expectations for creating a positive school climate and thus preventing, intervening, and responding to incidents of bullying and teen dating violence.

Bullying behavior and teen dating violence are ~~is~~ strictly prohibited, and students who are determined to have engaged in such behavior are subject to disciplinary action, which may include suspension or expulsion from school. The district's commitment to addressing bullying behavior, and teen dating violence, however, involves a multi-faceted approach, which includes education and the promotion of a positive school climate in which bullying will not be tolerated by students or school staff.

**I. Prohibition Against Bullying, Teen Dating Violence and Retaliation**

- A. The Board expressly prohibits any form of bullying behavior and teen dating violence on school grounds; at a school-sponsored or school-related activity, function or program whether on or off school grounds; at a school bus stop; on a school bus or other vehicle owned, leased or used by a local or regional board of education; or through the use of an electronic device or an electronic mobile device owned, leased or used by Board of Education.
- B. The Board also prohibits any form of bullying behavior outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;
- C. The Board further prohibits any form of teen dating violence outside of the school setting if such violence substantially disrupts the educational process;
- D. In addition to prohibiting student acts ~~which that~~ constitute bullying, the Board also prohibits discrimination and/or retaliation against an individual who reports or assists in the investigation of an act of bullying.
- E.D Students who engage in bullying behavior or teen dating violence in violation of Board Policy and the Safe School Climate Plan shall be subject to school discipline, up to and including expulsion, in accordance with the Board's policies

on student discipline, suspension and expulsion, and consistent with state and federal law.

## **II. Definition of Bullying**

- A. **“Bullying”** means the repeated use by one or more students of a written, oral or electronic communication, such as cyberbullying, directed at or referring to another student attending school in the same district, or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same district that:
1. causes physical or emotional harm to such student or damage to such student’s property;
  2. places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;
  3. creates a hostile environment at school for such student;
  4. infringes on the rights of such student at school; or
  5. substantially disrupts the education process or the orderly operation of a school.
- B. Bullying shall include, but not be limited to, a written, verbal 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 and 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.

## **III. Other Definitions**

- A. **“Cyberbullying”** means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.
- B. **“Electronic communication”** means any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic or photo-optical system;
- C. **“Hostile environment”** means a situation in which bullying among students is sufficiently severe or pervasive to alter the conditions of the school climate;
- D. **“Mobile electronic device”** means any hand-held or other portable electronic equipment capable of providing data communication between two or more individuals, including, but not limited to, a text messaging device, a paging device, a personal digital assistant, a laptop computer, equipment that is capable



of playing a video game or a digital video disk, or equipment on which digital images are taken or transmitted;

- E. **“Outside of the school setting”** means at a location, activity or program that is not school related, or through the use of an electronic device or a mobile electronic device that is not owned, leased or used by a local or regional board of education;
- F. **“Prevention and intervention strategy”** may include, but is not limited to, (1) implementation of a positive behavioral intervention and support process or another evidence-based model approach for safe school climate or for the prevention of bullying identified by the Department of Education, (2) school rules prohibiting bullying, harassment and intimidation and establishing appropriate consequences for those who engage in such acts, (3) adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur, (4) inclusion of grade-appropriate bullying education and prevention curricula in kindergarten through high school, (5) individual interventions with the bully, parents and school employees, and interventions with the bullied child, parents and school employees, (6) school-wide training related to safe school climate, (7) student peer training, education and support, and (8) promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions.
- G. **“School climate”** means the quality and character of school life with a particular focus on the quality of the relationships within the school community between and among students and adults.
- H. **“School employee”** means (1) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by a local or regional board of education or working in a public elementary, middle or high school; or (2) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle or high school, pursuant to a contract with the local or regional board of education.
- I. **“School-Sponsored Activity”** shall mean any activity conducted on or off school property (including school buses and other school-related vehicles) that is sponsored, recognized or authorized by the Board of Education.
- J. **“Teen dating violence” means any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, that occurs between two students who are currently in or who have recently been in a dating relationship.**

#### **IV. Leadership and Administrative Responsibilities**

##### **A. Safe School Climate Coordinator**

The Superintendent shall appoint, from existing school district staff, a District Safe School Climate Coordinator (“Coordinator”). The Coordinator shall:

1. be responsible for implementing the district's Safe School Climate Plan ("Plan");
2. collaborate with Safe School Climate Specialists, the Board, and the Superintendent to prevent, identify and respond to bullying in district schools;
3. provide data and information, in collaboration with the Superintendent, to the Department of Education regarding bullying;
4. meet with Safe School Climate Specialists at least twice during the school year to discuss issues relating to bullying the school district and to make recommendations concerning amendments to the district's Plan.

**B. Safe School Climate Specialist**

The Principal of each school (or principal's designee) shall serve as the Safe School Climate Specialist. The Safe School Climate Specialist shall investigate or supervise the investigation of reported acts of bullying and act as the primary school official responsible for preventing, identifying and responding to reports of bullying in the school.

**V. Development and Review of Safe School Climate Plan**

- A. The Principal of each school shall establish a committee or designate at least one existing committee ("Committee") in the school to be responsible for developing and fostering a safe school climate and addressing issues relating to bullying in the school. Such committee shall include at least one parent/guardian of a student enrolled in the school, as appointed by the school principal.
- B. The Committee shall: 1) receive copies of completed reports following bullying investigations; 2) identify and address patterns of bullying among students in the school; 3) review and amend school policies relating to bullying; 4) review and make recommendations to the Coordinator regarding the Safe School Climate Plan based on issues and experiences specific to the school; 5) educate students, school employees and parents/guardians on issues relating to bullying; 6) collaborate with the Coordinator in the collection of data regarding bullying; and 7) perform any other duties as determined by the Principal that are related to the prevention, identification and response to school bullying.
- C. Any parent/guardian serving as a member of the Committee shall not participate in any activities which may compromise the confidentiality of any student, including, but not limited to receiving copies of investigation reports, or identifying or addressing patterns of bullying among students in the school.
- D. The Board of Education shall approve the Safe School Climate Plan developed pursuant to Board policy and submit such plan to the Department of Education. Not later than thirty (30) calendar days after approval by the Department, the Board shall make such plan available on the Board's and each individual school in the school district's web site and ensure that the Safe School Climate Plan is

included in the school district's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

## **VI. Procedures for Reporting and Investigating Complaints of Bullying**

- A. Students and parents (or guardians of students) may file written reports of bullying. Written reports of bullying shall be reasonably specific as to the basis for the report, including the time and place of the alleged conduct, the number of incidents, the target of the suspected bullying, and the names of potential witnesses. Such reports may be filed with any building administrator and/or the Safe School Climate Specialist (i.e. building principal), and all reports shall be forwarded to the Safe School Climate Specialist for review and actions consistent with this Plan.
- B. Students may make anonymous reports of bullying to any school employee. Students may also request anonymity when making a report, even if the student's identity is known to the school employee. In cases where a student requests anonymity, the Safe School Climate Specialist or his/her designee shall meet with the student (if the student's identity is known) to review the request for anonymity and discuss the impact that maintaining the anonymity of the complainant may have on the investigation and on any possible remedial action. All anonymous reports shall be reviewed and reasonable action will be taken to address the situation, to the extent such action may be taken that does not disclose the source of the report, and is consistent with the due process rights of the student(s) alleged to have committed acts of bullying. No disciplinary action shall be taken solely on the basis of an anonymous report.
- C. School employees who witness acts of bullying or receive reports of bullying shall orally notify the Safe School Climate Specialist or another school administrator if the Safe School Climate Specialist is unavailable, **not later than one (1) school day** after such school employee witnesses or receives a report of bullying. The school employee shall then file a **written report not later than two (2) school days** after making such oral report.
- D. The Safe School Climate Specialist shall be responsible for reviewing any anonymous reports of bullying and shall investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports. The Safe School Climate Specialist shall also be responsible for promptly notifying the parents or guardians of the student alleged to have committed an act or acts of bullying, and the parents or guardians of the student against whom such alleged act or acts were directed, that an investigation has commenced. In order to allow the district to adequately investigate complaints filed by a student or parent/guardian, the parent of the student suspected of being bullied should be asked to provide consent to permit the release of that student's name in connection with the investigation process, unless the student and/or parent has requested anonymity.
- E. In investigating reports of bullying, the Safe School Climate Specialist or designee will consider all available information known, including the nature of the allegations and the ages of the students involved. The Safe School Climate

Specialist will interview witnesses, as necessary, reminding the alleged perpetrator and other parties that retaliation is strictly prohibited and will result in disciplinary action.

## VII. Responding to Verified Acts of Bullying

- A. Following investigation, if acts of bullying are verified, the Safe School Climate Specialist or designee shall notify the parents or guardians of the students against whom such acts were directed as well as the parents or guardians of the students who commit such acts of bullying of the finding **not later than forty-eight hours** after the investigation is completed. This notification shall include a description of the school's response to the acts of bullying. In providing such notification, however, care must be taken to respect the statutory privacy rights of other students, including the perpetrator of such bullying. The specific disciplinary consequences imposed on the perpetrator, or personally identifiable information about a student other than the parent/guardian's own child, may not be disclosed except as provided by law.
- B. ~~In any instance in which bullying is verified, the Safe School Climate Specialist or designee shall also invite the parents or guardians of the student who commits any verified act of bullying and the parents or guardian of the student against whom such act was directed to a meeting to communicate the measures being taken by the school to ensure the safety of the student/victim and policies and procedures in place and to prevent further acts of bullying. The Safe School Climate Specialist or designee shall also invite the parents or guardians of a student who commits any verified act of bullying to a meeting, separate and distinct from the previously described meeting, to discuss specific interventions undertaken by the school to prevent further acts of bullying. The invitation may be made simultaneous with the notification described above in Section VII.A., as it must include a description of the school's response to such acts, along with consequences, as appropriate. Normally, separate meetings shall be held with the respective parents; however, at the discretion of the Safe School Climate Specialist and with written consent of the parents/guardians involved, the meeting(s) may be held jointly.~~
- C. If bullying is verified, the Safe School Climate Specialist or designee shall develop a student safety support plan for any student against whom an act of bullying was directed. Such support plan will include safety measures to protect against further acts of bullying.
- D. A specific written intervention plan shall be developed to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual. The written intervention plan may include counseling, discipline and other appropriate remedial actions as determined by the Safe School Climate Specialist or designee, and may also incorporate a student safety support plan, as appropriate.
- E. Notice to Law Enforcement

If the Principal of a school (or his/her designee) reasonably believes that any act of bullying constitutes a criminal offense, he/she shall notify appropriate law enforcement. Notice shall be consistent with the Board's obligations under state and federal law and Board policy regarding the disclosure of personally identifiable student information. In making this determination, the Principal or his/her designee, may consult with the school resource office, if any, and other individuals the principal or designee deems appropriate.

- F. If a bullying complaint raises concern about discrimination or harassment on the basis of a legally protected classifications (such as race, religion, color, national origin, sex, sexual orientation, age, disability or gender identity or expression), the Safe School Climate Specialist or designee shall also coordinate any bullying investigation with other appropriate personnel within the district as appropriate (e.g. Title IX Coordinator, Section 504 Coordinator etc.), so as to ensure that any such bullying investigation complies with the requirements of such policies regarding nondiscrimination.

#### **VIII. Teen Dating Violence**

- A. The school strictly prohibits, and takes very seriously any instances of, teen dating violence, as defined above. The school recognizes that teen dating violence may take many different forms and may also be considered bullying and/or sexual harassment.
- B. Students and parents (or guardians of students) may bring verbal or written complaints regarding teen dating violence to any building administrator. The building administrator shall review and address the complaint, which may include referral of the complaint to the Safe School Climate Specialist and/or Title IX Coordinator.
- C. Prevention and intervention strategies concerning teen dating violence shall be implemented in accordance with Section X below. Discipline, up to and including expulsion, may be imposed against the perpetrator of teen dating violence, whether such conduct occurs on or off campus, in accordance with Board policy and consistent with federal and state law.

#### **IX. Documentation and Maintenance of Log**

- A. Each school shall maintain written reports of bullying, along with supporting documentation received and/or created as a result of bullying investigations, consistent with the Board's obligations under state and federal law. Any educational record containing personally identifiable student information pertaining to an individual student shall be maintained in a confidential manner, and shall not be disclosed to third parties without prior written consent of a parent, guardian or eligible student, except as permitted under Board policy and state and federal law.
- B. The Principal of each school shall maintain a list of the number of verified acts of bullying in the school and this list shall be available for public inspection upon request. Consistent with district obligations under state and federal law regarding

student privacy, the log shall not contain any personally identifiable student information, or any information that alone or in combination would allow a reasonable person in the school community to identify the students involved. Accordingly, the log should be limited to basic information such as the number of verified acts, name of school and/or grade level and relevant date. Given that any determination of bullying involves repeated acts, each investigation that results in a verified act of bullying for that school year shall be tallied as one verified act of bullying unless the specific actions that are the subject of each report involve separate and distinct acts of bullying. The list shall be limited to the number of verified acts of bullying in each school and shall not set out the particulars of each verified act, including, but not limited to any personally identifiable student information, which is confidential information by law.

- C. The Principal of each school shall report the number of verified acts of bullying in the school annually to the Department of Education in such manner as prescribed by the Commissioner of Education.

**IX. Other Prevention and Intervention Strategies**

- A. Bullying behavior and teen dating violence can take many forms and can vary dramatically in the nature of the offense and the impact the behavior may have on the victim and other students. Accordingly, there is no one prescribed response to verified acts of bullying or to teen dating violence. While conduct that rises to the level of “bullying”, or “teen dating violence,” as defined above, will generally warrant traditional disciplinary action against the perpetrator of such bullying or teen dating violence, whether and to what extent to impose disciplinary action (e.g., detention, in-school suspension, suspension or expulsion) is a matter for the professional discretion of the building principal (or responsible program administrator or his/her designee). No disciplinary action may be taken solely on the basis of an anonymous complaint of bullying. As discussed below, schools may also consider appropriate alternatives to traditional disciplinary sanctions, including age-appropriate consequences and other restorative or remedial interventions.

- B. A specific written intervention plan shall be developed to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual. This plan may include safety provisions, as described above, for students against whom acts of bullying have been verified and may include other interventions such as counseling, discipline, and other appropriate remedial or restorative actions as determined by the responsible administrator.

- C. The following sets forth possible interventions which may also be utilized to enforce the Board’s prohibition against bullying and teen dating violence:

- i. Non-disciplinary interventions

- When verified acts of bullying are identified early and/or when such verified acts of bullying do not reasonably require a disciplinary response, students may be counseled as to the definition of bullying, its prohibition, and their

duty to avoid any conduct that could be considered bullying. Students may also be subject to other forms of restorative discipline or remedial actions, appropriate to the age of the students and nature of the behavior. If a complaint arises out of conflict between students or groups of students, peer or other forms of mediation may be considered. Special care, however, is warranted in referring such cases to peer mediation. A power imbalance may make the process intimidating for the victim and therefore inappropriate. In such cases, the victim should be given additional support. Alternatively, peer mediation may be deemed inappropriate to address the concern.

When an act or acts of teen dating violence are identified, the students involved may be counseled as to the seriousness of the conduct, the prohibition of teen dating violence, and their duty to avoid any such conduct. Students may also be subject to other forms of restorative discipline or remedial actions, appropriate to the age of the students and nature of the behavior.

ii. Disciplinary interventions

When acts of bullying are verified or teen dating violence occurs, and a disciplinary response is warranted, students are subject to the full range of disciplinary consequences. Anonymous complaints of bullying, however, shall not be the basis for disciplinary action.

In-school suspension and suspension may be imposed only after informing the accused perpetrator of the reasons for the proposed suspension and giving him/her an opportunity to explain the situation, in accordance with the Board's Student Discipline policy.

Expulsion may be imposed only after a hearing before the Board of Education, a committee of the Board or an impartial hearing officer designated by the Board of Education in accordance with the Board's Student Discipline policy. This consequence shall normally be reserved for serious incidents of bullying and teen dating violence, and/or when past interventions have not been successful in eliminating bullying behavior.

iii. Interventions for bullied students and victims of teen dating violence

The building principal (or other responsible program administrator) or his/her designee shall intervene in order to address incidents of bullying or teen dating violence against a single individual. Intervention strategies for a bullied student or victim of teen dating violence may include the following:

- a. Referral to a school counselor, psychologist or other appropriate social or mental health serviceCounseling;
- b. Increased supervision and monitoring of student to observe and intervene in bullying situations or instances of teen dating violence;

- c. Encouragement of student to seek help when victimized or witnessing victimization;
- d. Peer mediation or other forms of mediation, where appropriate;
- e. Student Safety Support plan; and
- f. Restitution and/or restorative interventions; and
- g. Periodic follow-up by the Safe School Climate Specialist and/or Title IX Coordinator with the bullied student or victim of teen dating violence.

iv. General Prevention and Intervention Strategies

In addition to the prompt investigation of complaints of bullying and direct intervention when acts of bullying are verified, other district actions may ameliorate potential problems with bullying in school or at school-sponsored activities. Additional district actions may also ameliorate potential problems with teen dating violence. While no specific action is required, and school needs for specific prevention and intervention strategies may vary from time to time, the following list of potential prevention and intervention strategies shall serve as a resource for administrators, teachers and other professional employees in each school. Such prevention and intervention strategies may include, but are not limited to:

- a. School rules prohibiting bullying, teen dating violence, harassment and intimidation and establishing appropriate consequences for those who engage in such acts;
- b. Adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying isor teen dating violence are is-likely to occur.
- c. Inclusion of grade-appropriate bullying and teen dating violence education and prevention curricula in kindergarten through high school, which may include instruction regarding building safe and positive school communities including developing healthy relationships and preventing dating violence as deemed appropriate for older students;
- d. Individual interventions with the perpetrator, parents and school employees, and interventions with the bullied student, parents and school employees;
- e. School-wide training related to safe school climate, which training may include Title IX/Sexual harassment training, Section 504/ADA Training, cultural diversity/multicultural education or other training in federal and state civil rights legislation or other topics relevant to safe school climate;
- f. Student peer training, education and support; and



- g. Promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions;
- h. Implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying and teen dating violence, including any such program identified by the Department of Education;
- i. Respectful responses to bullying and teen dating violence concerns raised by students, parents or staff;
- j. Planned professional development programs addressing prevention and intervention strategies, which training may include school violence prevention, conflict resolution and prevention of bullying and teen dating violence, with a focus in evidence based practices concerning same;
- k. Use of peers to help ameliorate the plight of victims and include them in group activities;
- l. Avoidance of sex-role stereotyping;
- m. Continuing awareness and involvement on the part of school employees and parents with regards to prevention and intervention strategies;
- n. Modeling by teachers of positive, respectful, and supportive behavior toward students;
- o. Creating a school atmosphere of team spirit and collaboration that promotes appropriate social behavior by students in support of others;
- p. Employing classroom strategies that instruct students how to work together in a collaborative and supportive atmosphere;
- ~~p-q.~~ Culturally competent school-based curriculum focusing on social-emotional learning, self-awareness and self-regulation.

D. In addition to prevention and intervention strategies, administrators, teachers and other professional employees may find opportunities to educate students about bullying and help eliminate bullying behavior through class discussions, counseling, and reinforcement of socially-appropriate behavior. Administrators, teachers and other professional employees should intervene promptly whenever they observe mean-spirited student conduct, even if such conduct does not meet the formal definition of “bullying.”

E. Funding for the school-based bullying intervention and school climate improvement strategy may originate from public, private, federal or philanthropic sources.

**XI. Improving School Climate**

The Westport Public Schools are committed to improving school climate. District curricula, including a comprehensive social skills curriculum and developmental counseling curriculum instruct students in pro-social behaviors such as respect, tolerance, and safety. These concepts and behaviors are reinforced through our academic curriculum. District Health curriculum addresses developing healthy behaviors and relationships, and respecting others in person and through social media. District staffing includes school psychologists, counselors, social workers, teachers and administrators used to develop relationships with students at all levels and provide a variety of prevention and intervention efforts for all students. Individual schools through their school climate teams review and analyze data from a variety of sources to continuously improve climate and address student, faculty, and parent needs related to fostering a positive school climate. Schools and district level staff members collaborate with community agencies to coordinate efforts for students and families in need.

**XII. Annual Notice and Training**

- A. Students, and parents or guardians of students shall be notified annually of the process by which students may make reports of bullying.
- B. The Board shall provide for the inclusion of language in student codes of conduct concerning bullying.
- C. At the beginning of each school year, each school shall provide all school employees with a written or electronic copy of the school district's safe school climate plan and require that all school employees annually complete training on the identification, prevention and response to bullying as required by law.
- D. After July 1, 2014, any person appointed by the district to serve as district safe school climate coordinator shall complete mental health and first aid training offered by the Commissioner of Mental Health and Addiction Services.

**XIII. School Climate Assessments**

~~On and after July 1, 2012, and b~~Biennially thereafter, the Board shall require each school in the district to complete an assessment using the school climate assessment instruments, including surveys, approved and disseminated by the Department of Education. The Board shall collect the school climate assessments for each school in the district and submit such assessments to the Connecticut State Department of Education.

**Legal References:**

~~Public Act 11-232, An Act Concerning the Strengthening of School Bullying Laws~~ Conn. Gen. Stat. § 10-222d

Conn. Gen. Stat. §§ 10-233a through 10-233f

Connecticut State Department of Education Circular Letter C-8, Series 2008-2009  
(March 16, 2009)

Public Act ~~1314-3~~172, "An Act Concerning ~~Gun Prevention Violence and Children's~~  
Safety Improving Employment Opportunities Through Education And Ensuring Safe  
School Climates"

September 2, 2013

Public Act 14-232, "An Act Concerning The Review And Approval Of Safe School  
Climate Plans By The Department Of Education And A Student Safety Hotline  
Feasibility Study"

Public Act 14-234, "An Act Concerning Domestic Violence And Sexual Assault"

7/28/14

**CURRENT**

**POLICY: P 5131.912 SAFE SCHOOL CLIMATE PLAN**

## **Students**

### **Safe School Climate Plan**

The Board is committed to creating and maintaining a physically, emotionally, and intellectually safe educational environment free from bullying, harassment and discrimination. In order to foster an atmosphere conducive to learning, the Board has developed the following Safe School Climate Plan, consistent with state law and Board Policy. This Plan represents a comprehensive approach to addressing bullying and cyberbullying and sets forth the Board's expectations for creating a positive school climate and thus preventing, intervening, and responding to incidents of bullying.

Bullying behavior is strictly prohibited, and students who are determined to have engaged in such behavior are subject to disciplinary action, which may include suspension or expulsion from school. The district's commitment to addressing bullying behavior, however, involves a multi-faceted approach, which includes education and the promotion of a positive school climate in which bullying will not be tolerated by students or school staff.

#### **I. Prohibition Against Bullying and Retaliation**

- A. The Board expressly prohibits any form of bullying behavior on school grounds; at a school-sponsored or school-related activity, function or program whether on or off school grounds; at a school bus stop; on a school bus or other vehicle owned, leased or used by a local or regional board of education; or through the use of an electronic device or an electronic mobile device owned, leased or used by Board of Education.
- B. The Board also prohibits any form of bullying behavior outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;
- C. In addition to prohibiting student acts which constitute bullying, the Board also prohibits discrimination and/or retaliation against an individual who reports or assists in the investigation of an act of bullying.
- D. Students who engage in bullying behavior in violation of Board Policy and the Safe School Climate Plan shall be subject to school discipline, up to and including expulsion, in accordance with the Board's policies on student discipline, suspension and expulsion, and consistent with state and federal law.

## Students

### Safe School Climate Plan (continued)

#### II. Definition of Bullying

- A. "Bullying" means the repeated use by one or more students of a written, verbal or electronic communication, such as cyberbullying, or a physical act or gesture directed at another student attending school in the same district that:
1. causes physical or emotional harm to such student or damage to such student's property;
  2. places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;
  3. creates a hostile environment at school for such student;
  4. infringes on the rights of such student at school; or
  5. substantially disrupts the education process or the orderly operation of a school.
- B. Bullying shall include, but not be limited to, a written, verbal 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 and 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.

#### III. Other Definitions

- A. "Cyberbullying" means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.
- B. "Electronic communication" means any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic or photo-optical system;

**Students**

**Safe School Climate Plan (continued)**

- C. **"Hostile environment"** means a situation in which bullying among students is sufficiently severe or pervasive to alter the conditions of the school climate;
- D. **"Mobile electronic device"** means any hand-held or other portable electronic equipment capable of providing data communication between two or more individuals, including, but not limited to, a text messaging device, a paging device, a personal digital assistant, a laptop computer, equipment that is capable of playing a video game or a digital video disk, or equipment on which digital images are taken or transmitted;
- E. **"Outside of the school setting"** means at a location, activity or program that is not school related, or through the use of an electronic device or a mobile electronic device that is not owned, leased or used by a local or regional board of education;
- F. **"Prevention and intervention strategy"** may include, but is not limited to, (1) implementation of a positive behavioral intervention and support process or another evidence-based model approach for safe school climate or for the prevention of bullying identified by the Department of Education, (2) school rules prohibiting bullying, harassment and intimidation and establishing appropriate consequences for those who engage in such acts, (3) adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur, (4) inclusion of grade-appropriate bullying education and prevention curricula in kindergarten through high school, (5) individual interventions with the bully, parents and school employees, and interventions with the bullied child, parents and school employees, (6) school-wide training related to safe school climate, (7) student peer training, education and support, and (8) promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions.
- G. **"School climate"** means the quality and character of school life with a particular focus on the quality of the relationships within the school community between and among students and adults.

## Students

### Safe School Climate Plan (continued)

- H. "School employee" means (1) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by a local or regional board of education or working in a public elementary, middle or high school; or (2) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle or high school, pursuant to a contract with the local or regional board of education.
  
- I. "School-Sponsored Activity" shall mean any activity conducted on or off school property (including school buses and other school-related vehicles) that is sponsored, recognized or authorized by the Board of Education.

### IV. Leadership and Administrative Responsibilities

#### A. Safe School Climate Coordinator

For the school year commencing July 1, 2012, and each school year thereafter, the Superintendent shall appoint, from existing school district staff, a District Safe School Climate Coordinator ("Coordinator"). The Coordinator shall:

1. be responsible for implementing the district's Safe School Climate Plan ("Plan");
2. collaborate with Safe School Climate Specialists, the Board, and the Superintendent to prevent, identify and respond to bullying in district schools;
3. provide data and information, in collaboration with the Superintendent, to the Department of Education regarding bullying;
4. meet with Safe School Climate Specialists at least twice during the school year to discuss issues relating to bullying the school district and to make recommendations concerning amendments to the district's Plan.



**Students**

**Safe School Climate Plan (continued)**

**B. Safe School Climate Specialist**

For the school year commencing July 1, 2012, and each school year thereafter, the principal of each school (or principal's designee) shall serve as the Safe School Climate Specialist. The Safe School Climate Specialist shall investigate or supervise the investigation of reported acts of bullying and act as the primary school official responsible for preventing, identifying and responding to reports of bullying in the school.

**V. Development and Review of Safe School Climate Plan**

- A. For the school year commencing July 1, 2012 and each school year thereafter, the Principal of each school shall establish a committee or designate at least one existing committee ("Committee") in the school to be responsible for developing and fostering a safe school climate and addressing issues relating to bullying in the school. Such committee shall include at least one parent/guardian of a student enrolled in the school, as appointed by the school principal.
- B. The Committee shall: 1) receive copies of completed reports following bullying investigations; 2) identify and address patterns of bullying among students in the school; 3) review and amend school policies relating to bullying; 4) review and make recommendations to the Coordinator regarding the Safe School Climate Plan based on issues and experiences specific to the school; 5) educate students, school employees and parents/guardians on issues relating to bullying; 6) collaborate with the Coordinator in the collection of data regarding bullying; and 7) perform any other duties as determined by the Principal that are related to the prevention, identification and response to school bullying.
- C. Any parent/guardian serving as a member of the Committee shall not participate in any activities which may compromise the confidentiality of any student, including, but not limited to receiving copies of investigation reports, or identifying or addressing patterns of bullying among students in the school.

## **Students**

### **Safe School Climate Plan (continued)**

- D. Not later than January 1, 2012, the Board of Education shall approve the Safe School Climate Plan developed pursuant to Board policy and submit such plan to the Department of Education. Not later than thirty (30) calendar days after approval by the Board, the Board shall make such plan available on the Board's and each individual school in the school district's web site and ensure that the Safe School Climate Plan is included in the school district's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

### **VI. Procedures for Reporting and Investigating Complaints of Bullying**

- A. Students and parents (or guardians of students) may file written reports of bullying. Written reports of bullying shall be reasonably specific as to the basis for the report, including the time and place of the alleged conduct, the number of incidents, the target of the suspected bullying, and the names of potential witnesses. Such reports may be filed with any building administrator and/or the Safe School Climate Specialist (i.e. building principal), and all reports shall be forwarded to the Safe School Climate Specialist for review and actions consistent with this Plan.
- B. Students may make anonymous reports of bullying to any school employee. Students may also request anonymity when making a report, even if the student's identity is known to the school employee. In cases where a student requests anonymity, the Safe School Climate Specialist or his/her designee shall meet with the student (if the student's identity is known) to review the request for anonymity and discuss the impact that maintaining the anonymity of the complainant may have on the investigation and on any possible remedial action. All anonymous reports shall be reviewed and reasonable action will be taken to address the situation, to the extent such action may be taken that does not disclose the source of the report, and is consistent with the due process rights of the student(s) alleged to have committed acts of bullying. No disciplinary action shall be taken solely on the basis of an anonymous report.

## Students

### Safe School Climate Plan (continued)

- C. School employees who witness acts of bullying or receive reports of bullying shall orally notify the Safe School Climate Specialist or another school administrator if the Safe School Climate Specialist is unavailable, **not later than one (1) school day** after such school employee witnesses or receives a report of bullying. The school employee shall then file a **written report not later than two (2) school days** after making such oral report.
- D. The Safe School Specialist shall be responsible for reviewing any anonymous reports of bullying and shall investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports. In order to allow the district to adequately investigate complaints filed by a student or parent/guardian, the parent of the student suspected of being bullied should be asked to provide consent to permit the release of that student's name in connection with the investigation process, unless the student and/or parent has requested anonymity.
- E. In investigating reports of bullying, the Safe School Climate Specialist or designee will consider all available information known, including the nature of the allegations and the ages of the students involved. The Safe School Climate Specialist will interview witnesses, as necessary, reminding the alleged perpetrator and other parties that retaliation is strictly prohibited and will result in disciplinary action.

### VII. Responding to Verified Acts of Bullying

- A. Following investigation, if acts of bullying are verified, the Safe School Climate Specialist or designee shall notify the parents or guardians of the students against whom such acts were directed as well as the parents or guardians of the students who commit such acts of bullying of the finding **not later than forty-eight hours** after the investigation is completed. This notification shall include a description of the school's response to the acts of bullying. In providing such notification, however, care must be taken to respect the statutory privacy rights of other students, including the perpetrator of such bullying. The specific disciplinary consequences imposed on the perpetrator, or personally identifiable information about a student other than the parent/guardian's own child, may not be disclosed except as provided by law.

**Students**

**Safe School Climate Plan (continued)**

- B. In any instance in which bullying is verified, the Safe School Climate Specialist or designee shall also invite the parents or guardians of the student who commits any verified act of bullying and the parents or guardian of the student against whom such act was directed to a meeting to communicate the measures being taken by the school to ensure the safety of the student/victim and to prevent further acts of bullying. The invitation may be made simultaneous with the notification described above in Section VII.A., as it must include a description of the school's response to such acts, along with consequences, as appropriate. Normally, separate meetings shall be held with the respective parents; however, at the discretion of the Safe School Climate Specialist and with written consent of the parents/guardians involved, the meeting(s) may be held jointly.
- C. If bullying is verified, the Safe School Climate Specialist or designee shall develop a student safety support plan for any student against whom an act of bullying was directed. Such support plan will include safety measures to protect against further acts of bullying.
- D. A specific written intervention plan shall be developed to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual. The written intervention plan may include counseling, discipline and other appropriate remedial actions as determined by the Safe School Climate Specialist or designee, and may also incorporate a student safety support plan, as appropriate.
- E. Notice to Law Enforcement

If the Principal of a school (or his/her designee) reasonably believes that any act of bullying constitutes a criminal offense, he/she shall notify appropriate law enforcement. Notice shall be consistent with the Board's obligations under state and federal law and Board policy regarding the disclosure of personally identifiable student information. In making this determination, the Principal or his/her designee, may consult with the school resource office, if any, and other individuals the principal or designee deems appropriate.

**Students**

**Safe School Climate Plan (continued)**

- F. If a bullying complaint raises concern about discrimination or harassment on the basis of a legally protected classifications (such as race, religion, color, national origin, sex, sexual orientation, age or disability), the Safe School Climate Specialist or designee shall also coordinate any investigation with other appropriate personnel within the district as appropriate (e.g. Title IX Coordinator, Section 504 Coordinator etc.)

**VIII. Documentation and Maintenance of Log**

- A. Each school shall maintain written reports of bullying, along with supporting documentation received and/or created as a result of bullying investigations, consistent with the Board's obligations under state and federal law. Any educational record containing personally identifiable student information pertaining to an individual student shall be maintained in a confidential manner, and shall not be disclosed to third parties without written prior written consent of a parent, guardian or eligible student, except as permitted under Board policy and state and federal law.
- B. The Principal of each school shall maintain a list of the number of verified acts of bullying in the school and this list shall be available for public inspection upon request. Consistent with district obligations under state and federal law regarding student privacy, the log shall not contain any personally identifiable student information, or any information that alone or in combination would allow a reasonable person in the school community to identify the students involved. Accordingly, the log should be limited to basic information such as the number of verified acts, name of school and/or grade level and relevant date. Given that any determination of bullying involves repeated acts, each investigation that results in a verified act of bullying for that school year shall be tallied as one verified act of bullying unless the specific actions that are the subject of each report involve separate and distinct acts of bullying. The list shall be limited to the number of verified acts of bullying in each school and shall not set out the particulars of each verified act, including, but not limited to any personally identifiable student information, which is confidential information by law.
- C. The Principal of each school shall report the number of verified acts of bullying in the school annually to the Department of Education in such manner as prescribed by the Commissioner of Education.

**Students**

**Safe School Climate Plan (continued)**

**IX. Other Prevention and Intervention Strategies**

- A. Bullying behavior can take many forms and can vary dramatically in the nature of the offense and the impact the behavior may have on the victim and other students. Accordingly, there is no one prescribed response to verified acts of bullying. While conduct that rises to the level of “bullying”, as defined above, will generally warrant traditional disciplinary action against the perpetrator of such bullying, whether and to what extent to impose disciplinary action (e.g., detention, in-school suspension, suspension or expulsion) is a matter for the professional discretion of the building principal (or responsible program administrator or his/her designee). No disciplinary action may be taken solely on the basis of an anonymous complaint. As discussed below, schools may also consider appropriate alternatives to traditional disciplinary sanctions, including age-appropriate consequences and other restorative or remedial interventions.
  
- B. A specific written intervention plan shall be developed to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual. This plan may include safety provisions, as described above, for students against whom acts of bullying have been verified and may include other interventions such as counseling, discipline, and other appropriate remedial or restorative actions as determined by the responsible administrator.
  
- C. The following sets forth possible interventions which may also be utilized to enforce the Board’s prohibition against bullying:
  - i. Non-disciplinary interventions  

When verified acts of bullying are identified early and/or when such verified acts of bullying do not reasonably require a disciplinary response, students may be counseled as to the definition of bullying, its prohibition, and their duty to avoid any conduct that could be considered bullying. Students may also be subject to other forms of restorative discipline or remedial actions, appropriate to the age of the students and nature of the behavior. If a complaint arises out of conflict between students or groups

## Students

### Safe School Climate Plan (continued)

of students, peer or other forms of mediation may be considered. Special care, however, is warranted in referring such cases to peer mediation. A power imbalance may make the process intimidating for the victim and therefore inappropriate. In such cases, the victim should be given additional support. Alternatively, peer mediation may be deemed inappropriate to address the concern.

#### ii. Disciplinary interventions

When acts of bullying are verified and a disciplinary response is warranted, students are subject to the full range of disciplinary consequences. Anonymous complaints, however, shall not be the basis for disciplinary action.

In-school suspension and suspension may be imposed only after informing the accused perpetrator of the reasons for the proposed suspension and giving him/her an opportunity to explain the situation, in accordance with the Board's Student Discipline policy.

Expulsion may be imposed only after a hearing before the Board of Education, a committee of the Board or an impartial hearing officer designated by the Board of Education in accordance with the Board's Student Discipline policy. This consequence shall normally be reserved for serious incidents of bullying and/or when past interventions have not been successful in eliminating bullying behavior.

#### iii. Interventions for bullied students

The building principal (or other responsible program administrator) or his/her designee shall intervene in order to address incidents of bullying against a single individual. Intervention strategies for a bullied student may include the following:

**Students**

**Safe School Climate Plan (continued)**

- a. Counseling;
  - b. Increased supervision and monitoring of student to observe and intervene in bullying situations;
  - c. Encouragement of student to seek help when victimized or witnessing victimization;
  - d. Peer mediation or other forms of mediation, where appropriate;
  - e. Student Safety Support plan; and
  - f. Restitution and/or restorative interventions.
- iv. General Prevention and Intervention Strategies

In addition to the prompt investigation of complaints of bullying and direct intervention when acts of bullying are verified, other district actions may ameliorate potential problems with bullying in school or at school-sponsored activities. While no specific action is required, and school needs for specific prevention and intervention strategies may vary from time to time, the following list of potential prevention and intervention strategies shall serve as a resource for administrators, teachers and other professional employees in each school. Such prevention and intervention strategies may include, but are not limited to:

- a. School rules prohibiting bullying, harassment and intimidation and establishing appropriate consequences for those who engage in such acts;
- b. Adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur.
- c. Inclusion of grade-appropriate bullying education and prevention curricula in kindergarten through high school, which may include instruction regarding building safe and positive school communities including developing healthy relationships and preventing dating violence as deemed appropriate for older students;



**Students**

**Safe School Climate Plan (continued)**

- d. Individual interventions with the perpetrator, parents and school employees, and interventions with the bullied student, parents and school employees;
- e. School-wide training related to safe school climate, which training may include Title IX/Sexual harassment training, Section 504/ADA Training, cultural diversity/multicultural education or other training in federal and state civil rights legislation or other topics relevant to safe school climate;
- f. Student peer training, education and support; and
- g. Promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions;
- h. Implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying, including any such program identified by the Department of Education;
- i. Respectful responses to bullying concerns raised by students, parents or staff;
- j. Planned professional development programs addressing prevention and intervention strategies, which training may include school violence prevention, conflict resolution and prevention of bullying, with a focus in evidence based practices concerning same;
- k. Use of peers to help ameliorate the plight of victims and include them in group activities;
- l. Avoidance of sex-role stereotyping;

## **Students**

### **Safe School Climate Plan (continued)**

- m. Continuing awareness and involvement on the part of school employees and parents with regards to prevention and intervention strategies;
  - n. Modeling by teachers of positive, respectful, and supportive behavior toward students;
  - o. Creating a school atmosphere of team spirit and collaboration that promotes appropriate social behavior by students in support of others;
  - p. Employing classroom strategies that instruct students how to work together in a collaborative and supportive atmosphere.
- C. In addition to prevention and intervention strategies, administrators, teachers and other professional employees may find opportunities to educate students about bullying and help eliminate bullying behavior through class discussions, counseling, and reinforcement of socially-appropriate behavior. Administrators, teachers and other professional employees should intervene promptly whenever they observe mean-spirited student conduct, even if such conduct does not meet the formal definition of "bullying."

## **X. Annual Notice and Training**

- A. Students, and parents or guardians of students shall be notified annually of the process by which students may make reports of bullying.
- B. The Board shall provide for the inclusion of language in student codes of conduct concerning bullying.
- C. At the beginning of each school year, each school shall provide all school employees with a written or electronic copy of the school district's safe school climate plan and require that all school employees annually complete training on the identification, prevention and response to bullying as required by law.

**Students**

**Safe School Climate Plan (continued)**

**XI. School Climate Assessments**

On and after July 1, 2012, and biennially thereafter, the Board shall require each school in the district to complete an assessment using the school climate assessment instruments, including surveys, approved and disseminated by the Department of Education. The Board shall collect the school climate assessments for each school in the district and submit such assessments to the Department.

**Legal References:**

Public Act 11-232, *An Act Concerning the Strengthening of School Bullying Laws*

Conn. Gen. Stat. § 10-222d

Conn. Gen. Stat. §§ 10-233a through 10-233f

Connecticut State Department of Education Circular Letter C-8,  
Series 2008-2009 (March 16, 2009)

Policy Adopted: December 19, 2011

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut

**PROPOSED**

**POLICY: P 6173 HOMEBOUND INSTRUCTION**

## **Instruction**

### **Homebound Instruction**

The Westport Board of Education shall provide homebound or hospitalized instruction to a student under its jurisdiction who is unable to attend school for the following reasons:

1. When recommended by the Planning and Placement Team (PPT) either as the student's entire program or as a supplement to his or her regular in-school program.
2. For a verified medical reason which may include mental health issues. The student's treating physician shall provide a written statement directly to the Board, on a Board provided form, stating all of the following: (1 ) that the student's treating physician has directly consulted with school health supervisory personnel and determined that attendance at school with reasonable accommodations is not feasible, (2 ) that the student is unable to attend school due to a verified medical reason stating the student's diagnosis with supporting documentation, (3) that the student will be absent from school for at least ten consecutive school days or the student's condition is such that child may be required to be absent from school on short, repeated periods of time during the school year, and (4) the expected date the student will be able to return to school.
3. The student has a disability and is considered to be medically complex and requires instruction to be provided in accordance with his/her Individualized Education Plan (IEP) when the student is unable to attend school due to medical reasons. Medically complex means a student who has a serious, ongoing illness or chronic condition for at least one year and requires prolonged or intermittent hospitalization and ongoing medical treatment or medical devices to compensate for the loss of bodily functions.
4. A student who is pregnant or has given birth and cannot attend school for medical reasons shall be provided with homebound instruction and such other instruction as will enable the student to remain in school or otherwise have access to instruction and support services. Such services may include: transportation, shortened school day, counseling, modified class schedule.

### **Commencement of Services**

Subject to the Resolution of Dispute provisions below, a student who is unable to attend school for medical reasons shall receive instruction no later than the eleventh day of absence from school so long as the Board has received written notice that meets the requirements of this policy. However, at the Board's discretion, instruction may begin earlier than the eleventh day if the Board has been provided with adequate notice prior to the student's absence from school. If the student's medical condition fails to allow for receipt of instruction on or before the eleventh day, the treating physician shall determine when instruction shall begin and inform the Board in writing.

A student with a disability who is medically complex shall begin instruction no later than the third day of absence provided the student is medically able to receive instruction.

Any parent or Westport Public Schools staff member who believes a child may require homebound instruction should contact the Principal of the building in which the child attends school or the Director of Pupil Services for the Westport Public Schools.

### **Resolution of Disputes**

In the event of a dispute regarding the basis upon which the student's treating physician has asserted the need for instruction, the student shall receive instruction pending review of the written statement by the school medical advisor or other health professional employed by the Board who is qualified to review and assess the information submitted, so long as the parent or guardian has consent for communication with the physician is provided as described below. The Board is not required to commence instruction until such consent is provided by the parent or guardian of the child. Said consent must allow the Board's medical advisor or other qualified health employee to consult the student's treating physician to assess the need for instruction. Consultation with the treating physician shall include a review of educational and medical records, and where appropriate, include a review of accommodations and school health services that can be provided so the student can attend school safely.

In the event of a continued dispute, the Board may offer at its expense a review of the student's case by a qualified independent medical practitioner. If the parent or guardian fails to make the student available for the review, the Board is no longer legally obligated to provide homebound instruction. If the student continues to be absent from school, the Board shall pursue attendance intervention in accordance with state law and Board policy.

In the event of failure to resolve the dispute, both the parent or guardian of the student and the Board have the right to request a hearing, or in lieu of a hearing, to request mediation pursuant to state law and the Regulations of Connecticut State Agencies.

### **Length of Time and Place of Instruction**

For children in grades kindergarten through six, homebound and hospitalized instruction shall be provided for no less than one hour per day or five hours per week; for children in grades seven through twelve, homebound or hospitalized instruction shall be for no less than two hours per day or ten hours per week. Where evaluative data indicates that these time requirements should be modified, instruction may be increased or decreased upon the agreement of the parent and the Board, or upon a determination made by the PPT as appropriate in accordance with the student's individualized needs. For any child with a disability from three to five years of age, inclusive, instruction shall be for the amount of time determined appropriate by the child's PPT.

Instruction may be provided in the student's home, the hospital to which the student is confined or in another setting, such as the town library, taking into consideration the student's medical condition and other relevant factors. The school team will be responsible for making a determination regarding the location of instruction.

#### **Content of Services**

A regular education student receiving homebound or hospitalization instruction shall receive instruction designed to maintain the continuity of the student's general education program. "Maintaining continuity of the general education program" means that the student will receive instruction in core academic subjects required by the Board for promotion or graduation.

A student with a disability shall be provided instruction to enable the student to continue to participate in the general education curriculum and to make progress toward meeting the goals and objectives of the student's IEP. Where necessary, the PPT may modify short-term instructional objectives in the child's IEP depending upon the student's individualized needs.

In case of a student not otherwise in need of special education and related services, the requirements of evaluation and an individualized education program shall not apply and a PPT meeting need not be convened.

In the case of a student not previously receiving special education and related services, requirements of evaluation and individual education program shall apply if the PPT has reason to believe the child may currently require special education and related services.

Legal Reference: **R.C.S. A Section 10-76d-15 Homebound and hospitalized instruction**  
(Connecticut State Board of Education Regulations)

Policy adopted:

**WESTPORT PUBLIC SCHOOLS**  
**Homebound Instruction Request Form**  
*(This form is to be filled out by the student's treating physician)*

TO THE TREATING PHYSICIAN: Pursuant to the Connecticut State Department of Education regulations (specifically R.C.S.A. §10-76d-15), the following information must be provided to the district in order for a student to be eligible for homebound instruction. Please legibly complete this form. If you have any questions about this form, please contact: Suzanne Levasseur, Health Services Supervisor, at 203-341-1251.

This completed form is to be provided to: Suzanne Levasseur, Health Services Supervisor, Pupil Services Administration, 72 North Ave., Westport, CT 06880 - Fax: 203-341-1295.

Student's Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Home Address: \_\_\_\_\_

Treating Physician's Name: \_\_\_\_\_

Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Email address (optional): \_\_\_\_\_

Please provide the information below: You are encouraged to attach extra paper as needed to this form in order to answer the questions as fully and completely as possible.

- a. State the student's current diagnosis:
- b. Please attach documentation to support this diagnosis including but not limited to a written statement, testing results, and/or medical records.
- c. Is the student unable to attend school due to a verifiable medical reason? If yes, what is the reason?
- d. Will the student be absent from school for at least 10 consecutive school days due to his or her condition?
- e. Is the child's condition such that the child may be required to be absent for short repeated periods of time during the school year?
- f. Have you consulted with school health supervisory personnel (i.e. the school nurse or the district's medical supervisor) and determined that the student's attendance at school is not feasible even with reasonable accommodations? If yes, please state the name of the school health supervisory personnel with whom you have consulted, the accommodations discussed, and the basis for determining that accommodations in school could not be provided.

The expected date the student will be able to return to school is: \_\_\_\_\_  
mm/dd/yyyy

Signature of the Treating Physician: \_\_\_\_\_ Date: \_\_\_\_\_



**CURRENT**

**POLICY: P 6173 HOMEBOUND INSTRUCTION**

6173

**Instruction****Homebound Instruction**

Homebound instruction (as mandated by Conn. Regs., Sec. 10-76-b-8) is a special education program designed to make it possible for students unable to attend school to continue their education at home or in the hospital. In most cases, such instruction is of short duration.

Homebound or hospitalized instruction will be provided for any child enrolled in the Westport School System upon parental request with written approval of the child's physician or upon a recommendation of the Planning and Placement Team that this is the most appropriate program for the child and that no other educational program is possible.

Homebound or hospitalized instruction shall be provided under any of the following circumstances:

1. A physician certifies the child to be unable to attend school for medical reasons. The physician who states that the child must remain at home or in the hospital for more than three weeks shall state in writing, and make available to the Board of Education, the specific reasons why the child must remain at home or in a hospital and the criteria under which the child can return to a program provided within a public school facility, as well as the expected date of such return. When it is anticipated that a student's medical condition may cause absence for at least three weeks, homebound instruction should begin no later than two weeks from the first day of absence.
2. The likelihood of numerous absences over a period of time because of chronic physical or mental illness as certified in writing by a physician make instruction desirable on days of absence. When this situation occurs, approval of the Director of Pupil Services is necessary to initiate tutoring.
3. The Planning and Placement Team recommends homebound instruction as a supplement to the child's individualized education in-school program.
4. The Planning and Placement Team recommends homebound instruction because the student has a handicap so severe that it prevents the child from learning in a school setting.
5. The Planning and Placement Team recommends homebound instruction because the presence of the student in school constitutes a hazard to the student or other students' safety and welfare.

Homebound instruction may be offered, if recommended by the Planning and Placement Team, if:

1. A student is pregnant or in a post-partum period, upon the request of her parents or the student herself, if over 18.
2. The parents of the student are unwilling to accept the special education program offered by the Board of Education.
3. A special education program is being planned.

The homebound of hospitalized instruction developed to meet a particular child's needs must be provided for a specific length of time each school day in the child's home or in the hospital, in accordance with the following minimum requirements:

1. Provided the child's condition permits, home instruction shall be provided for children as follows: (1) Children in grades kindergarten through six, a minimum of five hours per week; (2) Children in grades seven through twelve, a minimum of eight hours per week. The time needed for homebound instruction may be reduced by special circumstances, e.g., if a telephone hook-up is provided to link the child to his/her classes.
2. Insofar as possible, program content shall be the same as the content of the program which is being provided in the class which the child would otherwise attend. The program content shall be modified as appropriate for the child according to the Individualized Education Program.

Legal Reference: Connecticut General Statutes

10-76d. Duties and powers of Boards of Education to provide special education programs and services.

10-233a et sec. Exclusion.

Policy adopted: October 10, 1978

Policy amended: 2007

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