

WESTPORT BOARD OF EDUCATION

AGENDA *

(Agenda Subject to Modification in Accordance with Law)

PUBLIC CALL TO ORDER

6:00 p.m., Staples High School, Room 1025c, Principal’s Conference Room

EXECUTIVE SESSION: Board Self-Evaluation

RESUME PUBLIC SESSION/PLEDGE OF ALLEGIANCE

7:30 p.m., Staples High School, Cafeteria B (Room 301)

ANNOUNCEMENTS FROM BOARD AND ADMINISTRATION

PUBLIC QUESTIONS/COMMENTS ON NON-AGENDA ITEMS (15 MINUTES)

MINUTES: March 12, 2018, and March 19, 2018

DISCUSSION/ACTION

- | | |
|---|--|
| 1. Discussion and Possible Vote on Adjustments to FY 2018-19 Board of Education Proposed Budget as Recommended by Administration | Dr. Colleen Palmer
Mr. Elio Longo |
| 2. Discussion and Possible Vote to Endorse the Inclusion of School Resource Officers in the Westport Public Schools | Dr. Colleen Palmer |
| 3. Changes to 2017-2018 School Calendar | Dr. Colleen Palmer |
| 4. Acceptance of Gifts, <i>pages 1-2</i> | (Encl.) Dr. Colleen Palmer |
| 5. Second Reading of the Following Revised Westport Board of Education Policies: | (Encl.) Ms. Karen Kleine
Dr. Colleen Palmer
Mr. Mike Rizzo |
| <ul style="list-style-type: none"> • Policy 5144, Students: Discipline (deletion), <i>pages 3-5</i> • Policy 5114, Students: Suspension and Expulsion/Due Process (revision), <i>pages 7-38</i> • Policy 5144.3, Students: Discipline of Students with Disabilities (deletion), <i>pages 39-49</i> • Policy 4112, Personnel – Certified: Appointment and Conditions of Employment (revision), <i>pages 51-55</i> • Policy 5131.7, Students: Weapons and Dangerous Instruments (deletion), <i>page 57</i> | |

UPDATES

- | | |
|---|------------------------|
| 1. Health and Medical Insurance Revenues and Expenses; Projected Year-End Balance in Health Reserve Account, <i>page 59</i> | (Encl.) Mr. Elio Longo |
|---|------------------------|

ADJOURNMENT

*A 2/3 vote is required to go to executive session, to add a topic to the agenda of a regular meeting, or to start a new topic after 10:30 p.m. The meeting can also be viewed on Cablevision on channel 78; Frontier channel 99 and by video stream @www.westportps.org

PUBLIC PARTICIPATION WELCOME USING THE FOLLOWING GUIDELINES:

- Comment on non-agenda topics will occur during the first 15 minutes *except* when staff or guest presentations are scheduled.
- Board will not engage in dialogue on non-agenda items.
- Public may speak as agenda topics come up for discussion or information.
- Speakers on non-agenda items are limited to 2 minutes each, except by prior arrangement with chair.
- Speakers on agenda items are limited to 3 minutes each, except by prior arrangement with chair.
- Speakers must give name and use microphone.
- Responses to questions may be deferred if answers not immediately available.
- Public comment is normally not invited for topics listed for action after having been publicly discussed at one or more meetings.



Jennifer Caputo <jcaputo@westportps.org>

Please add to BOE docket - BMS gift to school

Adam Rosen <arosen@westportps.org>

Tue, Mar 20, 2018 at 5:33 PM

To: Colleen Palmer <cpalmer@westportps.org>, Jennifer Markov <jmarkov@westport.k12.ct.us>

Dear Colleen,

The BMS PTA is generously donating \$2,239.95 to replace our school ceremonial banner, which is used for major events such as the BMS Moving Up Ceremony and carried proudly by our color guard leading the BMS Marching Band in Westport's Memorial Day Parade. In addition, these funds will provide 8 sousaphone covers in customized BMS colors with our updated BMS Bear logo.

Per Tom Scavone's recommendation, the new banner and covers will be produced by McCormicks (<http://www.mccormicksnet.com/category-s/199.htm>).

Please contact me if you have any questions relating to this gift to school and project.

Sincerely, Adam

cc
Jen M

--

Dr. Adam Rosen, Principal
Bedford Middle School, Westport Public Schools

ARosen@WestportPS.org

Main Office: 203-341-1500

FAX: 203-341-1508

Westport Schools: <http://www.westportps.org>BMS Homepage: <http://bms.westportps.org>

Displaying GCE_Badges_01.png

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Jennifer Caputo <jcaputo@westportps.org>

Please add to BOE docket - BMS gift to school

Adam Rosen <arosen@westportps.org>

Tue, Mar 20, 2018 at 5:36 PM

To: Colleen Palmer <cpalmer@westportps.org>, Jennifer Markov <jmarkov@westport.k12.ct.us>

Banner proof:



[Quoted text hidden]

Students

Discipline

Standards of Conduct

~~It is the responsibility of the Westport Public Schools to provide an environment which is safe, healthy and conducive to learning. In establishing and maintaining this environment, the professional staff recognizes the individual differences that exist among students and the responsibility of providing a positive educational experience for all students. It is clear that in order to provide this positive environment in the schools and to implement effectively the Standards of Conduct for Students contained in the policy, cooperation and mutual support on matters of discipline and attendance are necessary between home and school.~~

~~Students, teachers and administrators have the right to expect mutual courtesy, and fair and equitable treatment, and to be informed of their rights and responsibilities. The goals of the Westport Schools are to assist students in developing the ability for self-direction and self-discipline and to provide opportunities for decision-making. However, in the pursuit of these goals, those students who infringe on the rights of others, or who violate school policies and regulations, will be subject to corrective action including without limitation transfer to another class, transfer to another school, suspension and/or expulsion.~~

~~The administration of each individual school is expected to inform the school community in writing of the standards and its specific rules for interpreting these standards as set forth below. The Central Administration has the responsibility to work with principals in developing guidelines and procedures for uniform implementation where consistency is necessary and desirable. It is recognized that in order to implement the following standards effectively, cooperation between parents and professional staff is required. The following are the minimum standards of conduct for students at all levels of the Westport schools:~~

- ~~1. Students are expected to show courtesy and consideration for all members of the school community.~~
- ~~2. Students are expected to behave in a manner that is not disruptive to the educational process.~~
- ~~3. Students are expected to comply with school rules, classroom procedures and requirements as designed for their individual needs.~~
- ~~4. Students are expected to respect and assume responsibility for school and personal property.~~
- ~~5. Students are expected to dress in a manner that does not interfere with the work of the school or create a safety hazard to themselves or others.~~
- ~~6. Students are required to comply with state, local and school health, safety and attendance regulations.~~

Students

~~Discipline (continued)~~

~~Standards of Conduct (continued)~~

- ~~7. Students are required to comply with state statutes and local laws and regulations.~~
- ~~8. Students are not permitted to smoke or be in possession of tobacco products or non-tobacco smoking products in school buildings, on school grounds, on school buses, vans or any school provided transportation, or at any school sponsored activity at any time.~~

~~Furthermore, a student is subject to transfer or exclusion if he/she:~~

- ~~1. Intentionally causes or attempts to cause damage to school property or steals or attempts to steal school property; or~~
- ~~2. Intentionally causes or attempts to cause damage to private property or steals or attempts to steal private property; or~~
- ~~3. Intentionally causes or attempts to cause physical injury to another person; or~~
- ~~4. Knowingly possesses, uses, sells, offers for sale, distributes, or is under the influence of any controlled drugs or controlled substances, mood altering substances, chemical solvents, other illegal substances, pills, capsules, alcoholic beverage or intoxicant of any kind; or~~
- ~~5. Intentionally defies the valid authority of supervisors, teachers or administrators for example:
 - ~~a) displays lack of respect for staff (i.e., by the use of vulgarity or profanity);~~
 - ~~b) fails to attend assigned classes, study halls or detention;~~
 - ~~c) leaves school, building or grounds without permission~~
 - ~~d) smokes on school grounds; or~~
 - ~~e) brings a weapon or any facsimile of such to school, or, is in possession of fireworks, explosives or other incendiary devices.~~~~
- ~~6. Violates other publicized policies of the Board of Education.~~
- ~~7. Engages in conduct which is seriously disruptive of the educational process or, which endangers persons or property.~~

~~If such conduct occurs, the teacher, the Principal and his/her designee is to follow the regulations set out in the Student Exclusion Policy. The consequences of such violations may ultimately result in exclusion from school.~~

Students

~~Discipline (continued)~~

~~Standards of Conduct (continued)~~

~~The administration of each individual school is given the authority to take appropriate action to ensure compliance with Board policy as stated above. Appropriate action may include, although it is not limited to, one or more of the following:~~

- ~~1. Conference with student and/or teacher and/or guidance counselor.~~
- ~~2. Conference with parent or guardian.~~
- ~~3. Requiring of financial restitution for damaged or lost school property.~~
- ~~4. Removal of privilege of participation in athletic or other extra-curricular activities or school events.~~
- ~~5. Removal of other privileges such as parking, etc.~~
- ~~6. Referral to social and community agencies, as applicable.~~

~~Further action may include exclusion from school in accordance with the Student Exclusion Policy.~~

~~Legal Reference: Connecticut General Statutes~~

~~4-177 through 4-180. Contested Cases. Notice. Record.~~

~~10-233a through 10-233f. Suspension, removal and expulsion of students.~~

~~21a-240(9) Definitions.~~

~~53a-3 Definitions.~~

~~PA 94-221 An Act Concerning School Discipline and Security.~~

~~PA 95-304 An Act Concerning, School Safety~~

~~GOALS 2000: Educate America Act, Pub. L. 103-227.~~

~~18 U.S.C. 921 Definitions.~~

~~Title III Amendments to the Individuals with Disabilities Act Sec. 314~~

~~Elementary and Secondary Schools Act of 1968, as amended by the Gun Free Schools Act of 1994~~

~~PL 105-17 The Individuals with Disabilities Act, Amendments of 1997~~

~~Policy adopted: April 1997~~ ~~WESTPORT PUBLIC SCHOOLS~~
~~Westport, Connecticut~~

Students

~~Suspension and Expulsion/Due Process~~ Student Discipline

~~The Westport Board of Education recognizes that order in the classroom, school and/or school functions is a necessary prerequisite for learning. If students unreasonably disrupt this order, it may be necessary to exclude them from the classroom and/or school setting.~~

~~Any student whose conduct on school grounds or at a school sponsored activity is violative of a publicized policy of the Board, or is seriously disruptive of the educational process or endangers persons or property may be expelled. Expulsion proceedings are required when there is reason to believe that a student possessed or used a firearm, deadly weapon, dangerous instrument or martial arts weapon on school grounds or at a school sponsored activity; off school grounds possessed a firearm or used or possessed a firearm, instrument or weapon in the commission of crime; or on or off school grounds offered for sale or distribution a controlled substance. Any such exclusion shall take place in accordance with Section 10-233a of Connecticut Statutes. The Board of Education will notify students annually of its adopted standard of conduct for students and of this policy and regulations governing removal, suspension and expulsion.~~

1. ~~Definition:~~

- ~~a) “Exclusion” means any denial of public school privileges to a student for disciplinary reasons.~~
- ~~b) “Removal” means an exclusion of a student from a classroom for all or part of a single class period, provided such exclusion shall not extend beyond ninety minutes.~~
- ~~c) “Suspension” means an exclusion from school privileges or from transportation services only for no more than ten consecutive schooldays, provided such exclusion shall not extend beyond the end of the school year in which suspension was imposed.~~
- ~~d) “In-school suspension” means an exclusion from regular classroom activity and all extra-curricular activities for no more than five consecutive school days, but not exclusion from school, provided such exclusion shall not extend beyond the end of the school year in which such in-school suspension was imposed.~~
- ~~e) “Expulsion” means an exclusion from school privileges for more than ten consecutive schooldays and shall be deemed to include, but not be limited to, exclusion from the school to which such student was assigned at the time such disciplinary action was taken, provided such exclusion shall not extend beyond a period of one calendar year.~~
- ~~f) “Emergency” means any situation under which the continued presence of the student in school poses such a danger to persons or property or such a disruption of the educational process that a hearing may be delayed until a time as soon after the exclusion of such student as possible.~~

Students

Suspension and Expulsion/Due Process

(cf. 5144 Discipline)

Legal Reference: ~~Connecticut General Statutes~~

~~4-176e through 4-180a. Contested Cases. Notice. Record.~~

~~10-233a through 10-233f. Suspension, removal and expulsion of students, as amended by PA 95-304, PA 96-244, and PA 98-139.~~

~~53a-3 Definitions.~~

~~53a-217b Possession of Firearms and Deadly Weapons on School Grounds.~~

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

~~GOALS 2000: Educate America Act, Pub. L. 103-227.~~

~~18 U.S.C. 921 Definitions.~~

~~Title III Amendments to the Individuals with Disabilities Education Act.~~

~~Sec. 314 (Local Control Over Violence)~~

~~Elementary and Secondary Act of 1965 as amended by the Gun Free Schools Act of 1994.~~

~~P.L. 105-17 The Individuals with Disabilities Act, Amendment of 1997.~~

~~*Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education.*~~

I. Definitions

A. **Dangerous Instrument** means any instrument, article or substance which, under the circumstances in which it is used or attempted or threatened to be used, is capable of causing death or serious physical injury, and includes a "vehicle" or a dog that has been commanded to attack.

B. **Deadly Weapon** means any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon or metal knuckles. A weapon such as a pellet gun and/or air soft pistol may constitute a deadly weapon if such weapon is designed for violence and is capable of inflicting death or serious bodily harm. In making such determination, the following factors should be considered: design of weapon; how weapon is typically used (e.g. hunting); type of projectile; force and velocity of discharge;

method of discharge (i.e. spring v. CO2 cartridge) and potential for serious bodily harm or death.

- C. **Electronic Defense Weapon** means a weapon which by electronic impulse or current is capable of immobilizing a person temporarily, but is not capable of inflicting death or serious physical injury, including a stun gun or other conductive energy device.
- D. **Emergency** means a situation in which the continued presence of the student in school poses such a danger to persons or property or such a disruption of the educational process that a hearing may be delayed until a time as soon after the exclusion of such student as possible.
- E. **Exclusion** means any denial of public school privileges to a student for disciplinary purposes.
- F. **Expulsion** means the exclusion of a student from school privileges for more than ten (10) consecutive school days and shall be deemed to include, but not be limited to, exclusion from the school to which such pupil was assigned at the time such disciplinary action was taken. The expulsion period may not extend beyond one (1) calendar year.
- G. **Firearm**, as defined in 18 U.S.C § 921, means (a) any weapon (including a starter gun) that will, is designed to, or may be readily converted to expel a projectile by the action of an explosive, (b) the frame or receiver of any such weapon, (c) a firearm muffler or silencer, or (d) any destructive device. The term firearm does not include an antique firearm. As used in this definition, a "**destructive device**" includes any explosive, incendiary, or poisonous gas device, including a bomb, a grenade, a rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, or any other similar device; or any weapon (other than a shotgun or shotgun shell particularly suited for sporting purposes) that will, or may be readily converted to, expel a projectile by explosive or other propellant, and which has a barrel with a bore of more than ½" in diameter. The term "destructive device" also includes any combination of parts either designed or intended for use in converting any device into any destructive device or any device from which a destructive device may be readily assembled. A "destructive device" does not include: an antique firearm; a rifle intended to be used by the owner solely for sporting, recreational, or cultural purposes; or any device which is neither designed nor redesigned for use as a weapon.
- H. **Impartial Hearing Board** means a board composed of one (1) or more persons appointed by the Board, provided that no member of the Board may serve on such hearing board. The Impartial Hearing Board shall have the authority to conduct hearings and render a final decision in accordance with the provisions of the Uniform Administrative Procedures Act, Conn. Gen. Stat. §§ 4-176e to 4-180a, and § 4-181a.
- I. **In-School Suspension** means an exclusion from regular classroom activity for no more than ten (10) consecutive school days, but not exclusion from school, provided such exclusion shall not extend beyond the end of the school year in

which such in-school suspension was imposed. No student shall be placed on in-school suspension more than fifteen (15) times or a total of fifty (50) days in one (1) school year, whichever results in fewer days of exclusion.

J. **Martial Arts Weapon** means a nunchaku, kama, kasari-fundo, octagon sai, tonfa or chinese star.

K. **Removal** is the exclusion of a student from a classroom for all or part of a single class period, provided such exclusion shall not extend beyond ninety (90) minutes.

L. **School Days** shall mean days when school is in session for students.

M. **School-Sponsored Activity** means any activity sponsored, recognized or authorized by the Board and includes activities conducted on or off school property.

N. **Seriously Disruptive of the Educational Process**, as applied to off-campus conduct, means any conduct that markedly interrupts or severely impedes the day-to-day operation of a school.

O. **Suspension** means the exclusion of a student from school and/or transportation services for not more than ten (10) consecutive school days, provided such suspension shall not extend beyond the end of the school year in which such suspension is imposed; and further provided no student shall be suspended more than ten (10) times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless such student is granted a formal hearing as provided below.

P. **Weapon** means any BB gun, any blackjack, any metal or brass knuckles, any police baton or nightstick, any dirk knife or switch knife, any knife having an automatic spring release devise by which a blade is released from the handle, having a blade of over one and one-half inches in length, any stiletto, any knife the edged portion of the blade of which is four inches and over in length, any martial arts weapon or electronic defense weapon, or any other dangerous or deadly weapon or instrument, unless permitted by law under Section 29-38 of the Connecticut General Statutes.

Q. Notwithstanding the foregoing definitions, the reassignment of a student from one regular education classroom program in the district to another regular education classroom program in the district shall not constitute a suspension or expulsion.

II. Scope of the Student Discipline Policy

A. *Conduct on School Grounds or at a School-Sponsored Activity:*

Students may be disciplined for conduct on school grounds or at any school-sponsored activity that **endangers persons or property, is seriously disruptive of the educational process, or that violates a publicized policy of the Board.**

B. **Conduct off School Grounds:**

1. Students may be disciplined for conduct off school grounds if such conduct is **seriously disruptive of the educational process and violative of a publicized policy of the Board.** In making a determination as to whether such conduct is seriously disruptive of the educational process, the Administration and an Impartial Hearing Board or the Board of Education may consider, but such consideration shall not be limited to, the following factors: (1) **whether the incident occurred within close proximity of a school;** (2) **whether other students from the school were involved or whether there was any gang involvement;** (3) **whether the conduct involved violence, threats of violence, or the unlawful use of a weapon,** as defined in Section Conn. Gen. Stat. § 29-38, and **whether any injuries occurred;** and (4) **whether the conduct involved the use of alcohol.**

In making a determination as to whether such conduct is seriously disruptive of the educational process, the Administration and/or an Impartial Hearing Board or the Board of Education may also consider **whether such off-campus conduct involved the illegal use of drugs.**

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

Conduct which may lead to disciplinary action (including, but not limited to, removal from class, suspension and/or expulsion in accordance with this policy) includes conduct on school grounds or at a school-sponsored activity (including on a school bus), and conduct off school grounds, as set forth above. Such conduct includes, but is not limited to, the following:

1. **Striking or assaulting a student, members of the school staff or other persons.**
2. **Theft.**
3. **The use of obscene or profane language or gestures, the possession and/or display of obscenity or pornographic images or the unauthorized or inappropriate possession and/or display of images, pictures or photographs depicting nudity.**
4. **Violation of smoking, dress, transportation regulations, or other regulations and/or policies governing student conduct.**
5. **Refusal to obey a member of the school staff, law enforcement authorities, or school volunteers, or disruptive classroom behavior.**
6. **Any act of harassment based on an individual's sex, sexual orientation, race, color, religion, disability, national origin, ancestry, gender identity or expression or any other characteristic protected by law.**
7. **Refusal by a student to identify himself/herself to a staff member when**

asked, misidentification of oneself to such person(s), lying to school officials or otherwise engaging in dishonest behavior.

8. Inappropriate displays of public affection of a sexual nature and/or sexual activity on school grounds or at a school-sponsored activity.
9. A walk-out from or sit-in within a classroom or school building or school grounds.
10. Blackmailing, threatening or intimidating school staff or students (or acting in a manner that could be construed to constitute blackmail, a threat, or intimidation, regardless of whether intended as a joke), or making an untrue statement of fact about a staff member with malice or reckless disregard for the truth.
11. Possession of any weapon, weapon facsimile, deadly weapon, martial arts weapon, electronic defense weapon, pistol, knife, blackjack, bludgeon, box cutter, metal knuckles, pellet gun, air pistol, explosive device, firearm, whether loaded or unloaded, whether functional or not, or any other dangerous object or instrument. The possession and/or use of any object or device that has been converted or modified for use as a weapon.
12. Possession of any ammunition for any weapon described above in paragraph 11.
13. Unauthorized entrance into any school facility or portion of a school facility or aiding or abetting an unauthorized entrance.
14. Possession or ignition of any fireworks, combustible or other explosive materials, or ignition of any material causing a fire. Possession of any materials designed to be used in the ignition of combustible materials, including matches and lighters except with prior written permission from the principal or his/her designee and consistent with applicable law.
15. Unlawful possession, sale, distribution, use, or consumption of tobacco, electronic nicotine delivery systems (e.g. e-cigarettes), vapor products, drugs, narcotics or alcoholic beverages (or any facsimile of tobacco, drugs, narcotics or alcoholic beverages, or any item represented to be tobacco, drugs or alcoholic beverages), including being under the influence of any such substances or aiding in the procurement of any such substances. For the purposes of this Paragraph 15, the term “electronic nicotine delivery system” shall mean an electronic device that may be used to simulate smoking in the delivery of nicotine or other substance to a person inhaling from the device and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device. For the purposes of Paragraph 15, the term “vapor product” shall mean any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not include nicotine, that is inhaled by the user of such product. For the purposes of

this Paragraph 15, the term "drugs" shall include, but shall not be limited to, any medicinal preparation (prescription and non-prescription) and any controlled substance whose possession, sale, distribution, use or consumption is illegal under state and/or federal law.

16. Sale, distribution, or consumption of substances contained in household items; including, but not limited to glue, paint, accelerants/propellants for aerosol canisters, and/or items such as the aerators for whipped cream; if sold, distributed or consumed for the purpose of inducing a stimulant, depressant, hallucinogenic or mind-altering effect.
17. Unlawful possession of paraphernalia used or designed to be used in the consumption, sale or distribution of drugs, alcohol or tobacco, as described in subparagraph (15) above. For purposes of this policy, drug paraphernalia includes any equipment, products and materials of any kind which are used, intended for use or designed for use in growing, harvesting, manufacturing, producing, preparing, packaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing controlled drugs or controlled substances into the human body, including but not limited to items such as "bongs," pipes, "roach clips," vials, tobacco rolling papers, and any object or container used, intended or designed for use in storing, concealing, possessing, distributing or selling controlled drugs or controlled substances.
18. The destruction of real, personal or school property, such as, cutting, defacing or otherwise damaging property in any way.
19. Accumulation of offenses such as school and class tardiness, class or study hall cutting, or failure to attend detention.
20. Trespassing on school grounds while on out-of-school suspension or expulsion.
21. Making false threats (e.g. bomb, fire, gun violence) to the safety of students, staff members, and/or other persons.
22. Defiance of school rules and the valid authority of teachers, supervisors, administrators, other staff members and/or law enforcement authorities.
23. Throwing snowballs, rocks, sticks and/or similar objects, except as specifically authorized by school staff.
24. Unauthorized and/or reckless and/or improper operation of a motor vehicle on school grounds or at any school-sponsored activity.
25. Leaving school grounds, school transportation or a school-sponsored activity without authorization.
26. Use of or copying of the academic work of another individual and presenting it as the student's own work, without proper attribution; or any other form of academic dishonesty, cheating or plagiarism.

27. Possession and/or use of a cellular telephone, radio, portable audio player, CD player, blackberry, personal data assistant, walkie talkie, Smartphone, mobile or handheld device, or similar electronic device, on school grounds or at a school-sponsored activity in violation of Board policy and/or administrative regulations regulating the use of such devices.
28. Possession and/or use of a beeper or paging device on school grounds or at a school-sponsored activity without the written permission of the principal or his/her designee.
29. Unauthorized use of or tampering with any school computer, computer system, computer software, Internet connection or similar school property or system, or the use of such property or system for inappropriate purposes.
30. Possession and/or use of a laser pointer, unless the student possesses the laser pointer temporarily for an educational purpose while under the direct supervision of a responsible adult.
31. Hazing.
32. Bullying, defined as the repeated use by one or more students of a written, oral or electronic communication, such as cyberbullying, directed at 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 school district, which:
- a. causes physical or emotional harm to such student or damage to such student's property;
 - b. places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;
 - c. creates a hostile environment at school for such student;
 - d. infringes on the rights of such student at school; or
 - e. substantially disrupts the education process or the orderly operation of a school.
- Bullying includes, but is not limited to, repeated written, oral or electronic communications or physical acts or gestures based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.
33. Cyberbullying, defined as any act of bullying through the use of the

Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.

34. Acting in any manner that creates a health and/or safety hazard for staff members, students, or the public, regardless of whether the conduct is intended as a joke.
35. Engaging in a plan to stage or create a violent situation for the purposes of recording it by photographing, audio, or video; or recording by photographic, audio, or video acts of violence for purposes of later publication.
36. Engaging in a plan to stage sexual activity for the purposes of recording it by photographing, audio, or video; or recording by photographing, audio, or video sexual acts for purposes of later publication.
37. Using computer systems, including email, instant messaging, text messaging, blogging or the use of social media, or other forms of electronic communications, to engage in any conduct prohibited by this policy.
38. Use of a privately owned electronic or technological device in violation of school rules, including, without limitation, the unauthorized photographic, audio, and/or video recording of another individual without permission of the individual or a school staff member.
39. Engaging in teen dating violence, defined as any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, that occurs between two students who are currently in or who have recently been in a dating relationship.
40. Any action prohibited by any Federal or State law.
41. Any other violation of school rules or regulations or a series of violations which makes the presence of the student in school seriously disruptive of the educational process and/or a danger to persons or property.

IV. Discretionary and Mandatory Expulsions

- A. A principal may consider recommendation of expulsion of a student in **grades three to twelve, inclusive**, in a case where he/she has reason to believe the student has engaged in conduct described at Sections II.A. or II.B., above.
- B. A principal must recommend expulsion proceedings in all cases against any student in **grades kindergarten to twelve, inclusive**, whom the Administration has reason to believe:
 1. was in **possession on school grounds** or at a **school-sponsored activity** of a **deadly weapon, dangerous instrument, martial arts weapon, or firearm** as defined in 18 U.S.C. § 921 as amended from time to time; or

2. **off school grounds, possessed a firearm** as defined in 18 U.S.C. § 921, in violation of Conn. Gen. Stat. § 29-35, or **possessed and used a firearm** as defined in 18 U.S.C. § 921, a **deadly weapon**, a **dangerous instrument** or a **martial arts weapon** in the **commission of a crime** under chapter 952 of the Connecticut General Statutes; or

3. was engaged **on or off school grounds in offering for sale or distribution a controlled substance** (as defined in Conn. Gen. Stat. § 21a-240(9)), whose manufacturing, distribution, sale, prescription, dispensing, transporting, or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under Conn. Gen. Stat. §§21a-277 and 21a-278.

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

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

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

If the Superintendent or his/her designee determines that a student should or must be expelled, he or she shall forward his/her recommendation to an Impartial Hearing Board (or the Board of Education, where applicable) so that the Impartial Hearing Board (or the Board, where applicable) can consider and act upon this recommendation.

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

V. Procedures Governing Removal from Class

A. A student may be removed from class by a teacher or administrator if he/she deliberately causes a serious disruption of the educational process. When a student is removed, the teacher must send him/her to a designated area and notify the principal or his/her designee at once.

- B. A student may not be removed from class more than six (6) times in one school year nor more than twice in one week unless the student is referred to the building principal or designee and granted an informal hearing at which the student should be informed of the reasons for the disciplinary action and given an opportunity to explain the situation.
- C. The parents or guardian of any minor student removed from class shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of such removal from class.

VI. Procedures Governing Suspension

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

4. By telephone, the principal or designee shall make reasonable attempts to immediately notify the parent or guardian of a minor student following the suspension and to state the cause(s) leading to the suspension.
5. Whether or not telephone contact is made with the parent or guardian of such minor student, the principal or designee shall forward a letter promptly to such parent or guardian to the last address reported on school records (or to a newer address if known by the principal or designee), offering the parent or guardian an opportunity for a conference to discuss same.
6. In all cases, the parent or guardian of any minor student who has been suspended shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the suspension.
7. Not later than twenty-four (24) hours after the commencement of the suspension, the principal or designee shall also notify the Superintendent or his/her designee of the name of the student being suspended and the reason for the suspension.
8. The student shall be allowed to complete any classwork, including examinations, without penalty, which he or she missed while under suspension.
9. The school Administration may, in its discretion, shorten or waive the suspension period for a student who has not previously been suspended or expelled, if the student completes an Administration-specified program and meets any other conditions required by the Administration. Such Administration-specified program shall not require the student and/or the student's parents to pay for participation in the program.
10. Notice of the suspension shall be recorded in the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record if the student graduates from high school. In cases where the student's period of suspension is shortened or waived in accordance with Section VI.A(9), above, the Administration may choose to expunge the suspension notice from the cumulative record at the time the student completes the Administration-specified program and meets any other conditions required by the Administration.
11. If the student has not previously been suspended or expelled, and the Administration chooses to expunge the suspension notice from the student's cumulative record prior to graduation, the Administration may refer to the existence of the expunged disciplinary notice, notwithstanding the fact that such notice may have been expunged from the student's cumulative file, for the limited purpose of determining whether any subsequent suspensions or expulsions by the student would constitute the student's first such offense.
12. The decision of the principal or designee with regard to disciplinary actions up to and including suspensions shall be final.

13. During any period of suspension served out of school, the student shall not be permitted to be on school property and shall not be permitted to attend or participate in any school-sponsored activities, unless the principal specifically authorizes the student to enter school property for a specified purpose or to participate in a particular school-sponsored activity.

B. In cases where a student's suspension will result in the student being suspended more than ten (10) times or for a total of fifty (50) days in a school year, whichever results in fewer days of exclusion, the student shall, prior to the pending suspension, be granted a formal hearing before an Impartial Hearing Board. Notwithstanding the foregoing, the Board reserves the right to conduct formal suspension hearings itself, in which case such hearings will be conducted by any three or more Board members. The principal or designee shall report the student to the Superintendent or designee and request a formal hearing. If an emergency situation exists, such hearing shall be held as soon after the suspension as possible.

VII. Procedures Governing In-School Suspension

A. The principal or designee may impose in-school suspension in cases where a student's conduct endangers persons or property, violates school policy, seriously disrupts the educational process or in other appropriate circumstances as determined by the principal or designee.

B. In-school suspension may not be imposed on a student without an informal hearing by the building principal or designee.

C. In-school suspension may be served in the school that the student regularly attends or in any other school building within the jurisdiction of the Board.

D. No student shall be placed on in-school suspension more than fifteen (15) times or for a total of fifty (50) days in one school year, whichever results in fewer days of exclusion.

E. The parents or guardian of any minor student placed on in-school suspension shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the period of the in-school suspension.

VIII. Procedures Governing Expulsion Hearing

A. *Emergency Exception:*

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

B. Hearing Board:

1. The Board delegates the authority to conduct expulsion hearings and render a final decision on expulsion matters to an Impartial Hearing Board.
2. Notwithstanding Section VIII.B.1 of this policy, the Board reserves the right to conduct expulsion hearings itself, in which case such hearings will be conducted by any three or more Board members. A decision to expel a student must be supported by a majority of the Board members present, provided that no less than three (3) affirmative votes to expel are cast.

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

1. Written notice of the expulsion hearing must be given to the student, and, if the student is a minor, to his/her parent(s) or guardian(s) at least five (5) business days before such hearing.
2. A copy of this Board policy on student discipline shall also be given to the student, and if the student is a minor, to his/her parent(s) or guardian(s), at the time the notice is sent that an expulsion hearing will be convened.
3. The written notice of the expulsion hearing shall inform the student of the following:
 - a. The date, time, place and nature of the hearing.
 - b. The legal authority and jurisdiction under which the hearing is to be held, including a reference to the particular sections of the legal statutes involved.
 - c. A short, plain description of the conduct alleged by the Administration.
 - d. The student may present as evidence relevant testimony and documents concerning the conduct alleged and the appropriate length and conditions of expulsion; and that the expulsion hearing may be the student's sole opportunity to present such evidence.
 - e. The student may cross-examine witnesses called by the Administration.
 - f. The student may be represented by an attorney or other advocate of his/her choice at his/her expense or at the expense of his/her parent(s) or guardian(s).
 - g. A student is entitled to the services of a translator or interpreter, to be provided by the Board of Education, whenever the student or his/her parent(s) or guardian(s) requires the services of an interpreter because he/she/they do(es) not speak the English language or is(are) disabled.

- h. The conditions under which the Board is not legally required to give the student an alternative educational opportunity (if applicable).
- i. Information concerning the parent's(s') or guardian's(s') and the student's legal rights and concerning about free or reduced-rate legal services and how to access such services.
- j. The parent(s) or guardian(s) of the student have the right to have the expulsion hearing postponed for up to one week to allow time to obtain representation, except that if an emergency exists, such hearing shall be held as soon after the expulsion as possible.

D. *Hearing Procedures:*

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

8. The student shall not be compelled to testify at the hearing.
9. After the Administration has presented its case, the student will be asked if he/she has any witnesses or evidence to present concerning the charges. If so, the witnesses will be sworn, will testify, and will be subject to cross examination and to questioning by the Presiding Officer (and/or by the Board, where applicable). The student may also choose to make a statement at this time. If the student chooses to make a statement, he or she will be sworn and subject to cross examination and questioning by the Presiding Officer (and/or by the Board, where applicable). Concluding statements will be made by the Administration and then by the student and/or his or her representative.
10. In cases where the student has denied the allegation, the Impartial Hearing Board (or the Board, where applicable) must determine whether the student committed the offense(s) as charged by the Superintendent.
11. If the Impartial Hearing Board (or the Board, where applicable) determines that the student has committed the conduct as alleged, then the Impartial Hearing Board (or the Board, where applicable) shall proceed with the second portion of the hearing, during which the Impartial Hearing Board (or the Board, where applicable) will receive and consider relevant evidence regarding the length and conditions of expulsion.
12. When considering the length and conditions of expulsion, the Impartial Hearing Board (or the Board, where applicable) may review the student's attendance, academic and past disciplinary records. The Impartial Hearing Board (or the Board, where applicable) may not review notices of prior expulsions or suspensions which have been expunged from the student's cumulative record, except as so provided in Section VI.A (9), (10), (11), above, and Section X, below. The Impartial Hearing Board (or the Board, where applicable) may ask the Superintendent for a recommendation as to the discipline to be imposed.
13. Evidence of past disciplinary problems which have led to removal from a classroom, suspension or expulsion of a student being considered for expulsion may be considered only during the second portion of the hearing, during which the Impartial Hearing Board (or the Board, where applicable) is considering length of expulsion and nature of the alternative educational opportunity to be offered.
14. Where administrators presented the case in support of the charges against the student, such administrative staff shall not be present during the deliberations of the Impartial Hearing Board (or the Board, where applicable) either on questions of evidence or on the final discipline to be imposed. The Superintendent may, after reviewing the incident with administrators, and reviewing the student's records, make a recommendation to the Impartial Hearing Board (or the Board, where applicable) as to the appropriate discipline to be applied.

15. The Impartial Hearing Board (or the Board, where applicable) shall make findings as to the truth of the charges, if the student has denied them; and, in all cases, the disciplinary action, if any, to be imposed. While the hearing itself is conducted in executive session, any Board vote regarding expulsion must be made in open session and in a manner that preserves the confidentiality of the student's name and other personally identifiable information.
16. Except for a student who has been expelled based on possession of a firearm or deadly weapon as described in subsection IV.B(1) and (2) above, the Impartial Hearing Board (or the Board, where applicable) may, in its discretion, shorten or waive the expulsion period for a student who has not previously been suspended or expelled, if the student completes a program specified by the Impartial Hearing Board or the Board, where applicable (a "Board-specified program"), and meets any other conditions required by the Impartial Hearing Board (or the Board, where applicable). The Board-specified program shall not require the student and/or the student's parents to pay for participation in the program.
17. The Impartial Hearing Board (or the Board, where applicable) shall report its final decision in writing to the student, or if such student is a minor, also to the parent(s) or guardian(s), stating the reasons on which the decision is based, and the disciplinary action to be imposed. Said decision shall be based solely on evidence presented at the hearing. The parents or guardian or any minor student who has been expelled shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of the period of the expulsion.

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

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

F. *Stipulated Agreements:*

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

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

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

IX. Alternative Educational Opportunities for Expelled Students

A. For the purposes of this Section, and subject to Subsection IX.E, below, any alternative educational opportunity to which an expelled student is statutorily entitled shall be (1) alternative education, as defined by Conn. Gen. Stat. § 10-74j, with an individualized learning plan, if the Board provides such alternative education, or (2) in accordance with the standards adopted by the State Board of Education.

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

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

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

1. The Board of Education shall provide an alternative educational opportunity to a sixteen (16) to eighteen (18) year-old student expelled for the first time if he/she requests it and if he/she agrees to the conditions set by the Board of Education. Such alternative educational opportunity may include, but shall not be limited to, the placement of a pupil who is at least sixteen years of age in an adult education program. Any pupil participating in an adult education program during a period of expulsion shall not be required to withdraw from school as a condition to his/her participation in the adult education program.

2. The Board of Education is not required to offer an alternative educational opportunity to any student between the ages of sixteen (16) and eighteen (18) who is expelled for a second, or subsequent, time.

3. The Board of Education shall count the expulsion of a pupil when he/she was under sixteen (16) years of age for purposes of determining whether an alternative educational opportunity is required for such pupil when

he/she is between the ages of sixteen and eighteen.

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

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

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

Notwithstanding Sections IX.B. through D. above, if the Board of Education expels a student who has been identified as eligible for services under the Individuals with Disabilities Education Act ("IDEA"), it shall offer an alternative educational opportunity to such student in accordance with the requirements of IDEA, as it may be amended from time to time.

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

The Board of Education may offer an alternative educational opportunity to a pupil for whom such alternative educational opportunity is not required by law or as described in this policy. In such cases, the Impartial Hearing Board (or the Board, where applicable), or if delegated by the Impartial Hearing Board (or the Board, where applicable), the Administration, shall determine the components, including the nature, frequency and duration of such services, of any such alternative educational opportunity.

X. *Notice of Student Expulsion on Cumulative Record*

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

In cases where the student's period of expulsion is shortened or waived in accordance with Section VIII.D(14), above, the Impartial Hearing Board (or the Board, where applicable) may choose to expunge the expulsion notice from the cumulative record at the time the student completes the Board-specified program and meets any other conditions required by the Impartial Hearing Board (or the Board, where applicable).

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

If the student has not previously been suspended or expelled, and the Impartial Hearing Board (or the Board, where applicable) chooses to expunge the expulsion notice from the

student's cumulative record prior to graduation, the Administration may refer to the existence of the expunged notice, notwithstanding the fact that such notice may have been expunged from the student's cumulative file, for the limited purpose of determining whether any subsequent suspension or expulsion by the student would constitute the student's first such offense.

XI. Change of Residence During Expulsion Proceedings

A. *Student moving into the school district:*

1. If a student enrolls in the district while an expulsion hearing is pending in another district, such student shall not be excluded from school pending completion of the expulsion hearing unless an emergency exists, as defined above. The Board shall retain the authority to suspend the student or to conduct its own expulsion hearing.
2. Where a student enrolls in the district during the period of expulsion from another public school district, the Board may adopt the decision of the student expulsion hearing conducted by such other school district. The student shall be excluded from school pending such hearing. The excluded student shall be offered an alternative educational opportunity in accordance with statutory requirements. The Board shall make its determination based upon a hearing held by the Impartial Hearing Board (or the Board, where applicable), which hearing shall be limited to a determination of whether the conduct which was the basis of the previous public school district's expulsion would also warrant expulsion by the Board.

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

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

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

A. *Suspension of IDEA students:*

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

1. The Administration shall make reasonable attempts to immediately notify the parents of the student of the decision to suspend on the date on which

the decision to suspend was made, and a copy of the special education procedural safeguards must either be hand-delivered or sent by mail to the parents on the date that the decision to suspend was made.

2. During the period of suspension, the school district is not required to provide any educational services to the IDEA student beyond that which is provided to all students suspended by the school district.

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

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

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

6. When determining whether to recommend an expulsion or a suspension that constitutes a change in placement, the building administrator (or his or her designee) should consider the nature of the misconduct and any relevant educational records of the student.

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

1. School personnel may remove a student eligible for special education under the IDEA to an appropriate interim alternative educational setting for not more than forty-five (45) school days if the student:

a. Was in possession of a dangerous weapon, as defined in 18 U.S.C. 930(g)(2), as amended from time to time, on school grounds or at a school-sponsored activity, or

b. Knowingly possessed or used illegal drugs or sold or solicited the sale of a controlled substance while at school or at a school-sponsored activity; or

c. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function.

2. The following definitions shall be used for this subsection XII.C.:

a. **Dangerous weapon** means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2.5 inches in length.

b. **Controlled substance** means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act, 21 U.S.C. 812(c).

c. **Illegal drug** means a controlled substance but does not include a substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of federal law.

d. **Serious bodily injury** means a bodily injury which involves: (A) a substantial risk of death; (B) extreme physical pain; (C) protracted and obvious disfigurement; or (D) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

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

A. Except as provided in subsection B below, notwithstanding any provision to the contrary, if the Administration recommends for expulsion a student identified as

eligible for educational accommodations under Section 504 who has violated any rule or code of conduct of the school district that applies to all students, the following procedures shall apply:

1. The parents of the student must be notified of the decision to recommend the student for expulsion.
2. The district shall immediately convene the student's Section 504 team ("504 team") for the purpose of reviewing the relationship between the student's disability and the behavior that led to the recommendation for expulsion. The 504 team will determine whether the student's behavior was a manifestation of his/her disability.
3. If the 504 team finds that the behavior was a manifestation of the student's disability, the Administration shall not proceed with the recommended expulsion.
4. If the 504 team finds that the behavior was not a manifestation of the student's disability, the Administration may proceed with the recommended expulsion.

B. The Board may take disciplinary action for violations pertaining to the use or possession of illegal drugs or alcohol against any student with a disability who currently is engaging in the illegal use of drugs or alcohol to the same extent that such disciplinary action is taken against nondisabled students. Thus, when a student with a disability is recommended for expulsion based solely on the illegal use or possession of drugs or alcohol, the 504 team *shall not be required to meet* to review the relationship between the student's disability and the behavior that led to the recommendation for expulsion.

XIV. Procedures Governing Expulsions for Students Committed to a Juvenile Detention Center

A. Any student who commits an expellable offense and is subsequently committed to a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement for such offense may be expelled by the Board in accordance with the provisions of this section. The period of expulsion shall run concurrently with the period of commitment to a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement.

B. If a student who committed an expellable offense seeks to return to a school district after having been in a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement and such student has not been expelled by the board of education for such offense under subdivision (A) of this subsection, the Board shall allow such student to return and may not expel the student for additional time for such offense.

XV. Early Readmission to School

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

readmission requests itself, in which case hearings regarding any such requests will be conducted by any three or more Board members. Students desiring readmission to school shall direct such readmission requests to the Superintendent (or the Board, where applicable). The Superintendent (or the Board, where applicable) has the discretion to approve or deny such readmission requests, and may condition readmission on specified criteria.

XVI. Dissemination of Policy

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

XVII. Compliance with Documentation and Reporting Requirements

- A. The Board of Education shall include on all disciplinary reports the individual student's state-assigned student identifier (SASID).
- B. The Board of Education shall report all suspensions and expulsions to the State Department of Education.
- C. If the Board of Education expels a student for sale or distribution of a controlled substance, as defined in Conn. Gen. Stat. § 21a-240(9), whose manufacture, distribution, sale, prescription, dispensing, transporting or possessing with the intent to sell or dispense, offering, or administration is the subject to criminal penalties under Conn. Gen. Stat. §§ 21a-277 and 21a-278, the Board shall refer such student to an appropriate state or local agency for rehabilitation, intervention or job training and inform the agency of its action.
- D. If the Board of Education expels a student for possession of a firearm, as defined in 18 U.S.C. § 921, or deadly weapon, dangerous instrument or martial arts weapon, as defined in Conn. Gen. Stat. § 53a-3, the Board shall report the violation to the local police.

Legal References:

Connecticut General Statutes:

Public Act 17-237, An Act Concerning Education Mandate Relief

Public Act 16-147, An Act Concerning the Recommendations of the
Juvenile Justice Policy and Oversight Committee

§§ 4-176e through 4-180a and § 4-181a Uniform Administrative Procedures
Act

§ 10-222d Safe school climate plans. Definitions. Safe school climate
assessments

§§ 10-233a through 10-233f Suspension and expulsion of students.

§ 10-233l Expulsion and suspension of children in preschool
programs

§ 19a-342a Use of electronic nicotine delivery system or vapor

product prohibited
§§ 21a-408a through 408p Palliative Use of Marijuana
§ 29-38 Weapons in vehicles
§ 53a-3 Definitions
§ 53-344b Sale and delivery of electronic nicotine delivery system or
vapor products to minors
§ 53-206 Carrying of dangerous weapons prohibited.

Packer v. Board of Educ. of the Town of Thomaston, 246 Conn. 89 (1998).

State v. Hardy, 896 A.2d 755, 278 Conn. 113 (2006).

State v. Guzman, 955 A.2d 72, 2008 Conn. App. LEXIS 445 (Sept. 16,
2008).

Federal law:

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

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

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

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

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

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

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

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

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

Policy adopted: December 16, 2002

Revised:

WESTPORT PUBLIC SCHOOLS

Westport, Connecticut

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ACCEPTABLE USE AGREEMENT: INTRANET/INTERNET

Grades K- 2 , *

Including Summer School
(Renewable in Grades 3, 6 & 9)

As a part of my schoolwork, my school gives me the use of computers and storage space on the server for my work. My behavior and language are to follow the same rules I follow in my class and in my school. To help myself and others, I agree to the following promises:

1. I will use the computers *only* to do school work, and not for *any other* reason. I will not store material that is not related to my schoolwork.
2. I will use the Internet *only* with my teacher's permission.
3. I will not give my password to anyone else, and I will not ask for or use anyone else's password.
4. I will *not* put on the computer my address or telephone number, or any other personal information about myself or anyone else.
5. I will not upload, link, or embed an image of myself or others without my teacher's permission.
6. I will not play games that a teacher has not approved.
7. I will be polite and considerate when I use the computer; I will not use it to annoy, be mean to, frighten, threaten, tease, bully, or poke fun at anyone; I will not use swear words or any other rude language.
8. I will not try to see, send, or upload anything that says and/or shows bad or mean things about anyone's race, religion or sex.
9. I will not damage the computer or anyone else's work.
10. I will not take credit for other people's work.
11. If I have or see a problem, I will not try to fix it myself but I will tell the teacher.
12. I will not block or interfere with school or school system communications.
13. My teacher may look at my work to be sure that I am following these rules, and if I am not, there will be consequences which may include not being able to use the computer.
14. I know that the conduct that is forbidden in school is also forbidden when I use computers outside of school if it interferes with other students' education, and if I break the rules there will consequences in school.

Print Student's Name: _____ **School:** _____ **Grade:** _____

Student's Signature: _____ **Date:** _____

Parents: *I have read and discussed with my child the Acceptable Use Agreement, and I give permission for his or her use of the resources. I understand that computer access is conditional upon adherence to the agreement. Although students are supervised using computers, and their use is electronically monitored, I am aware of the possibility that my child may gain access to material that school officials and I may consider inappropriate or not of educational value.*

Print Parent's Name: _____

Parent's Signature: _____ **Date:** _____

*** STUDENTS MAY NOT USE COMPUTERS UNLESS
THIS AGREEMENT IS SIGNED AND RETURNED TO THE TEACHER.**

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ACCEPTABLE USE AGREEMENT: INTRANET/INTERNET

Grades 3 - 5, *

Including Summer School (Renewable in grades 6 & 9)

As a part of my schoolwork, my school gives me the use of computers and storage space on the server for my work. My behavior and language should follow the same rules I follow in my class and in my school. To help myself and others, I agree to the following promises:

1. I will use the computers *only* to do school work, as explained to me by my teacher and not for *any other* reason. I will not use a school computer for personal or illegal purposes.
2. I will use the Internet *only* in ways the teacher has approved.
3. I will not give my password to anyone else, and I will not ask for or use anyone else's password.
4. I will *not* put on the computer my address or telephone number, or any other personal information about myself or anyone else.
5. I will not upload, link, or embed an image of myself or others to non-secured, public sites.
6. I will not use games or other electronic resources that have objectionable content or that engage me in an inappropriate simulated activity.
7. I will be polite and considerate when I use the computer. I will not use it to annoy, be mean to, frighten, tease, or poke fun at anyone. I will not use swear words or other rude language.
8. I will not use the computer to bully or threaten anyone, including teachers, schoolmates or other children.
9. I will not try to see, send, or upload anything that says and or shows bad or mean things about anyone's race, religion or sex.
10. I will not damage the computer or anyone else's work.
11. I will not break copyright rules or take credit for anyone else's work.
12. If I have or see a problem, I will not try to fix it myself but I will tell the teacher. *If the problem is an inappropriate image I will turn off the monitor and then seek help.*
13. I will not block or interfere with school or school system communications.
14. My computer use is not private; my teacher may look at my work to be sure that I am following these rules, and if I am not, there will be consequences which may include not being able to use the computer.
15. I know that the conduct that is forbidden in school is also forbidden when I use computers outside of school if it interferes with other students' education, and if I break the rules there will be consequences in school.

Print Student's Name: _____ **School:** _____ **Grade:** _____

Student's Signature: _____ **Date:** _____

Parents: *I have read and discussed with my son or daughter the Acceptable Use Agreement, and I give permission for him or her to use these resources. I understand that computer access is conditional upon adherence to the guidelines above. Although students are supervised when using these resources, and their use is electronically monitored, I am aware of the possibility that my son or daughter may gain access to material that school officials and I may consider inappropriate or not of educational value.*

Print Parent's Name: _____

Parent's Signature: _____ **Date:** _____

*** STUDENTS MAY NOT USE COMPUTERS UNLESS
THIS AGREEMENT IS SIGNED AND RETURNED TO THE TEACHER**

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ACCEPTABLE USE AGREEMENT: INTRANET/INTERNET

Middle Schools and High School * (including Summer School)

I understand that the Westport schools provide electronic resources, including Internet access and storage space for students' work, as an integral part of the curriculum. Behavior and language in the use of these resources should be consistent with classroom standards. I agree to the following responsibilities and restrictions:

1. I will use the electronic resources, including storage space, *only* for educational purposes related to work in Westport schools, and not for *any* personal, commercial or illegal purposes.
2. I will use the Internet *only* with the permission of the staff member in charge.
3. I will not use games or other electronic resources that have objectionable content or that engage me in an inappropriate simulated activity.
4. I will not give my password to any other user, nor attempt to learn or to use anyone else's password, and I will not transmit my address or telephone number, or any personal or confidential information about myself or others.
5. I will not upload, link, or embed an image of myself or others to non-secured, public sites without my teacher's permission and a signed parental permission slip.
6. I will not make statements or use the likeness of another person through website postings, email, instant messages, etc., that harass, intimidate, threaten, insult, libel or ridicule students, teachers, administrators or other staff members of the school community, make statements that are falsely attributed to others, or use language that is obscene.
7. I will not attempt to access, upload, or transmit material that attacks ethnic, religious or racial groups, or material that is pornographic or explicitly sexual in nature.
8. I will not violate copyright laws, damage or tamper with hardware or software, vandalize or destroy data, intrude upon, alter or destroy the files of another user, introduce or use computer "viruses," attempt to gain access to restricted information or networks, or block, intercept or interfere with any email or electronic communications by teachers and administrators to parents, or others.
9. I will not use, or create for others, any program to interfere with, change, or interact with programs, security settings, systems, or devices that are the property of the Westport Public Schools and are used for school-related purposes by students, their parents and staff.
10. I will not imply, directly or indirectly, either publicly or privately that any program or "app" I create is associated with, or a product of, the Westport Public Schools, nor will I either directly or indirectly associate any such program with any Westport Public School logos or images.
11. I will report any problems to the supervising staff member.
12. I understand that my use of the school system's computers is not private, and that the district reserves the right to monitor use to assure compliance with these guidelines; violations may lead to revocation of computer access and/or other disciplinary measures.
13. I understand that the prohibited conduct described above is also prohibited off campus when using private equipment if it has the effect of seriously interfering with the educational process, and that such off-campus violations may lead to disciplinary measures.

I understand that the Westport schools allow me to bring my own devices such as phones, tablets and computers. In order to be permitted to bring my own device, I agree to the following responsibilities and restrictions:

1. I will follow all school rules while using my own device on school grounds and I understand that the rules outlined above regarding my use of school computer resources apply to my use of my own device on school property and that rule 11 above applies to my use of my device off school property.
2. I will not take photos or record video of any student, teacher or administrator unless I have that individual's express permission to do so.
3. I will not use my device during class unless expressly instructed to do so by a teacher and I will immediately comply with a directive to turn my device off, to put my device away or to turn my device over to a teacher or administrator.
4. I understand that my device may be confiscated at any time and that a teacher or administrator may view contents of my device including but not limited to, texts, emails or social media postings, if it appears that I may have used my device in violation of school rules or this Agreement.
5. I understand that the district is not responsible for theft, damage or loss of my device and I understand that I am not permitted to leave my device at school overnight unless it is secured in a locked locker.

Print Student's Name: _____ **School:** _____ **Grade:** ____

Student's Signature: _____ **Date:** _____

Parents: I have read, understood, and discussed with my son or daughter this Acceptable Use Agreement, and I give him or her permission to use electronic resources, understanding that this access and use of personal devices on school grounds is conditional upon adherence to the agreement. Although students are supervised when using school resources, and their use of school resources is electronically monitored, I am aware of the possibility that my son or daughter may gain access to material that school officials and I may consider inappropriate or not of educational value.

Print Parent's Name: _____

Parent's Signature: _____ **Date:** _____

*** STUDENTS MAY NOT USE COMPUTERS OR BRING THEIR OWN DEVICES UNLESS THIS AGREEMENT IS SIGNED AND RETURNED TO THE PRINCIPAL.**

Students

Discipline of Students with Disabilities

Introduction

~~Westport Public Schools recognize the need to establish standards and safeguards for students and staff in the use of behavior management. We also recognize our professional responsibility to provide appropriate interventions which will promote independence and adaptive behavior for all our students.~~

~~As a school system which provides integrated services for students with disabilities from pre-school age through age 21, we carefully safeguard the rights of students with disabilities. The schools are open to the scrutiny of staff, parents and the community. The highest standards of professional behavior are expected from the staff, all of whom are required to have appropriate training and certification. Firing and supervisory practices are rigorous.~~

~~We will continue to provide staff with access to up-to-date references and guidelines on behavioral management. Staff members with specialized training and experience in this area are available for consultation with their colleagues. We will continue to utilize consultants such as clinical psychologists, psychiatrists and university professors from outside the Westport Public Schools when necessary.~~

~~In the Special Education program, as in the regular program, we will continue to comply with legal mandates, and staff will continue to respect the human and legal rights of students. Parents are encouraged to be fully involved in planning and decision making for their children. Parental consent is required for special education placement. Every student has an Individualized Educational Place (IEP) that is reviewed at least annually. Behavior management programs, if appropriate, are included in the IEP. Student behavior is routinely evaluated on an ongoing basis. The results of intensive procedures are reviewed more frequently as needed (daily, weekly, monthly).~~

Regular Disciplinary Guidelines

~~The Westport Public Schools' Disciplinary Guidelines, which cover the range of infractions of school rules usually found in a public school setting, emphasize consistency, flexibility, and respect for individual rights. The goals are to develop self-discipline in each student and establish a positive educational environment for all students. These guidelines are adequate for most special education students and will be followed where appropriate.~~

Behavior Management Techniques

~~Students who have extreme behavioral problems can usually be effectively taught and managed through a behavior management approach. This approach is based on the scientific research in human psychology known as applied behavioral analysis and behavior modification. Behavior management techniques provide a powerful tool for educators and should emphasize the development of appropriate and adaptive behaviors.~~

Students

Discipline of Students with Disabilities

Behavior Management Techniques (continued)

Individually planned behavior management programs may include a continuum of techniques such as:

- a. ~~Positive reinforcement: primary (food, drink); social (hug, praise); activity (game, walk); token (earned for future reward).~~
- b. ~~Mild verbal reprimand, correction, of result of unacceptable behavior, strong verbal reprimand, time out, detentions, in-school suspension, constructive work on the weekend.~~
- c. ~~Early dismissal, moderate physical restraint, as permitted by law; suspension, or placement in a more appropriate setting.~~

Westport policies dealing with these last restrictive measures are consistent with the state statutes for special education students.

Emergency Situations

- a. ~~In emergency situations, staff are expected to use necessary procedures to prevent harm to the student involved, other students and staff, as well as the intervening staff member. These procedures may include emergency seclusion and physical restraint.~~
- b. ~~Attempts should be made to contact parents as soon as possible.~~
- c. ~~Immediately afterwards, staff members involved in the emergency must document the circumstances of the emergency situation in detail, including results, recommendations and follow-up. If necessary, a Planning and Placement Team meeting, which includes parents, will be held to review the students' needs and program after an emergency situation.~~

Change of Program or Placement

~~There are special education students, particularly those who are severely developmentally disabled or emotionally disturbed, who sometimes exhibit abnormal behaviors which seriously interfere with the education process and put them in conflict with their environment. These behaviors may include self injury, aggressive acts, disruptive acts, noncompliance, deviant sexual behaviors and running away. Students who continually pose a danger to themselves or others may need a different kind of program and service. Appropriate placement in a more restrictive environment may be sought for these students. This decision is to be made by a Planning and Placement Team, which includes parents.~~

Students

Discipline of Students with Disabilities

Notification

~~Every effort will be made to assure that, to the extent possible, special education students and their parents know what behavior is acceptable and what behavior is not acceptable, and what will be the disciplinary results of infractions.~~

~~Legal Reference: Connecticut General Statutes~~

~~10-233a through 10-233f. Suspension, removal and expulsion of students, as amended by PA 95-304 and PA 96-244.~~

~~53a-3 Definitions.~~

~~53a-217b Possession of Firearms and Deadly Weapons on School Grounds.~~

~~PA 94-221 An Act Concerning School Discipline and Security.~~

~~GOALS 2000: Educate America Act, Pub. L. 103-227.~~

~~18 U.S.C. 921 Definitions.~~

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

~~Sec. 314 (Local Control Over Violence)~~

~~Elementary and Secondary Schools Act of 1965, as amended by the Gun Free Schools Act of 1994~~

~~Policy adopted: November 15, 1989~~ ~~WESTPORT PUBLIC SCHOOLS~~
~~Westport, Connecticut~~

Students

Discipline

Discipline of Students with Disabilities

~~Code of Conduct Violations By Students with Disabilities Resulting in Disciplinary Consequences of 10 School Days or Less~~

~~Student commits code of conduct violation for which the disciplinary consequence would result in removal from the student's placement for 10 consecutive school days or less.~~

~~School personnel may assign the consequence applicable to non-disabled students for a similar period of time, not to exceed 10 consecutive schools days.
Reg. 300.520(a)(1)(i).~~

~~During the first 10 cumulative school days of removal in one school year, the school does not have to provide any services to the student if non-disabled students would not receive services. Reg. 300.121(d)(1).~~

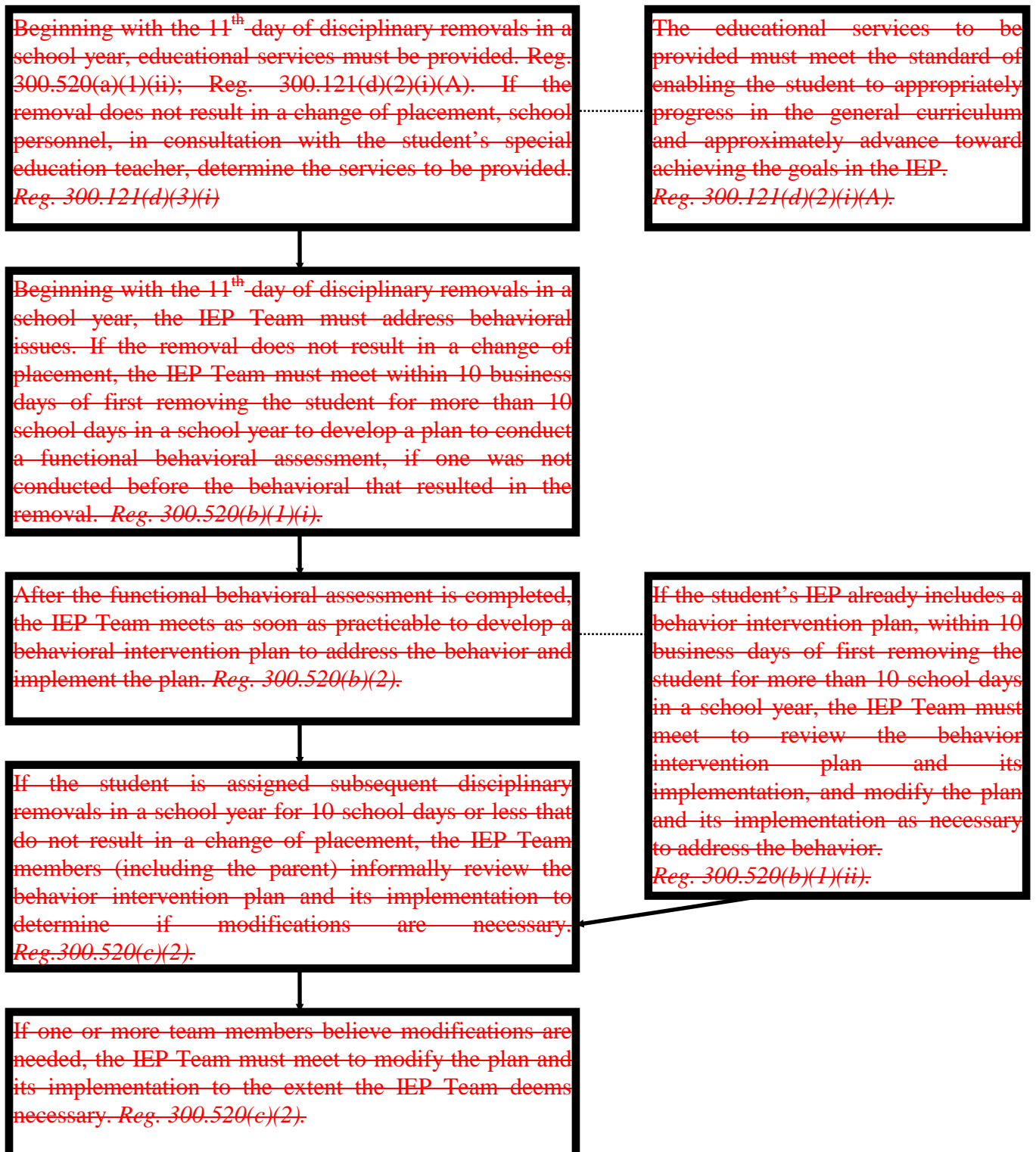
~~School personnel may continue to remove the student for disciplinary reasons for up to 10 school days at a time throughout the same school year for separate incidents of misconduct, so long as the removals do not constitute a change of placement under Reg. 300.519(b), and are those which would be applied to non-disabled. Reg. 300.520(a)(1)(i).~~

~~A series of disciplinary removals each for 10 consecutive school days or less may result in a change of placement if they cumulate to more than 10 school days in one school year. School personnel should analyze the length of each removal, the proximity of the removals to each other, and the total amount of time the child is removed. Reg. 300.519(b). If a removal would result in a change of placement, a manifestation determination review (MDR) must be done first. Reg. 300.523(a).~~

Students

Discipline (continued)

Discipline of Students with Disabilities (continued)



Students

Discipline

Discipline of Students with Disabilities

~~Code of Conduct Violations by Students with Disabilities for Which Recommended Disciplinary Consequences Would Result in Change of Placement for More than Ten School Days (Excluding Drug and Weapon Offenses)~~

~~Student violates code of conduct and the recommended disciplinary consequence would result in a removal from the current educational placement for more than 10 consecutive school days (alternate placement, expulsion). This constitutes a change of placement. *Reg. 300.519(a)*~~

~~The recommended disciplinary consequence may be for a removal from the current educational placement for less than 10 consecutive school days, but may constitute a change of placement because the student has already been removed for disciplinary reasons for 10 or more school days in the current school year, and the length of each removal, their proximity to each other, and the total amount of time the student has been removed result in a change of placement. *Reg. 300.519(b)*.~~

~~School personnel may remove from current educational placement for 10 school days or less (*Reg. 300.520(a)(1)(i)*), and recommend further discipline according to the code of conduct. (The 10-day or less alternative must be one equally applicable to non-disabled. See Appendix 1 for educational services to be provided during a short removal.) If a criminal act has been committed, charges may be filed and law enforcement authorities to whom the crime was reported must be provided special education and disciplinary records to the extent disclosure is permitted by FERPA. *Sec. 1415(k)(9)*. *Reg. 300.529*~~

~~At time decision is made to take this action, school personnel must notify parent of decision and provide procedural safeguards notice in *Reg. 300.504*. *Sec. 1415(k)(4)(A)(i)*; *Reg. 300.523(a)(1)*~~

~~Within 10 business days, IEP Team and other qualified personnel must meet and review relationship between disability and the behavior subject to disciplinary action (manifestation determination review- MDR). *Sec. 1415(k)(4)(A)*; *Reg. 300.523(a)(2), (b)*. If there has been no previous functional behavioral assessment and creation of a behavior intervention plan the IEP Team must develop an assessment plan. *Reg. 300.520(b)(1)(i)*. (As soon as practicable after the assessment, the IEP Team must meet again to develop and implement the behavior intervention plan. *Reg. 300.520(b)(2)*. If the IEP contains a behavior intervention plan, the IEP Team reviews the plan and its implementation and modifies them as necessary to address the behavior. *Reg. 300.520(b)(1)(ii)*.~~

Students

Discipline (continued)

Discipline of Students with Disabilities (continued)

~~For the MDR, the IEP Team must look at all information relevant to the behavior subject to discipline such as evaluation and diagnostic results, including such results and other relevant information from the parent, observations of the student and the student's IEP and placement. The misbehavior is not a manifestation of the disability if the IEP Team finds that in relationship to the misbehavior subject to discipline:~~

- ~~• the IEP and placement were appropriate;~~
- ~~• consistent with the content of the student's IEP and placement, special education services, supplementary aids and behavior intervention strategies were actually provided;~~
- ~~• the disability did not impair the ability of the student to understand the impact and consequences of the misbehavior; and~~
- ~~• the disability did not impair the ability of the student to control the misbehavior.~~

~~Sec. 1415(k)(4)(C); Reg. 300.523(e).~~

~~If the IEP Team determines any of the standards were not met, the misbehavior was a manifestation of the disability, and no punishment may be assessed. Reg. 300.523(d). If IEP Team identified deficiencies in IEP, placement, or implementation, it must take immediate steps to remedy. Reg. 300.523(f).~~

~~If the IEP Team determines the misbehavior was not a manifestation of the disability, regular disciplinary consequences may be applied to the student except that the student must continue to be provided a free appropriate public education. Sec. 1415(k)(5)(A); Sec. 1412(a)(1)(A). Reg. 300.121(a); Reg. 300.524(a). The campus must ensure that special education and disciplinary records are transmitted for consideration by the school district person making the final determination regarding the disciplinary action. Sec. 1415(k)(5)(B); Reg. 300.524(b).~~

~~Parent may appeal a finding that the misbehavior was not a manifestation of the disability. The hearing is expedited before a special education hearing officer who applies the same standards as the IEP Team. Sec. 1415(k)(6); Reg. 300.525(a),(b).~~

~~Parent may appeal decision to place student in 45 day interim placement. The hearing is expedited before a special education hearing officer who applies the standards regarding a dangerous student in Reg. 300.521. Sec. 1415(k)(6)(B)(ii); Reg. 300.525(b)(2).~~

~~When a parent requests a hearing in a drug or weapon case to challenge the interim alternative placement or the manifestation determination, student remains in interim placement until decision of hearing officer or 45 days expires, whichever comes first unless the parent and school agree otherwise. Reg. 300.526(a). Then student returns to current placement (defined as placement prior to interim alternative educational setting). School can ask for expedited hearing before special education hearing officer to prevent this return if the student is substantially likely to injure self or others. Reg. 300.526(b),(c). The hearing officer applies the standards in Reg. 300.121. Reg. 300.526(e). Hearing officer can order another placement for up to 45 days. Reg. 300.526(e)(3). This procedure may be repeated as necessary. Sec. 1415(k)(7); Reg. 300.526(e)(4).~~

~~The standard the educational services must meet is to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals in the IEP. Reg. 300.121(d)(2)(i)(B); Reg. 300.524(a). The IEP Team must determine what services are necessary to meet this standard. Reg. 300.121(d)(3)(ii).~~

Students

Discipline

Discipline of Students with Disabilities

Drug and Weapon Offenses by Students with Disabilities

~~Student carries weapon to school, or possesses, uses, sells or solicits sale of illegal or controlled substance on school property or at a school function:~~

~~School personnel may remove from current educational placement for 10 school days or less, and recommend further discipline according to the code of conduct. *Sec. 1415(k)(1)(A)(i); Reg. 300.520(a)(1)(i).* (The 10-day or less alternative must be one equally applicable to non-disabled. See Appendix 1 for educational services to be provided during a short removal). If criminal act has been committed, charges may be filed and special education and disciplinary records shall be transmitted to law enforcement authorities to whom the crime was reported, to the extent disclosure is permitted by FERPA. *Sec. 1415(k)(9); Reg. 300.529.*~~

~~At time decision is made to take this disciplinary action, school personnel must notify parent of decision and provide procedural safeguards notice in *Reg. 300.504. Sec. 1415(k)(4)(A)(i); Reg. 300.523(a)(1).*~~

~~Within 10 business days, IEP Team must meet and may extend the removal by placing student in appropriate interim alternative educational setting applicable to non-disabled student for same amount of time non-disabled student would be assigned but not more than 45 calendar days. *Sec. 1415(k)(1)(A)(ii) and (3)(A); Reg. 300.520(a)(2); Reg. 300.522(a).* IEP Team must review the behavior intervention plan, if one exists, and its implementation and modify, as necessary, to address behavior. *Reg. 300.520(b)(1)(ii).* If there has been no previous functional behavioral assessment and creation of behavior intervention plan, IEP Team must develop assessment plan. *Sec. 1415(k)(1)(B); Reg. 300.520(b)(1)(i).* (As soon as practicable after the assessment, the IEP Team must meet again to develop and implement the behavior intervention plan. *Reg. 300.520(b)(2).* The IEP Team and other qualified personnel must review the relationship between disability and the behavior subject to disciplinary action (manifestation determination review MDR). *Sec. 1415(k)(4)(A); Reg. 300.523(a)(2), (b).*~~

~~Illegal drug — controlled substance. Excludes legally used and possessed prescription drugs. *Sec. 1415(k)(10)(B); Reg. 300.520(d)(2).*~~

~~Controlled substance — drug or substance in 21 U.S.C. § 812(e), Schedules I-V. *Sec. 1415(k)(10)(A); Reg. 300.520(d)(1).*~~

~~Weapon — A firearm and more. Something used for or readily capable of causing death or serious bodily injury. Excludes pocket knife with blade of 2-1/2 inches or less. *Sec. 1415(k)(10)(D); Reg. 300.520(d)(3).*~~

~~The 45-day alternative interim placement must:~~

- ~~• enable student to progress in general curriculum, although in another setting;~~
- ~~• enable the student to continue to receive those services and modifications, including those described in the student's current IEP, that will enable the student to meet the goals set out in that IEP; and~~
- ~~• include services and modifications designed to address the drug or weapon offense so that it does not recur. *Sec. 1415(k)(3)(B); Reg. 300.522; Reg. 300.121(d)(2)(ii).*~~

~~Comments to regulations: Students may be subject to multiple 45-day interim placements for separate drug and weapon offenses. The 45-day interim placement may be completed even if drug or weapon offense was manifestation of disability. If misbehavior was not a manifestation of disability, regular disciplinary consequence can be applied in addition to 45-day interim placement.~~

Students

Discipline (continued)

Discipline of Students with Disabilities (continued)

~~For the MDR, the IEP Team must look at all information relevant to the behavior subject to discipline such as evaluation and diagnostic results, including such results and other relevant information from the parent, observations of the student and the student's IEP and placement. The misbehavior is not a manifestation of the disability if the IEP Team finds that in relationship to the misbehavior subject to discipline:~~

- ~~• the IEP and placement were appropriate;~~
- ~~• consistent with the content of the student's IEP and placement, special education services, supplementary aids and services and behavior intervention strategies were actually provided;~~
- ~~• the disability did not impair the ability of student to understand the impact and consequences of the misbehavior; and~~
- ~~• the disability did not impair the ability of the student to control the misbehavior.~~
- ~~• Sec. 1415(k)(4)(C); Reg. 300.523(e).~~

~~If the IEP Team determines any of the standards were not met, the misbehavior was a manifestation of the disability, and no punishment may be assessed. Reg. 300.523(d). If IEP Team identifies deficiencies in IEP, placement or implementation, it must take immediate steps to remedy. Reg. 300.523(f).~~

~~- or -~~

~~If the IEP Team determines the misbehavior was not a manifestation of the disability, regular disciplinary consequences may be applied to the student except that the student must continue to be provided a free appropriate public education. Sec. 1415(k)(5)(A); Sec. 1412(a)(1)(A). Reg. 300.121(a) Reg. 300.524(a). The campus must ensure that special education and disciplinary records are transmitted for consideration by the school district person making the final determination regarding the disciplinary action. Sec. 1415(k)(5)(B); Reg. 300.524(b).~~

~~Parent may appeal a finding that the misbehavior was not a manifestation of the disability. The hearing is expedited before a special education hearing officer who applies the same standards as the IEP Team. Sec. 1415(k)(6); Reg. 300.525(a),(b).~~

~~If IEP Team finds no manifestation and changes placement to comply with the disciplinary recommendation, parent may appeal the placement decision. The hearing is expedited before a special education hearing officer. Sec. 1415(k)(6)(A); Reg. 300.525(a)(2).~~

~~During appeals, stay put applies. Reg. 300.524(e). If child is substantially likely to injure self or others in the current placement, the school can request an expedited hearing and request the hearing officer to remove to an interim alternative educational placement for up to 45 days. Standards to be met are those in Sec. 1415(k)(2) and Reg. 300.521.~~

~~The standard the education services must meet is to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals in the IEP. Reg. 300.121(d)(2)(i)(B); Reg. 300.524(a). The IEP Team must determine what services are necessary to meet this standard. Reg. 300.121(d)(3)(ii).~~

Students

Discipline

Discipline of Students with Disabilities

Students Dangerous to Self or Others

~~IDEA discipline procedures are followed for a non drug or weapon offense, the penalty for which would result in expulsion or removal from the student's placement for more than 10 school days.~~

~~IEP Team meets, determines no manifestation and recommends discipline proceed. Parent disagrees and requests a due process hearing. Stay put applies and child stays in the current placement unless school acts to change the placement. Reg. 300.524.~~

~~School requests hearing officer to change the placement during the pendency of the hearing because of the likelihood of injury to self or others. Sec. 1415(k)(2); Reg. 300.521.~~

~~Hearing officer holds expedited hearing to consider request. School has burden of proof to show by more than a preponderance of the evidence that maintaining the child in the current placement is substantially likely to result in injury to self or others. Sec. 1415(k)(2)(A), (10)(D); Reg. 300.521(a). Hearing Officer must also:~~

- ~~• consider the appropriateness of the current placement.~~
- ~~• consider whether the school has made reasonable effort to minimize the risk of harm in the current placement, including the use of supplemental aids and services~~
- ~~• determine that the interim alternative setting proposed by the school personnel, in consultation with special education teacher
 - ~~— enables the student to participate in the general curriculum, although in another setting~~
 - ~~— enables the student to continue to receive those services and modifications, including those described in the student's current IEP, that will enable the student to meet the goals set out in the IEP; and~~
 - ~~— include services and modifications designed to address the behavior so that it does not recur.~~~~

~~Sec. 1415(k)(2); Reg. 300.521(b), (c), (d); Reg. 300.522(b); Reg. 300.121(d)(2)(ii)(B).~~

~~If parent appeals 45 day interim alternative placement by IEP Team in drug or weapon case, hearing officer applies these standards in expedited hearing. Sec. 1415(k)(6)(B)(ii); Reg. 300.525(b)(2).~~

Students

Discipline (continued)

Discipline of Students with Disabilities (continued)

~~If all requirements are met, hearing officer may order a change of placement to the interim alternative educational setting for up to 45 days. *Sec. 1415(k)(2); Reg. 300.521.*~~

~~Student returns to his or her current placement (the placement prior to the interim alternative educational setting) at end of 45 days if no decision has been issued by hearing officer in pending due process hearing. If school believes it would be dangerous for student to return to current placement while hearing is still pending, school may request another expedited hearing to again place student in 45 day interim placement while hearing continues to be pending. *Reg. 300.526(b), (c)(4).* Hearing officer holds same type of hearing initially held when hearing officer ordered first 45 day interim placement. *Sec. 1415(k)(7); Reg. 300.526.* Any subsequent 45 day interim setting must meet the standards in *Reg. 300.522.*~~

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Personnel -- Certified

~~Appointment & Conditions of Employment~~ Hiring of Certified Staff

~~Hiring Process for Teachers: Standards and Procedures~~

Standards

- ~~1. We do not discriminate on the basis of race, color, religion, national origin, age, disability, sex, sexual orientation or marital status.~~
- ~~2. All contacts with candidates will be consistent with Westport's position as a high performing, dynamic, reform-oriented, professional work place. Candidates will be treated courteously, with respect and consideration.~~
- ~~3. The hiring process for different positions will start by March 15, and be scheduled and sequenced so that not all interviewing will be conducted simultaneously.~~
- ~~4. All candidates for teaching positions will be expected to meet Westport's stated general criteria, expectations, and qualifications.~~
- ~~5. Candidates will be expected to meet additional criteria, expectations and qualifications relevant to particular positions.~~
- ~~6. All application papers will be read and evaluated in the initial screening process.~~
- ~~Invitations to interview will be given only after a telephone screening, and only when an applicant's file is complete, including transcript, and letters of reference.~~
- ~~7. Initial interviews will be conducted by a group of interviewers, reflecting our belief that we are hiring for the system.~~
- ~~8. We will maintain consistency and quality of all interviews through the establishment of an agreed-upon format, with key areas to explore.~~
- ~~9. After the interview, we will have a continuing candidate give a demonstration lesson whenever possible, or we will visit the candidate in another setting.~~
- ~~10. No candidate will be recommended for employment until after an in-depth follow up interview with the appropriate administrator, and a telephone contact with at least two references.~~
- ~~11. All recommended candidates will be interviewed by the Superintendent, who will have the final authority to offer a contract.~~

Personnel--Certified

Appointment & Conditions of Employment

Hiring Process for Teachers: Standards and Procedures (continued)

Procedures

Screening and Interviewing _____ **Person(s) Responsible**

1. _____ All applications will be read in the TSO. _____ Appropriate Admin.
 _____ Readers should initial document in upper right _____
 _____ hand corner and assign a rating of 1-3.

2. _____ Based on the ratings, a telephone contact will be made with _____ Personnel office staff
 _____ prospective interviewees. An interview will be scheduled, _____
 _____ if appropriate after this telephone screening, provided the _____
 _____ application is complete.

3. _____ Appropriate interview groups (IG) will be formed, will _____ All members of IG
 _____ identify a leader to serve as liaison to the Assistant
 _____ Superintendent, will develop, in advance, a consistent
 _____ interview format and questions to be asked of all candidates.
 _____ An attempt should be made to have the same group
 _____ present at all interviews for the same position.

4. _____ The IG will be provided with candidates' files (including _____ Appropriate
 _____ resume, references and transcripts), a schedule of the _____ Administrator
 _____ interviews, and Interview Evaluation forms.

5. _____ Each interviewer is to complete an Interview Evaluation _____ All members of IG
 _____ form for each candidate.

- _____ After each set of interviews, an Interview Group Scoring _____ IG Leader
 _____ Sheet should be completed, including average scores and
 _____ recommended follow up for all candidates interviewed.

6. _____ At the end of the interview session, all material, including _____ IG Leader
 _____ scoring sheets, should be returned to the personnel office,
 _____ and the Assistant Superintendent should be "debriefed"
 _____ regarding pluses and minuses of candidates.

Personnel -- Certified

Appointment & Conditions of Employment

Hiring Process for Teachers: Standards and Procedures (continued)

Follow-Up

1. ~~Unsuccessful candidates will be informed in writing ASAP. Assistant Superintendent~~
2. ~~Arrangements will be made for a continuing candidate to visit Personnel office staff appropriate Westport school(s), to have an indepth interview, and to give a demonstration lesson. Alternatively, arrangements will be made to visit a candidate at another site. If a candidate lives far away, arrangements should be made for follow-up steps while the candidate is still in the area.~~

Final Steps

1. ~~Prior to recommendation for employment, telephone contact Appropriate Administrator should be made with at least two references. Notes of telephone conversations should be given to Assistant Superintendent.~~
2. ~~If references check out, a written recommendation will Assistant Superintendent be made to the Superintendent.~~
3. ~~An appointment for an interview with the Superintendent Personnel office staff will be scheduled for those candidates who indicate their readiness to accept a contract if offered.~~
4. ~~If the Superintendent approved the recommendation, the Superintendent candidate will be offered a contract at the conclusion of the interview. If the candidate is not approved, the Superintendent will meet with the recommender(s) to share reservations and concerns.~~

Regulation approved: 2006 WESTPORT PUBLIC SCHOOLS
Westport, Connecticut

Personnel -- Certified

Appointment & Conditions of Employment

Statement of Expectations

The Westport school system, in its mission statement, “Schools of the Future,” affirms its commitment to help students acquire the attributes for success in the complex technological, information-based and rapidly changing 21st century world. We seek highly intelligent, reflective, intellectually curious teachers who are committed to that vision, and to the idea that each child can and should experience success and the pleasure of learning and creating.

Desired Characteristics for Teachers in the Westport Schools

Knowledge

- Superior academic achievement
- Strong subject matter background
- Understanding of child and adolescent development
- Awareness of best current teaching practices

Attitudes

- Willingness to engage students in discovery and active learning
- Commitment to continual learning both personally and professionally
- Commitment to collaboration with colleagues
- Willingness to offer and accept collegial support and constructive criticism
- Willingness to enter into partnership with parents
- Willingness to accept and work with people of diverse abilities and backgrounds

Skills

- Ability to create a nurturing environment for children
- Ability to stimulate and motivate students
- Ability to call on a broad repertoire of teaching techniques
- Ability to use technology for instruction
- Ability to think analytically and creatively
- Ability to speak and write articulately and effectively
- Ability to get along with people and inspire confidence

It is the policy of the Board of Education to appoint the most qualified applicants to positions of employment within the Public Schools. The Board of Education shall be responsible for the appointment of all building level and district wide administrator positions. All finalists for the positions of Building Principals and Central Office administrative positions shall be interviewed

by the Board of Education prior to any vote of the Board to approve candidates for these positions. The Board of Education shall make such appointments in accordance with the procedures set forth in Section 10-151 of the Connecticut General Statutes, and in accordance with any applicable collective bargaining agreement.

The Superintendent of Schools shall be responsible for appointments to all other positions requiring a certificate issued by the State Board of Education.

Legal Reference:

Connecticut General Statutes §10-151

ADOPTED:

WESTPORT PUBLIC SCHOOLS

Westport, Connecticut

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Students

~~Prohibition of Weapons~~

- ~~1. While in school, on school grounds, on a school bus or other school transportation, or at a school sponsored activity, students are expressly prohibited from having in their possession, or causing or assisting to be brought on school grounds, a school bus or a school sponsored activity, firearms, knives, weapons, switchblades, razor blades, firecrackers, explosives, chains, clubs, blackjacks and other dangerous objects, instruments or any facsimile of such.~~
- ~~2. No student shall possess off school grounds a firearm in violation of the Connecticut General Statutes, or possess and use such a firearm, instrument or weapon in the commission of a crime under provisions of the Connecticut General Statutes.~~
- ~~3. Violation of this policy may result in disciplinary action in accordance with the Board's policy regarding Exclusion of Pupils.~~

~~(cf. 5114 – Suspension/Expulsion)~~

~~(cf. 5145.12 – Search & Seizure)~~

~~Legal Reference: Connecticut General Statutes~~

~~10-221 Boards of education to prescribe rules.~~

~~10-233a through 10-233f Expulsion as amended by PA 95-304~~

~~53a-3 Definitions.~~

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

~~53-206 Carrying and sale of dangerous weapons.~~

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

~~GOALS 2000: Educate America Act~~

~~18 U.S.C. 921 Definitions.~~

~~Policy adopted: December 16, 2002~~ ~~WESTPORT PUBLIC SCHOOLS~~
~~Westport, Connecticut~~

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**Medical Health Insurance Fund
FY 17-18 Projections
with Claims Cash Draw Data as of February 28, 2018**

	<u>FY 18 Projection</u> <u>Mar-17</u>	<u>FY 18 Projection</u> <u>Oct-17</u>	<u>Variance</u>		
Cash receipts					
General Fund Budget from line 210	13,447,595	13,447,595	-		
Other Fund Contributions	100,000	100,000	-		
Employee Contributions (Active)	3,058,383	3,055,442	(2,941)	U	
Flex Spending Accounts	-	-	-		
Cobra Participants	49,397	62,736	13,339	F	
Retirees Self Insured	479,272	400,000	(79,272)	U	
State Teachers Retirement (TRB)	115,000	115,000	-		
Life Insurance Premiums	25,000	25,000	-		
Retirees Medicare Surround	492,000	554,277	62,277	F	
Other Contributions (FMLA, Retiree Life, etc.)	64,500	64,500	-		
Prescription Guarantee Adjustment	98,789	98,789	-		
Pharmacy Rebate	326,209	326,209	-		
Total cash receipts	18,256,145	18,249,548	(6,597)	U	
Cash disbursements					
Medical	12,060,244	13,375,009	1,314,765	U	
Prescription	2,649,308	2,424,488	(224,820)	F	
Dental	1,145,136	1,076,334	(68,802)	F	
Flex Spending Accounts	-	-	-		
Contribution to HSA	1,188,000	1,234,000	46,000	U	
Medical Administrative	388,214	397,153	8,939	U	
Network Access Fee	158,676	159,085	409	U	
Individual Stop-Loss	1,047,898	895,976	(151,922)	F	
Dental Administrative	55,236	55,758	522	U	
FSA Administrative	2,000	2,000	-		
Consulting Fee	50,000	50,000	-		
ACA Related Fees	-	-	-		
PCORI Fee	4,279	4,279	-		
Retirees Medicare Surround	810,747	846,024	35,277	U	
Total cash disbursements	19,559,738	20,520,106	960,368	U	
Change in cash balance	(1,303,593)	(2,270,558)	966,965	U	
Beginning cash balance					
Insurance Fund Draw Down (budget)	2,034,188	2,034,188			
Insurance Fund Draw Down (YTD delta)	(1,509,994)	(1,509,994)			
	206,401	(760,564)	966,965		
Ending cash balance(deficit)-projection	730,595	(236,370)	-1.4%	\$ 843,792	\$ (1,080,162)
Less: Incurred but not reported claims	(968,308)	(1,053,000)	-6.2%		
Net Position(Deficit) end of year-projection	(237,713)	(1,289,370)	-7.6%		

Claims Cash Draw Against Insurance Fund Account

	Medical/Rx	Dental	Flex	Other	Total	Avg. Monthly Claims (Med/Rx/Dental)	Variance	Avg. Monthly Claims-FY 17	
								(Med/Rx/Dental)	Variance
Jul 2017	\$ 1,385,628	\$ 101,584	\$ 875	\$ -	\$ 1,488,087	\$ 1,487,212	\$	\$ 1,103,161	\$
Aug 2017	\$ 1,972,668	\$ 94,032	\$ 4,400	\$ -	\$ 2,071,100	\$ 1,776,956	\$ 289,744	\$ 1,426,306	\$ 323,145
Sept 2017	\$ 1,278,736	\$ 86,461	\$ 5,256	\$ -	\$ 1,370,454	\$ 1,639,703	\$ (137,253)	\$ 1,410,030	\$ (16,276)
Oct 2017	\$ 1,415,081	\$ 84,978	\$ 9,694	\$ -	\$ 1,509,753	\$ 1,604,792	\$ (34,911)	\$ 1,375,645	\$ (34,385)
Nov 2017	\$ 943,015	\$ 70,196	\$ 11,290	\$ -	\$ 1,024,500	\$ 1,486,476	\$ (118,316)	\$ 1,304,202	\$ (71,442)
Dec 2017	\$ 1,279,050	\$ 76,462	\$ 7,954	\$ -	\$ 1,363,466	\$ 1,464,648	\$ (21,827)	\$ 1,291,690	\$ (12,512)
Jan 2018	\$ 1,088,143	\$ 84,443	\$ 10,391	\$ -	\$ 1,182,977	\$ 1,422,925	\$ (41,723)	\$ 1,256,863	\$ (34,828)
Feb 2018	\$ 1,249,143	\$ 84,142	\$ 5,735	\$ -	\$ 1,339,020	\$ 1,411,720	\$ (11,205)	\$ 1,260,538	\$ 3,675
	\$ 10,611,463	\$ 682,298	\$ 55,595	\$ -	\$ 11,349,356				
YTD/Estimate	67.2%	63.4%	n/a	n/a					
Theoretical YTD Spend Rate	66.7%	66.7%	n/a	n/a					
variance %	0.5%	-3.3%							
variance \$	\$ 78,465	\$ (35,258)							
FY18 Projection (Oct-17):	\$ 15,799,497	\$ 1,076,334							
YTD Expense:	\$ (10,611,463)	\$ (682,298)							
Balance available to June 30:	\$ 5,188,034	\$ 394,036							
Average remaining monthly allowance:	\$ 1,297,009	\$ 98,509	=	\$ 1,395,517					