

**WESTPORT BOARD OF EDUCATION  
POLICY COMMITTEE**

**NOTICE OF SPECIAL MEETING**

**AGENDA**

(Agenda Subject to Modification in Accordance with Law)

**PUBLIC SESSION:**

8:00 a.m. Westport Town Hall Room 307/309

**DISCUSSION/ACTION:**

1. Review and approval of minutes: March 1, 2018, *pages 1-2*

**DISCUSSION:**

1. First reading and discussion of the following policies:
  - 6153, Instruction: Field Trips, *pages 3-5*
  - 4118.3, Personnel – Certified: Responsibilities as Field Trip Chaperones, *pages 7-8*
  - 5200, Students: Field Trips, *pages 9-10*

**DISCUSSION/ACTION:**

1. Second reading and discussion policy 4110/4210, Employment Checks, *pages 11-25*

**DISCUSSION:**

1. First reading and discussion of the following policies and regulations:
  - 3323 Business/Non-instructional Operations: Soliciting Prices (Bids and Quotations), *page 27*
  - 3400 Business and Non-instructional Operations: Capital Projects, *page 29*
  - 5145.5 Sexual Harassment (Regulation)
  - 5131.911, Students: Bullying Prevention and Intervention, *pages 31-49*
  - 5131.912, Students: Safe School Climate Plan, *pages 51-87*

**DISCUSSION/ACTION:**

1. Second reading and discussion of the following bylaws:
  - 9010 Duties of the Board, *pages 89-91*
  - 9012 Role of Board and Board Members, *pages 93-95*
  - 9121, 9122, 9123 Duties of Officers, *pages 97-98*
  - 9130 Committees, *pages 99-100*
  - 9215 Oath of Office, *page 101*
  - 9221 Filling Vacancies, *pages 103-104*
  - 9270 Conflict of Interest, *pages 105-106*
  - 9280 Reimbursement of Board Member Expenses, *pages 107-108*

**DISCUSSION:**

1. First reading and discussion of the following bylaws:
  - 9290 Removal Of Officers, *pages 109-110*

- 9300 Transaction of Business, *page 111*
- 9311 Formulation, Adoption, Amendment, or Deletion of Policies, *pages 113-114*
- 9312 Formulation, Adoption, Amendment, or Deletion of Bylaws, *page 115*
- 9313 Formulation, Adoption, Amendment, or Deletion of Regulations, *page 117*
- 9314 Suspension of Policies, Bylaws, or Administrative Regulations, *page 119*
- 9320 Meetings, *pages 121-122*
- 9321 Time, Place, and Notification of Meetings, *pages 123-125*
- 9322 Public and Executive Sessions, *pages 127-131*
- 9324 Construction and Posting of Agenda, *pages 133-134*
- 9325.3 Meeting Conduct, *pages 135-137*
- 9325.4 Quorum and Voting Procedures, *page 139*
- 9326 Minutes, *page 141*

2. Other policy business

**ADJOURNMENT**

## WESTPORT BOARD OF EDUCATION POLICY COMMITTEE MINUTES

**Board Members Present:**

Karen Kleine, Chair  
Mark Mathias

**Administrators Present:**

Colleen Palmer, Superintendent of Schools (arrived 8:30 a.m.)  
Michael Rizzo, Director of Pupil Services  
John Bayers, Director of Human Resources (arrived 8:50 a.m.)

**Absent:**

Candice Savin

**PUBLIC CALL TO ORDER:** 8:03 a.m. Westport Town Hall, Room 307

**DISCUSSION/ACTION:**

1. Review and approval of minutes: February 1, 2018

Karen Kleine moved to approve the minutes of February 1, 2018; seconded by Mark Mathias and passed unanimously.

2. Second reading and discussion of the following policies:

- Policy 5144, Students: Discipline
- Policy 5114, Students: Suspension and Expulsion/Due Process
- Policy 5144.3, Students: Discipline of Students with Disabilities
- Policy 4112, Personnel – Certified: Appointment and Conditions of Employment

**Moved that the Policy Committee recommends to the Board of Education the approval of policies 5114 and 4122 as amended, and the deletion of policies 5144 and 5144.3.**

**MOTION:** Karen Kleine

**SECOND:** Mark Mathias

**RESULT:** Passed Unanimously

**VOTE:** 2-0

3. First reading and discussion of the following policies:

- Policy 4110 and 4210, Employment Checks
- Policy 5131.7, Students: Weapons and Dangerous Instruments

**Moved that the Policy Committee recommends to the Board of Education the deletion of policy 5131.7.**

**MOTION:** Karen Kleine

**SECOND:** Mark Mathias

**RESULT:** Passed Unanimously

**VOTE:** 2-0

A second reading of policy 4110/4210 will occur at the April meeting.

4. First reading and discussion of the following bylaws:

- 9010 Duties of the Board
- 9012 Role of Board and Board Members
- 9121, 9122, 9123 Duties of Officers
- 9130 Committees
- 9215 Oath of Office
- 9221 Filling Vacancies
- 9270 Conflict of Interest
- 9280 Reimbursement of Board Member Expenses

A second reading of bylaws 9010-9280 will occur at the April meeting.

**ADJOURNMENT:** Karen Kleine moved to adjourn at 10:03 a.m.

Respectfully submitted,

Jennifer Caputo, Administrative Assistant to the Superintendent

## **Instruction**

### **Field Trips**

The Board of Education considers as part of the Public School program, student trips for educational, cultural or recreational purposes that are approved by the school principal and such other administrators as may be required, and carefully planned and supervised by the teacher in charge. The Board of Education accepts responsibility only for school-sponsored trips that fall within the limits set forth by this policy. The Board of Education accepts no responsibility for any trips that are not officially approved school-sponsored trips. Staff members involved in any other student trips, whether privately sponsored, or sponsored by non-profit organizations, may not discuss them on school time, distribute material about them on school grounds, or use the facilities, equipment or electronic resources of the schools for planning such trips or communicating about them to students or parents. Staff members shall not make statements that might lead students or parents to believe that such a trip is a school-sponsored activity.

#### **School-sponsored trips may include:**

- A. Those primarily educational and/or cultural trips which emerge from the classroom and which are so closely related to the instructional program that every effort should be made to insure that each student has the opportunity to participate. Such trips should be designed to help students to a better understanding of their studies by reinforcing, supplementing or extending their learning.
- B. Educational, cultural or recreational trips which may emerge either from the classroom or from an approved extra-curricular club, organization, program or activity but which, while also designed to broaden and enhance students' educational experiences, are not so closely related to the curriculum as to require a student's participation.

All trips require the Principal's approval; approval by Assistant Superintendent and/or Superintendent is required as noted below.

School-sponsored trips may be of three types:

- Type I - Day Trips:** within a radius of 125 miles from Westport.
  - Type II - Extended Trips:** to points beyond the 125-mile radius, which require more than one day.
    - Extended trips that take place during school vacation periods should be limited to three week-days where possible and not more than five weekdays plus possible weekends.
- A. Review by Assistant Superintendent required where cost is unusually high, according to periodically reviewed guidelines,
  - B. All such trips will require special independent insurance arrangements.
  - C. Participation by staff shall be voluntary.

## **Instruction**

### **Field Trips (continued)**

**Type I - Special Trips:** beyond 500-mile radius from Westport.

- A. Special trips should not exceed five school days plus possible weekends.
- B. All such trips will require special independent insurance arrangements.
- C. Participation by staff shall be voluntary.
- D. Final review and approval by the Assistant Superintendent and Superintendent is required.

**Exceptions to any of the above conditions require approval of the Superintendent.**

The Superintendent is to establish appropriate ratios of chaperones to students and to develop regulations governing chaperones' responsibilities and conduct.

### **Careful planning of all trips shall include:**

1. A definite statement of the purposes and reason for the trip.
2. A review of insurance needs and coverage especially for trips involving hazardous activities and, if necessary, arrangements for special separate and personally-funded insurance coverage for staff and students made in consultation with the business office.
3. Complete notification about the trip to the parents of students involved.
4. Collaboration with the school nurse so that arrangements can be made for the participation of students with special health needs. The school system must be completely informed about students' health needs. Students whose parents do not provide this information will not be permitted to participate.
5. Arrangements made within the school for students not participating.
6. Provision for lodging, if needed, and safe, insured transportation. If a tour operator is to be engaged, the school district will do business only with a company that will sign an assurance that all drivers and other employees having contact with students have had background checks.
7. An attempt to control the cost of trips so that a student's opportunity to participate shall not be limited by financial circumstances.
8. Means (such as fund-raising, assessment, etc.) by which costs are met.
9. Arrangements for an appropriate number of adult chaperones.

Policy adopted: 1995  
Policy amended: July 1979  
Policy amended: December 7, 1998

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut

Policy amended: July 9, 2001  
Policy amended: April 2002

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## **Personnel -- Certified**

### **Duties of Personnel**

#### **Procedures**

#### **Responsibilities as Field Trip Chaperones**

1. Adult chaperones and/or their spouses are not entitled to student-paid transportation for overnight or extended trips unless parents have been informed in advance that the cost of the trip includes the cost for the chaperones, or that chaperones' expenses must be covered through students' fund-raising activities. Spouses are not entitled to student-paid transportation unless they are willing to undertake the responsibilities of an official chaperone. All chaperones are to work under the supervision of the teacher-sponsor (T-S) and should always notify the teacher in charge of any problems.
2. Chaperones who are not Westport staff members are to be given an orientation session, during which they are to be informed of their responsibilities, given suggestions about managing groups of youngsters, and informed about the extent of and limitations on, their decision-making authority.
3. Students must be chaperoned at all times. Groups or individuals may never go anywhere without the supervision of an official chaperone.
4. During trips lasting only one day, all chaperones are on duty for the entire trip. For longer trips, *all* chaperones are to be considered "on duty" during all official activities, whether day or evening, and during all meals.
5. On overnight trips where chaperones are lodged in the same room, bunk, tent, etc. with students, there must always be at least two chaperones in each unit, one of whom must be a Westport staff member.
6. For overnight trips, there must always be at least 2/3 of all chaperones on duty until all students are in their rooms for the night. The T-S may develop a rotating schedule for chaperones' "off-duty" time.
7. During their off duty time all chaperones must be "on call" in case of emergencies, and therefore the T-S must be informed of their planned whereabouts, and be given a number where they may be contacted.
8. All chaperones are "on duty" during the night and must be available in case of nighttime emergencies. If necessary, the T-S should arrange for spot checks of students during the night.

## **Personnel -- Certified**

### **Duties of Personnel**

### **Procedures**

### **Responsibilities as Field Trip Chaperones (continued)**

Adult chaperones for overnight trips, whether or not they are employees of the Board of Education, must sign an agreement to abide by these regulations and any special rules that may be developed by the administration for a particular trip. This agreement will contain a provision specifying that chaperones are not permitted to smoke, to use controlled substances or to or consume alcoholic beverages while on field trips or to engage in any activity which violates the regulations of the Westport Board of Education.

## **Students**

### **Field Trips**

The Board of Education encourages and sanctions student field trips that are of value in helping achieve each participating student's educational objectives.

All student field trips shall require prior written approval by the building principal. In addition, all student field trips that are scheduled to last more than one day shall require the prior written approval of the Superintendent or his/her designee and the Board of Education.

All student field trips that require public solicitation of funds shall require Board approval prior to any fundraising by involved students or others on their behalf. In addition, any such fundraising activities must comply with the provisions of the Board Policy concerning fundraising activities (Policy No. \_\_\_\_ ) and any administrative regulations implementing such Board Policy.

The Board of Education will not be responsible for any field trip that is not approved in accordance with the procedures set forth in this policy and the accompanying regulations.

Policy adopted:

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut

**Series 5000**  
**Students**

**FIELD TRIPS**

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ADOPTED \_\_\_\_\_  
REVISED: \_\_\_\_\_

6/1/12

## **Personnel – Certified/Non-Certified**

### **Employment Checks**

As set forth below, each applicant for a position with the district shall be asked whether he/she has ever been convicted of a crime, whether there are any criminal charges pending against him/her and whether the applicant is included on the Abuse and Neglect Registry of the Connecticut Department of Children and Families (“DCF”) (the “Registry”). If the applicant’s current or most recent employment occurred out of state, the applicant will also be asked whether he/she is included on an equivalent database and/or abuse/neglect registry maintained in that other state. Applicants shall not be required to disclose any arrest, criminal charge or conviction that has been erased.

In addition, the district shall conduct an employment history check for each applicant for a position, as set forth below.

For the purposes of this policy:

“Sexual misconduct means” any verbal, nonverbal, written, or electronic communication, or any other act directed toward or with a student that is designed to establish a sexual relationship with the student, including a sexual invitation, dating or soliciting a date, engaging in sexual dialog, making sexually suggestive comments, self-disclosure or physical exposure of a sexual or erotic nature, and any other sexual, indecent, or erotic contact with a student.

“Abuse or neglect” means abuse or neglect as described in Conn. Gen. Stat. § 46b-120, and includes any violation of Conn. Gen. Stat. §§ 53a-70 (sexual assault in the first degree), 53a-70a (aggravated sexual assault in the first degree), 53a-71 (sexual assault in the second degree), 53a-72a (sexual assault in the third degree), 53a-72b (sexual assault in the third degree with a firearm), or 53a-73a (sexual assault in the fourth degree).

“Former employer” means any person, firm, business, educational institution, nonprofit agency, corporation, limited liability company, the state, any political subdivision of the state, any governmental agency, or any other entity that such applicant was employed by during any of the previous twenty years prior to applying for a position with a local or regional board of education.

#### **I. Employment History Check Procedures**

**A. The district shall not offer employment to an applicant for a position, including any position that is contracted for, if such applicant would have direct student contact, prior to the district:**

##### **1. Requiring the applicant:**

**a. to list the name, address, and telephone number of each current employer or former employer (please note the definition of “former employer” employer above, including the applicable twenty year reporting period) during any of the previous twenty years), if:**

- (i) such current or former employer is/was a local or regional board of education, council of a state or local charter school, interdistrict magnet school operator, or a supervisory agent of a nonpublic school, and/or
- (ii) the applicant's employment with such current or former employer caused the applicant to have contact with children.

b. to submit a written authorization that

- (i) consents to and authorizes disclosure by the employers listed under paragraph I.A.1.a of this policy of the information requested under paragraph I.A.2 of this policy and the release of related records by such employers,
- (ii) consents to and authorizes disclosure by the Department of Education of the information requested under paragraph I.A.3 of this policy and the release of related records by the department, and
- (iii) releases those employers and the Department of Education from liability that may arise from such disclosure or release of records pursuant to paragraphs I.A.2 or I.A.3 of this policy; and

c. to submit a written statement of whether the applicant

- (i) has been the subject of an abuse or neglect or sexual misconduct investigation by any employer, state agency or municipal police department, unless the investigation resulted in a finding that all allegations were unsubstantiated,
- (ii) has ever been disciplined or asked to resign from employment or resigned from or otherwise separated from any employment while an allegation of abuse or neglect was pending or under investigation by DCF, or an allegation of sexual misconduct was pending or under investigation or due to an allegation substantiated pursuant to Conn. Gen. Stat. § 17a-101g or abuse or neglect, or of sexual misconduct or a conviction for abuse or neglect or sexual misconduct, or
- (iii) has ever had a professional or occupational license or certificate suspended or revoked or has ever surrendered such a license or certificate while an allegation of abuse or neglect was pending or under investigation by DCF or an investigation of sexual misconduct was pending or under investigation, or due to an allegation substantiated by DCF of abuse or neglect or of sexual misconduct or a conviction for abuse or neglect or sexual misconduct;

2. Conducting a review of the employment history of the applicant by contacting those

employers listed by the applicant under paragraph I.A.1.a of this policy. Such review shall be conducted using a form developed by the Department of Education, which shall request the following:

a. the employment dates of the applicant, and

b. a statement as to whether the employer has knowledge that the applicant:

- (i) was the subject of an allegation of abuse or neglect or sexual misconduct for which there is an investigation pending with any employer, state agency, or municipal police department or which has been substantiated;
- (ii) was disciplined or asked to resign from employment or resigned from or otherwise separated from any employment while an allegation of abuse or neglect or sexual misconduct was pending or under investigation, or due to a substantiation of abuse or neglect or sexual misconduct; or
- (iii) has ever had a professional or occupational license, certificate, authorization or permit suspended or revoked or has ever surrendered such a license, certificate, authorization or permit while an allegation of abuse or neglect or sexual misconduct was pending or under investigation, or due to a substantiation of abuse or neglect or sexual misconduct. Such review may be conducted telephonically or through written communication. Notwithstanding the provisions of subsection (f) of Conn. Gen. Stat. § 31-51i, not later than five (5) business days after the district receives a request for such information about an employee or former employee, the district shall respond with such information. The district may request more information concerning any response made by a current or former employer for information about an applicant, and, notwithstanding subsection (f), such employer shall respond not later than five (5) business days after receiving such request.

3. Requesting information from the Department of Education concerning:

- a. the eligibility status for employment of any applicant for a position requiring a certificate, authorization or permit,
- b. whether the Department of Education has knowledge that a finding has been substantiated by DCF pursuant to Conn. Gen. Stat. § 17a-101g of abuse or neglect or of sexual misconduct against the applicant and any information concerning such a finding, and
- c. whether the Department of Education has received notification that the applicant has been convicted of a crime or of criminal charges pending against the applicant and any information concerning such charges.

- B. Notwithstanding the provisions of subsection (f) of Conn. Gen. Stat. § 31-51i, if the district receives information that an applicant for a position with or an employee of the board has been disciplined for a finding of abuse or neglect or sexual misconduct, it shall notify the Department of Education of such information.
- C. The district shall not employ an applicant for a position involving direct student contact who does not comply with the provisions of paragraph I.A.1 of this policy.
- D. The district may employ or contract with an applicant on a temporary basis for a period not to exceed ninety (90) calendar days, pending the district's review of information received under this section, provided:
1. The applicant complied with paragraph I.A.1 of this policy;
  2. The district has no knowledge of information pertaining to the applicant that would disqualify the applicant from employment with the district; and
  3. The applicant affirms that the applicant is not disqualified from employment with the district.
- E. The district shall not enter into a collective bargaining agreement, an employment contract, an agreement for resignation or termination, a severance agreement, or any other contract or agreement or take any action that:
1. Has the effect of suppressing information relating to an investigation of a report of suspected abuse or neglect or sexual misconduct by a current or former employee;
  2. Affects the ability of the district to report suspected abuse or neglect or sexual misconduct to appropriate authorities; or
  3. Requires the district to expunge information about an allegation or a finding of suspected abuse or neglect or sexual misconduct from any documents maintained by the district, unless, after investigation, such allegation is dismissed or found to be false.
- F. The district shall not offer employment to a person as a substitute teacher, unless such person and the district comply with the provisions of paragraph I.A.1 of this policy. The district shall determine which such persons are employable as substitute teachers and maintain a list of such persons. The district shall not hire any person as a substitute teacher who is not on such list. Such person shall remain on such list as long as such person is continuously employed by the district as a substitute teacher as described in paragraph III.B.2 of this policy, provided the district does not have any knowledge of a reason that such person should be removed from such list.
- G. In the case of an applicant who is a contractor, the contractor shall require any employee with such contractor who would be in a position involving direct student contact to supply to such contractor all the information required of an applicant under paragraphs I.A.1.a and I.A.1.c of



this policy and a written authorization under paragraph I.A.1.b of this policy. Such contractor shall contact any current or former employer (please note the definition of “former employer” employer above, including the applicable twenty year reporting period) of such employee that was a local or regional board of education, council of a state or local charter school, interdistrict magnet school operator, or a supervisory agent of a nonpublic school, or if the employee’s employment with such current or former employer caused the employee to have contact with children, and request, either telephonically or through written communication, any information concerning whether there was a finding of abuse or neglect or sexual misconduct against such employee. Notwithstanding the provisions of subsection (f) of Conn. Gen. Stat. § 31-51i, such employer shall report to the contractor any such finding, either telephonically or through written communication. If the contractor receives any information indicating such a finding or otherwise receives any information indicating such a finding or otherwise has knowledge of such a finding, the contractor shall, notwithstanding the provisions of subsection (f) of Conn. Gen. Stat. § 31-51i, immediately forward such information to the district, either telephonically or through written communication. If the district receives such information, it shall determine whether such employee may work in a position involving direct student contact at any school in the district. No determination by the district that any such employee shall not work under any such contract in any such position shall constitute a breach of such contract.

H. Any applicant who knowingly provides false information or knowingly fails to disclose information required in subdivision (1) of subsection (A) of this section shall be subject to discipline by the district that may include

1. denial of employment, or

2. termination of the contract of a certified employee, in accordance with the provisions of Conn. Gen. Stat. § 10-151.

I. If the district provides information in accordance with paragraph I.A.2 or I.G of this policy, the district shall be immune from criminal and civil liability, provided the district did not knowingly supply false information.

J. Notwithstanding the provisions of Conn. Gen. Stat. § 10-151c and subsection (f) of Conn. Gen. Stat. § 31-51i, the district shall provide, upon request by another local or regional board of education, governing council of a state or local charter school, interdistrict magnet school operator, or supervisory agent of a nonpublic school for the purposes of an inquiry pursuant to paragraphs I.A.2 or I.G of this policy or to the Commissioner of Education pursuant to paragraph I.B of this policy any information that the district has concerning a finding of abuse or neglect or sexual misconduct by a subject of any such inquiry.

K. Prior to offering employment to an applicant, the district shall make a documented good faith effort to contact each current and any former employer (please note the definition of “former employer” employer above, including the applicable twenty year reporting period) of the applicant that was a local or regional board of education, governing council of a state or local charter school, interdistrict magnet school operator, or supervisory agent of a nonpublic school, or if the applicant’s employment with such current or former employer caused the applicant to

have contact with children in order to obtain information and recommendations that may be relevant to the applicant's fitness for employment. Such effort, however, shall not be construed to require more than three telephonic requests made on three separate days.

- L. The district shall not offer employment to any applicant who had any previous employment contract terminated by a local or regional board of education, council of a state or local charter school, interdistrict magnet school operator, or a supervisory agent of a nonpublic school, or who resigned from such employment, if the person has been convicted of a violation of Conn. Gen. Stat. § 17a-101a, when an allegation of abuse or neglect or sexual assault has been substantiated.

## II. DCF Registry Checks

Prior to hiring any person for a position with the district, the district shall require such applicant to submit to a records check of information maintained on the Registry concerning the applicant.

For any applicant whose current or most recent employment occurred out of state, the district shall request that the applicant provide the district with authorization to access information maintained concerning the applicant by the equivalent state agency in the state of most recent employment, if such state maintains information about abuse and neglect and has a procedure by which such information can be obtained. Refusal to permit the district to access such information shall be considered grounds for rejecting any applicant for employment.

The district shall request information from the Registry or its out of state equivalent promptly, and in any case no later than thirty (30) calendar days from the date of employment. Registry checks will be processed according to the following procedure:

- A. No later than ten (10) calendar days after the Superintendent or his/her designee has notified a job applicant of a decision to offer employment to the applicant, or as soon thereafter as practicable, the Superintendent or designee will either obtain the information from the Registry or, if the applicant's consent is required to access the information, will supply the applicant with the release form utilized by DCF, or its out of state equivalent when available, for obtaining information from the Registry.
- B. If consent is required to access the Registry, no later than ten (10) calendar days after the Superintendent or his/her designee has provided the successful job applicant with the form, the applicant must submit the signed form to DCF or its out of state equivalent, with a copy to the Superintendent or his/her designee. Failure of the applicant to submit the signed form to DCF or its out of state equivalent within such ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.
- C. Upon receipt of Registry or out-of-state registry information indicating previously undisclosed information concerning abuse or neglect investigations concerning the successful job applicant/employee, the Superintendent or his/her designee will notify the affected applicant/employee in writing of the results of the Registry check and will provide an opportunity for the affected applicant/employee to respond to the results of the Registry check.

- D. If notification is received by the Superintendent or designee that that the applicant is listed as a perpetrator of abuse or neglect on the Registry, the Superintendent or designee shall provide the applicant with an opportunity to be heard regarding the results of the Registry check. If warranted by the results of the Registry check and any additional information provided by the applicant, the Superintendent or designee shall revoke the offer of employment and/or terminate the applicant's employment if he or she has already commenced working for the district.

### III. Criminal Records Check Procedure

- A. Each person hired by the district shall be required to submit to state and national criminal record checks within thirty (30) calendar days from the date of employment. Each person otherwise placed within a school under any public assistance employment program, employed by a provider of supplemental services pursuant to federal law or in a nonpaid, noncertified position completing preparation requirements for the issuance of an educator certificate, who performs a service involving direct student contact shall also be required to submit to state and national criminal record checks within thirty (30) calendar days from the date such worker begins to perform such service. Record checks will be processed according to the following procedure:\*
1. No later than five (5) calendar days after the Superintendent or his/her designee has notified a job applicant of a decision to hire the applicant, or as soon thereafter as practicable, the Superintendent or his/her designee will provide the applicant with a packet containing all documents and materials necessary for the applicant to be fingerprinted by the Westport Police Department. This packet shall also contain all documents and materials necessary for the police department to submit the completed fingerprints to the State Police Bureau of Identification for the processing of state and national criminal record checks. The Superintendent or his/her designee will also provide each applicant with the following notifications before the applicant obtains his/her fingerprints: (1) Agency Privacy Requirements for Noncriminal Justice Applicants; (2) Noncriminal Justice Applicant's Privacy Rights; (3) and the Federal Bureau of Investigation, United States Department of Justice Privacy Act Statement.
  2. No later than ten (10) calendar days after the Superintendent or his/her designee has provided the successful job applicant with the fingerprinting packet, the applicant must arrange to be fingerprinted by the Westport Police Department. Failure of the applicant to have his/her fingerprints taken within such ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.
  3. Any person for whom criminal records checks are required to be performed pursuant to this policy must pay all fees and costs associated with the fingerprinting process and/or the submission or processing of the requests for criminal record checks.
  4. Upon receipt of a criminal record check indicating a previously undisclosed conviction, the Superintendent or his/her designee will notify the affected applicant/employee in writing of the results of the record check and will provide an opportunity for the affected applicant/employee to respond to the results of the criminal record check. The affected applicant/employee may notify the Superintendent or his/her designee in writing within

five (5) calendar days that the affected/employee will challenge his/her criminal history record check. Upon written notification to the Superintendent or his/her designee of such a challenge, the affected applicant/employee shall have ten (10) calendar days to provide the Superintendent or his/her designee with necessary documentation regarding the affected applicant/employee's record challenge. The Superintendent or his/her designee may grant an extension to the preceding ten-day period during which the affected applicant/employee may provide such documentation for good cause shown.

5. Decisions regarding the effect of a conviction upon an applicant/employee, whether disclosed or undisclosed by the applicant/employee, will be made on a case-by-case basis. Notwithstanding the foregoing, the falsification or omission of any information on a job application or in a job interview, including but not limited to information concerning criminal convictions or pending criminal charges, shall be grounds for disqualification from consideration for employment or discharge from employment.
6. Notwithstanding anything in paragraph III.A.5 of this Policy, above, no decision to deny employment or withdraw an offer of employment on the basis of an applicant/employee's criminal history record shall be made without affording the applicant/employee the opportunities set forth in paragraph III.A.4 of this Policy, above.

#### **B. Criminal Records Check for Substitute Teachers:**

A substitute teacher who is hired by the district must submit to state and national criminal history record checks according to the procedures outlined above, subject to the following:

1. If the state and national criminal history record checks for a substitute teacher have been completed within one year prior to the date the district hired the substitute teacher, and if the substitute teacher arranged for such prior criminal history record checks to be forwarded to the Superintendent, then the substitute teacher will not be required to submit to another criminal history record check at the time of such hire.
2. If a substitute teacher submitted to state and national criminal history record checks upon being hired by the district, then the substitute teacher will not be required to submit to another criminal history record check so long as the substitute teacher is continuously employed by the district, that is, employed for at least one day of each school year, by the district, provided a substitute teacher is subjected to such checks at least once every five years.

#### **IV. Sex Offender Registry Checks**

School district personnel shall cross-reference the Connecticut Department of Public Safety's sexual offender registry prior to hiring any new employee. Registration as a sexual offender constitutes grounds for denial of employment opportunities.

#### **V. Credit Checks**

The district may also ask a prospective employee for a credit report for employment for certain district positions, where the district's receipt of a credit report is substantially related to the employee's potential job. Substantially related is defined to mean "the information contained in the credit report is related to the position for which the employee or prospective employee who is the subject of the report is being evaluated." Prior to asking for a credit report, the district will determine whether the position falls within one of the categories as described in this paragraph. The position must: (1) be a managerial position which involves setting the direction or control of the district; (2) involve access to employees' personal or financial information; (3) involve a fiduciary responsibility to the district, including, but not limited to, the authority to issue payments, collect debts, transfer money or enter into contracts; (4) provide an expense account or district debit or credit card; or (5) involve access to the district's nonfinancial assets valued at two thousand five dollars or more.

When a credit report will be requested as part of the employment process, the district will provide written notification to prospective employee regarding the use of credit checks. That notification must be provided in a document separate from the employment application. The notification must state that the district may use the information in the consumer credit report to make decisions related to the individual's employment.

The district will obtain consent before performing the credit or other background checks. If the district intends to take an action adverse to a potential employee based on the results of a credit report, the district must provide the prospective employee with a copy of the report on which the district relied in making the adverse decision, as well as a copy of "A Summary of Your Rights Under the Fair Credit Reporting Act," which should be provided by the company that provides the results of the credit check. The district will notify the prospective employee either orally, in writing or via electronic means that the adverse action was taken based on the information in the consumer report. That notice must include the name, address and phone number of the consumer reporting company that supplied the credit report; a statement that the company that supplied the report did not make the decision to take the unfavorable action and cannot provide specific reasons for the district's actions; and a notice of the person's right to dispute the accuracy or completeness of any information the consumer reporting company furnished, and to get an additional free report from the company if the person asks for it within sixty (60) calendar days.

#### VI. Notice of Conviction

If, at any time, the Board of Education receives notice of a conviction of a crime by (1) a person holding a certificate, authorization or permit issued by the State Board of Education, or (2) a person employed by a provider of supplemental services, the Board shall send such notice to the State Board of Education.

#### VII. School Nurses

School nurses or nurse practitioners appointed by, or under contract with, the Board of Education shall also be required to submit to a criminal history records check in accordance with the procedures outlined above.

#### VIII. Personal Online Accounts

For purposes of these Administrative Regulations, "personal online account" means any online account that is used by an employee or applicant exclusively for personal purposes and unrelated to any business purpose of the Board, including, but not limited to, electronic mail, social media and retail-based Internet web sites. "Personal online account" does not include any account created, maintained, used or

accessed by an employee or applicant for a business purpose of the Board.

A. During the course of an employment check, the Board may not:

1. request or require that an applicant provide the Board with a user name and password, password or any other authentication means for accessing a personal online account;
2. request or require that an applicant authenticate or access a personal online account in the presence of the Board; or
3. require that an applicant invite a supervisor employed by the Board or accept an invitation from a supervisor employed by the Board to join a group affiliated with any personal online account of the applicant.

B. The Board may request or require that an applicant provide the Board with a user name and password, password or any other authentication means for accessing:

1. any account or service provided by Board or by virtue of the applicant's employment relationship with the Board or that the applicant uses for the Board's business purposes, or
2. any electronic communications device supplied or paid for, in whole or in part, by the Board.

C. In accordance with applicable law, the Board maintains the right to require an applicant to allow the Board to access his or her personal online account, without disclosing the user name and password, password or other authentication means for accessing such personal online account, for the purpose of:

1. conducting an investigation for the purpose of ensuring compliance with applicable state or federal laws, regulatory requirements or prohibitions against work-related employee misconduct based on the receipt of specific information about activity on an applicant's personal online account; or
2. conducting an investigation based on the receipt of specific information about an applicant's unauthorized transfer of the Board's proprietary information, confidential information or financial data to or from a personal online account operated by an applicant or other source.

IX. Policy Inapplicable to Students Employed by the School District

A. This policy shall also not apply to a student employed by the local or regional school district in which the student attends school.

X. Falsification of Records.

Notwithstanding any other provisions of this policy, the falsification or omission of any information on a job application or in a job interview, including but not limited to information concerning abuse or neglect investigations or pending criminal applications, shall be grounds for disqualification from consideration for employment or discharge from employment.

Legal References: Conn. Gen. Stat. § 10-212

Conn. Gen. Stat. § 10-221d

Conn. Gen. Stat. § 10-222c

Conn. Gen. Stat. § 31-40x

Conn. Gen. Stat. § 31-51i

Conn. Gen. Stat. § 31-51tt

Public Act 17-68, “An Act Concerning Various Revisions and Additions to the Education Statutes.”

Public Act 17-220, “An Act Concerning Education Mandate Relief.”

Elementary and Secondary Education Act, reauthorized as the Every Student Succeeds Act, Pub. L. 114-95, codified at 20 U.S.C. § 1001 *et seq.*

Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.*

ADOPTED: WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut

## Agency Privacy Requirements for Noncriminal Justice Applicants

Authorized governmental and non-governmental agencies/officials that conduct a national fingerprint-based criminal history record check on an applicant for a noncriminal justice purpose (such as a job or license, immigration or naturalization matter, security clearance, or adoption) are obligated to ensure the applicant is provided certain notice and other information and that the results of the check are handled in a manner that protects the applicant's privacy.

- Officials must provide to the applicant written notice<sup>1</sup> that his/her fingerprints will be used to check the criminal history records of the FBI.
- Officials using the FBI criminal history record (if one exists) to make a determination of the applicant's suitability for the job, license, or other benefit must provide the applicant the opportunity to complete or challenge the accuracy of the information in the record.
- Officials must advise the applicant that procedures for obtaining a change, correction, or updating of an FBI criminal history record are set forth at Title 28, Code of Federal Regulations (CFR), Section 16.34.
- Officials should not deny the job, license, or other benefit based on information in the criminal history record until the applicant has been afforded a reasonable time to correct or complete the record or has declined to do so.
- Officials must use the criminal history record solely for the purpose requested and cannot disseminate the record outside the receiving department, related agency, or other authorized entity.<sup>2</sup>

The FBI has no objection to officials providing a copy of the applicant's FBI criminal history record to the applicant for review and possible challenge when the record was obtained based on positive fingerprint identification. If agency policy permits, this courtesy will save the applicant the time and additional FBI fee to obtain his/her record directly from the FBI by following the procedures found at 28 CFR 16.30 through 16.34. It will also allow the officials to make a more timely determination of the applicant's suitability.

Each agency should establish and document the process/procedures it utilizes for how/when it gives the applicant notice, what constitutes "a reasonable time" for the applicant to correct or complete the record, and any applicant appeal process that is afforded the applicant. Such documentation will assist State and/or FBI auditors during periodic compliance reviews on use of criminal history records for noncriminal justice purposes.

If you need additional information or assistance, contact:

<u><b>Connecticut Records:</b></u> <u><b>Department of Emergency Services and Public Protection</b></u> <u><b>State Police Bureau of Identification (SPBI)</b></u> <u><b>1111 Country Club Road</b></u> <u><b>Middletown, CT 06457</b></u> <u><b>860-685-8480</b></u>	<u><b>Out-of-State Records:</b></u> <u><b>Agency of Record</b></u> <u><b>OR</b></u> <u><b>FBI CJIS Division-Summary Request</b></u> <u><b>1000 Custer Hollow Road</b></u> <u><b>Clarksburg, West Virginia 26306</b></u>
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<sup>1</sup> Written notification includes electronic notification, but excludes oral notification.

<sup>2</sup> See 5 U.S.C. 552a(b); 28 U.S.C. 534(b); 42 U.S.C. 14616, Article IV(c); 28 CFR 20.21(c), 20.33(d), 50.12(b) and 906.2(d).



## Noncriminal Justice Applicant's Privacy Rights

As an applicant who is the subject of a national fingerprint-based criminal history record check for a noncriminal justice purpose (such as an application for a job or license, an immigration or naturalization matter, security clearance, or adoption), you have certain rights which are discussed below.

- You must be provided written notification<sup>3</sup> by Westport Public Schools that your fingerprints will be used to check the criminal history records of the FBI.
- If you have a criminal history record, the officials making a determination of your suitability for the job, license, or other benefit must provide you the opportunity to complete or challenge the accuracy of the information in the record.
- The officials must advise you that the procedures for obtaining a change, correction, or updating of your criminal history record are set forth at Title 28, Code of Federal Regulations (CFR), Section 16.34.
- If you have a criminal history record, you should be afforded a reasonable amount of time to correct or complete the record (or decline to do so) before the officials deny you the job, license, or other benefit based on information in the criminal history record.<sup>4</sup>
- You have the right to expect that officials receiving the results of the criminal history record check will use it only for authorized purposes and will not retain or disseminate it in violation of federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council.<sup>5</sup>
- If agency policy permits, the officials may provide you with a copy of your FBI criminal history record for review and possible challenge. If agency policy does not permit it to provide you a copy of the record, you may obtain a copy of the record by submitting fingerprints and a fee to the FBI. Information regarding this process may be obtained at <http://www.fbi.gov/about-us/cjis/background-checks>.
- If you decide to challenge the accuracy or completeness of your FBI criminal history record, you should send your challenge to the agency that contributed the questioned information to the FBI. Alternatively, you may send your challenge directly to the FBI at the same address as provided above. The FBI will then forward your challenge to the agency that contributed the questioned information and request the agency to verify or correct the challenged entry. Upon receipt of an official communication from that agency, the FBI will make any necessary changes/corrections to your record in accordance with the information supplied by that agency. (See 28 CFR 16.30 through 16.34.)
- If you need additional information or assistance, please contact:

<sup>3</sup> Written notification includes electronic notification, but excludes oral notification.

<sup>4</sup> See 28 CFR 50.12(b).

<sup>5</sup> See 5 U.S.C. 552a(b); 28 U.S.C. 534(b); 42 U.S.C. 14616, Article IV(c); 28 CFR 20.21(c), 20.33(d) and 906.2(d).

<u><b>Connecticut Records:</b></u> <u><b>Department of Emergency Services and Public</b></u> <u><b>Protection</b></u> <u><b>State Police Bureau of Identification (SPBI)</b></u> <u><b>1111 Country Club Road</b></u> <u><b>Middletown, CT 06457</b></u> <u><b>860-685-8480</b></u>	<u><b>Out-of-State Records:</b></u> <u><b>Agency of Record</b></u> <u><b>OR</b></u> <u><b>FBI CJIS Division-Summary Request</b></u> <u><b>1000 Custer Hollow Road</b></u> <u><b>Clarksburg, West Virginia 26306</b></u>
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Federal Bureau of Investigation  
United States Department of Justice  
Privacy Act Statement

**Authority:** The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub. L. 92-544, Presidential Executive Orders, and federal. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

**Social Security Account Number (SSAN).** Your SSAN is needed to keep records accurate because other people may have the same name and birth date. Pursuant to the Federal Privacy Act of 1974 (5 USC 552a), the requesting agency is responsible for informing you whether disclosure is mandatory or voluntary, by what statutory or other authority your SSAN is solicited, and what uses will be made of it. Executive Order 9397 also asks Federal agencies to use this number to help identify individuals in agency records.

**Principal Purpose:** Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

**Routine Uses:** During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

**Additional Information:** The requesting agency and/or the agency conducting the application-investigation will provide you additional information pertinent to the specific circumstances of this application, which may include identification of other authorities, purposes, uses, and consequences of not providing requested information. In addition, any such agency in the Federal Executive Branch has also published notice in the Federal Register describing any systems(s) of records in which that agency may also maintain your records, including the authorities, purposes, and routine uses for the system(s).



## **Business/Non-Instructional Operations**

### **Soliciting Prices (Bids and Quotations)**

Competitive bidding is required as detailed below. This is included in the new purchasing policy 3320. Preference is to be given local suppliers and vendors when quality and price are equal.

Prior to seeking bids on instructional and custodial supplies, the Financial Services Director will make a survey of the quantities and types of material needed. These indicated needs will be sent to prospective vendors. When the bids are returned and the low bidder determined, the Financial Services Director will notify those concerned of the results. Orders may then be processed by the administrators and billing date must be indicated as being on or after July 1 of the fiscal year in which the bills are to be paid.

Policy adopted:        July 1964

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut

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## **Business and Non-Instructional Operations**

### **Capital Projects**

#### **Purpose**

The Westport Board of Education recognizes the importance of the need for sound business practices in spending public funds for required capital projects. To ensure that capital projects are completed in a timely fashion within approved financial guidelines as determined by the Board of Education, the Board of Finance and the RTM without sacrificing quality or educational purpose, all capital projects undertaken must comply with federal, state, town, and Westport Public Schools requirements, as well as generally accepted business practices.

#### **Definition**

Capital projects are those necessitated by a need for the improvement or purchase of a fixed asset classified as property, plant or equipment for which the Board of Education has been granted a special appropriation by the Board of Finance and the Representative Town Meeting (RTM) in an amount of \$100,000 or more.

#### **Authority**

The expenditure of funds for capital projects shall be centralized under the Director of School Business Operations who shall be responsible for all capital projects for the district. In accordance with the Westport Town Charter, the Director of School Business Operations is the designated representative of the Board of Education to act with the Finance Director of the Town in accounting for all capital project expenditures.

#### **Bidding**

For capital projects meeting the definitional threshold, formal bid(s) must be sought. The Director of School Business Operations will provide a Bid Report annually for all capital projects eligible for bid as defined in Policy 3320, including any explanation for those capital projects eligible for bid that did not go out for bid. Bids for capital projects should include information regarding the possible existence of hazardous materials.

Reference: Connecticut General Statutes

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

**Policy adopted: October 6, 2014**

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## **Students**

### **Bullying Prevention and Intervention**

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

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

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

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

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

## Students

### Bullying Prevention and Intervention (continued)

Bullying shall include, but not be limited to, a written, verbal or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

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

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

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

## **Students**

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

- (8) require each school to notify the parents or guardians of students who commit any verified acts of bullying and the parents or guardians of students against whom such acts were directed not later than forty-eight hours after the completion of the investigation described in subdivision (4) above;
- (9) require each school to invite the parents or guardians of a student who commits any verified act of bullying and the parents or guardians of the student against whom such act was directed to a meeting to communicate to such parents or guardians the measures being taken by the school to ensure the safety of the student against whom such act was directed and to prevent further acts of bullying.
- (10) require each school to invite the parents or guardians of a student who commits any verified act of bullying to a meeting, separate and distinct from the meeting required in subdivision (9) above, to discuss specific interventions undertaken by the school to prevent further acts of bullying;
- (11) establish a procedure for each school to document and maintain records relating to reports and investigations of bullying in such school and to maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection, and annually report such number to the Department of Education and in such manner as prescribed by the Commissioner of Education;
- ~~(11)~~12 direct the development of case-by-case interventions for addressing repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline;
- ~~(12)~~13 prohibit discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying;
- ~~(13)~~14 direct the development of student safety support plans for students against whom an act of bullying was directed that address safety measures the school will take to protect such students against further acts of bullying;
- ~~(14)~~15 require the principal of a school, or the principal's designee, to notify the appropriate local law enforcement agency when such principal, or the principal's designee, believes that any acts of bullying constitute criminal conduct;
- ~~(15)~~16 prohibit bullying (A) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a local or regional board of education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the local or regional board of education, and (B) outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the

rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;

**P5131.911(d)**

## **Students**

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

(~~16~~<sup>17</sup>) require, at the beginning of each school year, each school to provide all school employees with a written or electronic copy of the school district's safe school climate plan; and

(~~17~~<sup>18</sup>) require that all school employees annually complete the training described in Conn. Gen. Stat. §10-220a or 10-222j.

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

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

### Legal References:

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

Conn. Gen. Stat. 10-145a

Conn. Gen. Stat. 10-145o

Conn. Gen. Stat. 10-220a

Conn. Gen. Stat. § 10-222d

Conn. Gen. Stat. 10-222g

Conn. Gen. Stat. 10-222h

Conn. Gen. Stat. § 10-222j

Conn. Gen. Stat. § 10-222k

Conn. Gen. Stat. § 10-222l

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

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

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut



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

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

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

Target(s) of Behaviors/Violence:

---

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

---

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Report Filed

Against:\_\_\_\_\_

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

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

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

[illegible]

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

Name	Address	Telephone Number

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

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

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

If “Yes”, to whom was it reported and when?

Was the report verbal or written?

Proposed Solution:

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

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

Signature of Reporter	Date Submitted	Received By	Date Received
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April 5, 2018 Page 38



Date of Meetings:

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

Y      N

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

3.26.2018  
~~12.19.2014~~



**REPORT OF BULLYING FORM/INVESTIGATION SUMMARY**

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

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

Reporter Information:

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

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

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

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

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

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

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

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

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

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

\_\_\_\_\_

**For Staff Use Only:****Action of Reporter:** \_\_\_\_\_**Administrative Investigation Notes (use separate sheet if necessary):**


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**Bullying Verified?** Yes \_\_\_\_ No \_\_\_\_**Remedial Action(s) Taken:** \_\_\_\_\_

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

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

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

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

**Date of Meetings:**


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

Y      N

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

12.19.2011



**Report of Bullying/Consent to Release Student Information**

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

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

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

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To Parent/Guardian:

A report of bullying has been made on behalf of your child alleging that he/she has been the victim of bullying. In order to facilitate a prompt and thorough investigation of the report, the Westport Public Schools may need to disclose the name of your child and/or other information in connection this investigation which may otherwise disclose your child's identity.

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

\_\_\_\_\_ I hereby give permission for the Westport Public Schools to disclose my child's name, along with any other information necessary to permit the district to adequately and appropriately investigate such report, to third parties contacted by the district as part of its investigation.

\_\_\_\_\_ I do **NOT** give permission for the Westport Public Schools to disclose my child's name, along with any other information necessary to permit the district to adequately and appropriately investigate such report, to third parties contacted by the district as part of its investigation.

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

\_\_\_\_\_  
Date

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



**Report of Teen Dating Violence/Consent to Release Student Information**

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

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

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

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**To Parent/Guardian:**

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

**(Please check one):**

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

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

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

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

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*[Please note: The State DOE strongly encourages districts to have safe school climate plans that are specifically tailored to meet individual school/district needs, in addition to the legislative requirements. For that reason, we encourage districts to utilize Section X of the model Safe School Climate Plan to highlight the district and school specific initiatives in your district].*

**Series 5000  
Students**

**BULLYING PREVENTION AND INTERVENTION POLICY**

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

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

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

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

- (1) causes physical or emotional harm to such student or damage to such student's property;
- (2) places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;

- (3) creates a hostile environment at school for such student;
- (4) infringes on the rights of such student at school; or
- (5) substantially disrupts the education process or the orderly operation of a school.

Bullying shall include, but not be limited to, a written, verbal or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

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

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

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

- (1) Enable students to anonymously report acts of bullying to school employees and require students and the parents or guardians of students to be notified at the beginning of each school year of the process by which students may make such reports;
- (2) enable the parents or guardians of students to file written reports of suspected bullying;
- (3) require school employees who witness acts of bullying or receive reports of bullying to orally notify the safe school climate specialist, or another school administrator if the safe school climate specialist is unavailable, not later than one school day after such school employee witnesses or receives a report of bullying, and to file a written report not later than two school days after making such oral report;
- (4) require the safe school climate specialist to investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports made under this section



and that the parents or guardians of the student alleged to have committed an act or acts of bullying and the parents or guardians of the student against whom such alleged act or acts were directed receive prompt notice that such investigation has commenced;

- (5) require the safe school climate specialist to review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report;
- (6) include a prevention and intervention strategy for school employees to deal with bullying and teen dating violence;
- (7) provide for the inclusion of language in student codes of conduct concerning bullying;
- (8) require each school to notify the parents or guardians of students who commit any verified acts of bullying and the parents or guardians of students against whom such acts were directed not later than forty-eight hours after the completion of the investigation described in subdivision (4), above;
- (9) require each school to invite the parents or guardians of a student against whom such act was directed to a meeting to communicate to such parents or guardians the measures being taken by the school to ensure the safety of the student against whom such act was directed and policies and procedures in place to prevent further acts of bullying;
- (10) require each school to invite the parents or guardians of a student who commits any verified act of bullying to a meeting, separate and distinct from the meeting required in subdivision (9) above, to discuss specific interventions undertaken by the school to prevent further acts of bullying;
- (11) establish a procedure for each school to document and maintain records relating to reports and investigations of bullying in such school and to maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection, and annually report such number to the Department of Education and in such manner as prescribed by the Commissioner of Education;
- (12) direct the development of case-by-case interventions for addressing repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline;
- (13) prohibit discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying;

- (14) direct the development of student safety support plans for students against whom an act of bullying was directed that address safety measures the school will take to protect such students against further acts of bullying;
- (15) require the principal of a school, or the principal's designee, to notify the appropriate local law enforcement agency when such principal, or the principal's designee, believes that any acts of bullying constitute criminal conduct;
- (16) prohibit bullying (A) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a local or regional board of education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the local or regional board of education, and (B) outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, or (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;
- (17) require, at the beginning of each school year, each school to provide all school employees with a written or electronic copy of the school district's safe school climate plan; and
- (18) require that all school employees annually complete the training described in Conn. Gen. Stat. §§ 10-220a or 10-222j.

The notification required pursuant to subdivision (8) (above) and the invitation required pursuant to subdivisions (9) and (10) (above) shall include a description of the response of school employees to such acts and any consequences that may result from the commission of further acts of bullying. Any information provided under this policy or accompanying Safe School Climate Plan shall be provided in accordance with the confidentiality restrictions imposed under the Family Educational Rights Privacy Act ("FERPA") and the district's Confidentiality and Access to Student Information policy and regulations.

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

#### Legal References:

Conn. Gen. Stat. § 10-145a

Conn. Gen. Stat. § 10-145o

Conn. Gen. Stat. § 10-220a

Conn. Gen. Stat. § 10-222d

Conn. Gen. Stat. § 10-222g

Conn. Gen. Stat. § 10-222h

Conn. Gen. Stat. § 10-222j

Conn. Gen. Stat. § 10-222k

Conn. Gen. Stat. § 10-222l

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

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## Students

### Safe School Climate Plan

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

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

#### I. Prohibition Against Bullying, [Teen Dating Violence](#), and Retaliation

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

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

**P5131.912(b)**

## **Students**

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

## **II. Definition of Bullying**

- A. **"Bullying"** means the repeated use by one or more students of a written, ~~verbal~~ oral or electronic communication, such as cyberbullying, The Board further prohibits any form of teen dating violence outside of the school setting if such violence substantially disrupts the educational process; or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same district that:
1. causes physical or emotional harm to such student or damage to such student's property;
  2. places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;
  3. creates a hostile environment at school for such student;
  4. infringes on the rights of such student at school; or
  5. substantially disrupts the education process or the orderly operation of a school.
- B. Bullying shall include, but not be limited to, a written, verbal or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

## **III. Other Definitions**

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

**P5131.912(e)**

## **Students**

- C. **"Hostile environment"** means a situation in which bullying among students is sufficiently severe or pervasive to alter the conditions of the school climate;
- D. **"Mobile electronic device"** means any hand-held or other portable electronic equipment capable of providing data communication between two or more individuals, including, but not limited to, a text messaging device, a paging device, a personal digital assistant, a laptop computer, equipment that is capable of playing a video game or a digital video disk, or equipment on which digital images are taken or transmitted;
- E. **"Outside of the school setting"** means at a location, activity or program that is not school related, or through the use of an electronic device or a mobile electronic device that is not owned, leased or used by a local or regional board of education;
- F. **"Prevention and intervention strategy"** may include, but is not limited to,
- (1) implementation of a positive behavioral intervention and support process or another evidence-based model approach for safe school climate or for the prevention of bullying identified by the Department of Education,
  - (2) school rules prohibiting bullying, harassment and intimidation and establishing appropriate consequences for those who engage in such acts,
  - (3) adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur,
  - (4) inclusion of grade-appropriate bullying education and prevention curricula in kindergarten through high school,
  - (5) individual interventions with the bully, parents and school employees, and interventions with the bullied child, parents and school employees,
  - (6) school-wide training related to safe school climate,
  - (7) student peer training, education and support, ~~and~~
  - (8) promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions, and
  - ~~;(9) culturally competent school-based curriculum focusing on social-emotional learning, self-awareness and self-regulation.~~
- G. **"School climate"** means the quality and character of school life with a particular focus on the quality of the relationships within the school community between and among students and adults.

## Students

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

#### H. "School employee" means

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

#### I. "School-Sponsored Activity" shall mean any activity conducted on or off school property (including school buses and other school-related vehicles) that is sponsored, recognized or authorized by the Board of Education.

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

## IV. Leadership and Administrative Responsibilities

#### A. Safe School Climate Coordinator

~~For the school year commencing July 1, 2012, and each school year thereafter,~~

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

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

**P5131.912(e)**

## Students

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

#### B. Safe School Climate Specialist



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

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

A. ~~For the school year commencing July 1, 2012 and each school year thereafter,~~  
The Principal of each school shall establish a committee or designate at least one existing committee ("Committee") in the school to be responsible for developing and fostering a safe school climate and addressing issues relating to bullying in the school. Such committee shall include at least one parent/guardian of a student enrolled in the school, as appointed by the school principal.

B. The Committee shall:

- (1) receive copies of completed reports following bullying investigations;
- (2) identify and address patterns of bullying among students in the school;
- (3) implement the provisions of the school security and safety plan, regarding the collection, evaluation and reporting of information relating to instances of disturbing or threatening behavior that may not meet the definition of bullying.
- (4) review and amend school policies relating to bullying;
- (45) review and make recommendations to the Coordinator regarding the Safe School Climate Plan based on issues and experiences specific to the school;
- (56) educate students, school employees and parents/guardians on issues relating to bullying;
- (67) collaborate with the Coordinator in the collection of data regarding bullying; and
- ~~B.~~ (78) perform any other duties as determined by the Principal that are related to the prevention, identification and response to school bullying.

C. Any parent/guardian serving as a member of the Committee shall not participate in any activities which may compromise the confidentiality of any student, including, but not limited to receiving copies of investigation reports, or identifying or addressing patterns of bullying among students in the school.

**P5131.912(f)**

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

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

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

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

**P5131.912(g)**

## **Students**

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

- C. School employees who witness acts of bullying or receive reports of bullying shall orally notify the Safe School Climate Specialist or another school administrator if the Safe School Climate Specialist is unavailable, **not later than one (1) school day** after such school employee witnesses or receives a report of bullying. The school employee shall then file a **written report not later than two (2) school days** after making such oral report.
- D. The Safe School Specialist shall be responsible for reviewing any anonymous reports of bullying and shall investigate or supervise the investigation of all

reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports. The Safe School Climate Specialist shall also be responsible for promptly notifying the parents or guardians of the student alleged to have committed an act or acts of bullying, and the parents or guardians of the student against whom such alleged act or acts were directed, that an investigation has commenced. In order to allow the district to adequately investigate complaints filed by a student or parent/guardian, the parent of the student suspected of being bullied should be asked to provide consent to permit the release of that student's name in connection with the investigation process, unless the student and/or parent has requested anonymity.

- E. In investigating reports of bullying, the Safe School Climate Specialist or designee will consider all available information known, including the nature of the allegations and the ages of the students involved. The Safe School Climate Specialist will interview witnesses, as necessary, reminding the alleged perpetrator and other parties that retaliation is strictly prohibited and will result in disciplinary action.

## VII. Responding to Verified Acts of Bullying

- A. Following investigation, if acts of bullying are verified, the Safe School Climate Specialist or designee shall notify the parents or guardians of the students against whom such acts were directed as well as the parents or guardians of the students who commit such acts of bullying of the finding **not later than forty-eight (48) hours** after the investigation is completed. This notification shall include a description of the school's response to the acts of bullying. In providing such notification, however, Westport Public Schools~~are will take care~~~~must be taken~~ to respect the statutory privacy rights of other students, including the perpetrator of such bullying. The specific disciplinary consequences imposed on the perpetrator, or personally identifiable information about a student other than the parent/guardian's own child, may not be disclosed except as provided by law.

**P5131.912(h)**

## **Students**

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

- ~~B.~~ B. In any instance in which bullying is verified, the Safe School Climate Specialist or designee shall also invite the parents or guardians of the student who commits any verified act of bullying and the parents or guardian of the student against whom such act was directed to a meeting to communicate the measures being taken by the school to ensure the safety of the student/victim and policies and procedures in place to prevent further acts of bullying. The Safe School Climate Specialist or designee shall also invite the parents or guardians of a student who commits any verified act of bullying to a meeting, separate and distinct from the previously described meeting, to discuss specific interventions undertaken by the school to prevent further acts of bullying. The invitation may be made simultaneous with the notification described above in Section VII.A., ~~as it must include a description of the school's response to such acts, along with consequences, as appropriate. Normally, separate meetings shall be held with the respective parents; however, at the discretion of the Safe School Climate~~

~~Specialist and with written consent of the parents/guardians involved, the meeting(s) may be held jointly.~~

- C. If bullying is verified, the Safe School Climate Specialist or designee shall develop a student safety support plan for any student against whom an act of bullying was directed. Such support plan will include safety measures to protect against further acts of bullying.
- D. A specific written intervention plan shall be developed to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual. The written intervention plan may include counseling, discipline and other appropriate remedial actions as determined by the Safe School Climate Specialist or designee, and may also incorporate a student safety support plan, as appropriate.
- E. Notice to Law Enforcement

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

**~~P5131.912(i)~~**

## **Students**

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

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

## **VIII. Teen Dating Violence**

- A. The school strictly prohibits, and takes very seriously any instances of, teen dating violence, as defined above. The school recognizes that teen dating violence may take many different forms and may also be considered bullying and/or sexual harassment.
- B. Students and parents (or guardians of students) may bring verbal or written complaints regarding teen dating violence to any building administrator. The building administrator shall review and address the complaint, which may include referral of the complaint to the Safe School Climate Specialist and/or Title IX Coordinator.

- C. Prevention and intervention strategies concerning teen dating violence shall be implemented in accordance with Section X below. Discipline, up to and including expulsion, may be imposed against the perpetrator of teen dating violence, whether such conduct occurs on or off campus, in accordance with Board policy and consistent with federal and state law.

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

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

**P5131.912(j)**

#### **Students**

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

#### **IX. Other Prevention and Intervention Strategies**

- A. Bullying behavior and teen dating violence can take many forms and can vary dramatically in the nature of the offense and the impact the behavior may have on the victim and other students. Accordingly, there is no one prescribed response to verified acts of bullying or teen dating violence. While conduct that rises to the level of "bullying" or "teen dating violence," as defined above, will generally warrant traditional disciplinary action against the perpetrator of such bullying or

[teen dating violence](#), whether and to what extent to impose disciplinary action (e.g., detention, in-school suspension, suspension or expulsion) is a matter for the professional discretion of the building principal (or responsible program administrator or his/her designee). No disciplinary action may be taken solely on the basis of an anonymous complaint. As discussed below, schools may also consider appropriate alternatives to traditional disciplinary sanctions, including age-appropriate consequences and other restorative or remedial interventions.

- B. A specific written intervention plan shall be developed to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual. This plan may include safety provisions, as described above, for students against whom acts of bullying have been verified and may include other interventions such as counseling, discipline, and other appropriate remedial or restorative actions as determined by the responsible administrator.
- C. The following sets forth possible interventions which may also be utilized to enforce the Board's prohibition against bullying:

~~i.~~[\(1\)](#) Non-disciplinary interventions

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

If a complaint arises out of conflict between students or groups

**P5131.912(k)**

## **Students**

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

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

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

## ~~ii.~~(2) Disciplinary interventions

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

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

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

## ~~iii.~~(3) Interventions for bullied students

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

**P5131.912(4)**

## **Students**

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

(a) Referral to a school counselor, psychologist or other appropriate social or mental health service;

~~a.—~~ Counseling;

~~b.~~ (b) Increased supervision and monitoring of student to observe and intervene in bullying situations or instances of teen dating violence;

~~c.~~ (c) Encouragement of student to seek help when victimized or witnessing victimization;

~~d.~~ (d) Peer mediation or other forms of mediation, where appropriate;

~~e.~~ (e) Student Safety Support plan; and

~~f.~~ (f) Restitution and/or restorative interventions.



(g) Periodic follow-up by the Safe School Climate Specialist and/or Title IX Coordinator with the bullied student or victim of teen dating violence.

~~iv.~~(4) General Prevention and Intervention Strategies

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

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

**P5131.912(m)**

## **Students**

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

- d. Individual interventions with the perpetrator, parents and school employees, and interventions with the bullied student, parents and school employees;
- e. School-wide training related to safe school climate, which training may include Title IX sex discrimination/~~s~~Sexual harassment training, Section 504/ADA ~~t~~Training, cultural diversity/multicultural education or other training in federal and state civil rights legislation or other topics relevant to safe school climate;
- f. Student peer training, education and support; and



- g. Promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions;
- h. Implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying [and teen dating violence](#), including any such program identified by the Department of Education;
- i. Respectful responses to bullying concerns raised by students, parents or staff;
- j. Planned professional development programs addressing prevention and intervention strategies, which training may include school violence prevention, conflict resolution and prevention of bullying [and teen dating violence](#), with a focus in evidence based practices concerning same;
- k. Use of peers to help ameliorate the plight of victims and include them in group activities;
- l. Avoidance of sex-role stereotyping;

**P5131.912(n)**

## **Students**

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

- m. Continuing awareness and involvement on the part of school employees and parents with regards to prevention and intervention strategies;
- n. Modeling by teachers of positive, respectful, and supportive behavior toward students;
- o. Creating a school atmosphere of team spirit and collaboration that promotes appropriate social behavior by students in support of others;
- p. Employing classroom strategies that instruct students how to work together in a collaborative and supportive atmosphere.

(q) [Culturally competent school-based curriculum focusing on social-emotional learning, self-awareness and self-regulation.](#)

- C.** D. In addition to prevention and intervention strategies, administrators, teachers and other professional employees may find opportunities to educate students about bullying and help eliminate bullying behavior through class discussions,

counseling, and reinforcement of socially-appropriate behavior. Administrators, teachers and other professional employees should intervene promptly whenever they observe mean-spirited student conduct, even if such conduct does not meet the formal definition of “bullying.”

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

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

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

D. Any person appointed by the district to serve as district safe school climate coordinator shall complete mental health and first aid training offered by the Commissioner of Mental Health and Addiction Services.

**P5131.912(o)**

## **Students**

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

## **XI. School Climate Assessments**

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

### Legal References:

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

Conn. Gen. Stat. § 10-222d

Conn. Gen. Stat. § 10-222g

Conn. Gen. Stat. § 10-222k

Conn. Gen. Stat. § 10-222l

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

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

Policy Adopted: December 19, 2011

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut

**Series 5000  
Students**

**SAFE SCHOOL CLIMATE PLAN**

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

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

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

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

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

## **II. Definition of Bullying**

- A. **“Bullying”** means the repeated use by one or more students of a written, oral, or electronic communication, such as cyberbullying, directed at or referring to another student attending school in the same district, or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same school district, that:
  - (1) causes physical or emotional harm to such student or damage to such student’s property;
  - (2) places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;
  - (3) creates a hostile environment at school for such student;
  - (4) infringes on the rights of such student at school; or
  - (5) substantially disrupts the education process or the orderly operation of a school.
- B. Bullying shall include, but not be limited to, a written, verbal or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

## **III. Other Definitions**

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

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

- (9) culturally competent school-based curriculum focusing on social-emotional learning, self-awareness and self-regulation.
- G. **"School climate"** means the quality and character of school life with a particular focus on the quality of the relationships within the school community between and among students and adults.
- H. **"School employee"** means
  - (1) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by a local or regional board of education or working in a public elementary, middle or high school; or
  - (2) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle or high school, pursuant to a contract with the local or regional board of education.
- I. **"School-Sponsored Activity"** shall mean any activity conducted on or off school property (including school buses and other school-related vehicles) that is sponsored, recognized or authorized by the Board of Education.
- J. **"Teen dating violence"** means any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, that occurs between two students who are currently in or who have recently been in a dating relationship.

#### IV. Leadership and Administrative Responsibilities

##### A. Safe School Climate Coordinator

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

- (1) be responsible for implementing the district's Safe School Climate Plan ("Plan");
- (2) collaborate with Safe School Climate Specialists, the Board, and the Superintendent to prevent, identify and respond to bullying in district schools;
- (3) provide data and information, in collaboration with the Superintendent, to the Department of Education regarding bullying; and

- (4) meet with Safe School Climate Specialists at least twice during the school year to discuss issues relating to bullying in the school district and to make recommendations concerning amendments to the district's Plan.

**B. Safe School Climate Specialist**

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

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

- A. The Principal of each school shall establish a committee or designate at least one existing committee ("Committee") in the school to be responsible for developing and fostering a safe school climate and addressing issues relating to bullying in the school. Such committee shall include at least one parent/guardian of a student enrolled in the school, as appointed by the school principal.
- B. The Committee shall:
  - (1) receive copies of completed reports following bullying investigations;
  - (2) identify and address patterns of bullying among students in the school;
  - (3) implement the provisions of the school security and safety plan, regarding the collection, evaluation and reporting of information relating to instances of disturbing or threatening behavior that may not meet the definition of bullying,
  - (4) review and amend school policies relating to bullying;
  - (5) review and make recommendations to the Coordinator regarding the Safe School Climate Plan based on issues and experiences specific to the school;
  - (6) educate students, school employees and parents/guardians on issues relating to bullying;
  - (7) collaborate with the Coordinator in the collection of data regarding bullying; and
  - (8) perform any other duties as determined by the Principal that are related to the prevention, identification and response to school bullying.



- C. Any parent/guardian serving as a member of the Committee shall not participate in any activities which may compromise the confidentiality of any student, including, but not limited to, receiving copies of investigation reports, or identifying or addressing patterns of bullying among students in the school.
- D. The Board of Education shall approve the Safe School Climate Plan developed pursuant to Board policy and submit such plan to the Department of Education. Not later than thirty (30) calendar days after approval by the Board, the Board shall make such plan available on the Board's and each individual school in the school district's web site and ensure that the Safe School Climate Plan is included in the school district's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

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

- A. Students and parents (or guardians of students) may file written reports of bullying. Written reports of bullying shall be reasonably specific as to the basis for the report, including the time and place of the alleged conduct, the number of incidents, the target of the suspected bullying, and the names of potential witnesses. Such reports may be filed with any building administrator and/or the Safe School Climate Specialist (i.e. building principal or his/her designee), and all reports shall be forwarded to the Safe School Climate Specialist for review and actions consistent with this Plan.
- B. Students may make anonymous reports of bullying to any school employee. Students may also request anonymity when making a report, even if the student's identity is known to the school employee. In cases where a student requests anonymity, the Safe School Climate Specialist or his/her designee shall meet with the student (if the student's identity is known) to review the request for anonymity and discuss the impact that maintaining the anonymity of the complainant may have on the investigation and on any possible remedial action. All anonymous reports shall be reviewed and reasonable action will be taken to address the situation, to the extent such action may be taken that does not disclose the source of the report, and is consistent with the due process rights of the student(s) alleged to have committed acts of bullying. No disciplinary action shall be taken solely on the basis of an anonymous report.
- C. School employees who witness acts of bullying or receive reports of bullying shall orally notify the Safe School Climate Specialist, or another school administrator if the Safe School Climate Specialist is unavailable, not later than one (1) school day after such school employee witnesses or receives a report of bullying. The school employee shall then file a written report not later than two (2) school days after making such oral report.

- D. The Safe School Climate Specialist shall be responsible for reviewing any anonymous reports of bullying and shall investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports. The Safe School Climate Specialist shall also be responsible for promptly notifying the parents or guardians of the student alleged to have committed an act or acts of bullying, and the parents or guardians of the student against whom such alleged act or acts were directed, that an investigation has commenced. In order to allow the district to adequately investigate complaints filed by a student or parent/guardian, the parent of the student suspected of being bullied should be asked to provide consent to permit the release of that student's name in connection with the investigation process, unless the student and/or parent has requested anonymity.
- E. In investigating reports of bullying, the Safe School Climate Specialist or designee will consider all available information known, including the nature of the allegations and the ages of the students involved. The Safe School Climate Specialist will interview witnesses, as necessary, reminding the alleged perpetrator and other parties that retaliation is strictly prohibited and will result in disciplinary action.

## **VII. Responding to Verified Acts of Bullying**

- A. Following investigation, if acts of bullying are verified, the Safe School Climate Specialist or designee shall notify the parents or guardians of the students against whom such acts were directed as well as the parents or guardians of the students who commit such acts of bullying of the finding **not later than forty-eight (48) hours** after the investigation is completed. This notification shall include a description of the school's response to the acts of bullying. In providing such notification, however, [\_\_\_\_\_] Public Schools will take care to respect the statutory privacy rights of other students, including the perpetrator of such bullying. The specific disciplinary consequences imposed on the perpetrator, or personally identifiable information about a student other than the parent/guardian's own child, may not be disclosed except as provided by law.
- B. In any instance in which bullying is verified, the Safe School Climate Specialist or designee shall invite the parents or guardians of the student against whom such act was directed to a meeting to communicate the measures being taken by the school to ensure the safety of the student/victim and policies and procedures in place to prevent further acts of bullying. The Safe School Climate Specialist or designee shall also invite the parents or guardians of a student who commits any verified act of bullying to a meeting, separate and distinct from the previously described meeting, to discuss specific interventions undertaken by the school to prevent further acts of bullying. The invitation may be made simultaneous with the notification described above in Section VII.A.

C. If bullying is verified, the Safe School Climate Specialist or designee shall develop a student safety support plan for any student against whom an act of bullying was directed. Such support plan will include safety measures to protect against further acts of bullying.

D. A specific written intervention plan shall be developed to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual. The written intervention plan may include counseling, discipline and other appropriate remedial actions as determined by the Safe School Climate Specialist or designee and may also incorporate a student safety support plan, as appropriate.

E. Notice to Law Enforcement

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

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

## **VIII. Teen Dating Violence**

A. The school strictly prohibits, and takes very seriously any instances of, teen dating violence, as defined above. The school recognizes that teen dating violence may take many different forms and may also be considered bullying and/or sexual harassment.

B. Students and parents (or guardians of students) may bring verbal or written complaints regarding teen dating violence to any building administrator. The building administrator shall review and address the complaint, which may include referral of the complaint to the Safe School Climate Specialist and/or Title IX Coordinator.

C. Prevention and intervention strategies concerning teen dating violence shall be implemented in accordance with Section X below. Discipline, up to and

including expulsion, may be imposed against the perpetrator of teen dating violence, whether such conduct occurs on or off campus, in accordance with Board policy and consistent with federal and state law.

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

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

## **X. Other Prevention and Intervention Strategies**

- A. Bullying behavior and teen dating violence can take many forms and can vary dramatically in the nature of the offense and the impact the behavior may have on the victim and other students. Accordingly, there is no one prescribed response to verified acts of bullying or to teen dating violence. While conduct that rises to the level of "bullying" or "teen dating violence," as defined above, will generally warrant traditional disciplinary action against the perpetrator of such bullying or teen dating violence, whether and to what extent to impose disciplinary action (e.g., detention, in-school suspension, suspension or expulsion) is a matter for the professional discretion of the building principal (or responsible program

administrator or his/her designee). No disciplinary action may be taken solely on the basis of an anonymous complaint of bullying. As discussed below, schools may also consider appropriate alternatives to traditional disciplinary sanctions, including age-appropriate consequences and other restorative or remedial interventions.

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

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

(1) Non-disciplinary interventions

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

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

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

(2) Disciplinary interventions

When acts of bullying are verified or teen dating violence occurs, and a disciplinary response is warranted, students are subject to the

full range of disciplinary consequences. Anonymous complaints of bullying, however, shall not be the basis for disciplinary action.

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

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

(3) Interventions for bullied students and victims of teen dating violence

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

- (a) Referral to a school counselor, psychologist or other appropriate social or mental health service;
- (b) Increased supervision and monitoring of student to observe and intervene in bullying situations or instances of teen dating violence;
- (c) Encouragement of student to seek help when victimized or witnessing victimization;
- (d) Peer mediation or other forms of mediation, where appropriate;
- (e) Student Safety Support plan;
- (f) Restitution and/or restorative interventions; and
- (g) Periodic follow-up by the Safe School Climate Specialist and/or Title IX Coordinator with the bullied student or victim of teen dating violence.

(4) General Prevention and Intervention Strategies

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

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

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

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



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

## **XI. Improving School Climate**

**[Individual schools should use this section to outline affirmative steps to improve the quality of school climate as defined within a particular school and/or district. These strategies should align with school improvement plans and school climate assessments, and be based on current data available on the quality of school climate within the school and/or district including, but not limited to, the type, nature, frequency etc. of behavior that may constitute or lead to bullying, teen dating violence, harassment or similar behavior. This section is intended to be broader in scope and should be targeted towards fostering positive school climate rather than exclusively preventing, investigating and otherwise responding to specific incidences of bullying and teen dating violence.]**

## **XII. Annual Notice and Training**

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

## **XIII. School Climate Assessments**

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

Legal References:

Conn. Gen. Stat. § 10-222d

Conn. Gen. Stat. § 10-222g

Conn. Gen. Stat. § 10-222k

Conn. Gen. Stat. § 10-222l

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

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

6/26/2016

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

This image shows a single page of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page, leaving small margins at the top and bottom. There are no vertical margin lines, text, or other markings on the page.

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

Name	Address	Telephone Number
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

If “Yes”, to whom was it reported and when?

\_\_\_\_\_

Was the report verbal or written?

\_\_\_\_\_

Proposed Solution:

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

Signature of Reporter	Date Submitted	Received By	Date Received
-----------------------	----------------	-------------	---------------

6/26/16

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

[illegible]

Taken: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

April 5, 2018 Page 83

*[SAMPLE FORM C]*

[ ]PUBLIC SCHOOLS  
REPORT OF BULLYING FORM/INVESTIGATION SUMMARY

**For Staff Use Only:**

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

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

Reporter Information:

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

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

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

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

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

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

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

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

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

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

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

**Date of Meetings:**

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

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

Y      N

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

6/26/16

**[SAMPLE FORM D]**

**[ \_\_\_\_\_ ] Public Schools**  
**Report of Bullying/Consent to Release Student Information**

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

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

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

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To Parent/Guardian:

A report of bullying has been made on behalf of your child alleging that he/she has been the victim of bullying. In order to facilitate a prompt and thorough investigation of the report, the [ \_\_\_\_\_ ] Public Schools may wish to disclose the fact that this complaint has been filed in connection with investigation.

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

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

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

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

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

6/26/16



[ ] Public Schools  
Report of Teen Dating Violence/Consent to Release Student Information

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## Bylaws of the Board

### ~~Duties of the Board~~ Code of Conduct for Board Members

~~State statute charges the Board of Education to "maintain good elementary and secondary schools" and to "give all the children of the town as nearly equal advantages as practical." In carrying out this duty, the Board is directed to serve the interests of the State as well as those of the Town.~~

~~To assist in determining the interests of the Town, the Board will be receptive to community opinion on local educational matters. However, the Board cannot delegate to local individuals or groups its authority for establishing educational policy and its control of the schools.~~

~~The Board of Education will base its actions on the welfare of the students. In so doing, it will endeavor to secure maximum educational benefit for every dollar spent.~~

~~The following guidelines will govern the activities of the Board:~~

- ~~1. Board members will never use their position on the Board for personal gain.~~
- ~~2. Board members must understand that their primary responsibility is to establish policy.~~
- ~~3. The local school district has been created as a unit of the state government. This means that a local Board is responsible both to the local community and to state government. The Board of Education member is a state official functioning at a local level.~~
- ~~4. All Board members will abide by the principle of majority rule.~~
- ~~5. Board members should make no promise of commitments on school questions unless they are fully discussed and acted upon in the Board meeting.~~
- ~~6. The individual Board member has no authority when the Board is not in session unless authorized by the Board.~~
- ~~7. The local Board of Education should function independently of other local government bodies, except as provided by state law and town charter.~~
- ~~8. Board members will recognize that authority rests only with the whole board assembled in meeting, and will make no personal promises nor take any private action which may compromise Board.~~

## **Bylaws of the Board**

### **~~Duties of the Board (continued)~~**

- ~~9. Board members will acknowledge that the Board represents the entire school community, and a member will refuse to surrender his or her independent judgment to special interest or partisan political groups.~~
- ~~10. Board members will respect the confidentiality of executive session.~~
- ~~11. Board members will arrive at conclusions only after discussing all aspects of the issue at hand with other board members in meeting. Opinions of Board members with differing points of view will be respected.~~
- ~~12. No individual member of the Board, by virtue of holding office, shall exercise any administrative responsibility with respect to the schools, nor as an individual command the services of any school employee.~~

~~Legal Reference: Connecticut General Statutes~~

~~10-220 Duties of Boards of Education~~

~~10-232 Restrictions on employment of members of the Board of Education.~~

~~Charter, Town of Westport~~

~~C7 2, Powers and Duties~~

It is the policy of the Westport Board of Education that a member of the Board will:

- 1. adhere to all Board policies, rules and regulations;
- 2. conduct himself or herself in a fair and impartial manner;
- 3. refrain from interfering with the implementation of a Board policy decision by the administration;
- 4. refrain from interfering with the duties of any school district official; and
- 5. refrain from divulging to anyone any aspect of matters considered and discussed in executive session.

Each member of the Board shall act in complete accordance with the provisions and tenor of this policy. Should any member of the Board fail to so act, such failure shall constitute cause for censure or other such action as deemed appropriate by the Board.

### **Procedures for Censure:**

Prior to any vote to censure a Board member for cause:

- 1) The Board may review the performance and/or conduct of the Board member in open or executive session (as determined by the Board and the Board member) prior to taking any formal action;
- 2) If the Board determines that formal action is necessary, the Board member shall be provided with reasonable notice of the Board's intent to consider possible censure (such notice to be given in writing after being authorized by Board vote at a prior meeting of the Board);
- 3) A vote to censure a Board member shall only take place at a regular meeting or a special meeting called for that purpose;
- 4) Such censure may be enacted for cause by a majority vote of all Board members.

Legal References:

Connecticut General Statutes

10-220 Duties of boards of education.

Bylaw adopted by the Board: May 13, 2002  
Revised: \_\_\_\_\_

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut



## Bylaws of the Board

### ~~Responsibilities and Functions of the~~ Role of Board and Board Members

~~By state statute, the Board of Education has “charge of the schools of the town.” The Board is specifically empowered to enter into contracts, employ the Superintendent of schools and the school staff, and “prescribe rules for the management, studies, classification and discipline” of the schools, including the adult education program. For these purposes its functions may be classified under the headings of finance, plant, staff, community relations, administration, student welfare, special services, instruction, and program extensions.~~

~~In exercising these powers the Board of Education functions as a policy-making and planning agency, relying on the school staff for the administration and implementation of the policies and plans. To ensure the Board of competent professional advice and to promote maximum staff understanding and commitment, the Board will consult fully with the professional staff in these matters. The Board will also negotiate with duly recognized staff organizations matters concerning their salaries and other benefits, as required by law.~~

~~The Superintendent of Schools is the chief educational advisor, executive advisor and executive officer of the Board of Education. In all matters coming before the Board it will seek the Superintendent’s recommendations before reaching decisions. The Board delegates to the Superintendent the authority to appoint certified staff below the rank of Principal and non-certified staff.~~

#### 1. General Duties

- A. The Board of Education represents the residents of the Town in carrying out the mandates of the General Statutes pertaining to education.
- B. The Board of Education shall determine all questions of general policy to be employed in the conduct of the schools.
- C. In determining school policy it shall:
  - (1) hear and consider facts and recommendations,
  - (2) adopt a plan, policy or course of action, and
  - (3) authorize the Superintendent of Schools, its chief executive officer, to carry out its policy.

#### 2. Specific Powers and Duties

The Board of Education shall have authority to take all action necessary or advisable to meet its responsibilities under state statute [and Town Charter] including but not limited to the following:

- A. Create, abolish, modify and maintain such positions, schools, divisions and classifications as may be necessary for the efficient administration of the educational enterprise.

- B. To elect a Superintendent of Schools in accordance with state statutes.
- C. To consider and adopt an annual budget, prepared by the Superintendent of Schools.
- D. To determine the number, classification, duties and remuneration of employees.
- E. To establish policies for employment, promotion and dismissal of personnel in accordance with the state statutes.
- F. To provide for the appraisal of the efficiency of personnel.
- G. To initiate and approve the acquisition and disposition of school sites, to initiate and approve plans for school buildings.
- H. To consider any specific recommendations made by the Superintendent of Schools.
- I. To keep the citizenry informed of purposes, values, conditions and needs of public education in the Town.
- J. To consider, revise and adopt any changes in the curriculum.
- K. To take any other actions required or permitted by law.
- L. To make reasonable provision to implement the educational interests of the State, as defined by law, so that
  - (1) each child shall have for the period prescribed in the General Statutes equal opportunity to receive a suitable program of educational experiences;
  - (2) the school district shall finance at a reasonable level an educational program designed to achieve this end;
  - (3) the school district shall provide educational opportunities for its students to interact with students and teachers from other racial, ethnic and economic backgrounds;
  - (4) the mandates in the General Statutes pertaining to education within the jurisdiction of the State Board of Education shall be implemented.

Legal Reference: Connecticut General Statutes  
1-200 Definitions (public agency)  
10-4a Educational interest of the State identified  
10-4b Failure of local or regional board to implement educational interests  
10-220 Duties of ~~boards~~ Boards of ~~education~~ Education  
10-221 Boards of education to prescribe rules-  
10-241 Powers of school district



Bylaw adopted by the Board:  
Revised: \_\_\_\_\_

May 13, 2002

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut



## Bylaws of the Board

### Duties of Officers

~~The Chairperson will:~~

- ~~1. Confer with the Superintendent in the preparation of agendas for meetings.~~
- ~~2. Preside at all meetings at which he or she is present.~~
- ~~3. Serve as chief spokesperson for the Board when it appears on official business before other town Boards and commissions and the Representative Town Meeting.~~
- ~~4. Call special meetings of the Board when he/she deems it necessary or as requested in writing to do so by three of its members.~~
- ~~5. Sign legal documents as authorized by the Board.~~
- ~~6. In all other respects have the same powers and duties as other members.~~

#### OFFICIAL DUTIES - CHAIRPERSON

1. The Chairperson shall preside at all of the meetings of the Board.
2. The Chairperson shall serve as the Board's spokesperson.
3. The Chairperson shall appoint the chair and members of all special committees.
4. The Chairperson shall serve as ex officio member on all committees.
5. The Chairperson shall act as the Board's representative for the purposes of consultation with Board legal counsel when appropriate, and may authorize other Board members to consult with Board counsel when appropriate.
6. The Chairperson shall perform such other duties as may be delegated to him/her by the Board.

~~The Vice Chairperson will normally perform the duties of the Chairperson in the Chairperson's absence. In the event of the Chairperson's resignation from the Board, the Vice Chairperson will become the acting Chairperson and serve in that capacity until the Board is reconstituted and a new Chairperson has been elected.~~

#### OFFICIAL DUTIES – VICE CHAIRPERSON

In the absence of the Chairperson, the Vice Chairperson shall assume and carry out the duties and responsibilities of the Chairperson.

~~With the assistance of a staff member appointed by the Superintendent, the Secretary has responsibility for the maintenance of the minutes of Board meetings, for the submission of an annual report to the Town, for causing written notices of regular and special meetings to be sent to Board members through the office of the Superintendent, and any for other duties assigned by law and the Board.~~

### **OFFICIAL DUTIES - SECRETARY**

1. The Secretary of the Board shall keep minutes or cause minutes to be kept of all meetings of the Board, and shall cause copies of such minutes to be forwarded to each member of the Board.
2. In accordance with the General Statutes, the Board Secretary shall cause a copy of the minutes of all Board meetings to be placed on file in the Board Office and posted on the Board's website, if available, no later than seven (7) days after the date on which the Board shall have met. Such minutes will be available for public inspection, except that such minutes will not be termed "official minutes" until approved by the Board of Education at a duly convened meeting of the Board.
3. The Board Secretary shall also make provision that members of the Board are notified of all regular and special meetings.
4. The Board Secretary shall attend to the official correspondence of the Board.
5. The Board Secretary shall submit to the Town at its annual meetings a report of the doings of the Board.

Legal Reference:     ~~Connecticut General Statutes~~  
                              ~~10-218 Officers. Meetings.~~  
                              ~~10-221 Salaries of secretary and attendance officers.~~  
                              ~~10-224 Duties of secretary.~~  
                              ~~10-225 Salaries of secretary and attendance officers.~~

#### Connecticut General Statutes

<u>1-225</u>	<u>Meetings of government agencies to be public. Recording of votes. Schedule and agenda of meetings to be filed. Notice of special meetings. Executive sessions.</u>
<u>7-3</u>	<u>Warning of Town and other meetings</u>
<u>7-4</u>	<u>Record of warning</u>
<u>10-224</u>	<u>Duties of the Secretary</u>
<u>10-225</u>	<u>Salaries of Secretary and attendance officers</u>

Bylaw adopted by the Board:  
Revised:

June 10, 2002

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut

## Bylaws of the Board

### Committees

~~The Board will act as a committee of the whole insofar as possible. There will be no standing committees, and no member has authority to make decisions for the Board in meetings with other town bodies or in relation to the school staff.~~

~~Since some of the business of the Board requires approval by other town bodies and since effective cooperation among town bodies and among school boards is highly desirable, individual Board members will be asked to serve as needed as liaison representatives to these bodies, and to report to the Board at intervals concerning those of their activities relevant to the schools. Such requests will be made by the Chairman as needed.~~

1. The Board shall act as a committee of the whole on all matters coming before it except that special committees for the consideration or investigation of certain problems, or for the performance of certain Board functions, may be created by vote of the Board.
  - A. Such special committees shall submit their reports at such regular meetings of the Board as may be determined, and when such reports have been submitted and accepted by the Board, shall be discharged.
  - B. All special committee reports affecting Board policy shall be submitted in writing.
  - C. A special committee's only authority is to make recommendations to the Board regarding matters that that have been referred to it, unless the Board specifically authorizes otherwise.
2. Meetings of committees shall be posted in accordance with the Freedom of Information Act. A record shall be maintained by the chairperson of each committee of each meeting, which shall include the names of committee members in attendance, listing of topics discussed and committee recommendations.
3. The Superintendent shall notify all Board members of committee meetings.
4. An Executive Committee consisting of the Chairperson, the Vice Chairperson, and the Secretary shall be a standing committee of the Board.
  - A. The Executive Committee shall meet with the Superintendent as requested by the Superintendent or as directed by the Chairperson to review matters related to administrative, personnel, pupil personnel, issues and general matters not requiring action of the Board as a whole.
  - B. Other responsibilities of the Executive Committee include:
    - (1) Long-Range agenda planning

(2) Facilitating communication between the Superintendent and Board members.]

Legal Reference: ~~Connecticut General Statutes~~

~~1-7 through 1-18 and 1-200 through 1-241 of the Freedom of Information Act.~~

~~1-200 Definitions.~~

~~1-226 Meetings of government agencies to be public.~~

Conn. Gen. Stat. § 10-218 Officers. Meetings.

Bylaw adopted by the Board:

June 10, 2002

WESTPORT PUBLIC SCHOOLS

Revised:

Westport, Connecticut

**Bylaws of the Board**

**Oath of Office**

Members of the Board of Education shall, before entering upon their official duties, take the oath of office provided in Connecticut General Statutes Section 1-25.

Legal Reference:

Connecticut General Statutes  
10-218a Oath of Office

Bylaw adopted by the Board: WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut





## Bylaws of the Board

### Filling Vacancies

~~A vacancy is filled by appointment by the remaining Board members. Any member so appointed serves until the next municipal election, at which time a successor is elected to fill the unexpired portion of the term. If the person vacating a position was elected as a member of a political party, such vacancy is filled from the membership of the same political party.~~

~~If such vacancy has not been filled by appointment of the remaining Board members within 30 days after the occurrence of the vacancy, the Board of Selectman or First Selectman may appoint a qualified person to fill the vacancy until the next municipal election.~~

1. If a vacancy occurs on the Board of Education, the remaining members of the Board shall fill such vacancy at a meeting or a special meeting convened for that purpose.
2. A member resigning from the Board of Education should present or have presented, a letter of resignation to the Board of Education at a regular meeting.
3. Having accepted a letter of resignation, or having become aware of a vacancy created by means other than the resignation of a Board member, the Board of Education will schedule the election of a replacement at the next regular Board meeting or at a special meeting convened for such purpose.
4. Said election, made by the majority of the Board, shall be in effect until the next regular Town election, at which a successor shall be elected for the unexpired portion of the term. The official ballot shall specify the vacancy to be filled.

Legal Reference: Connecticut General Statutes

~~—————7-107 Vacancy appointments by selectmen.~~

~~—————9-204 Minority representation on boards of education.~~

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

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

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

~~—————Charter Town of Westport.~~

~~—————C2-1, Eligibility.~~

~~—————C2-2, Minority representation on boards of commissions.~~

~~—————C40-3, Vacancies.~~

10-219 Vacancy

Bylaw adopted by the Board:

May 13, 2002

WESTPORT PUBLIC SCHOOLS

Revised: \_\_\_\_\_ Westport, Connecticut

## Bylaws of the Board

### Conflict of Interest

1. No member of the Board of Education shall be employed by the Board in any position within the school system.
2. If any member of the Board is employed contrary to the provisions of this bylaw, the office to which he or she was elected or appointed shall become vacant.
3. In the course of carrying out its responsibilities, the Board of Education does business with a large number of individuals and groups, purchasing, renting or leasing a variety of goods and services. In order to avoid financial conflict of interest or the appearance of conflict of interest, the Board of Education will avoid doing business with Board members or Board employees.
4. It shall be a conflict of interest for a Board member or employee to engage in any business transaction with the Board of Education unless disclosure of any material financial interest is made to the Superintendent and the Board of Education. Any financially interested Board member or employee shall not take part in any action to authorize or approve the contract.

### Further Stipulations

- A. A material financial interest shall be considered to be an interest of 5% or more in the company wishing to do business with the Board, or a contract to receive remuneration to effect the transaction.
- B. Disclosure of material financial interest will be made publicly.

### Gifts

All members and employees of the Board of Education are prohibited from accepting gifts other than of minimal value as defined by current IRS regulations from any person(s) doing or planning to do business with the school system.

This policy should not be construed so as to prohibit an employee or member of the Board of Education who is a candidate for any office (including re-election to the Board of Education) from receiving campaign contributions that he or she would otherwise be legally entitled to accept.

Legal Reference: Connecticut General Statutes  
7-479 Conflict of interest (municipal employees).  
10-156e Employees of boards of education permitted to serve as elected officials; exception.  
10-232 Restrictions on employment of members of the board of education.

Bylaw adopted by the Board  
Revised:\_\_\_\_\_

May 13, 2002

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut

## Bylaws of the Board

### Reimbursement of Board Members' Expenses

#### 1. Remuneration

- A. A member of the Westport Board of Education shall receive no compensation for carrying out Board services.

#### 2. Reimbursement

- A. Board members authorized to attend educational conferences, meetings or travel on Board business shall be reimbursed, upon submitting vouchers and supporting documentation for reasonable expenditures, transportation costs, and registration fees. Board members must have approval in advance from the Board to be eligible for a reimbursement.

- B. Each Board member that receives prior authorization for reimbursement of a Board of Education expense is expected to account for all expenditures incurred in connection with the performance of his/her Board duties.

- C. Receipts in general are required for:

- (1) Lodging -- Lodging accommodations should provide normal comforts and services well located in relation to the area in which Board business will be conducted.
- (2) Meals -- Reasonable expenditures are allowed for meals [*specific meal amounts may be noted here*]. Board members may submit appropriate explanatory information as needed, on a separate sheet of paper attached to the receipt. The Board will not reimburse Board members for the purchase of alcohol.
- (3) Taxi or Bus Fare
- (4) Parking Fees or Toll Charges (when applicable)
- (5) Registration Fees -- The Board will not pay any late registration fees without an explicit prior authorization.

#### Legal Reference

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<u>Conn. Gen. Stat. § 10-225</u>	<u>Salaries of secretary and attendance officers</u>
<u>Conn. Gen. Stat. § 10-232</u>	<u>Restrictions on employment of members of board of education</u>



## **Bylaws of the Board**

### **Removal of Board Officers**

It is the policy of the Westport Board of Education that an officer of the Board will:

1. adhere to all Board policies, rules and regulations;
2. conduct himself or herself in a fair and impartial manner; and
3. carry out the duties of his or her respective office in accordance with law.

An officer of the Board may be removed for cause by a majority vote of the entire Board. A vote to remove a Board officer shall only take place at a regular meeting or a special meeting called for that purpose. "Cause" includes, but is not limited to, any conduct that:

1. specifically relates to and affects the administration of the office in a manner deemed to be deleterious to Board operations;
2. negatively and directly affects the rights and interests of the public;
3. violates Board policies, rules and regulations; or
4. conduct that interferes with the orderly and efficient operation of the Board.

### **Procedures for Removal:**

Prior to any vote to remove a Board officer for cause:

- 1) The Board may review the performance and/or conduct of the Board officer in open or executive session (as determined by the Board and the Board officer) prior to taking any formal action;
- 2) If the Board determines that formal action is necessary, the Board officer shall be provided with reasonable notice of the Board's intent to consider possible removal from office (such notice to be given in writing after being authorized by Board vote at a prior meeting of the Board);
- 3) Upon the written request of the Board officer within seven days of such action, he/she shall be provided with an opportunity for a hearing before the Board of Education before the Board votes on removal;
- 4) At any such hearing, the Board officer shall have the right to be represented by counsel at his/her own expense and to present relevant evidence to the Board.

### **Standard for Removal**

Service as a Board officer is a privilege, not a right, the purpose of which is to assist the Board in conducting its business in an appropriate, orderly and efficient manner. Therefore, any Board member serving as an officer shall have no legally-protected right to continue in that position. A decision that there is cause for removal shall be made by a majority of board members present and voting, provided that no less than a majority of the board membership as a whole shall be

required for removal.

Legal References:

Connecticut General Statutes

10-218      Officers. Meetings.

10-220      Duties of boards of education.

Lapointe v. Winchester Board of Education, CV040093257S, 2004 Conn. Super. LEXIS 2574  
(Sept. 14, 2004).

Bylaw adopted by the Board

WESTPORT PUBLIC SCHOOLS

Westport, Connecticut

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## Bylaws of the Board

### ~~Methods of Operation~~ Transaction of Business

~~The Westport Board of Education shall concern itself only with broad questions of policy and not with administrative details. The Board shall rely upon the Superintendent of Schools to recommend policies for adoption and to administer policies enacted by the Board. Such policies shall be broad enough to indicate a line of action to be taken by the Superintendent in meeting a number of problems and jobs. Application of such policies to individual problems and jobs is an administrative function to be performed by the Superintendent.~~

- A. The Board shall transact all business at a legal meeting of the Board.
- B. The Board shall act as a whole entity, except that a committee created in accordance with these bylaws may act on matters before it in conformity with the committee's purpose or charge.
- C. Individual members shall make no commitments for the Board or issue orders for the Board, except when executing an assignment delegated by the Board.
- D. The Board shall concern itself with questions of educational policy, and not with administrative details of the district's operations.



## Bylaws of the Board

### Formulation, ~~/Adoption~~, Amendment, or Deletion of Policies

~~In exercising its authority and responsibility for control of the schools the Board of Education acts primarily through establishment of school policies. The Board views policies as guides to discretionary action, which should be as broad as possible but as specific as necessary to ensure fulfillment of its intent. Such policies will normally state the purposes of the Board in adopting them and indicate the essential criteria and procedures to be used by the school staff in implementing them.~~

~~The policies of the Westport schools will be formulated on two levels. Board policies will state the requirements to be met by the Board and the school staff in the conduct of school affairs. Administrative policies will state the requirements to be met by staff and students in executing Board policies and in the day-to-day conduct of school activities.~~

~~Where public or staff concern indicates the need, school policies will be formally developed, committed to writing, adopted and incorporated in the official policy handbook maintained by the Superintendent of Schools.~~

~~Policy suggestions may originate with the Board of Education or with any individual or group. Such proposals will normally be referred to the Superintendent for consideration, possible development in written form, review by appropriate school personnel, and referral to the Board.~~

~~In accordance with state law, policies to be incorporated in contractual agreements with groups of staff personnel will be developed through established negotiation procedures before referral to the Board for action. Contractual agreements in conflict with existing policy will be considered to supersede that policy.~~

~~Reference: Robert's Rules of Order~~

1. In the absence of any written policy, administrative regulations will be used to guide and administer the effective operation of the school district.
2. Suggestions for either new policies or policy changes would normally come to the Board of Education from any of the following:
  - A. Board of Education Members
  - B. Superintendent
  - C. Statute
  - D. Matters of law
  - E. Citizens
  - F. Students.
3. The Superintendent will prepare a draft policy statement for consideration and for the development by the Board of Education.
4. Policy proposals and suggested amendments to, revisions of, or deletions of existing

policies shall normally be submitted to all members of the Board of Education by the Superintendent in writing prior to a regular Board of Education meeting in which such proposed policies, amendments, revisions or deletions thereof shall be read and discussed.

5. Policies that deal with matters of an emergency nature may be introduced at any regular or special Board meeting.
6. Policies that affect students shall become effective at the beginning of the next school year following adoption unless the policy provides otherwise.
7. Except for emergency situations, policies will be adopted, amended, or deleted after consideration at two regular meetings of the Board of Education. The agenda shall be marked to indicate such policy matters.
8. When a policy is placed on the agenda for the second consecutive meeting, a motion either to adopt or not to adopt the policy or the proposed policy changes is necessary for discussion. If the discussion results in a suggestion for change, such changes will be included in the second reading of the policy prior to adoption.
9. The formal adoption or deletion of policies and the adoption of policy changes shall be by majority vote of all members of the Board, and the action shall be recorded in the minutes of the Board.
10. Only those written statements so adopted as policy and so recorded shall be regarded as official policy of the Board.

Bylaw adopted by the Board:  
Revised:\_\_\_\_\_

June 10, 2002

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut

## **Bylaws of the Board**

### **Formulation, Adoption, Amendment, or Deletion of Bylaws**

Bylaw proposals and suggested amendments to, revisions of, or deletions of existing bylaws shall normally be submitted to all members of the Board of Education by the Superintendent in writing prior to a regular Board of Education meeting in which such proposed bylaws, amendments, revisions or deletions thereof shall be read and discussed.

Except for emergency situations, bylaws will be adopted, amended, or deleted after consideration at two regular meetings of the Board of Education. The agenda shall be marked to indicate such matters.

When a bylaw is placed on the agenda for the second consecutive meeting, a motion either to adopt or not to adopt the policy or the proposed bylaw changes is necessary for discussion. If the discussion results in a suggestion for change, such changes will be included in the second reading of the bylaw prior to adoption.

Any bylaw of the Board may be adopted, amended or deleted at any regular meeting by a majority vote of all members of the Board, provided that such proposal shall have been given to the Board at the previous regular meeting.

Bylaw adopted by the Board:

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut



## **Bylaws of the Board**

### **Formulation, Adoption, Amendment, or Deletion of Administrative Regulations**

1. The Superintendent is responsible for the formulation, adoption, amendment and deletion of administrative regulations to implement the policies of the Board.
2. The Superintendent shall bring to the attention of the Board all new, revised or deleted administrative regulations.
3. The Board reserves the right to review and direct revisions or deletions of administrative regulations should they, in the Board's judgment, be inconsistent with the policies of the Board. If the Board directs the Superintendent to adopt, amend, or delete administrative regulations, it shall do so upon majority vote of all members in attendance at a meeting, provided that prior notification of such proposed revision has been described in writing in the call of the meeting, or upon majority vote of all members of the Board when no such written notice has been given.

Bylaw adopted by the Board:

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut





## **Bylaws of the Board**

### **Suspension of Policies, Bylaws, or Administrative Regulations**

1. Policies and bylaws of the Board shall be subject to suspension for a specified purpose and limited time by:
  - A. A majority vote of all members of the Board in attendance at a meeting, and
  - B. Provided that prior notification of such a proposed suspension has been described in writing in the call of the meeting.
2. Policies of the Board of Education shall be subject to suspension for a specified purpose and limited time upon a majority vote of all members of the Board when no such written notice has been given.
3. Bylaws of the Board of Education shall be subject to suspension for a specified purpose and limited time upon a two-thirds votes of all members of the Board when no such written notice has been given.
4. Administrative regulations of the Board may be suspended for a specified purpose and limited time:
  - A. By the Superintendent, who shall give notice to the Board of the reason for the suspension and the time period of the suspension.
  - B. The Board may direct the Superintendent to suspend administrative regulations for a specified purpose and limited time upon majority vote of all members in attendance at a meeting, provided that prior notification of such proposed suspension has been described in writing in the call of the meeting, or upon majority vote of all members of the Board when no such written notice has been given.

Bylaw adopted by the Board:

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut



## Bylaws of the Board

### Meetings

#### Organizational Meeting

~~Not later than one month after the date on which the newly elected members take office, the Board elects from its number, by public vote, (which is to be recorded in the minutes) a Chairperson, Vice Chair and a Secretary. If such officers are not chosen after one month because of a tie vote of the members, the Selectman chooses such officers from the membership of the Board.~~

1. The Board shall, not later than one month after the date on which newly elected members take office, elect from its own members a Chairperson, a Vice-Chairperson, and a Secretary. Thereafter, new officers will be elected annually in December.
2. If such officers are not chosen after one month from the date on which newly elected members take office because of a tie vote of the members, the town council, or, if there is no town council, the selectmen of the town shall choose such officers from the membership of the board.
3. Officers shall hold their respective offices for one year, and until their successors are duly elected.
4. Should a vacancy arise in an office of the Board during the term of a Board officer's service, the members of the Board (including, if applicable, the member vacating a Board office) shall elect a successor to fill the office until the next regular election for Board officers.
- ~~4.5.~~ The votes of each member cast in such election shall be reduced to writing and made available for public inspection within forty-eight hours, excluding Saturday, Sunday, or legal holidays, and shall also be recorded in the minutes of such meeting at which taken, which minutes shall be available for inspection at all reasonable times.

Legal Reference: Connecticut General Statutes

~~\_\_\_\_\_~~ \_\_\_\_\_ 10-218 Officers. Meetings.

~~\_\_\_\_\_ Charter, Town of Westport~~

~~\_\_\_\_\_ C40-3 Vacancies.~~

Bylaw adopted by the Board:  
Revised:

May 13, 2002

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut

## Bylaws of the Board

### Time, Place and Notification of Meetings

~~The purpose of meetings of the Board of Education is to enable the Board to discuss effectively the questions, the policies and the plans by which the schools are governed, and to arrive at well informed decisions on them. In fact, it is only when the Board is in session that its members are empowered to discharge the duties for which they were elected. All Board members will be sent notification concerning all meetings.~~

~~Regular meetings of the Board of Education will normally be held on the first and third Monday of each month. The Board may hold more frequent meetings as needed. The Superintendent will see that an annual schedule of meetings is filed with the Town Clerk as required by law.~~

~~Special meetings may be called by the Chair, Vice Chair, or Secretary up to 24 hours before the time set for the meeting. The Superintendent shall post a notice at Town Hall stating the time, place and business to be transacted and shall file the notice with the Town Clerk. No other business may be transacted than the items stated.~~

~~Emergency meetings may be called by the Chair, Vice Chair, Secretary and/or Superintendent upon notice to all members. Such meetings may be held without complying with the preceding notice requirements. The Superintendent must file the minutes of the emergency meeting, including the reason for the emergency, within 72 hours of the meeting with the Town Clerk.~~

~~Executive sessions may be held as provided by law for the purpose of discussing personnel matters; matters involving negotiations with individuals or groups, pending claims and litigation; security matters; real estate acquisition; or any matter that would result in the disclosure of a public record exempted from the disclosure requirement for public records. All business or discussion in the executive session shall be limited to the above areas. Otherwise, all meetings of the Board shall be open to the public.~~

~~Any person who wishes to receive a notice of meetings and agendas must make a written request to the Board of Education. Notification of meetings will be sent, where practicable, at least one week prior to the meeting date. Requests are valid for one year and may be renewed within 30 days after January 1 of each year. The Board of Education may charge a fee for these notices based upon cost of the service, as provided by law.~~

#### 1. Regular Meetings

A. The Board of Education shall set a calendar of regular meetings for the ensuing year at the first regular meeting in November.

B. In compliance with the General Statutes of the State of Connecticut, the Chairperson or Secretary shall file this calendar with the Town Clerk, and post this calendar on the Board's website before January 31.

C. Normally the Board shall schedule regular meetings on the first and third Monday

of each month of the year except July, when the Board shall schedule no regular meetings.

- D. If at any point in the meeting the Board of Education should not maintain a quorum, then the Chairperson of the Board will adjourn the meeting and declare the time and place of the resumption of the meeting, which shall be reflected in a written order of adjournment. A copy of the written order of adjournment will be posted on or near the door of the place where the meeting was held within twenty-four hours after the time of adjournment.

## 2. Special Meetings

- A. Special meetings may be held when determined by the Board, when so called by the Chairperson, or upon written request of three members of the Board.

- B. No special meeting shall be held unless a notice stating the time, place and purpose of the meeting has been given to each member and to the Town Clerk, and has been posted on the Board's website, if available, twenty-four (24) hours before the time stated for the meeting to convene.

- C. When a majority of the members agree that an emergency exists which has made a regular notice impossible, such a meeting may be called at a time or place which may be most convenient. In case of such emergency meeting, a copy of the minutes setting forth the nature of the emergency and the proceedings occurring at such meeting shall be filed with the Town Clerk no later than seventy-two (72) hours following the holding of such a meeting.

## 3. Meeting Time and Place

- A. All regular meetings of the Board shall begin at 7:30 p.m. or as soon thereafter as a quorum is present and shall adjourn no later than 10:30 p.m. unless extended to a time certain by a two-thirds vote of the Board members present. All regular meetings of the Board shall be held in the Staples High School cafeteria, unless otherwise ordered by the Board.

- B. Special Meetings (non-emergency) - time and place to be determined and announced in advance of meeting.

**9321(b)**

## **Bylaws of the Board**

### **Time, Place and Notification of Meetings**

Legal Reference: Connecticut General Statutes

~~1-206 Denial of access to public records or meetings.~~

1-225 Meetings of government agencies to be public.

[Recording of votes. Schedule of agenda of meetings to be filed. Notice of special meetings Executive session.](#)

~~1-227 Mailing of notice of meetings to persons filing written request.~~

1-228 Adjournment of meetings. Notice.

1-229 Continued hearings. Notice.

1-230 Regular meetings to be held pursuant to regulation, ordinance or resolution.

10-218 Officers. Meetings

Bylaw adopted by the Board: June 10, 2002

[Revised:](#) \_\_\_\_\_

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut





## Bylaws of the Board

### Public and Executive Sessions

#### 1. Public Meetings

~~All meetings of the Board of Education shall be open to the public with the exception of executive sessions. (cf. 9320 Meetings)~~

- A. All meetings of the Board of Education for the official transaction of business shall be open to the public except that the Board may, by the affirmative vote of two-thirds of the members present and voting, meet in executive session for the purposes specified in Conn. Gen. Stat. §1-225.
- B. As defined by statute, the term "meeting" shall not include: any meeting of a personnel search committee for executive level employment candidates; any chance meeting, or a social meeting neither planned nor intended for the purpose of discussing matters relating to official business; strategy or negotiations with respect to collective bargaining; a caucus of members of a single political party notwithstanding that such members also constitute a quorum of a public agency; an administrative or staff meeting of a single-member public agency; and communication limited to notice of meetings of any public agency or the agendas thereof. The term "caucus" means a convening or assembly of the enrolled members of a single political party who are members of a public agency within the state or a political subdivision.

#### 2. Executive Sessions

~~The public may be excluded from meetings of the Board of Education which are declared to be executive sessions. Executive sessions may be held upon a two-thirds vote of the members present and voting taken at a public meeting only for one or more of the following reasons:~~

- ~~1. Discussion concerning the appointment, employment, performance, evaluation, health or dismissal of a public officer or employee, provided that such individual may require that discussion be held at an open meeting.~~
- ~~2. Strategy and negotiations with respect to pending claims and litigation.~~
- ~~3. Matters concerning security strategy or the deployment of security personnel, or devices affecting public security.~~
- ~~4. Discussion of the selection of a site or the lease, sale or purchase of real estate by a political subdivision of the state when publicity regarding such site, lease, sale, purchase or construction would cause a likelihood of increased price until such time as all of the property has been acquired or all proceedings or transactions concerning same have been terminated or abandoned.~~

~~5. Discussion of any matter which would result in the disclosure of public records or the information contained therein described in subsection (b) of section 1-210 of the Connecticut General Statutes Freedom Of Information Act (FOIA). The types of records which may be withheld in accordance with FOIA include personnel and health records, student identification records, matters of security, test questions and other specified in FOIA.~~

### **~~Public Participation~~**

~~In addition to permitting the public to attend meetings, the Westport Board of Education encourages public participation.~~

## **Bylaws of the Board**

### **Public and Executive Sessions**

### **Public Participation** (continued)

### **Regular and Special Meetings**

The following members of the public may speak at meetings of the Board:

- ~~Westport residents, students and employees of the Board; non resident consultants to the Board and/or administration invited by the Board.~~

\_\_\_\_\_

\_\_\_\_\_ Speakers must use the following guidelines:

\_\_\_\_\_

- ~~Comment on non-agenda items will occur during the first 15 minutes except when staff or guest presentations are scheduled.~~

- ~~Public may speak as agenda topics come up for discussion or information.~~

\_\_\_\_\_

- ~~Speakers on non-agenda items limited to 2 minutes each, except by prior arrangement with Chair.~~

- ~~Speakers on agenda items are limited to 3 minutes each, except by prior arrangement with chair.~~

\_\_\_\_\_

- ~~Speakers must give name and use the microphone.~~

\_\_\_\_\_

- ~~Responses to questions may be deferred if answers not immediately available.~~

\_\_\_\_\_

- ~~Board will not engage in dialogue on non-agenda items unless the topic is added to the agenda (regular meetings only) by a 2/3 vote~~

\_\_\_\_\_

- ~~Public comment is normally not invited for topics listed for action after having been publicly discussed at one or more meetings.~~

\_\_\_\_\_

### **Public Work Sessions**

\_\_\_\_\_

\_\_\_\_\_ When meetings or parts of meetings are designated as work sessions the Board does not normally invite discussion or questions from the general public, but brief public comment may be permitted at the end of a work session if time permits.

~~Bylaws of the Board~~

~~Public and Executive Sessions (continued)~~

~~Freedom of Information~~

~~In accordance with the Freedom of Information Act (FOIA), the following are not public meetings and thus not subject to posting and other requirements:~~

- ~~• Meetings of personnel search committees~~
- ~~• Meetings for the purpose of discussion of collective bargaining strategy~~
- ~~• Negotiating sessions~~
- ~~• Chance or social gatherings not intended to relate to official business~~
- ~~• Caucuses of the members of a single party, provided that no persons other than the members attend the caucus.~~

~~Legal Reference: Connecticut General Statutes~~

~~1-200 Definitions.~~

~~1-206 Denial of access to public records or meetings.~~

~~1-210 Access to public records.~~

~~1-225 Meetings of government agencies to be public.~~

~~1-226 Recording, broadcasting or photographing meetings.~~

~~1-231 Executive sessions.~~

A. The public may be excluded from meetings of the Board of Education which are declared to be executive sessions.

B. Executive sessions may be held on a two-thirds vote of the members present and voting taken at a public meeting stating the reasons for such executive session. Executive sessions may be held for any reasons permissible under the provisions of the Freedom of Information Act, as it may be amended from time to time, including one or more of the following purposes:

- (1) Discussion concerning the appointment, employment, performance, evaluation, health or dismissal of a public officer or employee, provided that such individual may require that discussion be held at an open (public)

meeting.

- (2) Strategy and negotiations with respect to pending claims and litigation to which the Board or a member of the Board, because of his or her conduct as a member of the Board, is a party until such claims or litigation have been finally adjudicated or otherwise settled.
- (3) Matters concerning security strategy or the deployment of security personnel, or devices affecting public security.
- (4) Discussion of the selection of a site or the lease, sale or purchase of real estate when publicity regarding such site, lease, sale, purchase or construction would cause a likelihood of increased price until such time as all of the property has been acquired or all proceedings or transactions concerning same have been terminated or abandoned.
- (5) Discussion of any matter which would result in the disclosure of public records or the information contained therein described in Conn. Gen. Stat. §1-210(b).

Legal References:

Connecticut General Statutes

<u>1-200</u>	<u>Definitions (Public Agency; Meetings; Person; Public Record; Executive Session)</u>
<u>1-210</u>	<u>Access to public record. Exempt records.</u>
<u>1-225</u>	<u>Meetings of government agencies to be public. Recording of votes. Schedule and agenda of meetings to be filed. Notice of special meetings. Executive sessions.</u>
<u>1-231</u>	<u>Executive sessions.</u>

Bylaw adopted by the Board:

August 19, 2002

WESTPORT PUBLIC SCHOOLS

REVISED:

Westport, Connecticut



## Bylaws of the Board

### Construction and Posting of Agenda ~~Preparation and Dissemination~~

~~Agendas are prepared primarily to enable Board members to participate effectively in discussion and to make well-informed judgments concerning the school issues before them. These agendas also enable members of the public to follow the discussion of the Board and to understand the basis for decisions reached.~~

#### **Preparation**

~~The Superintendent of Schools shall prepare the agenda for each Board meeting in consultation with the Chair. Board members wishing to place items on the agenda should notify the Superintendent sufficiently in advance of the meeting to enable him/her to obtain the information needed for effective discussion.~~

~~Members of the public wishing to have an item placed on the agenda should make a written request to the Superintendent. Oral requests may also be made at Board meetings for future consideration, but the Chair may ask for a written statement of the problem if circumstances warrant~~

#### **Announcement**

~~A list of items to be included on the agenda will normally be made available to the local news-media no later than Friday prior to the meeting.~~

#### 1. Construction of Agenda

A. The Superintendent in cooperation with the Chairperson of the Board of Education shall prepare an agenda for each meeting.

B. In addition to those items listed by the Chairperson of the Board, any member of the Board may contact the Chairperson or the Superintendent and request that an item be placed on the agenda.

*[Note: The following sections are optional. Either may be included at the discretion of the Board:]*

1) This request must be made no later than seventy-two (72) hours prior to the legally required public posting of the agenda.]

2) At least Board members must agree to the additional agenda item before it will be placed on the agenda.]

*[Note: The following section is optional:]*

B. Town residents and/or taxpayers may request that the Board place an item on the agenda of a regular meeting. To do so they must:

- 1) Make their request in writing to the Secretary of the Board, with a copy of the request to the Superintendent of Schools.
- 2) The Secretary of the Board will present the written request to the Board at its next regular meeting.
- 3) If at least three [or, specify another number] Board of Education members agree to the additional agenda item, it will be placed on an agenda for a future regular meeting of the Board of Education.
- 4) The Board of Education will decide at which future regular meeting date the item will appear on the agenda.]

## 2. Posting of Agenda

- A. At least twenty-four (24) hours prior to the time of the regular [or special] meeting, an agenda will be constructed and posted by the Superintendent of Schools for the Board of Education.
- B. An agenda will be posted at Town Hall and the Administrative Offices of the Board of Education. A legal notice of regular meetings will be placed in a newspaper serving the Westport area as required by the Westport Town Charter permitted by State law, ~~the Board may add an item to the agenda at the meeting by a 2/3 vote.~~
- C. The Board may add items to the agenda of any regular meeting by a two-thirds vote of those Board Members present and voting.

## **Distribution**

Agendas, together with the necessary supporting information, will normally be distributed to members of the Board at least forty-eight hours before each regularly scheduled meeting.

## Legal Reference:

### Connecticut General Statutes

- 1-225 Meetings of government agencies to be public. Recording of votes. Schedule and agenda of meetings to be filed. Notice of special meetings. Executive sessions.

Bylaw adopted by the Board:  
Revised: \_\_\_\_\_

June 10, 2002

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut



## Bylaws of the Board

### Meeting Conduct~~Parliamentary Procedures~~

#### **Rules of Order**

~~Regular and special meetings of the Board of Education are held in public, but they are not public hearings unless so designated. Comments from those citizens present will be welcomed at times indicated by the Chair, but such participation shall not be allowed to interfere with the conduct of business by the Board.~~

~~Procedure will normally be informal for the sake of simplicity and to minimize diversion of discussion to procedural questions. Board members may, however, involve Robert's Rules of Order, Revised.~~

~~A majority of the Board members present is required to approve a motion.~~

~~When comments from the public would be particularly helpful to the Board in reaching a decision on an item, the Board may schedule a public hearing devoted exclusively to that item. In any case, final action, on a change in Board policy will not normally be taken at the time of its first discussion or at a public hearing unless postponement until the next Board meeting would hinder the intent of such action.~~

~~Upon a 2/3 vote of the members of the Board, new business, not listed on the agenda, may be considered and acted upon at a regular meeting of the Board.~~

~~No new topic will be started after 10:30 p.m. except by a 2/3 vote of the members present and voting.~~

~~If a person or group of persons is so disruptive that the meeting cannot proceed in an orderly fashion, the meeting may be cleared, except for representatives of the news media not involved in the disturbance. A meeting may be adjourned or continued to a time and place specified in the adjournment or continuance.~~

#### 1. Meeting Conduct

- A. Meetings of the Board of Education shall be conducted by the Chairperson in a manner consistent with the provisions of the Freedom of Information Act and the adopted bylaws of the Board.
- B. All Board meetings shall commence at, or as close as practicable to, the stated time, provided there is a quorum.
- C. All regular and special Board meetings shall be guided by an agenda which will have been prepared and delivered in advance to all Board members and other designated persons.
- D. Robert's Rules of Order shall govern the proceedings of the Board except as otherwise provided by these bylaws.

## 2. Smoking

- A. Smoking will not be permitted in any room in which a meeting of the Board of Education is being conducted, nor during the time immediately prior to the meeting.
- B. A sign notifying the public that no smoking is allowed in the place designated for the meeting will be prominently posted.

## 3. Procedures for Telephonic Participation

- A. Board members may participate in meetings telephonically under the conditions set forth herein. When such conditions are met, any Board member participating telephonically shall be counted for the purpose of constituting a quorum. Conditions for participation are as follows:
  - 1. The facility that is made available to the public that wishes to attend the meeting must be located where the greatest number of Board of Education members are located;
  - 2. Any physical or demonstrable material that is used in the course of the proceedings must be present in the place where the public is located; and
  - 3. All those in attendance at the meeting, at whatever location, must be able to hear and identify all participants in the proceeding, including their individual remarks and votes.
- B. When a Board member is participating in a meeting telephonically, the Chairperson shall take the necessary steps to ensure that the three conditions enumerated above are met. In addition, the Chairperson shall take the necessary steps to ensure that a Board member participating telephonically has adequate opportunity to express himself/herself in Board discussion, including the opportunity to take the floor and make motions.

## 4. Public Address

- A. The Board may permit any individual or group to address the Board concerning any subject that lies within its jurisdiction during a portion of the Board's regular meetings so designated for such purpose.
  - (1) Three minutes may be allotted to each speaker and a maximum of minutes to each subject matter. The Board may modify these limitations at the beginning of a meeting if the number of persons wishing to speak makes it advisable to do so.
  - (2) A Board of Education member shall be appointed by the Chairperson prior to the meeting to act as timekeeper for the meeting, if deemed necessary by the Chairperson.
  - (3) No boisterous conduct shall be permitted at any Board of Education meeting. Persistence in boisterous conduct shall be grounds for summary termination, by the Chairperson, of that person's privilege of address.
  - (4) All speakers must identify themselves by name and address.

Legal Reference: Connecticut General Statutes  
1-200 Definitions  
1-206 Denial of access of public records or meetings. Notice. Appeal.  
~~1-210 Access to public records~~  
~~1-226 Recording, broadcasting or photographing meetings~~  
~~19a-342 Smoking prohibited in certain places. Signed required. Penalty~~  
~~1-231 Executive sessions~~  
1-225 Meetings of government agencies to be public.  
1-232 Conduct of meetings (re: disturbances)  
~~10-224 Duties of the Secretary~~

Bylaw adopted by the Board:  
Revised: \_\_\_\_\_

June 10, 2002

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut



## Bylaws of the Board

### Quorum and Voting Procedures

1. Quorum:

A. The majority of all members of the Board shall be necessary to constitute a quorum for the transaction of business.

2. Voting Procedures:

A. No member can vote on a question in which he/she has a direct personal or pecuniary interest.

B. Members may vote for themselves for any office or other position.

C. While it is the duty of every member who has an opinion on a question to express it by vote, he/she cannot be compelled to do so.

D. A member may abstain from voting (with the knowledge that the effect is the same as if he/she had voted on the prevailing side).

E. The votes of each member of the Board upon any issue before the Board shall be recorded in the minutes of the session at which taken.

F. Any Board member shall have the opportunity to explain his/her vote for recording in the minutes.

Bylaw adopted by the Board:

WESTPORT PUBLIC SCHOOLS

Westport, Connecticut



## Bylaws of the Board

### Minutes

1. In compliance with legal requirements, a complete and accurate set of minutes of each meeting shall be kept.
2. Minutes shall be maintained at the Administrative Offices of the school district in an official record book designated for said purpose.
3. The minutes shall constitute the official records of proceedings of the Board of Education and shall be open to public inspection at all reasonable times.
4. The minutes shall include the following:
  - A. The time, place and date of each meeting.
  - B. The names of those members in attendance.
  - C. The disposition of all matters on which action was recommended.
  - D. All motions and resolutions and their disposition, listing all votes, abstentions and absentees.
  - E. All decisions concerning future meetings and agendas.
  - F. By request, a brief statement of a Board member may be included.
5. A record of votes taken at each meeting shall be reduced to writing and made available for public inspection within forty-eight hours of the conclusion of the meeting at which the votes were taken. Votes taken shall also be reflected in the minutes of each meeting, and the minutes shall be made available for public inspection and posted on the Board's website, if available, not later than seven days of the date of the meeting to which they refer, however, the Board shall not be required by law to post such minutes on an Internet website. Should the Board decide to make minutes available on the Board's website, it shall do so at the sole discretion of the Board.

### Legal Reference:

#### Connecticut General Statutes

- 1-225 Meetings of government agencies to be public.  
Recording of votes.

Bylaw adopted by the Board:

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut