



BLOOMFIELD BOARD OF EDUCATION - BOARD OF EDUCATION POLICY COMMITTEE
SPECIAL MEETING

Board of Education Policy Committee Special Meeting AT Thursday, May 7, 2026

Virtual

1. Establishment of a Quorum and Call to Order
F. Bogle-Assegai
2. Consent Agenda
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 - A. Policies for a Second Reading
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 2. Nondiscrimination - 0521 7
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T. Youngberg
5. Adjournment
F. Bogle-Assegai



Board of Education Policy Committee Meeting
Tuesday, March 24, 2026 at 7:00 p.m.
Bloomfield Board of Education, Board Room
1133 Blue Hills Avenue
Bloomfield, CT 06002

ATTENDANCE: F. Bogle-Assegai, Chair Present
L. Easmon Present
C. Jones Absent

ALSO PRESENT: T. Mack-Mohammed H. Frydman T. Youngberg
D. Greco L. Lamenzo N. Jones

1. Establishment of a Quorum and Call to Order

F. Bogle-Assegai called the meeting to order at 7:17 p.m. The roll was called and a quorum was present.

2. Consent Agenda

A. Approval of Minutes – Policy Committee Special Meeting – February 3, 2026

A motion was made by L. Easmon and seconded by F. Bogle-Assegai for the Policy Committee to approve the minutes from the February 3, 2026 meeting, as presented.

F. Bogle-Assegai Aye
L. Easmon Aye

The motion passed unanimously 2-0-0.

3. New Business

A. Next Steps on School Uniforms

Dr. Tracy Youngberg, Superintendent presented three options for the Board’s next steps regarding the district uniform policy. The options are as follows:

- Option #1 – leave the school uniform in place
- Option #2 – leave the uniform policy in place for K-8
- Option #3 – eliminate the school uniform policy K-12

The committee discussed that pilot at Bloomfield High School and how it is working there. L. Easmon stated she would like this item added to the April 7, 2026 regular board meeting.

B. Review of Cell Phone Procedures in Bloomfield Public Schools

Dr. Youngberg noted the Governor and CT State Department of Education published a Position Statement on Personal Technology Use in August of 2024. She noted the Bloomfield Public Schools currently does not have a Board Policy prohibiting cell phone use. Dr. Youngberg reviewed the operation procedures at each school regarding use of cell phones.



The state is considering a mandatory “Bell to Bell” Cell Phone Policy for all CT schools.

Dr. Youngberg inquired if the committee would like put a policy in place or wait for more direction from the state. Following a discussion, the committee noted they would like to wait.

It was inquired if this policy would be just for cell phones. Dr. Youngberg noted it would be for all personal technology devices.

C. Policies for an Initial Reading

1. Curriculum Policy – 6141 (N. Jones)

2. Nondiscrimination - 0521

3. Title IX Sexual Harassment – 4000.1/5145.44 – Personnel/Students

4. Work Release – 5113.13

5. Orientation of Board Members – 9230

Nicole Jones, District Teaching and Learning Specialist shared a copy of Policy 6141 with the committee members and noted the policy was from the Connecticut Association of Boards of Education (CABE) recommended policies.

Dr. Tracy Youngberg, Superintendent of Schools, noted there are four additional policies before the committee. These are all mandated updates with the exception of the Orientation of Board Members – Policy 9230, which is recommended.

Dr. Youngberg noted Policy 0521 has mandated updated language around victims of sexual assault. It was also noted that the Title IX policy is being reverted back to the 2020 legislation. The attorney informed us this will still need to go through the approval process of a first and second reading.

Dr. Youngberg noted Policy 5113.13 – Work Release is a mandated policy and the language was recommended by CABE.

Dr. Youngberg presented two versions of the Orientation of Board Members. This is not a mandated policy but recommended as new members are required to take an orientation course. The committee requested more time to review the two versions and to make edits. This will be added to the April committee meeting.

A motion was made by L. Easmon and seconded by F. Bogle-Assegai for the Policy Committee to recommend moving forward the below policies to the full Board for a first reading.

- Curriculum Policy – 6141 (N. Jones)
- Nondiscrimination - 0521
- Title IX Sexual Harassment – 4000.1/5145.44 – Personnel/Students
- Work Release – 5113.13



F. Bogle-Assegai Aye
L. Easmon Aye

The motion passed unanimously 2-0-0.

4. Adjournment

At 7:40 p.m., a motion was made by L. Easmon and seconded by F. Bogle-Assegai to adjourn.

The motion passed unanimously 2-0-0.

F. Bogle-Assegai, Chair

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 6141(a)

RE: Curriculum Design/Development

Approved: DATE

Curriculum development shall be guided by:

1. Needs assessments and information concerning the education of district students;
2. Range of student abilities, aptitudes, and interests;
3. Aspirations of school district residents for students;
4. Mobility of district population;
5. Avoidance of discrimination;
6. Reduction of duplication of effort and repetitive curricula among various school levels and coordination of courses of study and syllabi;
7. Provisions of negotiated agreements.

The curriculum development/revision process will be conducted by a District Curriculum Committee that has the responsibility to recommend, develop, review, and approve all curriculums for the District and said curriculum shall be subject to the approval of the Board of Education.

The Board of Education reserves the responsibility for establishing and approving curricula for the school district. Teachers shall teach within the approved curricula.

Legal Reference: Connecticut General Statutes

10-16b Prescribed courses of study.

10-16c et seq. re family life education.

10-17 English language to be medium of instruction.

10-17 et seq. re Bilingual instruction.

10-18 Courses in United States history, government and duties and responsibilities of citizenship.

10-18a Contents of textbooks and other general instructional materials.

10-18b et seq. re Firearms safety programs.

10-19 Effect of alcohol, nicotine or tobacco and drugs to be taught. Training of personnel. Evaluation of programs by alcohol and drug abuse commission and department of education.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 6141(b)

RE: Curriculum Design/Development

Approved: DATE

10-19a et seq. re Substance abuse prevention team.

10-24 Course in motor vehicle operation and highway safety.

10-21 et seq. re Vocational education and cooperation with business.

10-220 Duties of boards of education as amended by PA 08-153.

10-221a High School graduation requirements.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 0521(a)

RE: Nondiscrimination

Approved: May 12, 2015

Revised:

The Board of Education, in compliance with federal and state law, affirms its policy of equal educational opportunity for all students and equal employment opportunity for all persons.

Nondiscrimination in School and Classroom Practices

It is the policy of the District to provide equal opportunity for all students to achieve their maximum potential through the programs offered in all District schools regardless of race, color, age, creed, religion, gender, sexual orientation, gender identity or expression, ancestry, national origin, disability, status as a victim of domestic violence or as a victim of sexual assault or status as a victim of trafficking in persons.

The District shall provide to all students without discrimination, course offerings, counseling, assistance, employment, athletics and extracurricular activities. The District shall provide equal access to the Boy Scouts and other designated youth groups. The District shall make reasonable accommodations for identified physical and mental impairments that constitute disabilities, consistent with federal and state statutes and regulations.

Students and third parties who have been subject to discrimination are encouraged to promptly report such incidents to the District's Compliance Officer.

All complaints of discrimination shall be investigated promptly. Corrective action must be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the District's legal and investigative obligations.

Neither reprisals nor retaliation shall occur as a result of good faith charges of discrimination.

Nondiscrimination in Employment/Contract Practices

It is the Board's policy to provide all persons equal access to all categories of employment in this District regardless of race, color, age, creed, religion, gender, gender identity or expression, sexual orientation, ancestry, national origin, status as a victim of domestic violence, marital status, mental or physical disability, genetic information, status as a Veteran or any other basis prohibited by Connecticut state and/or federal laws. The District shall make reasonable accommodations for identified physical and mental impairments that constitute disabilities, consistent with federal and state statutes and regulations. The Board shall grant victims of sexual assault or trafficking reasonable leave to attend to related medical, psychological and legal matters related to such status.

Employees and third parties who have been subject to discrimination are encouraged to promptly

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 0521(b)

RE: Nondiscrimination

Approved: May 12, 2015

Revised:

report such incidents to the District's Compliance Officer.

All complaints of discrimination shall be investigated promptly. Corrective action must be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the District's legal and investigative obligations.

Neither reprisals nor retaliation shall occur as a result of good faith charges of discrimination.

Equal Education Opportunity

Pursuant to the IDEA, Americans With Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, no otherwise qualified individual with handicaps shall, solely by reason of such handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program of the Bloomfield Board of Education.

Every student has the right to participate fully in classroom instruction and extracurricular activities and shall not be abridged or impaired because of age, sex, race, religion, national origin, pregnancy, parenthood, marriage, or for any reason not related to his/her individual capabilities.

The Civil Rights Coordinators for the Bloomfield Board of Education have the responsibility to monitor the compliance of this policy. The names and location of the Civil Rights Coordinators are set forth below. Further compliance with policy is a responsibility of all district administrators in accordance with the procedures set forth in the attached regulations.

Students shall not be discriminated against, including but not limited to, in the areas of:

- Admission
- Use of School Facilities
- Vocational Education
- Competitive Athletics
- Student Rules, Regulations and Benefits
- Financial Assistance
- School-sponsored Extracurricular Activities
- Enrollment in Courses
- Counseling and Guidance
- Physical Education
- Graduation Requirements
- Treatment as a Married and/or Pregnant Student
- Health Services
- Most Other Aid, Benefits or Services

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 0521(d)

RE: Nondiscrimination

Approved: May 12, 2015

Revised:

Forms are available in our Guidance Office or from our Civil Rights Coordinators. Contact with the Civil Rights Coordinators should take place within forty (40) calendar days of the alleged occurrence.

Delegation of Responsibility

In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates the

- { } Superintendent
- { } Assistant Superintendent
- { } Business Manager
- { } Personnel Director
- { } Director of Special Education/Services

as the District's Compliance Officer.

Delegation of Responsibility

The Compliance Officer shall publish and disseminate this policy and complaint procedure annually to students, parents, employees and the public. Nondiscrimination statements shall include the position, office address and telephone number of the Compliance Officer. The Compliance Officer is responsible to monitor the implementation of nondiscrimination procedures in the areas listed.

School and Classroom Practices:

1. **Curriculum and Materials:** Review curriculum guides, textbooks and supplementary materials for discriminatory bias.
2. **Training:** Provision of training for students and staff to identify and alleviate problems of nondiscrimination.
3. **Student Access:** Review of programs, activities and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
4. **District Support:** Assure that like aspects of the school program receive like support as to staffing, compensation, facilities, equipment and related matters.
5. **Student Evaluation:** Review of tests, procedures and guidance and counseling materials for stereotyping and discrimination.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 0521(e)

RE: Nondiscrimination

Approved: May 12, 2015

Revised:

Employment/Contract Practices

1. Development of position qualifications, job descriptions and essential job functions.
2. Recruitment materials and practices.
3. Procedures for screening, interviewing and hiring.
4. Promotions.
5. Disciplinary actions, up to and including terminations.
6. **The Board allows the mandatory human trafficking awareness training to be provided in any format, including but not limited to, video presentation.**

The Building Principal or his/her designee shall be responsible to complete the following duties when receiving a complaint of discrimination:

Inform the student, employee or third party of the right to file a complaint and the complaint procedures.

Inform the student complainant that he/she may be accompanied by a parent/guardian during all steps of the complaint procedure.

Notify the complainant and the accused of the progress at appropriate stages of the procedure. Refer the complainant to the Compliance Officer if the Building Principal is the subject of the complaint.

Discrimination Grievance Procedure

The purpose of this procedure is to secure, at the lowest possible administrative level, equitable solutions to problems which may arise concerning claims of discrimination. Evidence of reprisal against a complainant or witness shall be viewed as a violation of this policy.

Any person who wishes to inquire or to register a complaint concerning alleged discrimination in the Bloomfield Public Schools shall have an opportunity to bring such concerns to the attention of the Civil Rights Officers or Superintendent, who has the authority to resolve such complaints. The following grievance procedure shall be utilized by any student, parent or employee in making a complaint or inquiry. Officials shall be governed by this procedure.

Level I: The complainant shall discuss the alleged discriminatory act or practice with the Civil Rights Officers or the individual closest to the daily decision-making level. This will normally be a principal, teacher, counselor, department chairperson, head custodian, or cafeteria manager. If satisfaction cannot be achieved through informal discussion, the following procedure must be initiated.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 0521(f)

RE: Nondiscrimination

Approved: May 12, 2015

Revised:

- Level II:** The complainant shall, within forty (40) calendar days of the alleged incident, on forms provided, put the complaint in writing and file it with either of the Civil Rights Officers. Within five (5) working days a conference must be held. Within five (5) working days following the conference, the complaint must be resolved to the satisfaction of both parties or referred to the Superintendent of Schools. Within five (5) working days, the Civil Rights Officer shall notify the Superintendent and must notify the complainant of this notification. The Board will be apprised by the Superintendent of any grievance reaching Level II.
- Level III:** Within ten (10) working days after receipt of such complaint, the Superintendent must hold a hearing; and within five (5) working days of the hearing, resolve the complaint, negotiate a long-term solution or refer the matter to the Board of Education for consideration.
- Level IV:** The Board of Education, Superintendent and the Civil Rights Officers shall proceed in accordance with appropriate laws or regulations.

A complaint of sexual discrimination or sexual harassment may be a violation of Title IX. Policy 4000.1/5145.44 pertains to such employee or student complaints. The grievance investigation process contained in the Title IX policy shall be adhered in such situations.

Legal Reference: Title VII, Civil Rights Act, 42 U.S.C. 2000e, et seq.
29 CFR 1604.11, EEOC Guidelines on Sex Discrimination.
Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.
Title IX Final Rule, May 6, 2020
Boy Scouts of America Equal Access Act
34 CFR Section 106.8(b), OCR Guidelines for Title IX.
Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol 62, #49, 29 CFR Sec. 1606.8 (a) 62 Fed Reg. 12033 (March 13, 1997) and 66 Fed. Reg. 5512 (January 19, 2001)
The Americans with Disabilities Act as amended by the ADA Amendments Act of 2008
Meritor Savings Bank. FSB v. Vinson, 477 U.S. 57 (1986)
Faragher v. City of Boca Raton, No. 97-282 (U.S. Supreme Court, June 26, 1998)

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 0521(g)

RE: Nondiscrimination

Approved: May 12, 2015

Revised:

Legal Reference: (continued)

Gebbs v. Lago Vista Indiana School District, No. 99-1866, (U.S. Supreme Court, June 26, 1998)

Davis v. Monro County Board of Education, No. 97-843, (U.S. Supreme Court, May 24, 1999.)

The Vietnam Era Veterans' Readjustment Act of 1974, as amended, 38U.S.C. §4212

Title II of the Genetic Information Nondiscrimination Act of 2008
Connecticut General Statutes

46a-51 Definitions (as amended by PA 17-127, PA 21-2 and PA 22-82)

46a-58 Deprivation of rights. Desecration of property. Placing of burning cross or noose on property. Penalty. (as amended by PA 17-127 and PA 22-82)

46a-60 Discriminatory employment practices prohibited. (as amended by PA 17-127 and PA 21-69 and PA 22-82)

10-15c Discrimination in public schools prohibited. School attendance by five-year olds. (Amended by P.A. 97-247 to include "sexual orientation" and P.A. 11-55 to include "gender identity or expression")

10-153 Discrimination on account of marital status. (as amended by PA 11-55 to include "gender identity or expression")

17a-101 Protection of children from abuse.

Meacham v. Knolls Atomic Power Laboratory 128 S.Ct. 2395, 76 U.S.L.W. 4488 (2008)

Federal Express Corporation v. Holowecki 128 S.Ct. 1147, 76 U.S.L.W. 4110 (2008)

Kentucky Retirement Systems v. EEOC 128 S.Ct. 2361, 76 U.S.L.W. 4503 (2008)

Sprint/United Management Co. v. Mendelsohn 128 S.Ct. 1140, 76 U.S.L.W. 4107 (2008)

Bostock v. Clayton County, Georgia, 140 S.Ct. 1731, 2020 WL3146686 (June 15, 2020)

Public Act 25-139 An Act Concerning Human Trafficking and Sexual Assault Victims

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 0521(a)

RE: Nondiscrimination
Mission-Goals-Objectives

Approved: May 12, 2015

~~The District shall promote nondiscrimination and an environment free of harassment based on an individual's race, color, religion, sex, sexual orientation, gender identity/expression, national origin, ancestry, disability, (including, but not limited to, intellectual disability, past or present history of mental disorder, physical disability or learning disability), genetic information, marital status or age or because of the race, color, religion, sex, sexual orientation, gender identity or expression, national origin, disability, genetic information, marital status or age of any other persons with whom the individual associates. The District provides equal access to the Boy Scouts and other designated youth groups.~~

~~In keeping with requirements of federal and state law, the District strives to remove any vestige of discrimination in employment, assignment and promotion of personnel; in educational opportunities and services offered to students; in student assignment to schools and classes; in student discipline; in location and use of facilities; in educational offerings and materials; and in accommodating the public at public meetings.~~

~~The Board encourages staff to improve human relationships within the schools and to establish channels through which citizens can communicate their concerns to the administration and the Board.~~

~~The Superintendent shall appoint and make known the individuals to contact on issues concerning the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1974, Title VI, Title VII, Title IX and other civil rights or discrimination issues. The Board will adopt and the District will publish grievance procedures providing for prompt and equitable resolution of student and employee complaints.~~

~~Federal civil rights laws prohibit discrimination against an individual because he/she has opposed any discrimination act or practice or because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing. ADA further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising the rights guaranteed under the Act.~~

(cf. 4111 – Recruitment and Selection)
(cf. 4111.1/4211.1 – Affirmative Action)
(cf. 4118.11 – Nondiscrimination)
(cf. 4118.111 – Grievance Procedure-Title IX)
(cf. 4118.113/4218.113 – Harassment)
(cf. 5145.4 – Nondiscrimination)
(cf. 5145.5 – Sexual Harassment)
(cf. 5145.51 – Peer Sexual Harassment)
(cf. 5145.52 – Harassment)
(cf. 5145.6 – Student Grievance Procedure)
(cf. 6121 – Nondiscrimination)
(cf. 6121.1 - Equal Educational Opportunity)

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 0521(b)

**RE: Nondiscrimination
Mission-Goals-Objectives**

Approved: May 12, 2015

Legal Reference: Title VII, Civil Rights Act, 42 U.S.C. 2000e, et seq.
29 CFR 1604.11, EEOC Guidelines on Sex Discrimination.
Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.
34 CFR Section 106.8(b), OCR Guidelines for Title IX.
Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol 62, #49,
29 CFR Sec. 1606.8 (a0 62 Fed Reg. 12033 (March 13, 1997) and 66 Fed.
Reg. 5512 (January 19, 2001)
20 U.S.C. 7905 (Boy Scouts of America Equal Access Act contained in No
Child Left Behind Act of 2001)
Meritor Savings Bank. FSB v. Vinson, 477 U.S. 57 (1986)
Faragher v. City of Boca Raton, No. 97-282 (U.S. Supreme Court, June
26,1998)
Gebbs v. Lago Vista Indiana School District, No. 99-1866, (U.S. Supreme
Court, June 26,1998)
Davis v. Monro County Board of Education, No. 97-843, (U.S. Supreme
Court, May 24, 1999.)
The Vietnam Era Veteran's Readjustment Act of 1974, as amended, 38
U.S.C. §4212
Title II of the Genetic Information Nondiscrimination Act of 2008
Connecticut General Statutes
46a-60 Discriminatory employment practices prohibited.
10-15c Discrimination in public schools prohibited. School attendance by
five-year olds. (Amended by P.A. 97-247 to include "sexual orientation"
and P.A. 11-55 to include "gender identity or expression")
10-153 Discrimination on account of marital status.
17a-101 Protection of children from abuse.
The Americans with Disabilities Act as amended by the ADA
Amendments Act of 2008
Public Law 111-256
Meacham v. Knolls Atomic Power Laboratory 128 S.Ct. 2395, 76
U.S.L.W. 4488 (2008)

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 0521(c)

RE: Nondiscrimination
Mission-Goals-Objectives

Approved: May 12, 2015

Legal Reference: *Federal Express Corporation v. Holowecki* 128 S.Ct. 1147, 76 U.S.L.W. 4110 (2008)
 Kentucky Retirement Systems v. EEOC 128 S.Ct. 2361, 76 U.S.L.W. 4503 (2008)
 Sprint/United Management Co. v. Mendelsohn 128 S.Ct. 1140, 76 U.S.L.W. 4107 (2008)

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 0521(a)

**RE: Nondiscrimination
Mission-Goals-Objectives**

Approved: May 12, 2015

The District shall promote nondiscrimination and an environment free of harassment based on an individual's race, color, religion, sex, sexual orientation, gender identity/expression, national origin, ancestry, disability, (including, but not limited to, intellectual disability, past or present history of mental disorder, physical disability or learning disability), genetic information, marital status or age or because of the race, color, religion, sex, sexual orientation, gender identity or expression, national origin, disability, genetic information, marital status or age of any other persons with whom the individual associates. The District provides equal access to the Boy Scouts and other designated youth groups.

In keeping with requirements of federal and state law, the District strives to remove any vestige of discrimination in employment, assignment and promotion of personnel; in educational opportunities and services offered to students; in student assignment to schools and classes; in student discipline; in location and use of facilities; in educational offerings and materials; and in accommodating the public at public meetings.

The Board encourages staff to improve human relationships within the schools and to establish channels through which citizens can communicate their concerns to the administration and the Board.

The Superintendent shall appoint and make known the individuals to contact on issues concerning the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1974, Title VI, Title VII, Title IX and other civil rights or discrimination issues. The Board will adopt and the District will publish grievance procedures providing for prompt and equitable resolution of student and employee complaints.

Federal civil rights laws prohibit discrimination against an individual because he/she has opposed any discrimination act or practice or because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing. ADA further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising the rights guaranteed under the Act.

(cf. 4111 – Recruitment and Selection)
(cf. 4111.1/4211.1 – Affirmative Action)
(cf. 4118.11 – Nondiscrimination)
(cf. 4118.111 – Grievance Procedure-Title IX)
(cf. 4118.113/4218.113 – Harassment)
(cf. 5145.4 – Nondiscrimination)
(cf. 5145.5 – Sexual Harassment)
(cf. 5145.51 – Peer Sexual Harassment)
(cf. 5145.52 – Harassment)
(cf. 5145.6 – Student Grievance Procedure)
(cf. 6121 – Nondiscrimination)
(cf. 6121.1 - Equal Educational Opportunity)

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 0521(b)

RE: Nondiscrimination
Mission-Goals-Objectives

Approved: May 12, 2015

Legal Reference: Title VII, Civil Rights Act, 42 U.S.C. 2000e, et seq.
29 CFR 1604.11, EEOC Guidelines on Sex Discrimination.
Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.
34 CFR Section 106.8(b), OCR Guidelines for Title IX.
Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol 62, #49,
29 CFR Sec. 1606.8 (a0 62 Fed Reg. 12033 (March 13, 1997) and 66 Fed.
Reg. 5512 (January 19, 2001)
20 U.S.C. 7905 (Boy Scouts of America Equal Access Act contained in No
Child Left Behind Act of 2001)
Meritor Savings Bank. FSB v. Vinson, 477 U.S. 57 (1986)
Faragher v. City of Boca Raton, No. 97-282 (U.S. Supreme Court, June
26,1998)
Gebbs v. Lago Vista Indiana School District, No. 99-1866, (U.S. Supreme
Court, June 26,1998)
Davis v. Monro County Board of Education, No. 97-843, (U.S. Supreme
Court, May 24, 1999.)
The Vietnam Era Veteran's Readjustment Act of 1974, as amended, 38
U.S.C. §4212
Title II of the Genetic Information Nondiscrimination Act of 2008
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five-year olds. (Amended by P.A. 97-247 to include "sexual orientation"
and P.A. 11-55 to include "gender identity or expression")
10-153 Discrimination on account of marital status.
17a-101 Protection of children from abuse.
The Americans with Disabilities Act as amended by the ADA
Amendments Act of 2008
Public Law 111-256
Meacham v. Knolls Atomic Power Laboratory 128 S.Ct. 2395, 76
U.S.L.W. 4488 (2008)

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 0521(c)

RE: Nondiscrimination
Mission-Goals-Objectives

Approved: May 12, 2015

Legal Reference: *Federal Express Corporation v. Holowecki* 128 S.Ct. 1147, 76 U.S.L.W. 4110 (2008)
 Kentucky Retirement Systems v. EEOC 128 S.Ct. 2361, 76 U.S.L.W. 4503 (2008)
 Sprint/United Management Co. v. Mendelsohn 128 S.Ct. 1140, 76 U.S.L.W. 4107 (2008)

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 4000.1/4200.1
No. 5145.44(a)

**RE: Title IX Sexual Harassment
Personnel/Students**

Approved: June 7, 2022
Revised: October 8, 2024, (New Date)

TITLE IX

Sexual harassment affects a student's ability to learn and an employee's ability to work. Providing an educational and workplace environment free from sexual harassment is an important district goal. The district does not discriminate on the basis of sex in any of its education programs or activities, and it complies with Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulations (34 C.F.R. Part 106) concerning everyone in the district's education programs and activities, including applicants for employment, students, parents/guardians, employees, and third parties.

TITLE IX SEXUAL HARASSMENT PROHIBITED

Sexual harassment as defined in Title IX (Title IX Sexual Harassment) is prohibited. Any person, including a district employee or agent, or student, engages in Title IX sexual harassment whenever that person engages in conduct on the basis of an individual's sex that satisfies one or more of the following:

1. A district employee conditions the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct; or
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's educational program or activity; or
3. Sexual assault as defined in 20 U.S.C. §1092(f)(6)(a)(v), Dating Violence as defined in 34 U.S.C. §12291(a)(10), Domestic Violence as defined in 34 U.S.C. §12291(a)(8), or Stalking as defined in 34 U.S.C. §12291(a) (30).

Examples of sexual harassment include, but are not limited to, touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, spreading rumors related to a person's alleged sexual activities, rape, sexual battery, sexual abuse, and sexual coercion.

DEFINITIONS (FROM 34 C.F.R. §106.30)

Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 4000.1/4200.1
No. 5145.44(b)

**RE: Title IX Sexual Harassment
Personnel/Students**

Approved: June 7, 2022
Revised: October 8, 2024, (New Date)

DEFINITIONS (FROM 34 C.F.R. §106.30) continued

Education program or activity includes locations, events, or circumstances where the district has substantial control over both the respondent and the context in which alleged sexual harassment occurs.

Formal Title IX Sexual Harassment Complaint means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the district investigate the allegation.

Respondent means an individual who has been reported to be the perpetrator of the conduct that could constitute sexual harassment.

Supportive Measures mean non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a Formal Title IX Sexual Harassment Complaint or where no formal Title IX Sexual Harassment Complaint has been filed.

TITLE IX SEXUAL HARASSMENT PREVENTION AND RESPONSE

The superintendent or designee will ensure that the district prevents and responds to allegations of Title IX sexual harassment as follows:

1. Ensures that the district's comprehensive health education program incorporates (a) age-appropriate sexual abuse and assault awareness and prevention programs in grades Pre-K through 12, and (b) age-appropriate education about the warning signs, recognition, dangers, and prevention of teen dating violence in grades 7-12. This includes incorporating student social and emotional development into the district's educational program as required by state law and in alignment with board policy.
2. Incorporates education and training for school staff as recommended by the superintendent, Title IX Coordinator, nondiscrimination coordinator, building principal, assistant building principal, dean of students, or a complaint manager.
3. Notifies applicants for employment, students, parents/guardians, employees, and collective bargaining units of this policy and contact information for the Title IX Coordinator by, at a minimum, prominently displaying them on the district's website, if any, and in each handbook made available to such persons.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 4000.1/4200.1
No. 5145.44(c)

**RE: Title IX Sexual Harassment
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Approved: June 7, 2022
Revised: October 8, 2024, (New Date)

MAKING A REPORT

A person who wishes to make a report under this Title IX Sexual Harassment grievance procedure may make a report to the Title IX Coordinator, nondiscrimination coordinator, building principal, assistant building principal, dean of students, a complaint manager, or any employee with whom the person is comfortable speaking. A person who wishes to make a report may choose to report to a person of the same gender.

School employees shall respond to incidents of sexual harassment by promptly making or forwarding the report to the Title IX Coordinator. An employee who fails to promptly make or forward a report may be disciplined, up to and including discharge.

The superintendent shall insert into this policy and keep current the name, office address, email address, and telephone number of the Title IX coordinator.

Title IX Coordinator:

Name: Grace Martinez, 1133 Blue Hills Avenue, Bloomfield, CT 06002
gmartinez@blmfld.org 860-769-4242

PROCESSING AND REVIEWING A REPORT OR COMPLAINT

Upon receipt of a report, the Title IX Coordinator and/or designee will promptly contact the complainant to: (1) discuss the availability of supportive measures, (2) consider the complainant's wishes with respect to supportive measures, (3) inform the complainant of the availability of supportive measures with or without the filing of a formal Title IX Sexual Harassment Complaint, and (4) explain to the complainant the process for filing a formal Title IX Sexual Harassment Complaint.

Further, the Title IX Coordinator will analyze the report to identify and determine whether there is another or an additional appropriate method(s) for processing and reviewing it. For any report received, the Title IX Coordinator shall review appropriate board policies pertaining to uniform grievance procedure; workplace harassment; abused and neglected child reporting; employee ethics; conduct; conflict of interest; harassment of students; prevention of and response to bullying, intimidation, and harassment; teen dating violence prohibited; student behavior, to determine if the allegations in the report require further action.

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Bloomfield, Connecticut

BOARD POLICY

No. 4000.1/4200.1
No. 5145.44(d)

**RE: Title IX Sexual Harassment
Personnel/Students**

Approved: June 7, 2022
Revised: October 8, 2024, (New Date)

PROCESSING AND REVIEWING A REPORT OR COMPLAINT (continued)

Reports of alleged sexual harassment will be confidential to the greatest extent practicable, subject to the district's duty to investigate and maintain an educational program or activity that is productive, respectful, and free of sexual harassment.

FORMAL TITLE IX SEXUAL HARASSMENT COMPLAINT GRIEVANCE PROCESS

When a formal Title IX Sexual Harassment Complaint is filed, the Title IX Coordinator will appoint a qualified person to undertake the investigation. The superintendent or designee shall implement procedures to ensure that all formal Title IX Sexual Harassment Complaints are processed and reviewed according to a Title IX grievance process that fully complies with 34 C.F.R. §106.45.23. The district's grievance process shall, at a minimum:

1. Treat complainants and respondents equitably by providing remedies to a complainant where the respondent is determined to be responsible for sexual harassment, and by following a grievance process that complies with 34 C.F.R. §106.45 before the imposition of any disciplinary sanctions or other actions against a respondent.
2. Require an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and provide that credibility determinations may not be based on a person's status as a complainant, respondent, or witness.
3. Require that any individual designated by the district as a Title IX Coordinator, investigator, decision-maker, or any person designated by the district to facilitate an informal resolution process:
 - A. Not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.
 - B. Receive training on the definition of sexual harassment, the scope of the district's education program or activity, how to conduct an investigation and grievance process (including hearings, appeals, and informal resolution processes, as applicable), and how to serve impartially.

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Bloomfield, Connecticut

BOARD POLICY

No. 4000.1/4200.1
No. 5145.44(e)

**RE: Title IX Sexual Harassment
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FORMAL TITLE IX SEXUAL HARASSMENT COMPLAINT GRIEVANCE PROCESS
(CONTINUED)

4. Require that any individual designated by the district as an investigator receiving training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.
5. Require that any individual designated by the district as a decision-maker receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.
6. Include a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
7. Include reasonably prompt timeframes for conclusion of the grievance process.
8. Describe the range of possible disciplinary sanctions and remedies the district may implement following any determination of responsibility.
9. Base all decisions upon the preponderance of evidence standard.
10. Include the procedures and permissible bases for the complainant and respondent to appeal.
11. Describe the range of supportive measures available to complainants and respondents.
12. Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

ENFORCEMENT

Any district employee who is determined, at the conclusion of the grievance process, to have engaged in sexual harassment will be subject to disciplinary action up to and including discharge. Any third party who is determined, at the conclusion of the grievance process, to have engaged in sexual harassment will be addressed in accordance with the authority of the board in the context of the relationship of the third party to the district, e.g., vendor, parent, invitee, etc.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 4000.1/4200.1
No. 5145.44(f)

**RE: Title IX Sexual Harassment
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Approved: June 7, 2022
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ENFORCEMENT (continued)

Any district student who is determined, at the conclusion of the grievance process, to have engaged in sexual harassment will be subject to disciplinary action, including, but not limited to, suspension and expulsion consistent with student behavior policies.

Any person making a knowingly false accusation regarding sexual harassment will likewise be subject to disciplinary action.

This policy does not increase or diminish the ability of the district or the parties to exercise any other rights under existing law.

RETALIATION PROHIBITED

The district prohibits any form of retaliation against anyone who, in good faith, has made a report or complaint, assisted, or participated or refused to participate in any manner in a proceeding under this policy. Any person should report claims of retaliation.

Any person who retaliates against others for reporting or complaining of violations of this policy or for participating in any manner under this policy will be subject to disciplinary action, up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students.

LEGAL REFERENCE: UNITED STATES CONSTITUTION, ARTICLE XIV

CIVIL RIGHTS ACT OF 1964, TITLE VII, 42 U.S.C.
S2000-E2(A).

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
POLICY GUIDANCE (N-915.035) ON CURRENT ISSUES OF
SEXUAL HARASSMENT, EFFECTIVE 10/15/88.

TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, 20
USCS §1681, ET SEQ.

TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, 34
CFR §106, ET SEQ.

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BOARD POLICY

No. 4000.1/4200.1
No. 5145.44(g)

**RE: Title IX Sexual Harassment
Personnel/Students**

Approved: June 7, 2022
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LEGAL REFERENCE: CONTINUED

TITLE IX FINAL RULE, 34 CFR §106.45, ET SEQ., MAY 6, 2020

34 CFR SECTION 106.8(B), OCR GUIDELINES FOR TITLE IX.

DEFINITIONS, OCR GUIDELINES ON SEXUAL HARASSMENT, FED. REG. VOL 62, #49, 29 CFR SEC. 1606.8 (A0 62 FED REG. 12033 (MARCH 13, 1997) AND 66 FED. REG. 5512 (JANUARY 19, 2001)

THE CLERY ACT, 20 U.S.C. §1092(F)

THE VIOLENCE AGAINST WOMEN ACT, 34 U.S.C. §12291(A)

MENTOR SAVINGS BANK, FSB V. VINSON 477 US.57 (1986)

FARAGHER V. CITY OF BOCA RATON, NO. 97-282 (U.S. SUPREME COURT, JUNE 26,1998)

BURLINGTON INDUSTRIES, INC. V. ELLERTH, NO. 97-569, (U.S. SUPREME COURT, JUNE 26,1998)

GEBBSER V. LAGO VISTA INDIANA SCHOOL DISTRICT, NO. 99-1866, (U.S. SUPREME COURT, JUNE 26,1998)

DAVIS V. MONRO COUNTY BOARD OF EDUCATION, NO. 97-843, (U.S. SUPREME COURT, MAY 24, 1999.)

CONNECTICUT GENERAL STATUTES

46A-60 DISCRIMINATORY EMPLOYMENT PRACTICES PROHIBITED.

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BOARD POLICY

No. 4000.1/4200.1
No. 5145.44(h)

**RE: Title IX Sexual Harassment
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Approved: June 7, 2022
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LEGAL REFERENCE: CONTINUED

CONN. AGENCIES REGS. §46A-54-200 THROUGH §46A-54-207

CONSTITUTION OF THE STATE OF CONNECTICUT,
ARTICLE I, SECTION 20.

P.A. 19-16 AN ACT COMBATTING SEXUAL ASSAULT AND
SEXUAL HARASSMENT

~~Prohibition of Sex Discrimination and Sexual Harassment in the Workplace~~

~~*Nondiscrimination Policy, Notices of Nondiscrimination, and Grievance Procedures (under the 2024 Amendments to the U.S. Department of Education's Title IX Regulations) Prohibition of Sex Discrimination and Sexual Harassment (Sex-based Harassment) in the Workplace*~~

~~Statement of Policy~~

~~Pursuant with 2024 's Title IX "Final Rule," The Bloomfield Public Schools ("the District") prohibits any form of sex-based discrimination or sex-based harassment in all Board of Education ("the Board") programs and activities. All students, staff, and third parties under the Board's authority are expected to follow this policy to maintain a work and educational environment free from sex-based harassment, insults, or intimidation on the basis of sex stereotypes, sex characteristics, sexual orientation, gender identity, and pregnancy or related conditions.~~

~~Conduct that may constitute a violation of the Board's policy includes those occurring under the District's education program or activity in the U.S., including conduct that is subject to the District's disciplinary authority. The District shall address matters that create a sex-based hostile environment under its education program and activity, even when some conduct alleged to be contributing to the hostile environment occurred outside the education program or activity or outside the U.S.~~

~~Any employee or student who engages in conduct prohibited by this Policy shall be subject to disciplinary action, up to and including termination or expulsion, respectively. Third parties who~~

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BOARD POLICY

No. 4000.1/4200.1
No. 5145.44(i)

**RE: Title IX Sexual Harassment
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~~engage in conduct prohibited by this policy will be subject to other sanctions, which may include exclusion from Board property and/or subject to civil and criminal penalties. All district employees are required to notify the District's Title IX Coordinator when the employee has information about conduct that reasonably may constitute sex discrimination and sex-based discrimination.—~~

~~The Board shall not adopt or implement a policy/practice/procedure regarding, or discriminating in its education program or activity against any student or employee based on the student's/employee's current, potential, or past parental, family, or marital status that treats students/employees differently on the basis of sex. The District shall ensure that when students or parents tell an employee of a student's pregnancy or related conditions unless the employee reasonably believes the Title IX Coordinator has been notified, the employee shall promptly provide the Title IX Coordinator's contact information and inform the person that the Statement~~

~~**Statement of Policy (continued)**~~

~~Coordinator can coordinate specific actions to prevent discrimination and ensure access. The District shall provide the student with information about the District's obligations, reasonable modifications, voluntary access to a separate comparable portion of the program/activity/or voluntary leaves of absence, and lactation space.—~~

~~The Superintendent of Schools shall develop Administrative Regulations ("Grievance Procedures") implementing this policy in accordance with Title IX, Title VII, and Connecticut law. The Grievance Procedures shall provide for adequate, reliable, and impartial investigation for all sex discrimination complaints, with specific requirements regarding evidence, response, and privacy.—~~

~~**Definitions (Referenced in the District's Grievance Procedures)**~~

~~**Sex Discrimination:** occurs when an employer refuses to hire, discipline, or discharge any individual or otherwise discriminates against an individual with respect to his, her, their compensation, terms, conditions, or privileges of employment on the basis of the individual's sex or gender identity. Sex discrimination (sex-based discrimination) also occurs when a person, because of the person's sex or gender identity, is denied participation in or the benefits of any education program or activity receiving federal financial assistance.—~~

~~**Sexual Harassment under Title IX and Connecticut Law:** means conduct on the basis of sex that satisfies one or more of the following:~~

- ~~1. —An employee of the Board conditioning the provision of aid, benefit, or service of the~~

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BOARD POLICY

No. 4000.1/4200.1
No. 5145.44(j)

**RE: Title IX Sexual Harassment
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~~Board on an individual's participation in unwelcome sexual conduct. (i.e., quid pro quo) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;~~

~~Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Board's education programs or activities. Such conduct has the purpose or effect of unreasonably interfering with~~

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~~**Definitions (Referenced in the District’s Grievance Procedures) (continued)**~~

~~2. — an individual’s work performance or creating an intimidating, hostile, or offensive working environment; or~~

~~3. — “Sexual Assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C 1229(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C 12291 (a)(30).~~

~~**Sexual Harassment under Title VII and Connecticut Law:** means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:~~

~~1. — Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment;~~

~~2. — Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or~~

~~3. — Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive work environment.~~

~~**Title IX Coordinator** is the person designated and authorized to coordinate the District’s efforts to comply with its responsibilities under Title IX (2024 Final Rule) and the regulations. If the District has more than one Title IX Coordinator, it must designate one of its Coordinators to retain ultimate oversight over those responsibilities and ensure the District’s consistent compliance with its responsibilities under Title IX. As appropriate, the District may delegate, or permit the Title IX Coordinator to delegate specific duties to one or more designees.~~

~~**Complainant** means:~~

~~1. — A student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations; or~~

~~2. — A person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations and who was participating or attempting to participate in the District’s education program or activity at the time of the alleged sex discrimination.~~

~~**Complaint** means an oral or written request to the District that objectively can be understood as a request for the District to investigate and make a determination about alleged discrimination under Title IX or its regulations.~~

~~**Disciplinary sanctions** mean consequences imposed on a respondent following a determination under Title IX that the respondent violated the District’s prohibition on sex discrimination.~~

~~**Party** means a complainant or respondent.~~

~~**Definitions (Referenced in the District’s Grievance Procedures) (continued)**~~

~~**Relevant** means related to the allegations of sex discrimination under investigation as part of~~

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No. 5145.44(I)

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~~these grievance procedures. Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decision maker in determining whether the alleged sex discrimination occurred.~~

~~**Remedies** means measures provided, as appropriate, to a complainant or any other person the recipient identifies as having had their equal access to the District's education program or activity limited or denied by sex discrimination. These measures are provided to restore or preserve that person's access to the recipient's education program or activity after the District determines that sex discrimination occurred.~~

~~**Respondent** means a person who is alleged to have violated the District's prohibition on sex discrimination.~~

~~**Retaliation** means intimidation, threats, coercion, or discrimination against any person under Board control, a student, or an employee or other person authorized by the Board to provide aid, benefit, or service under the District's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations.~~

~~**Sex-based harassment** is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, that is:~~

~~1. **Quid pro quo harassment.** An employee, agent, or other person authorized by the recipient to provide an aid, benefit, or service under the recipient's education program or activity explicitly or impliedly conditioning the provision of such aid, benefit, or service on a person's participation in unwelcome sexual conduct;~~

~~2. **Hostile environment harassment.** Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from a District education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:~~

~~a. The degree to which the conduct affected the complainant's ability to access the recipient's education program or activity;~~

~~b. The type, frequency, and duration of the conduct;~~

~~c. The parties' ages, roles within the District's education program or activity, previous~~

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No. 5145.44(m)

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~~interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;~~

- ~~d. The location of the conduct and the context in which the conduct occurred; and~~
- ~~e. Other sex-based harassment in the District's education program or activity; or~~

~~**3. Specific offenses.**~~

- ~~a. Sexual assault meaning an offense classified as a forcible or non-forcible sex offense under the uniform crime system of the Federal Bureau of Investigation;~~
- ~~b. Dating violence meaning violence committed by a person:
 - ~~i. Who is or has been in a relationship of a romantic or intimate nature with the victim; and~~
 - ~~ii. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - ~~1. The length of the relationship;~~
 - ~~2. The type of relationship; and~~
 - ~~3. The frequency of interaction between the persons involved in the relationship.~~~~~~
- ~~c. Domestic violence meaning felony or misdemeanor crimes committed by a person who:
 - ~~i. Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of the recipient, or a person similarly situated to a spouse of the victim;~~
 - ~~ii. Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;~~
 - ~~iii. Shares a child in common with the victim; or~~
 - ~~iv. Commits acts against youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.~~~~
- ~~d. Stalking meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 - ~~i. Fear for the person's safety or the safety of others; or~~
 - ~~ii. Suffer substantial emotional distress.~~~~

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No. 4000.1/4200.1
No. 5145.44(n)

**RE: Title IX Sexual Harassment
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~~Reporting Sex Discrimination, Sexual Harassment, or Sex-Based Harassment (continued)~~

~~**Supportive measures** means individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:~~

- ~~1. — Restore or preserve that party’s access to the District’s education program or activity, including measures that are designed to protect the safety of the parties or a school’s educational environment; or~~
- ~~2. — Provide support during the District’s grievance procedures or during an informal resolution process.~~

~~**Confidential employees** are those whose communications are privileged or confidential under federal or state law and whom the District has designated as confidential for the purpose of providing services to persons related to sex discrimination. “**Confidential employees**” are required to explain to any person informing them of conduct that reasonably may constitute sex discrimination (1) their confidential status and circumstances in which they are not required to notify the Title IX Coordinator about conduct that reasonably may constitute sex discrimination; (2) how to contact the Title IX Coordinator and to make a complaint; and (3) that the Title IX Coordinator may be able to offer and coordinate supportive measures and initiate an informal resolution process/investigation. The District shall notify all participants in its program or activity of how to contact confidential employees, if any.~~

~~Prohibition Against Retaliation~~

~~The District expressly prohibits intimidation, threats, coercion, or discrimination against any person by the District, a student, an employee, or other person authorized by the District to provide aid, benefit, or service under the District’s education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations. When the District has information about conduct that reasonably may constitute retaliation under Title IX or this part, the District will respond promptly and effectively within its Title IX framework.~~

~~Reporting Sex Discrimination, Sexual Harassment, or Sex-Based Harassment~~

~~The Board expressly encourages victims of sex discrimination, sexual harassment, or sex-based harassment to report such claims. Employees are encouraged to report complaints promptly in~~

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No. 5145.44(o)

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~~Reporting Sex Discrimination, Sexual Harassment, or Sex-Based Harassment (continued)~~

~~accordance with the appropriate process established in the grievance procedures provided in the Administrative Regulations~~

~~Employee violations of this Policy will not be permitted and may result in discipline, up to and including termination. Individuals who engage in acts of sex discrimination or sexual or sex-based harassment may also be subject to civil and criminal penalties.~~

~~The district administration will provide training to the Title IX Coordinator, those who may serve in the role of investigators, decision-makers, and any person who facilitates an informal resolution process. Training shall include the definition of sex and sex-based discrimination and sexual and sex-based harassment, the scope of the Board's education program and activity, how to conduct an investigation and implement the grievance process, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest and bias.~~

~~-~~

~~The Administration will periodically provide training to all Board employees on the topic of sex and sex-based discrimination and sexual and sex-based harassment under Title IX, Title VII, and Connecticut law, which includes but not be limited to when reports of discrimination and harassment must be made. The Administration will distribute this Policy and the Administrative Regulations to employees, union representatives, students, parents, and legal guardians and make the Policy and the Administrative Regulations available on the Board's website to promote an environment free from sex and sex-based discrimination and sexual and sex-based harassment. Administration will make the training materials used to provide these trainings publicly available on the Board's website.~~

~~The District Title IX Coordinator is (person and position). Any individual may make a report of sex and sex-based discrimination and/or sexual and sex-based harassment to the Title IX Coordinator using any one or multiple of the following points of contact:~~

- ~~❖ Office Address~~
- ~~❖ Email Address~~
- ~~❖ Phone Number~~

~~Any Board employee in receipt of allegations of sex or sex-based discrimination or sexual or sex-based harassment or in receipt of a formal complaint shall immediately forward such information to the Title IX Coordinator. Board employees may also make a report of sex or sex-based discrimination or sex-based harassment to the U.S. Department of Education: Office of Civil Rights, Boston Office, U.S. Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921 (Telephone: 617-289-0111).~~

~~Reporting Sex Discrimination, Sexual Harassment, or Sex-Based Harassment (continued)~~

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No. 4000.1/4200.1
No. 5145.44(p)

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~~Employees may also report sex or sex-based discrimination and/or sexual or sex-based harassment to the Connecticut Commission on Human Rights and Opportunities, 450 Columbus Boulevard, Hartford, CT 06103-1835 (Telephone: 860-541-3400 or Connecticut Toll-Free Number: 1-800-477-5737).~~

~~Notice of Non-Discrimination~~

~~The Bloomfield Board of Education (the “Board”) is obligated to provide an educational environment free from discrimination on the basis of sex and, therefore, prohibits any form of sex discrimination in any education program or activity that it operates, pursuant to Title IX (Final Rule, August 1, 2024). Therefore, the Board assigns the task of providing a notice of nondiscrimination to the Superintendent of Schools. Such discrimination or harassment prohibition includes students, staff, or third parties under the Board’s authority.~~

~~This notice is to be disseminated to students, parents, guardians, or other authorized legal representatives of elementary school and secondary school students, employees, applicants for employment, and all unions and professional organizations holding bargaining agreements with the District.~~

~~In addition to the above attestation, the notice of nondiscrimination shall direct all inquiries regarding Title IX to the District Title IX Coordinator, the U.S. Department of Education’s Office for Civil Rights, or both. This notice shall include the name and title, office address, email address, and telephone number of the District Title IX Coordinator. This notice shall also include that the District’s nondiscrimination policy and grievance procedures can be located at (include the link and location(s) to the District website). Finally, the notice shall include language that encourages those needing to report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX; please refer to (include the link to the location(s) on the District website).~~

~~To ensure full compliance, the Superintendent shall prominently include all elements of the Board’s notice of nondiscrimination on the District website and in each handbook, catalog, announcement, bulletin, and application form that the District makes available to people entitled to notice or which are otherwise used in connection with the recruitment of employees. Minimally, such notice shall be covered in the following statement:~~

~~Notice of Non-Discrimination (continued)~~

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 4000.1/4200.1
No. 5145.44(q)

**RE: Title IX Sexual Harassment
Personnel/Students**

Approved: June 7, 2022
Revised: October 8, 2024, (New Date)

~~*Pursuant to Title IX's 2024 Final Rule, the Bloomfield Public School District does not discriminate on the basis of sex and prohibits sex discrimination in any educational program or activity that it operates, as required by Title IX and its regulations, including in admission and employment.*~~

~~*Inquiries about Title IX may be referred to the Bloomfield Public School District's Title IX Coordinator, the U.S. Department of Education's Office for Civil Rights, or both. The Bloomfield Public School District Coordinator is the District Coordinator of Safety and can be reached the following ways:*~~

~~*(Name and Title): Ms. Grace Martinez
(Office Address): 1133 Blue Hills Avenue, Bloomfield, CT 06002
(Email Address) gmartinez@blmfld.org
(Telephone number): 860-769-4242*~~

~~*The Bloomfield Public School District's nondiscrimination policy and grievance procedures can be located on the website www.blmfld.org.*~~

~~*To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please refer to (include a link to the location(s) on the website or otherwise describe locations(s)).*~~

~~*Due to the format or size limitations of various publications, the District may instead include in those publications the information covered in the following statement:*~~

~~*The Bloomfield Public Schools prohibits sex discrimination in any educational program or activity that it operates. Individuals may report concerns or questions to the Title IX Coordinator. The notice of nondiscrimination is located at <https://www.bloomfieldschools.org/page/title-ix-information>*~~

~~*In developing administrative regulations conforming with 2024's Title IX Final Rule Regulations, the superintendent shall ensure the grievance procedures provide vital protections from all forms of sex-based harassment, including sexual violence and unwelcome sex-based conduct that creates a hostile environment by limiting or denying a person's ability to participate in or benefit from a school's education program or activity.*~~

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 4000.1/4200.1
No. 5145.44(r)

**RE: Title IX Sexual Harassment
Personnel/Students**

Approved: June 7, 2022
Revised: October 8, 2024, (New Date)

~~**Notice of Non-Discrimination** (continued)~~

~~District schools are required to take prompt and effective action to end any sex discrimination in their education programs and activities, prevent its recurrence, and remedy its effects. To that end, the Board shall require and support the training of employees about the school's obligation to address sex discrimination and the employee's obligation to notify or provide contact information for the Title IX Coordinator.~~

~~**Prohibition Against Retaliation**~~

~~The District expressly prohibits intimidation, threats, coercion, or discrimination against any person by the District, a student, an employee, or other person not authorized by the District to provide aid, benefit, or service under the District's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations. When the District has information about conduct that reasonably may constitute retaliation under Title IX or this part, the District will respond promptly and effectively within its Title IX framework.~~

~~**Reporting Sex Discrimination, Sexual Harassment, or Sex-Based Harassment**~~

~~The Board expressly encourages victims of sex discrimination, sexual harassment, or sex-based harassment to report such claims. Employees are encouraged to report complaints promptly in accordance with the appropriate process established in the grievance procedures provided in the Administrative Regulations~~

~~Employee violations of this Policy will not be permitted and may result in discipline, up to and including termination. Individuals who engage in acts of sex discrimination or sexual or sex-based harassment may also be subject to civil and criminal penalties.~~

~~Legal Reference:—United States Constitution, Article XIV
Civil Rights Act of 1964, Title VII, 42 U.S.C. §2000-e2 (a).
Equal Employment Opportunity Commission Policy Guidance (N-915.035) on Current Issues of Sexual Harassment, Effective 10/15/88.~~

~~Title IX of the Education Amendments of 1972, 20 USCS §1681, *et seq.*
Title IX of the Education Amendments of 1972, 34 CFR §106, *et seq.*~~

~~Legal Reference:—(continued)~~

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 4000.1/4200.1
No. 5145.44(s)

**RE: Title IX Sexual Harassment
Personnel/Students**

Approved: June 7, 2022
Revised: October 8, 2024, (New Date)

~~Title IX Final Rule, 34 CFR §106.45, et seq., May 6, 2020~~
~~34 CFR Section 106.8(b), OCR Guidelines for Title IX.~~
~~United States Constitution, Article XIV~~
~~Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol~~
~~62, #49, 29 CFR Sec. 1606.8 (a) 62 Fed Reg. 12033 (March 13, 1997) and 66 Fed. Reg. 5512~~
~~(January 19, 2001)~~
~~The Clery Act, 20 U.S.C. §1092(f)~~
~~The Violence Against Women Act, 34 U.S.C. §12291(a)~~
~~*Mentor Savings Bank, FSB v. Vinson* 477 US.57 (1986)~~
~~*Faragher v. City of Boca Raton*, No. 97-282 (U.S. Supreme Court, June 26, 1998)~~
~~*Burlington Industries, Inc. v. Ellerth*, No. 97-569, (U.S. Supreme Court, June 26, 1998)~~
~~*Gebbs v. Lago Vista Indiana School District*, No. 99-1866, (U.S. Supreme Court, June~~
~~26, 1998)~~
~~*Davis v. Monro County Board of Education*, No. 97-843, (U.S. Supreme Court, May 24, 1999.)~~
~~Connecticut General Statutes~~
~~46a-60 Discriminatory employment practices prohibited.~~
~~Conn. Agencies Regs. §46a-54-200 through §46a-54-207~~
~~Constitution of the State of Connecticut, Article I, Section 20.~~
~~P.A. 19-16 An Act Combatting Sexual Assault and Sexual Harassment~~
~~Title IX, Final Rule, August 1, 2024~~

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 4000.1/4200.1
No. 5145.44(a)

**RE: Title IX Sexual Harassment
Personnel/Students**

Approved: June 7, 2022
Revised: October 8, 2024, (New Date)

TITLE IX

Sexual harassment affects a student's ability to learn and an employee's ability to work. Providing an educational and workplace environment free from sexual harassment is an important district goal. The district does not discriminate on the basis of sex in any of its education programs or activities, and it complies with Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulations (34 C.F.R. Part 106) concerning everyone in the district's education programs and activities, including applicants for employment, students, parents/guardians, employees, and third parties.

TITLE IX SEXUAL HARASSMENT PROHIBITED

Sexual harassment as defined in Title IX (Title IX Sexual Harassment) is prohibited. Any person, including a district employee or agent, or student, engages in Title IX sexual harassment whenever that person engages in conduct on the basis of an individual's sex that satisfies one or more of the following:

1. A district employee conditions the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct; or
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's educational program or activity; or
3. Sexual assault as defined in 20 U.S.C. §1092(f)(6)(a)(v), Dating Violence as defined in 34 U.S.C. §12291(a)(10), Domestic Violence as defined in 34 U.S.C. §12291(a)(8), or Stalking as defined in 34 U.S.C. §12291(a) (30).

Examples of sexual harassment include, but are not limited to, touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, spreading rumors related to a person's alleged sexual activities, rape, sexual battery, sexual abuse, and sexual coercion.

DEFINITIONS (FROM 34 C.F.R. §106.30)

Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 4000.1/4200.1
No. 5145.44(b)

**RE: Title IX Sexual Harassment
Personnel/Students**

Approved: June 7, 2022
Revised: October 8, 2024, (New Date)

DEFINITIONS (FROM 34 C.F.R. §106.30) continued

Education program or activity includes locations, events, or circumstances where the district has substantial control over both the respondent and the context in which alleged sexual harassment occurs.

Formal Title IX Sexual Harassment Complaint means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the district investigate the allegation.

Respondent means an individual who has been reported to be the perpetrator of the conduct that could constitute sexual harassment.

Supportive Measures mean non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a Formal Title IX Sexual Harassment Complaint or where no formal Title IX Sexual Harassment Complaint has been filed.

TITLE IX SEXUAL HARASSMENT PREVENTION AND RESPONSE

The superintendent or designee will ensure that the district prevents and responds to allegations of Title IX sexual harassment as follows:

1. Ensures that the district's comprehensive health education program incorporates (a) age-appropriate sexual abuse and assault awareness and prevention programs in grades Pre-K through 12, and (b) age-appropriate education about the warning signs, recognition, dangers, and prevention of teen dating violence in grades 7-12. This includes incorporating student social and emotional development into the district's educational program as required by state law and in alignment with board policy.
2. Incorporates education and training for school staff as recommended by the superintendent, Title IX Coordinator, nondiscrimination coordinator, building principal, assistant building principal, dean of students, or a complaint manager.
3. Notifies applicants for employment, students, parents/guardians, employees, and collective bargaining units of this policy and contact information for the Title IX Coordinator by, at a minimum, prominently displaying them on the district's website, if any, and in each handbook made available to such persons.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 4000.1/4200.1
No. 5145.44(c)

**RE: Title IX Sexual Harassment
Personnel/Students**

Approved: June 7, 2022
Revised: October 8, 2024, (New Date)

MAKING A REPORT

A person who wishes to make a report under this Title IX Sexual Harassment grievance procedure may make a report to the Title IX Coordinator, nondiscrimination coordinator, building principal, assistant building principal, dean of students, a complaint manager, or any employee with whom the person is comfortable speaking. A person who wishes to make a report may choose to report to a person of the same gender.

School employees shall respond to incidents of sexual harassment by promptly making or forwarding the report to the Title IX Coordinator. An employee who fails to promptly make or forward a report may be disciplined, up to and including discharge.

The superintendent shall insert into this policy and keep current the name, office address, email address, and telephone number of the Title IX coordinator.

Title IX Coordinator:

Name: Grace Martinez, 1133 Blue Hills Avenue, Bloomfield, CT 06002
gmartinez@blmfld.org 860-769-4242

PROCESSING AND REVIEWING A REPORT OR COMPLAINT

Upon receipt of a report, the Title IX Coordinator and/or designee will promptly contact the complainant to: (1) discuss the availability of supportive measures, (2) consider the complainant's wishes with respect to supportive measures, (3) inform the complainant of the availability of supportive measures with or without the filing of a formal Title IX Sexual Harassment Complaint, and (4) explain to the complainant the process for filing a formal Title IX Sexual Harassment Complaint.

Further, the Title IX Coordinator will analyze the report to identify and determine whether there is another or an additional appropriate method(s) for processing and reviewing it. For any report received, the Title IX Coordinator shall review appropriate board policies pertaining to uniform grievance procedure; workplace harassment; abused and neglected child reporting; employee ethics; conduct; conflict of interest; harassment of students; prevention of and response to bullying, intimidation, and harassment; teen dating violence prohibited; student behavior, to determine if the allegations in the report require further action.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 4000.1/4200.1
No. 5145.44(d)

**RE: Title IX Sexual Harassment
Personnel/Students**

Approved: June 7, 2022
Revised: October 8, 2024, (New Date)

PROCESSING AND REVIEWING A REPORT OR COMPLAINT (continued)

Reports of alleged sexual harassment will be confidential to the greatest extent practicable, subject to the district's duty to investigate and maintain an educational program or activity that is productive, respectful, and free of sexual harassment.

FORMAL TITLE IX SEXUAL HARASSMENT COMPLAINT GRIEVANCE PROCESS

When a formal Title IX Sexual Harassment Complaint is filed, the Title IX Coordinator will appoint a qualified person to undertake the investigation. The superintendent or designee shall implement procedures to ensure that all formal Title IX Sexual Harassment Complaints are processed and reviewed according to a Title IX grievance process that fully complies with 34 C.F.R. §106.45.23. The district's grievance process shall, at a minimum:

1. Treat complainants and respondents equitably by providing remedies to a complainant where the respondent is determined to be responsible for sexual harassment, and by following a grievance process that complies with 34 C.F.R. §106.45 before the imposition of any disciplinary sanctions or other actions against a respondent.
2. Require an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and provide that credibility determinations may not be based on a person's status as a complainant, respondent, or witness.
3. Require that any individual designated by the district as a Title IX Coordinator, investigator, decision-maker, or any person designated by the district to facilitate an informal resolution process:
 - A. Not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.
 - B. Receive training on the definition of sexual harassment, the scope of the district's education program or activity, how to conduct an investigation and grievance process (including hearings, appeals, and informal resolution processes, as applicable), and how to serve impartially.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 4000.1/4200.1
No. 5145.44(e)

**RE: Title IX Sexual Harassment
Personnel/Students**

Approved: June 7, 2022
Revised: October 8, 2024, (New Date)

**FORMAL TITLE IX SEXUAL HARASSMENT COMPLAINT GRIEVANCE PROCESS
(CONTINUED)**

4. Require that any individual designated by the district as an investigator receiving training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.
5. Require that any individual designated by the district as a decision-maker receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.
6. Include a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
7. Include reasonably prompt timeframes for conclusion of the grievance process.
8. Describe the range of possible disciplinary sanctions and remedies the district may implement following any determination of responsibility.
9. Base all decisions upon the preponderance of evidence standard.
10. Include the procedures and permissible bases for the complainant and respondent to appeal.
11. Describe the range of supportive measures available to complainants and respondents.
12. Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

ENFORCEMENT

Any district employee who is determined, at the conclusion of the grievance process, to have engaged in sexual harassment will be subject to disciplinary action up to and including discharge. Any third party who is determined, at the conclusion of the grievance process, to have engaged in sexual harassment will be addressed in accordance with the authority of the board in the context of the relationship of the third party to the district, e.g., vendor, parent, invitee, etc.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 4000.1/4200.1
No. 5145.44(f)

RE: Title IX Sexual Harassment
Personnel/Students

Approved: June 7, 2022
Revised: October 8, 2024, (New Date)

ENFORCEMENT (continued)

Any district student who is determined, at the conclusion of the grievance process, to have engaged in sexual harassment will be subject to disciplinary action, including, but not limited to, suspension and expulsion consistent with student behavior policies.

Any person making a knowingly false accusation regarding sexual harassment will likewise be subject to disciplinary action.

This policy does not increase or diminish the ability of the district or the parties to exercise any other rights under existing law.

RETALIATION PROHIBITED

The district prohibits any form of retaliation against anyone who, in good faith, has made a report or complaint, assisted, or participated or refused to participate in any manner in a proceeding under this policy. Any person should report claims of retaliation.

Any person who retaliates against others for reporting or complaining of violations of this policy or for participating in any manner under this policy will be subject to disciplinary action, up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students.

LEGAL REFERENCE: UNITED STATES CONSTITUTION, ARTICLE XIV

CIVIL RIGHTS ACT OF 1964, TITLE VII, 42 U.S.C.
S2000-E2(A).

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
POLICY GUIDANCE (N-915.035) ON CURRENT ISSUES OF
SEXUAL HARASSMENT, EFFECTIVE 10/15/88.

TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, 20
USCS §1681, ET SEQ.

TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, 34
CFR §106, ET SEQ.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 4000.1/4200.1
No. 5145.44(g)

RE: Title IX Sexual Harassment
Personnel/Students

Approved: June 7, 2022
Revised: October 8, 2024, (New Date)

LEGAL REFERENCE: CONTINUED

TITLE IX FINAL RULE, 34 CFR §106.45, ET SEQ., MAY 6, 2020

34 CFR SECTION 106.8(B), OCR GUIDELINES FOR TITLE IX.

DEFINITIONS, OCR GUIDELINES ON SEXUAL HARASSMENT, FED. REG. VOL 62, #49, 29 CFR SEC. 1606.8 (A0 62 FED REG. 12033 (MARCH 13, 1997) AND 66 FED. REG. 5512 (JANUARY 19, 2001)

THE CLERY ACT, 20 U.S.C. §1092(F)

THE VIOLENCE AGAINST WOMEN ACT, 34 U.S.C. §12291(A)

MENTOR SAVINGS BANK, FSB V. VINSON 477 US.57 (1986)

FARAGHER V. CITY OF BOCA RATON, NO. 97-282 (U.S. SUPREME COURT, JUNE 26,1998)

BURLINGTON INDUSTRIES, INC. V. ELLERTH, NO. 97-569, (U.S. SUPREME COURT, JUNE 26,1998)

GEBBSER V. LAGO VISTA INDIANA SCHOOL DISTRICT, NO. 99-1866, (U.S. SUPREME COURT, JUNE 26,1998)

DAVIS V. MONRO COUNTY BOARD OF EDUCATION, NO. 97-843, (U.S. SUPREME COURT, MAY 24, 1999.)

CONNECTICUT GENERAL STATUTES

46A-60 DISCRIMINATORY EMPLOYMENT PRACTICES PROHIBITED.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 4000.1/4200.1
No. 5145.44(h)

RE: Title IX Sexual Harassment
Personnel/Students

Approved: June 7, 2022
Revised: October 8, 2024, (New Date)

LEGAL REFERENCE: CONTINUED

CONN. AGENCIES REGS. §46A-54-200 THROUGH §46A-54-207

CONSTITUTION OF THE STATE OF CONNECTICUT,
ARTICLE I, SECTION 20.

P.A. 19-16 AN ACT COMBATTING SEXUAL ASSAULT AND
SEXUAL HARASSMENT

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 5113.13(a)

RE: Work-Study Student Employment/Work-Release

Approved:

In cooperation with various local and area businesses and industries, the District shall establish and maintain work-study and work-release programs for students who are at least sixteen (16) years of age. Student work-release allows eligible students to be released during the school day to work for an employer.

Insofar as feasible, each of those work-experience programs shall be tailored to meet the vocational needs of the individual students by their school counselor, who shall guide them in selecting appropriate academic courses, and by the vocational coordinator, who shall ensure proper placement in the most relevant training/employment. Students' course schedules and graduation requirements take priority over work-study or work-release.

Program Conditions/Roles and Responsibilities

- Through the work-release program, students may earn eligible credits provided that the curriculum for those credits aligns directly with the course and other program requirements.
- The principal or designee, in collaboration with school counselors, will determine the maximum number of work hours for each student.
- The student must receive approval for work release from the principal or designee.
- The student must obtain written consent from the parent and/or legal guardian.
- The student must obtain a Promise of Employment letter from the prospective employer and apply for and be issued working papers.
- The student must show proof of employment, which will be reviewed quarterly by the principal or designee.
- The student is responsible for maintaining good academic standing, attendance, and behavior in both school and vocational settings.
- The principal or designee is responsible for ensuring that student work-release is compliant with Connecticut's Student Work-Release Policy, including but not limited to:
 - Discussing the student work-release program with each student;
 - Verifying eligibility and reviewing quarterly with the student; and
 - Adhering to all applicable laws, including the Guidelines and Procedures for the Employment of Minors in Connecticut.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 5113.13(b)

RE: Work-Study Student Employment/Work-Release

Approved:

Eligibility Requirements:

- Work-release may be provided to any student who is at least 16 years of age and who is enrolled in the district's high school and must comply with state labor laws.
- The student must be in good standing academically and on track to graduate within four years, as determined by the school principal or designee.
- The student must have an acceptable attendance record and must not be considered "chronically absent."
- The student must have a record demonstrating their ability to comply with school behavioral expectations and be deemed able to comply with workplace attendance and behavioral expectations.

Legal References: Connecticut General Statutes
4-124II. Model Student Work-Release Policy
Public Act 24-45, An Act Concerning Mandate Relief, School Discipline
and Disconnected Youth

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 9230(a)

RE: New Board Member Orientation

Approved:

The Board of Education and the administrative staff shall assist each new Board member-elect to become familiar with and to understand the Board of Education's functions, policies, procedures, and operation of the school district before the member takes office. The following methods shall be employed:

1. The incoming member shall be given selected materials on the function of the Board of Education and the school district.
2. The incoming member shall be invited to attend Board meetings and functions and to participate in its discussions.
3. The Superintendent shall arrange a meeting of the Board Chairperson, the Superintendent, and the new member to answer questions and acquaint the member with the district.
4. The incoming member shall be provided with a copy of the Board's policies and bylaws, administrative regulations, and copies of pertinent materials developed by the State School Board Association, Board minutes for the past year, and other helpful information explaining the Board's roles and responsibilities.
5. The Board Chairperson or designee shall arrange a meeting with the new Board member(s) to explain and answer questions about Board processes and procedures.
6. The Board Chairperson may request a veteran Board member to mentor a new member.
7. The incoming member may attend, at district expense, workshops for newly elected members as approved by the Board of Education.
8. First-time elected board members are to complete a training program that minimally includes the following:
 - The role and responsibilities of a board member;
 - The duties and obligations of a board of education;
 - School district budgeting and education finance.
 - This training must be completed at a time determined by the Connecticut Department of Education (CSDE), but not later than one year after assuming office.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 9230(b)

RE: New Board Member Orientation

Approved:

Candidates

The Superintendent or his/her designee shall invite all current candidates for the office of Board of Education member to attend (1) Board meetings, except that this invitation shall not extend to any executive sessions, and (2) pre-election workshops for candidates.

Legal Reference: Public Act 23-167, An Act Concerning Transparency in Education requires first-time board members to complete a prescribed training program at a time determined by CSDE, but no later than one year after assuming office. Sections 2 and 3

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 9230(a)

RE: New Board Member Orientation

Approved:

Because the Board, as the policy making authority of the Bloomfield Public Schools, is responsible to the public for the success of all educational services offered by the school system, and because that success is directly dependent upon each Board member's ability to participate meaningfully in the decision making process that governs this system, it shall be the policy of the Board to provide, as soon as practicable, for the orientation of new members. The purpose of the orientation is to help new members become quickly acquainted with their Board duties and responsibilities.

Orientation of new Board members will begin at the outset of their candidacy and continue throughout the election process. Prior to elections, beginning as soon as the individual's candidacy is known, the candidates will receive from the Board a brief overview of the Bloomfield Public School district. The candidates will be placed on a mailing list to receive notices from the Board, other meetings, and summary reports of Board action. Candidates will also be informed that additional information pertinent to each Board agenda item is available to them through the Central Office.

After the general election in November, and prior to the new members officially assuming the position in December, the new members will be invited to meet with the Superintendent and other administrative personnel to discuss services to be performed for the Board, and to allow them to request any other information they may deem desirable. Each new member will also receive an orientation packet from the Superintendent's office and will be notified of and given the opportunity to attend sessions of the Connecticut Association of Boards of Education or similar new Board member orientation.

The packet will include:

1. A copy of the Board's policies, rules, and regulations.
2. A copy of the current school budget and the latest financial statement.
3. A new Board Member packet from CAFE.
4. Any other materials relevant to duties and responsibilities as members of the Bloomfield Public Schools.

First-time elected board members are to complete a training program that minimally includes the following:

1. The role and responsibilities of a board member;
2. The duties and obligations of a board of education;
3. School district budgeting and education finance.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 9230(b)

RE: New Board Member Orientation

Approved:

This training must be completed at a time determined by the Connecticut Department of Education (CSDE), but not later than one year after assuming office.

Legal Reference: Public Act 23-167, An Act Concerning Transparency in Education requires first-time board members to complete a prescribed training program at a time determined by CSDE, but no later than one year after assuming office. Sections 2 and 3

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 3541(a)

RE: Transportation - Students

Adopted: 11/12/2002

Revised: 10/6/2015

Revised:

Statement of Policy

The Board of Education will provide transportation for students under provisions of state law and regulations. In determining the provision of transportation, the superintendent of schools shall consider the guidelines contained in this policy and shall administer the operation so as to:

1. provide for the safety of students.
2. supplement and reinforce desirable student behavior patterns.
3. assist disabled students appropriately.
4. enrich the instructional program through carefully planned field trips as recommended by the staff.

Definitions

1. "**School transportation**" means the procedure, program, or implemented plan by which a pupil is transported to and/or from school from his/her residence or the bus stop at public expense, whether by use of publicly owned equipment or by contract. Such transportation shall be over public roads approved by the municipality or private roads approved pursuant to C.G.S. Section 10-220c.
2. "**Walking distance**" means the linear measure of a prescribed or authorized pedestrian route between the pupil's residence and his/her school from a point at the curb or edge of a public or private road nearest the pupil's residence to a point at the entrance of the school, or a safe entrance to the school grounds located within one hundred feet of the school building entrance or the bus pick-up area, or the route from the point on the public thoroughfare nearest the residence to the school bus or vehicle embarkation point established by the Bloomfield Board of Education.
3. "**One mile walking distance**" means a reasonable measurement of a route to be traversed extending from the point of measurement at least 5,280 feet, but not more than 5,380 feet. regulations designed to effectively and respectfully address family responsibility for unpaid meals.
4. "**Grade K**" means kindergarten, or a school program appropriate to a beginning pupil.
5. "**Hazard**" means a thing or condition, as prescribed in this policy under "Hazardous Conditions" that affects the safety of pupils walking to and from school and/or a designated bus pick-up area.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 3541(b)

RE: Transportation - Students

Adopted: 11/12/2002

Revised: 10/6/2015

Revised:

Definitions (continued)

6. "**Sidewalk**" means a portion of the landscape right of way approximately three feet wide, usually parallel to the traffic lanes which may be paved or unpaved, and marked by curbing, drainage ditch, grass area or fencing; apart from and independent of any white line safety markings along the street pavement.
7. "**Raised walk area**" means a portion of the landscape right of way approximately three feet wide, usually parallel to the traffic lanes which may be paved or unpaved, distinguished by some elevation above the street pavement level and marked by curbing, drainage ditch, grass area or fencing; apart from and independent of any painted safety markings along the street pavement.
8. "**Pupil**" means any individual of school age enrolled in a public or nonprofit private school located within the school district or contiguous school district as the case may be.

Provision of Transportation

Transportation by private carrier may be provided whenever such practice is more economical than using school district-owned/leased facilities. If parents volunteer, and the administration permits, parents may be reimbursed for transportation of eligible students whenever such practice is more economical or convenient for the school district.

In determining the provision of transportation for resident public and eligible private school students, the following guidelines regarding walking distances will be considered. Distance measurements will be based on the most direct route from the student's home beginning at a point at the curb or edge of a public road or highway nearest the home to the edge of the school property or bus pickup areas.

<u>Grade</u>	<u>Limit</u>
K	1 mile
1-3	1 mile
4-6	1 ¼ miles
7-12	1 ½ miles

Students living within the stated distance limits will receive transportation when, in the opinion of the Board, it is in the best interests of the district to provide transportation.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 3541(c)

RE: Transportation - Students

Adopted: 11/12/2002

Revised: 10/6/2015

Revised:

Hazardous Conditions

Priorities in the arrangement of bus routes include: safety, efficiency and the cost factor. Safety factors may vary with pickup and drop off and so be reflected in the bus route regarding service.

The administration shall consider the following guidelines for hazardous conditions when making decisions regarding the transportation of children:

1. A street or road having an adjacent or parallel sidewalk or raised walk area shall be deemed hazardous when any one of the following conditions exist:
 - a. For pupils under age ten, or enrolled in grades K through 3:
 - i. the absence of a pedestrian crossing light or crossing guard where three or more streets intersect; OR
 - ii. street crossings where there are no stop signs or crossing guards and the traffic count during the time that pupils are walking to or from school exceeds sixty vehicles per hour at the intersection.
 - b. For pupils over age ten, or enrolled in grades 4 through 12, the absence of a traffic light or stop signs or crossing guard at an intersection where three or more streets intersect which has a traffic count which exceeds ninety vehicles per hour during the time that pupils are walking to or from school;
 - c. For all pupils:
 - i. any street, road, or highway with speed limits in excess of forty miles per hour which does not have pedestrian crossing lights or crossing guards or other safety provisions at points where pupils must cross when going to or from school or the bus stop; OR
 - ii. the usual or frequent presence of any nuisance such as open manholes, construction, snow plowed or piled on the walk area making walkways unusable, loading zones where delivery trucks are permitted to park on walkways, commercial entrances and exits where cars are crossing walking areas at speeds in excess of five miles per hour, and the like, including such nuisances which are hazardous or attractive to children.
2. Any street, road, or highway that has no sidewalks or raised walk areas shall be deemed hazardous if any one of the following conditions exist:

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Bloomfield, Connecticut

BOARD POLICY

No. 3541(d)

RE: Transportation - Students

Adopted: 11/12/2002

Revised: 10/6/2015

Revised:

Hazardous Conditions (continued)

- a. For pupils under age ten, or enrolled in grade K through 3:
 - i. any street, road, or highway possessing a traffic count of sixty or more vehicles per hour at the time that pupils are walking to or from school; OR
 - ii. any street, road, or highway possessing a speed limit in excess of thirty miles per hour.
- b. For all pupils:
 - i. the presence of man-made hazards including attractive nuisances, as stated in 1(c)(ii) above; OR
 - ii. any roadway available to vehicles that does not have a minimum width of approximately twenty-two feet; OR
 - iii. any roadway available to vehicles that, when plowed free of snow accumulations, does not have a minimum width of approximately twenty feet; OR
 - iv. any street, road, or highway where the line-of-sight visibility together with posted speed limits do not permit vehicular braking/stopping in accordance with the Connecticut Drivers Manual or Department of Transportation, Division of Design Standard, or other reasonable standard.
3. Any walkway, path, or bridge in an area adjacent or parallel to railroad tracks shall be considered hazardous unless a suitable physical barrier along the entire pedestrian route is present and fixed between pupils and the track; and any crossing of railroad tracks carrying moving trains during hours that pupils are walking to or from school or to and from a designated bus pick-up area shall be deemed hazardous unless:
 - a. a crossing guard is present; OR
 - b. for pupil under age ten, an automatic control bar is present at crossings; OR
 - c. for pupils over age ten, a bar or red flashing signal light is operational.
4. For pupils in grades K through 4, the following conditions shall be deemed hazardous:

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BOARD POLICY

No. 3541(e)

RE: Transportation - Students

Adopted: 11/12/2002

Revised: 10/6/2015

Revised:

Hazardous Conditions (continued)

- a. a lake, pond, stream, culvert, water-way, or bridge shall be deemed a hazard in the absence of a fence or other suitable barrier fixed between the pupil and the water;
OR
 - b. any area adjacent to a roadway, sidewalk, or bridge having a drop of three or more feet per four feet of travel length on either side of the established lanes, in the absence of a fence or other suitable barrier.
5. For pupils in grades K through 8, walking to or from school or the bus stop at any time prior to one-half hour before sunrise or any time one-half hour after sunset shall be deemed hazardous.
 6. For all students, walking along any street, road, walkway, sidewalk, or path designated as a walking route which passes through an area which has a history of aggressive acts of molestation resulting in actual or threatened physical harm or moral degradation during the hours when pupils ordinarily walk to or from school shall be deemed hazardous.\

Applicability and Exceptions

1. **This policy is applicable to public roads approved and maintained by the municipality or State of Connecticut, or private roads approved for passage of school transportation vehicles in accordance with C.G.S. Section 10-220c.** ~~This policy is applicable to private roads approved for passage of school transportation vehicles in accordance with C.G.S. Section 10-220e.~~
2. Special Education pupils and pupils eligible for accommodations under Section 504 of the Rehabilitation Act shall be judged on an individual basis, and appropriate transportation provided.
3. The Board of Education may grant an exception to any guideline set forth in this policy where a peculiar condition or combination of conditions renders such condition(s) a hazard based upon reasonable judgment; or where under the circumstances, other conditions exist under which the safety of students necessitates a variance with the guidelines within this policy.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 3541(f)

RE: Transportation - Students

Adopted: 11/12/2002

Revised: 10/6/2015

Revised:

Access to Bus Stops/Transportation

Parents and/or guardians are responsible for ensuring the safety of their children up until the, point when students board the school bus or other school provided transportation, and after students get off the bus after school. This responsibility includes the selection of walking routes to/from any bus stop and/or the school building and the provision of supervision that is appropriate to the student's age, maturity and conditions along the walking route and/or at the bus stop at all times.

Given that bus pick up times may vary, the Board expects that parents and/or guardians will ensure that their children arrive at the bus stop 10 minutes in advance of any scheduled pick-up time.

Bus drivers are required to maintain a regular time schedule and pupils are required to be at a designated stop on time. Driver will stop only at designated places.

Students in grades PreK through 2 shall be released from school bus transportation only when an authorized adult or parent-designated individual is present at the bus stop. If no authorized individual is present at the time of drop-off, the student shall not be released and shall be returned to the school.

Requests to extend, add or change existing bus routes, or to add or change a bus stop, should be made in writing to the school office or Principal who shall confer with the appropriate personnel, i.e. the district Transportation Coordinator and bus contractor.

Alternate Care Requests

Requests to have a student picked up and/or dropped off at-a home childcare must be made in writing to the Transportation Coordinator. These requests will be honored provided the there is an existing bus route assigned to that location in the district and there is seating space available on the bus. Seating priority will be given to students who residences are located on an existing bus route. (These requests will only be granted for Bloomfield residents for a home or childcare site located in the Town of Bloomfield)

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 3541(g)

RE: Transportation - Students

Adopted: 11/12/2002

Revised: 10/6/2015

Revised:

Eligibility for Out-of-Town Transportation

Bloomfield Public Schools will not provide transportation to out-of-town schools except as required by State Statutes.

- Any resident of the school district under twenty-one years of age who is not a high school or vocational school graduate and who is attending a state vocational school shall be eligible for transportation.
- A student who is placed by a Planning and Placement Team for special education reasons in either a public or private educational institution out-of-town shall be provided the necessary transportation.

Transportation Dispute and Appeal

When a decision regarding transportation services is disputed, the Board of Education shall provide an appeal process and conduct any required hearing in accordance with Connecticut General Statutes §10-186.

Any parent, guardian, student who is 18 years of age or older, or any official responsible for enforcing school attendance laws may appeal a transportation decision by following these steps:

1. The matter shall first be discussed with the Principal of the school to which the student is assigned.
2. If the matter is not resolved at the school level, it shall be referred to the Transportation Coordinator.
3. If the matter remains unresolved, it shall be submitted to the Superintendent of Schools or designee for review.

Any parent, guardian, student who is 18 years old or older, or any official responsible for enforcing school attendance laws may request a hearing in writing if they believe the Superintendent or their designee is not providing required school services—such as transportation—in accordance with Connecticut law or Board regulations. The hearing will be held before the Board of Education or an impartial hearing officer to review the concern and determine whether the required services have been properly provided.

The Board shall hold a hearing within ten (10) days following receipt of such request.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 3541(h)

RE: Transportation - Students

Adopted: 11/12/2002

Revised: 10/6/2015

Revised:

Transportation Dispute and Appeal (continued)

Transportation hearings will be conducted in accordance with Connecticut General Statutes, Section 10-186, and with Connecticut General Statutes, Sections 4-177 to 4-180, inclusive upon written request.

Safety Complaint Procedure

The superintendent of schools shall develop and implement a procedure for the reporting of all complaints relative to school transportation safety and shall cause to be maintained a written record of all such complaints received. (See Policy 3541.5)

Legal Reference: Connecticut General Statutes

- 10-186 Duties of local and regional boards of education.
- 10-220 Duties of boards of education.
- 10-221c Development of policy for reporting complaints regarding school transportation safety
- 14-275b Transportation of mobility impaired students.
- 14-275c Regulations re school buses and motor vehicles used to transport special Education students.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 5131.1(a)

RE: Bus Conduct

Approved: Date

Transportation provided by the district is a privilege contingent upon satisfactory student behavior while riding school buses and while waiting at bus stops.

The bus driver shall be responsible for maintaining order and addressing student conduct while the bus is in operation. Instances of misconduct shall be reported to the appropriate school administrator, who shall be responsible for reviewing the matter and determining any necessary disciplinary action in accordance with district policy. School buses shall be considered an extension of the school environment; accordingly, school administrators shall be responsible for overseeing and addressing student conduct on buses serving their respective schools.

Students shall be informed that misconduct while awaiting or receiving transportation to and from school, which endangers persons or property or violates Board policy or administrative regulations, may result in suspension of transportation privileges. School administrators shall implement such suspensions in accordance with Policy 5131, Student Conduct and Discipline.

Standards for appropriate student behavior on school buses shall be established in the administrative regulations associated with Policy 5131. These rules shall be communicated to students and parents/guardians at the beginning of each school year.

Bus drivers shall interact with students in a professional, respectful, and consistent manner. Students are expected to respond in a similar manner. Communication between drivers and students shall be limited to that which supports the safe operation of the vehicle and appropriate student conduct.

Legal Reference: Connecticut General Statutes

[10-186](#) Duties of local and regional Boards of education re school attendance.

[10-220](#) Duties of boards of education.

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

[10-233c](#) Suspension of students.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

ADMINISTRATIVE REGULATION

No. 5131.1(a)

RE: Bus Conduct

Approved: Date

The following list of rules are to be observed by all students riding school buses and are to be strictly enforced by all bus drivers:

1. The driver is in complete charge of the bus and the children being transported. The driver may make changes in seating and may take all reasonable steps to ensure the safety of his/her bus and its passengers. They will report misconduct to the appropriate school administrator.
2. Students must remain seated at all times while the bus is in motion. Students may leave their seats only when the bus is stopped and directed by the driver or stopped at their destination.
3. No student shall leave the bus without permission from the driver or school administrator except at the student's regular bus stop or at the school.
4. Conduct on the buses will be like classroom conduct where reasonable conversation is permissible. Inappropriate behavior of any form or manner is not permissible.
5. Students who refuse to comply with regulations will be advised that they may be suspended from transportation services under the conditions set forth in the Conduct and Discipline policy and regulation at 5131 of this manual. Suspensions may only be issued by the School Administrator.
6. Students who damage or deface bus or equipment on the bus will be held liable for such damage.
7. Conversation with the driver while the bus is in motion is not permitted except to call the driver's attention to any inappropriate behavior or conduct that might jeopardize the safety of one of its riders.
8. Students must not, at any time, extend their arms or heads out of a bus window.
9. The use of tobacco, electronic nicotine delivery systems (e.g. e-cigarettes), vapor products, drugs, narcotics, alcoholic beverages or any controlled substance in any form on a school bus is prohibited by state law.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

ADMINISTRATIVE REGULATION

No. 5131.1(b)

RE: Bus Conduct

Approved: Date

Bus Conduct – Rules (continued)

10. No indecent or profane language will be permitted, and there will be no loud or disturbing talking.
11. Bus windows shall not be opened without the driver's permission.
12. Upon entering or leaving a school bus, students will avoid crowding or disturbing others. Students boarding a bus at a point where others debark from it will always stand back away from the door and let those who are getting off out before they attempt to Board the bus.
13. Students must not throw any articles away in or about the bus.
14. Students shall not eat food or consume beverages while riding on school buses or other school-provided transportation.
15. The bus must be kept clean, and students must cooperate in this by not leaving waste paper or trash of any kind that will clutter up the bus.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

ADMINISTRATIVE REGULATION

No. 5132(a)

RE: Dress and Grooming - Students

Approved: Date

This administrative regulation provides guidance to schools regarding the implementation of Board of Education Policy 5132 – Dress and Grooming.

Definitions

1. **Attire:** Clothing, including outerwear, headwear, accessories such as scarves or jewelry, and shoes.
2. **Grooming:** Makeup, tattoos, and hair style.
3. **Dress Code:** A set of parameters determined by the District that describes standards for student attire and grooming.

Basic Dress Code

1. **Minimum Safe Attire:** Student attire and grooming must permit the student to participate in learning without posing a risk to the health or safety of any student or school personnel.
 - a. Students must wear clothing including both a shirt with pants or skirt, or the equivalent (dresses, leggings, yoga pants, shorts, sweatpants).
 - b. Shirts and dresses must have fabric in the front and on the sides (under the arms).
 - c. Clothing must cover undergarments and must not be see-through.
 - d. Shoes which are safe and appropriate for weather, course assignments, athletic and other conditions (no bare feet or slippers).
 - e. Clothing must be suitable for all scheduled classroom activities, including physical education, science labs, shop and other activities where unique hazards exist. Specialized courses may require specialized attire, such as sports uniforms or safety gear.
 - f. The following attire is prohibited:
 - Accessories that could be considered dangerous weapons or could be used as a weapon
 - Sunglasses inside the school building (except for medical reasons)
 - Headphones/earbuds during class time (unless indicated in student plan as allowed)
 - Pajamas

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

ADMINISTRATIVE REGULATION

No. 5132(b)

RE: Dress and Grooming - Students

Approved: Date

Prohibited attire continued:

- Any hat, scarf or head covering, including those that obscure the face (except as a religious observance or for medical reasons, such as a medical face mask)
- No pants hanging below the waistline, exposing buttocks/underwear or shorts worn under pants (“no sagging”).
- Clothing may not depict, advertise or advocate the use of alcohol, tobacco, marijuana or other controlled substances.
- Clothing may not depict pornography, nudity or sexual acts.
- Clothing may not use or depict hate speech targeting groups based on race, ethnicity, gender, sexual orientation, gender identity, religious affiliation or any other protected classification.
- Clothing, including gang identifiers, must not pose a threat to the health or safety of any other student or staff.

Enforcement must accommodate clothing worn by students as an expression of sincerely held religious beliefs (head scarves, for example) and worn by students with disabilities (protective helmets, for example).

3. **Parent Responsibility:** Board Policy #[5132](#) provides: "The responsibility for the dress and grooming of a student rests primarily with the student and his or her parents or guardians." Parents or guardians are responsible for ensuring student compliance with the school dress code.
4. **Student Responsibility:** All students at all schools are responsible for complying with the district dress code during school hours and school activities.
5. **Staff Responsibility:** To equitably enforce the District dress code, teachers, administrators and all school staff must be notified of the policy at the beginning of the school year with a refresher in early spring in regards to its purpose and spirit, and how to enforce it without shaming students or disproportionately impacting certain student groups. Staff should be guided by the dress code policy and follow the letter and spirit of the District dress code.
6. **Enforcement:** When a school staff member or school administrator discusses a dress or grooming violation with a student, it is recommended that another adult should be present and at least one of the two adults should be the same sex as the student. Unless there is an immediate concern, a student should not be spoken to about a dress code violation in front of other students.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

ADMINISTRATIVE REGULATION

No. 5132(c)

RE: Dress and Grooming - Students

Approved: Date

Enforcement is to be consistent with a school's overall discipline plan. Violations should be treated as minor on the continuum of school rule violations. No student is to be disproportionately affected by dress code enforcement because of gender, race, body size or body maturity.

Training for School Administrators, Teachers & Students

A dress code is most effective when school administrators and teachers are trained to understand and embrace the intent of the code, how to apply and enforce the code equitably, and how to talk about the dress code and the reasoning behind it. Therefore:

1. School administrators and teachers should be trained to understand the purpose/spirit of the code, the actual code, and how to enforce with the least impact on student learning and self-confidence.
2. School administrators and teachers must enforce the District dress code consistently. School administration and staff do not have discretion to vary the requirements in ways that lead to discriminatory enforcement.
3. School staff must be trained and able to use student/body-positive language to explain the code and to address code violations.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 5132(a)

RE: Student Dress
Students

Adopted: 3/23/2010
Approved: 10/6/2015
Revised: Date

The Board of Education encourages students to dress in clothing appropriate to the school situation. The primary responsibility for a student's attire resides with the student and their parent(s) or guardian(s). The District is responsible for seeing that student attire does not interfere with the health or safety of any student, that student attire does not contribute to a hostile or intimidating atmosphere for any student and that dress code enforcement does not increase marginalization or suppression of any group based on race, sex, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance or body type/size.

Restrictions on freedom of student dress may be applied whenever the mode of dress in question:

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

Any restriction to the way a student dresses must be necessary to support the District's over-all educational goals.

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

Legal Reference: Connecticut General Statutes
[10-221](#) Boards of education to prescribe rules

Bloomfield High School Dress Code



2024-2025

As clear communication is one of the major pillars of Bloomfield High School, it is important that scholars and families recognize the importance of non-verbal communication via student apparel. It is in the spirit of proper communication that students wear clothing that communicates the high expectations that we have for all Bloomfield High School scholars.

Accepted Dress Code

- Clean and properly fitted
- Tops (with fabric in the front, back, and on the sides under the arms)
- Shoes, boots, sneakers, sandals, etc. (no bare feet, or slippers)

Not Permitted

- Clothing with images or language depicting drugs or alcohol (or any illegal item or activity)
- Clothing that reveals undergarments (including midriffs)
- Clothing with hate speech, violence, profanity or pornography
- Clothing with images or language that creates a hostile or intimidating environment based on any protected class.
- Accessories that could be considered dangerous or could be used as a weapon.
- Sunglasses inside the school building (except for medical reasons).
- Headphones/earbuds during class time (unless indicated in student plan as allowed)
- Pajamas
- Any hat, scarf or head covering, including those that obscure the face (except as a religious observance or for medical reasons, such as a medical face mask).
- No pants hanging below the waistline, exposing buttocks/underwear or shorts worn under pants "No sagging"

***Outerwear worn to school must be placed in student lockers upon arrival (Reference [Board of Education Policy No. 5132\(b\)](#))**

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 5132(a)

**RE: Student Dress
Students**

Adopted: 3/23/2010

Approved: 10/6/2015

The Bloomfield Board of Education believes that reasonable regulation of student attire in the schools furthers important educational interests. Accordingly, the Board has established a dress code for all students enrolled in the Bloomfield Public Schools.

GRADES K-8

Uniforms are mandatory for all students enrolled in the Bloomfield Public Schools in kindergarten up to and including grade 8. The designated uniform shall be as follows:

- a. Tops: Short- or long-sleeved collared (polo) shirts in either white or the designated color for the individual school the student attends. Shirts must be tucked into skirts or pants. Shirts with each school's logo may be purchased through the school, but shall not be required.
- b. Bottoms:
 - i) For boys and girls: casual or dress pants sized to fit the student, of twill or corduroy, in solid khaki, navy or black only. All other types of pants, including but not limited to jeans, overalls, sweatpants, velour or other athletic pants, and tight fitting or sagging pants, are not permitted. From May through the end of October, students may wear shorts sized to fit the student, of twill or corduroy, in solid khaki, navy or black only.
 - ii) For girls: skirts or jumpers that are not more than 3" above the middle of the knee (front and back), sized to fit the student, of twill or corduroy, in solid khaki, navy or black only, may be worn. Tight fitting skirts and/or jumpers are not permitted.
- c. Footwear: Dress shoes, sneakers or low cut boots only. Open toed shoes are not permitted.
- d. Sweaters: Khaki, navy, black or school colors. No sweatshirts.
- e. Exceptions for Physical Education classes and recess will be addressed in the student handbook by each school.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 5132(b)

Bloomfield High School

- **Pants** – Pants must be appropriately fitted at the waist and belted. Tan, navy blue or black pants are acceptable. Absolutely NO baggies, cargo pants, jeans or sweat suit pants, pajamas, logos, insignias, pictures or messages will be allowed on pants or shorts.
- **Shorts** – Shorts must be appropriately fitted at the waist and belted. Tan, navy blue or black shorts are acceptable. Shorts can be no more than 3 inches above the middle of the knee (front and back).
- **Shirt** – Shirts may be button down Oxford style shirt or Polo shirt. Shirts can be short or long sleeve. White or light blue are acceptable colors. Shirts must be tucked into the pants. Shirts with the Bloomfield High School logo may be purchased through the school store but shall not be required.
- **Skorts** – For girls: Only skorts purchased through designated uniform company will be accepted. Acceptable colors are tan, navy blue and black. Skorts can be no more than 3 inches above the middle of the knee (front and back).

Optional Accessories:

- **Sweaters/Vests** – Acceptable solid colors (no overt design or artwork) are black, navy blue, light blue, white, grey or tan. No patterns including argyles. Sweaters/vests can include cardigans, v-neck sweaters, pullovers or zippered varieties. No fleece garments or sweatshirts allowed.
- **Undershirts** – Considered garments worn under the uniform shirts. These can be long or short sleeved. These shirts can be crewneck, v-necked, collared or turtleneck. Acceptable solid colors (no overt design or artwork) are black, navy blue, light blue, white, grey or tan.
- No sweatshirts or hoodies will be permissible.

GRADES K-12

In order to maintain an environment conducive to the educational process, the Board of Education prohibits the following from wear during the academic school day at all schools:

- a. Coats, jackets or other attire normally worn as outerwear. Outerwear includes: coats, jackets, windbreakers, nylon pullovers, down vests, and other clothing the administration deems inappropriate. Clothing or outer wear shall not be worn, carried or kept in the classroom during regular school hours.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 5132(c)

- b. Head coverings of any kind, including but not limited to scarves, bandanas, masks, headbands, visors, kerchiefs, athletic sweatbands, hats, caps or hoods. Approved coverings worn as part of a student's religious practice or belief shall not be prohibited under this policy. Head coverings shall not be worn, carried, hung on belts or around the neck or kept in the classroom during regular school hours.
- c. Items a. and b. above, must be secured in the student's locker before school starts. Items not stored will be confiscated by Principal.
- d. Footwear which mars floors or is a safety hazard.
- e. Sunglasses, whether worn or carried.
- f. "Name" or other oversized metal belt buckles and all metal belts or combination of metal and leather belts.
- g. Spiked or studded bracelets, chains, chain wallets, oversized or multi-finger rings, belts or any other article of attire with spikes or studs attached, or any other clothing item that may present a safety hazard to the student, other students or staff.
- h. Attire or accessories which contain overly offensive or disruptive writing or pictures likely to unduly disrupt the educational environment, or which constitute "fighting words."
- i. Attire or accessories which depict logo or emblems that encourage the use of drugs, tobacco products, or alcoholic beverages.
- j. Shirts and/or blouses which reveal the abdomen, chest, or undergarments.
- k. See-through clothing, tank tops or sleeveless shirts.
- l. Shorts, miniskirts, or pants which reveal the upper thigh or undergarments. Spandex garments are allowed only if they are covered by shorts or skirts.
- m. Pants that do not remain at the hips or above at all times.
- n. Pants and shirts that are not properly sized.
- o. Backpacks and/or book bags are permitted to be carried between classes, but shall not obstruct safe passage in the classroom or in the corridors.
- p. Pajama pants/nightwear.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 5132(d)

Compliance

Students who fail to comply with Board policy and regulations concerning student dress will be subject to school discipline up to and including expulsion in accordance with the Board's policy on student discipline.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 5114(a)

RE: Student Discipline - Suspension and Expulsion Due Process

Adopted: DATE

Suspension and Expulsion/Due Process

The Bloomfield Board of Education is committed to creating a safe, orderly, and supportive learning environment for all students, staff, and visitors. This policy aims to balance the need to maintain safety and order in our schools with progressive discipline and restorative practices, which address and correct inappropriate behavior while promoting accountability, personal growth, and the repair of harm.

Students are expected to comply with school rules and Board policies and 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 violates a publicized Board policy. Students may be disciplined for conduct off school grounds if such conduct is seriously disruptive to the educational process and violates Board policy.

Policy Objectives

1. **Ensure Safety and Order:** Maintain a secure and disciplined school environment conducive to learning and free from violence, threats, and disruptive behaviors.
2. **Promote Equity and Fairness:** Apply disciplinary measures in an equitable, consistent, and unbiased manner, ensuring that all students are treated with dignity and respect.
3. **Support Progressive Discipline:** Implement a progressive discipline model that focuses on intervention and prevention strategies to address and correct student behavior before it escalates.
4. **Implement Restorative Practices:** Incorporate restorative practices that emphasize accountability, reparation of harm, and the restoration of relationships within the school community.
5. **Encourage Personal Responsibility:** Foster a sense of personal responsibility and self-discipline in students, helping them to understand the consequences of their actions and to make better choices in the future.
6. **Engage Families and Communities:** Involve parents, guardians, and community members in the disciplinary process to support students in their behavioral and academic growth.

Policy Guidelines

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1. Clear Expectations and Communication:

- Establish and communicate clear behavioral expectations and the consequences of violating them.
- Ensure that all students, staff, and parents/guardians are aware of the discipline policy and procedures.

2. Progressive Discipline Framework:

- Utilize a tiered approach to discipline that escalates in response to the severity and frequency of the behavior.
- Implement early intervention strategies such as counseling, mentoring, and behavior modification plans to address minor infractions.

3. Restorative Practices:

- Employ restorative practices such as mediation, peer counseling, and restorative circles to address conflicts and repair harm.
- Encourage students to take responsibility for their actions and to actively participate in the resolution process.

4. Consistent and Fair Application:

- Ensure that disciplinary measures are applied consistently and fairly across all student populations.
- Monitor and address any disparities in the application of disciplinary actions to prevent discrimination or bias.

5. Supportive Interventions:

- Provide support services such as counseling, social work, and mental health resources to help students address underlying issues contributing to behavioral problems.
- Develop individualized behavior plans for students with recurring or severe behavioral issues.

6. Engagement and Collaboration:

- Engage families in the disciplinary process through regular communication and involvement in restorative practices.

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- Collaborate with community organizations and resources to support students and families in addressing behavioral and social-emotional needs.

7. Training and Professional Development:

- Provide ongoing training for staff on progressive discipline, restorative practices, and culturally responsive approaches to student behavior.
- Encourage staff to develop skills in conflict resolution, de-escalation techniques, and positive behavior support.

Review and Accountability

The Bloomfield Board of Education will regularly review the effectiveness of its discipline policy, incorporating feedback from students, staff, parents, and the community. Data on disciplinary actions and their outcomes will be collected and analyzed to ensure continuous improvement and the achievement of policy objectives.

By adopting this balanced approach to discipline, the Bloomfield Public Schools aims to create a school environment where all students can learn, grow, and succeed while feeling safe and supported.

A. Definitions

1. “**Exclusion**” shall be defined as any denial of public-school privileges to a student for disciplinary purposes.
2. “**Removal**” shall be defined as an exclusion from a classroom for all or a part of a single class period, provided such exclusion shall not extend beyond ninety (90) minutes.
3. “**In-School Suspension**” means an exclusion from regular classroom activity for no more than five consecutive 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. Such suspensions shall be served in any school building within the Board of Education's jurisdiction.
4. “**Suspension**” means an exclusion from school privileges or from transportation services, provided such exclusion shall not extend beyond the end of the school year in which suspension was imposed. An out-of-school suspension for students in grades 3-12 shall not exceed ten days. An out-of-school suspension imposed for children in preschool to second grade shall not exceed five days.

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All suspensions shall be in-school unless the administration determines for any student in grades three through twelve that (1) the student being suspended poses such anger to persons or property or such disruption of the educational process that the student (grades three to twelve) shall be excluded from school during the period of the suspension, or (2) that an out-of-school suspension is appropriate based on evidence of previous disciplinary issues that have led to suspensions or expulsion of the student and efforts by the administration to address such disciplinary issues through means other than out-of-school suspension or expulsion, including positive support strategies.

A student in grades preschool to two, inclusive, may be given an out-of-school suspension if it is determined by the administration that such suspension is appropriate based on evidence that the student's conduct on school grounds is of a violent or sexual nature that endangers persons. In addition, a person's duty as a mandated reporter to report suspected child abuse or neglect is not limited by this provision.

5. **“Expulsion”** shall be defined as an exclusion from school privileges for any student in grades three to twelve, inclusive, 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 student was assigned at the time such disciplinary action was taken, provided that assignment to a regular classroom program in a different school in the district shall not constitute a suspension or an expulsion. Such a period of exclusion may extend to the school year following the school year in which the exclusion was imposed, up to one calendar year. To be expelled, the student's conduct must be found to be both violative of a Board policy and either seriously disruptive of the educational process or endangering persons or property. Unless an emergency exists, no student shall be expelled without a formal hearing. Whenever such student is a minor, the notice shall also be given to the parents or guardians of the student at least five business days before such hearing, not including the day of such hearing. If an emergency exists, such hearing shall be held as soon after the expulsion as possible. The notice shall include information concerning the parent's or guardian's and the student's legal rights and concerning legal services provided free of charge or at a reduced rate that are available locally and how to access such services. An attorney or other advocate may represent any student subject to expulsion proceedings. The parent or guardian of the student shall 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.

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6. **“Emergency”** shall be defined as a situation under which the continued presence of the student in the school imposes such danger to persons or property or such disruption of the educational process that a hearing may be delayed until a time as soon after the exclusion of such student as possible.
7. **“Days”** is defined as days when school is in session.
8. **“School-sponsored activity”** is defined as any activity sponsored, recognized, or authorized by the Board of Education and includes activities conducted on or off school property.
9. **“Possess”** means to have physical possession or otherwise to exercise dominion or control over tangible property.
10. **“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 airsoft pistol may constitute a deadly weapon if such a weapon is designed for violence and is capable of inflicting death or serious bodily harm.
11. **“Firearm”** as defined in 18 U.S.C.§921, means 1) any weapon (including a starter gun) which will or is designed to or readily be converted to expel a projectile by the action of an explosive; 2) the frame or receiver of any such weapon; 3) any firearm muffler or firearm silencer; or 4) any destructive device. Firearm does not include any antique firearms. For purposes of this definition, “destructive device” means any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than 4 ounces, missile having an explosive or incendiary charge of more than ¼ ounce, mine, or device similar to any of the weapons described herein. 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.
12. **“Vehicle”** means a “motor vehicle” as defined in Section 14-1 of the Connecticut General Statutes, snowmobile, any aircraft, or any vessel equipped for propulsion by mechanical means or sail.
13. **“Martial arts weapon”** means a nunchaku kama, Kesari-fundo, octagon sai, tonfa, or Chinese star.
14. **“Dangerous Drugs and Narcotics”** is defined as any controlled drug in accordance with Connecticut General Statutes §219-240.

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15. **“Alternate education”** means a school or program maintained and operated by the Board of Education that is offered to students in a nontraditional setting and addresses their social, emotional, behavioral, and academic needs. Such program must conform to SBE guidelines and conform to C.G.S. 10-15 and 16 (180 days/900 hours).
16. **“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.
17. **“Seriously disruptive of the educational process”** means, as applied to off-campus conduct, any conduct that markedly interrupts or severely impedes the day-to-day operation of a school.

B. Removal from Class

1. All teachers are hereby authorized to remove a student from class when such student causes a serious disruption of the educational process within the classroom.
2. Such teacher shall send the student to a designated area and shall immediately inform the building Principal or his/her designee as to the name of the student and the reason for the removal.

~~No student shall be removed from class more than six (6) times in any year nor more than twice in one week, unless such student is referred to the Building Principal or his/her designee and granted an informal hearing in accordance with the provisions of this policy.~~

3. A school principal or other school administrator shall notify a parent or guardian of a student whose behavior has caused a serious disruption to the instruction of other students, caused self-harm, or caused physical harm to a teacher, another student, or other school employee not later than twenty-four hours after such behavior occurs. Such notice shall include, but not be limited to, informing such parent or guardian that the teacher of record in the classroom in which such behavior occurred may request a behavior intervention meeting.

Staff members who become aware of behavior that causes a serious disruption to instruction should refer the student to the Multi-Tiered System of Supports

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(MTSS) process and remain actively engaged in supporting the student's academic, social, and emotional needs.

~~Any teacher of record in a classroom may request a behavior intervention meeting with the school's crisis intervention team for any student whose behavior has caused a serious disruption to the instruction of other students or has caused self-harm or physical harm to such teacher, another student, or a staff member in such teacher's classroom. The crisis intervention team shall, upon the request of such teacher and notifying such student's parent or guardian, convene a behavior intervention meeting regarding such student. The participants of such behavior intervention meetings shall identify resources and support to address such students' social, emotional, and instructional needs. Not later than seven days after the behavior intervention meeting, the crisis intervention team shall submit to the parent or guardian of such student, in the dominant language of such parent or guardian, a written summary of such meeting, including, but not limited to, the resources and supports identified.~~

C. Exclusion from Co-Curricular and Extra-Curricular Activities

Participation in co-curricular and extracurricular activities is a privilege, not an entitlement. Students involved in such programs are expected to follow all school rules and demonstrate good citizenship. Failure to do so may result in partial or complete exclusion from said activities and programs. Activities include, but are not limited to, athletic programs, musical or drama productions, clubs, field trips, and out-of-state and abroad school trips.

D. 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.

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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, or ancestry.
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).
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, 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.
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),

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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.

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21. Making false bomb threats or other threats to the safety of students, staff members, and/or other persons.
22. Defiance of school rules and the valid authority of teachers, supervisors, administrators, other staff members, and/or law enforcement authorities.
23. Throwing snowballs, rocks, sticks, and/or similar objects, except as specifically authorized by school staff.
24. Unauthorized and/or reckless and/or improper operation of a motor vehicle on school grounds or at any school-sponsored activity.
25. Leaving school grounds, school transportation, or a school-sponsored activity without authorization.
26. Use of or copying of the academic work of another individual and presenting it as the student's own work, without proper attribution; or any other form of academic dishonesty, cheating, or plagiarism.
27. Possession and/or use of a cellular telephone, 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 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" is defined as unwanted and aggressive behavior among children in grades kindergarten to twelve, inclusive, that involves a real or perceived power imbalance.

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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 electronic means; or recording acts of violence by electronic means for purposes of later publication.
36. Engaging in a plan to stage sexual activity for the purposes of recording it by electronic means; or recording by electronic means sexual acts for purposes of later publication.
37. Using computer systems, including email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by this policy.
38. Use of a privately owned electronic or technological device in violation of school rules, including the unauthorized recording (photographic or audio) of another individual without permission of the individual or a school staff member.

E. Scope of the Student Discipline Policy

a. Conduct on School Grounds, on School Transportation or at a School-Sponsored Activity

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

b. Conduct off School Grounds

Students may be disciplined for conduct off school grounds if such conduct is seriously disruptive of the educational process and violates a publicized policy of the Board.

In determining whether such conduct is seriously disruptive of the educational process, the Administration and the Board of Education may consider, but such consideration shall not be limited to the following factors:

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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 the Board of Education may also consider whether such off-campus conduct involved the illegal use of drugs.

F. Mandatory Expulsion

It shall be the policy of the Board to expel a student, in grades preschool, and kindergarten to twelve, inclusive, for one full calendar year if:

1. The student, on grounds or at a school-sponsored activity, was in possession of a firearm, as defined in 18 U.S.C. 921*, as amended from time to time, or deadly weapon, dangerous instrument or martial arts weapon, as defined in C.G.S. 53A-3; or the student, off school grounds, did possess such firearm in violation of C.G.S. 29-35 or did possess and use such firearm, instrument or weapon in the commission of a crime; or the student, on or off school grounds offered for sale or distribution a controlled substance, as defined in subdivision (9) of C.G.S. 21a-240, whose manufacture, distribution, sale, prescription, dispensing, transporting or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under C.G.S. 21-277 and 21a-278.
2. Such student shall be expelled for one calendar year if the Board of Education or impartial hearing officer finds that the student did so possess or so possess and use, as appropriate, such weapon or firearm, instrument or weapon or did so offer for sale or distribution such controlled substance.
3. The Board may modify the period of a mandatory expulsion on a case-by-case basis.
4. A firearm, as defined by C.G.S. 53a-3, includes any sawed-off shotgun, machine gun, rifle, shotgun, pistol, revolver, or other weapon, whether loaded or unloaded,

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from which a shot may be discharged, or a switchblade knife, a gravity knife, billy, blackjack, bludgeon, or metal knuckles.

5. A student enrolled in a preschool program provided by the Board of Education, state or local charter school or inter-district magnet school shall not be expelled from such school except that a student shall be expelled for one calendar year from such preschool program pursuant to the mandatory expulsion requirement in compliance with the Gun-Free School Act, as described in this section.

G. Suspension Procedure

Unless an emergency exists, as that term is defined in paragraph A, no student shall be suspended without an informal hearing by the administration, at which such student shall be informed of the reasons for the disciplinary action and given an opportunity to explain the situation, provided nothing herein shall be construed to prevent a more formal hearing from being held if the circumstances surrounding the incident so require. The administration shall then determine whether suspension or in-school suspension is warranted.

**A firearm; currently defined by 18 U.S.C. 921, is any weapon that can expel a projectile by an explosive action and includes explosive devices, incendiaries, poison gases, and firearm frames, receivers, mufflers or silencers.*

If an emergency arises, the hearing outlined above shall be held as soon as possible after the student's exclusion.

Prior to conducting any hearing regarding the suspension of a student, an administrator, school counselor or school social worker at the school in which the student is enrolled, shall contact the local homeless education liaison designated by the local or regional board of education for the school district, pursuant to Subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act, 42 USC 11431 et seq., as amended from time to time, to determine whether such student is a homeless child or youth, as defined in 42 USC 11343a, as amended from time to time. If it is determined that the student is a homeless child or youth, the administration shall consider the impact of homelessness on the student's behavior during the hearing.

In the case of suspension, the administration shall notify the student's parents and the Superintendent of Schools not later than twenty-four (24) hours of the suspension, including the name of the student who has been suspended and the reason for the suspension. Any student who is suspended shall be given an opportunity to complete any

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class work, including, but not limited to, examinations that such student missed during the period of his/her suspension.

The administration shall also have the authority to suspend a student from transportation services whose conduct while awaiting or receiving transportation violates the standards set forth in paragraph D, above. The administration shall have the authority to immediately suspend any student from school in the event of an emergency, as that term is defined in paragraph A above.

Out-of-School Suspensions

All suspensions shall be in-school suspensions, except that the Board of Education may authorize the administration of schools under its direction to impose an out-of-school suspension on any student in:

1. Grades preschool to two, if during the informal hearing outlined above, the administration:
 - a. Determines that an out-of-school suspension is appropriate for such students based on evidence that such students' conduct on school grounds is behavior that causes physical harm;
 - b. Requires that such students receive services that are trauma-informed and developmentally appropriate and align with any behavioral intervention plan, individualized education program, or plan pursuant to Section 504 of the Rehabilitation Act of 1973, as amended from time to time, for such student upon such student's return to school immediately following the out-of-school suspension; and
 - c. Considers whether to convene a planning and placement team meeting for the purposes of conducting an evaluation to determine whether such student may require special education or related services.
2. Grades three to twelve, inclusive, if, resulting from a due process hearing:
 - a. The administration determines that the student being suspended poses such danger to persons or property or such disruption of the educational process (as defined above in section E) that the student shall be excluded from school during the period of suspension.
 - b. The administration determines that an out-of-school suspension is appropriate for such student based on evidence of:

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- i. previous disciplinary problems that have led to suspensions or expulsion of such student; and
- ii. efforts by the administration to address such disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies. An in-school suspension may be served in the student's school or any school building under the jurisdiction of the local or regional board of education, as determined by such board.

Length of Suspension Period:

In determining the length of a suspension period, the administration may receive and consider evidence of past disciplinary problems that have led to removal from a classroom, in-school suspension, or expulsion.

An out-of-school suspension shall not exceed ten school days for students in grades 3-12.

An out-of-school suspension shall not exceed five school days for children in preschool through 2nd grade.

General provisions:

No student shall be suspended more than ten 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 pursuant to subsections 4-176e to 4-180a, inclusive, section 4-181a, and as outlined in section I below is first granted.

No student shall be placed on in-school suspension more than fifteen 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 pursuant to subsections 4-176e to 4-180a, inclusive, section 4-181a, and as outlined in section I below is first granted.

H. Expulsion Procedures

The Board of Education or Impartial Hearing Officer may, upon the recommendation of the Superintendent of Schools, expel any student for one or more of the reasons stated in this policy if, after holding a formal hearing, it is in the judgment of the Board of Education that such disciplinary action is in the best interest of the school system.

A special education student's handicapping condition shall be considered before a decision to expel is made. A Planning and Placement Team (PPT) meeting must be held

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to determine whether the behavior or student actions that violate Board of Education standards set forth in the policy governing suspension and expulsion are the result of the student's handicapping condition.

For any student expelled for the first time and who has never been suspended, except for a student who has been expelled based on possession of a firearm or deadly weapon, the Board of Education may shorten the length of or waive the expulsion period if the student successfully completes a Board-specified program and meets any other conditions required by the Board. Such Board specified program shall not require the student or the parent/guardian of such student to pay for participation in the program.

Prior to conducting formal hearing, as required by PA 25-93 Section 38 subsection 3, an administrator, school counselor or school social worker at the school in which the student is enrolled shall contact the local homeless education liaison designated by the local or regional board of education for the school district, pursuant to Subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act, 42 USC 11431 et seq., as amended from time to time, to make a determination whether such student is a homeless child or youth, as defined in 42 USC 11343a, as amended from time to time.

If it is determined that such student is a homeless child or youth:

- i. The local or regional board of education, or the impartial hearing board established pursuant to subsection (b) of this section, shall consider the impact of homelessness on the behavior of the student during the hearing.
- ii. No such student may be expelled without a plan of interventions and supports to mitigate the impact of homelessness on the behavior of the student.
- iii. If such child or youth has been expelled for a second time, a meeting with the local homeless education liaison shall be provided by the local or regional board of education.
- iv. If such child or youth has been expelled for a second time, a meeting with the local homeless education liaison shall be provided by the local or regional board of education.

Upon receipt of a recommendation for expulsion from the Superintendent of Schools the Board shall, after giving written notice as detailed below in section K Notification, conduct a hearing prior to taking any action on the expulsion of said student, provided however, that in the event of an emergency as defined in this policy, the student may be expelled prior to the hearing but in such case even a hearing shall be held as soon after the expulsion as possible.

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An attorney or other advocate may represent any student subject to expulsion proceedings. The parent/guardian of the student has 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.

Expulsion hearings (formal hearings) conducted the Board may appoint Impartial Hearing officer, composed of one or more persons, to hear and decide the expulsion matter, provided that no member of the Board may serve on such a panel.

An attorney or other advocate may represent any student subject to expulsion proceedings. The parent/guardian of the student has 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.

I. Formal Hearings/Due Process

1. Any hearing conducted under this paragraph shall at least include the right to:

- a. Notice prior to the date of the proposed hearing which shall include a statement of the time, place and nature of the hearing and a statement of the legal jurisdiction under which the hearing is to be held and a statement that students under sixteen years old who are expelled and students between sixteen and eighteen who have been expelled for the first time and who comply with conditions set by the Board of Education, must be offered an alternative educational opportunity;
- b. A short and plain statement of the matters asserted, if such matters have not already been provided in a statement of reasons requested by the student;
- c. The opportunity to be heard in the student's own defense;
- d. The opportunity to present witnesses and evidence in the student's defense;
- e. The opportunity to cross-examine adverse witnesses;
- f. The opportunity to be represented by counsel at the parents'/student's own expense; and
- g. Information concerning legal services provided free of charge or at a reduced rate that are available locally and how to access such services;

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- h. The opportunity to have the services of a translator, to be provided by the Board of Education whenever the student or his/her parent or legal guardian do not speak the English language;
- i. The prompt notification of the decision of the Board of Education, which decision shall be in writing if adverse to the student concerned.

2. Record keeping:

The record of the hearing held in any expulsion case shall include the following:

- a. All evidence received and considered by the Board of Education;
- b. Questions and offers of proof, objections, and ruling on such objections;
- c. The decision of the Board of Education rendered after such hearing; and
- d. A copy of the initial letter of notice of proposed expulsion, a copy of any statement of reasons provided upon request, a statement of the notice of hearing, and the official transcript, if any, or if not transcribed, any recording or stenographic record of the hearing.

3. Rules of evidence at hearings:

Rules of evidence at expulsion hearings shall ensure fairness, but shall not be controlled by the formal rules of evidence, and shall include the following:

- a. Any oral or documentary evidence may be received by the Board of Education, but, as a matter of policy, irrelevant, immaterial, or unduly repetitious evidence may be excluded. In addition, other evidence of past disciplinary problems which have led to removal from a classroom, in-school suspension, suspension, or expulsion may be considered for the length of an expulsion and the nature of the alternative educational opportunity, if any, to be offered;
- b. The Board of Education shall give effect to the rules of privilege by law;
- c. To expedite a hearing, evidence may be received in written form, provided the interest of any party is not substantially prejudiced thereby;
- d. Documentary evidence may be received in the form of copies or excerpts;

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- e. A party to an expulsion hearing may conduct cross-examination of witnesses where examination is required for a complete and accurate disclosure of the facts;
- f. The Board of Education may take notice of judicially cognizable facts in addition to facts within the Board's specialized knowledge, provided, however, the parties shall be notified either before or during the hearing of the material noticed, including any staff memoranda or data, and an opportunity shall be afforded to any party to contest the material so noticed;
- g. A stenographic record or tape-recording of any oral proceedings before the Board of Education at an expulsion hearing shall be made, provided, however, that a transcript of such proceedings shall be furnished upon request of a party, with the cost of such transcript to be paid by the requesting party. Findings of fact made by the Board after an expulsion hearing shall be based exclusively upon the evidence adduced at the hearing.

J. Expunging Records Suspension:

Whenever a student is suspended pursuant to the provisions of this section, notice of the suspension and the conduct for which the student was suspended shall be included on the student's cumulative educational record.

Such notice shall be expunged from the cumulative educational record by the local or regional board of education if a student graduates from high school, or in the case of a suspension of a student for which the length of the suspension period is shortened or the suspension period is waived pursuant to subsection (e) of this section, such notice shall be expunged from the cumulative educational record by the local or regional board of education (1) if the student graduates from high school, or (2) if the administration so chooses, at the time the student completes the administration-specified program and meets any other conditions required by the administration pursuant to subsection (e) of Sec. 10-233d., whichever is earlier.

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Expulsion:

Whenever a student is expelled, notice of the expulsion and the conduct for which the student was expelled shall be included in the student's cumulative educational record. Such notice, except for notice of an expulsion of a student in grades nine to twelve, inclusive, based on possession of a firearm or deadly weapon as described in Sec. 29-38 of the general statutes.

1. shall be expunged from the cumulative educational record by the board of education if a student graduates from high school, or
2. may be expunged from the cumulative educational record by the board of education before a student graduates from high school if:
 - a. in the case of a student for which the length of the expulsion period is shortened or the expulsion period is waived pursuant to subdivision (2) of subsection (c) Sec. 10- 233d., such board determines that an expungement is warranted at the time such student completes the board-specified program and meets any other conditions required by such board pursuant to subdivision (2) of subsection (c) of Sec. 10-233d., or
 - b. such student has demonstrated to such board that the conduct and behavior of such student in the years following such expulsion warrants an expungement. The board of education, in determining whether to expunge such notice, may receive and consider evidence of any subsequent disciplinary problems that have led to the removal of such student from a classroom, suspension, or expulsion.

K. Notification

1. All students and parents within the jurisdiction of the Board of Education shall be informed, annually, of Board Policy governing student conduct by delivery to each said student of a written copy of said Board Policy.
2. The parents or guardian of any minor student, either expelled or suspended, shall be given notice of such disciplinary action no later than 24 hours after the institution of the period of expulsion or suspension.
3. The notice of an expulsion hearing shall be given at least five (5) business days before such hearing to the student and his/her parents or guardians, if said student is less than 18 years of age shall include information concerning the parent's/guardian's and the student's legal rights and concerning legal services

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that are provided free of charge or at a reduced rate that are available (CT legal services as a source of such services) and how to access such services. The notification shall reference the maximum number of suspension days before the expulsion days proceed. 5 consecutive days for students in pre-school to second grade, 10 consecutive days for students in grades 3-12, and a statement that an attorney/ advocate may represent any student subject to expulsion proceedings. The parent/guardian of the student shall be notified of 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.

L. Stipulated Agreements

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

If the Board rejects either the Joint Stipulation of Facts or the Recommendation, an expulsion hearing shall be held pursuant to the procedures outlined herein. If the Student is eighteen years of age or older, the student shall have the authority to enter into a Joint Stipulation and Recommendation on 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 Board in lieu of holding the first part of the hearing, as described above. Such Joint Stipulation shall include language indicating that the parents understand their right to have a hearing to determine whether the student engaged in the alleged misconduct and that the Board, in its discretion, has the right to accept or reject the Joint Stipulation of Facts. If the Board rejects the Joint Stipulation of Facts, a full expulsion hearing shall be held pursuant to the procedures outlined herein.

M. Students identified as eligible for services under the Individuals with Disabilities Education Act (“IDEA”)

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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.

N. 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 those which are 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 expulsion of 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 to 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 placement:

1. The parents of the student must be notified of the decision to recommend for expulsion (or to suspend if a change in placement) 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 recommend for expulsion (or to suspend if a change in placement) was made.

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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 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. Transfer of IDEA Students for Certain Offenses:

School personnel may transfer an IDEA student to an appropriate interim alternative educational setting for not more than forty-five (45) school days if the student:

1. 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
2. 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

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

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

1. **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 pocketknife with a blade of less than 2.5 inches in length.
2. **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).
3. **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.
4. **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.

O. 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.

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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.

P. 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 participating in a diversionary program or having been detained 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.

Q. Alternative Educational Opportunity

The Board of Education recognizes its obligation to offer any student under the age of sixteen (16) who is expelled, an alternative educational opportunity which shall be equivalent to alternative education, as defined, by C.G.S. 10-74j with an individualized learning plan, (1) if the Board provides such alternative education, or (2) in accordance

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with the standards adopted by the State Board of Education (by 8/15/17), which includes the kind of instruction to be provided and the number of hours to be provided, during the period of expulsion.

Any parent or guardian of such student who does not choose to have his or her child enrolled in an alternative educational opportunity shall not be subject to the provision of Section 10-184 of the Connecticut General Statutes. Any expelled student who is between the ages of sixteen (16) and eighteen (18), not previously expelled, and who wishes to continue his or her education shall be offered such alternative educational opportunity if he or she complies with conditions established by the Board of Education, other than the one from which the student has been excluded.

Such alternative educational opportunity may include, but shall not be limited to, the assignment of a student (who is seventeen (17) years of age or older) to any such adult education program or placement of such student in a regular classroom program of a school.

Any student participating in an adult education program during a period of expulsion shall not be required to withdraw from school under C.G.S. 10-184. In determining the nature of the alternative education opportunity to be offered under this Section, the Board of Education may receive and consider evidence of past disciplinary issues that have led to removal from a classroom, suspension, or expulsion. The Board of Education is not obligated to provide such alternative educational opportunity to any student eighteen years of age or older.

The Board of Education is also required to offer such alternative educational opportunity, as defined, to any student between the ages of sixteen and eighteen who is expelled because of conduct which endangers persons, and involved the following, on school grounds or at a school-sponsored event:

1. Possession of a firearm, deadly weapon, dangerous instrument, or martial arts weapon, or
2. Offering an illegal drug for sale or distribution.
3. If the Board expels a student for the sale or distribution of a controlled substance, the Board shall refer the student to an appropriate state or local agency for rehabilitation, intervention or job training, or any combination thereof, and inform the agency of its action. If a student is expelled for possession of a firearm, deadly weapon, dangerous instruments (those that can be used to cause death or serious

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injury), or martial arts weapons, the Board shall report the violation to the local police department.

4. This provision shall not apply to students requiring special education who are described in subdivision (1) of sub-section (e) of C.G.S. 10-76a. The alternative educational opportunity for any such student shall be established by the IEP team (PPT) in accordance with the procedures described above.

R. Other Considerations

1. If a student is expelled, notice of the expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such notice, except for the notice of an expulsion of a student in grades nine through twelve, inclusive, based on possession of a firearm or deadly weapon, shall be expunged from the cumulative educational record by the Board if the Board determines that the student's conduct and behavior in the years following such expulsion warrants an expungement or if the student graduates from high school.
2. If a student's expulsion is shortened or the expulsion period waived based upon the fact that the student was expelled for the first time, had never been suspended, and successfully completed a Board specified program and/or met other conditions required by the Board, the notice of expulsion shall be expunged from the cumulative educational record if the student graduates from high school or, if the Board so chooses, at the time the student completes the Board specified program and meets any other conditions required by the Board.
3. If a student in grades preschool to eight, is expelled based on possession of a firearm or deadly weapon, the Board may expunge from the students' cumulative education record the notice of the expulsion and the conduct for which the student was expelled if the Board determines that the conduct and behavior of the student in the years following such expulsion warrants an expungement.
4. The Board may adopt the decision of a student expulsion hearing conducted by another school district, provided such Board of Education held a hearing pursuant to C.G.S. 10-233d(a). Adoption of such decision shall be limited to a determination of whether the conduct which was the basis for the expulsion would also warrant expulsion under the policies of this Board. The student shall be excluded from school pending such hearing. The excluded student shall be offered an alternative education opportunity in accordance with item K above.

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5. Whenever a student against whom an expulsion hearing is pending withdraws from school and after notification of such hearing but before the hearing is completed and a decision rendered, (1) notice of the pending expulsion hearing shall be included on the student's cumulative educational record and (2) the Board shall complete the expulsion hearing and render a decision.
6. A student expelled for possession of a firearm, deadly weapon, dangerous instrument, or martial arts weapon shall have the violation reported to the local police department.
7. The period of expulsion shall not extend beyond a period of one calendar year. A period of exclusion may extend into the next school year.
8. An expelled student may apply for early readmission to school. Such readmission shall be at the discretion of the Board of Education/Superintendent of Schools (choose which). Readmission decisions shall not be subject to appeal to Superior Court. The Board or Superintendent, as appropriate, may condition such readmission on specified criteria.
9. 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 local Board of Education. 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.
10. Prior to placing any student in an out-of-district placement due to the challenging behavior of such student, the board of education shall conduct a functional behavior assessment of such student and develop or update a behavioral intervention plan for such student.

A functional behavior assessment and a behavioral intervention plan shall not be required if the time required to conduct such assessment or develop or update such plan would put the safety of such student, any other student, or any staff at such student's school at risk.

Not later than two business days following the decision not to conduct such assessment, or develop, or update such plan for such student, the local or regional board of education shall file a notice with the Department of Education of the reasons that such assessment was not conducted, or such plan was not developed or updated.

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S. Change of Residence During Expulsion Proceedings

A. Student moving into the school district

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

B. Student moving out of the school district:

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

T. Compliance with Documentation and Reporting Requirements

1. The Board of Education shall include in all disciplinary reports the individual student's state-assigned student identifier (SASID).
2. The Board of Education shall report all suspensions and expulsions to the State Department of Education.
3. If the Board of Education expels a student for sale or distribution of a controlled substance, the Board shall refer such student to an appropriate state or local

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agency for rehabilitation, intervention, or job training and inform the agency of its action.

4. If the Board of Education expels a student for possession of a deadly weapon or firearm, as defined in Conn. Gen. Stat. §53a-3, the violation shall be reported to the local police.

Readmission of Student from a Residential Placement

A District student who has committed an expellable offense who seeks to return to a District school, after participating in a diversionary program or having been detained in a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement, for one year or more, in lieu of expulsion from the District, shall be permitted to return to the appropriate school setting within the District. Further, the District shall not expel the student for any additional time for the offense(s).

Students and parents shall be notified of this policy annually.

Legal Reference: Connecticut General Statutes

[4-176e](#) through [4-180a](#). Contested Cases. Notice. Record, as amended

[10-74j](#) Alternative education (PA 15-133)

[10-222d](#) Safe school climate plans. Definitions. Safe school climate assessments.

[10-233a](#) through [10-233f](#) Suspension, removal and expulsion of students, as amended by PA 95-304, PA 96-244, PA 98-139, PA 07-66, PA 07-122, PA 08-160, PA 09-82, PA 09-6 (September Special Session), PA 10-111, PA 11-126, PA 14-229, PA 15-96, PA 16-147, PA 17-220, PA 19-91, PA 25-67 and PA 25-93.

[10-233i](#) Expulsion and suspension of children in preschool programs

[19a-342a](#) Use of electronic nicotine delivery system or vapor product prohibited.

[29-38](#) Weapons in vehicles

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[53a-3](#) Definitions.

[53a-217b](#) Possession of Firearms and Deadly Weapons on School Grounds.

[53-344b](#) Sale and delivery of electronic nicotine delivery system or vapor products to minors.

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

PA 15-96 An Act Prohibiting Out-of-School Suspensions and Expulsions for Students in Preschool and Grades Kindergarten to Two.

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

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, Amendments of 1997.

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

P.L. 108-446 The Individuals with Disabilities Education Improvement Act of 2004, 20 U.S.C. 1400 et seq.

18 U.S.C. §921 – Definitions of “firearms”

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”

Public Act 24-45 An Act Concerning Education Mandate Relief, School Discipline and Disconnected Youth, Sections 13-14

Public Act 24-93 An Act Concerning Various and Assorted Revisions to the

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Education Statutes, Section 11 and Section 12

Public Act 25-67 An Act Concerning the Quality and Delivery of Special Education Services in Connecticut (Section 13)

Public Act 25-93 An Act Increasing Resources for Students, Schools and Special Education (Sections 38 & 39)