

WESTPORT BOARD OF EDUCATION

***AGENDA**

(Agenda Subject to Modification in Accordance with Law)

PUBLIC CALL TO ORDER

6:30 p.m., Staples High School, Room 1025c

EXECUTIVE SESSION: Strategies for Negotiation

RESUME PUBLIC SESSION/PLEDGE OF ALLEGIANCE

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

ANNOUNCEMENTS FROM BOARD AND ADMINISTRATION

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

MINUTES: October 2, 7, and 14, 2019, *page 1*

DISCUSSION/ACTION

- | | |
|---|------------------|
| 1. Approval of CMSBC’s Request for BOE Approval of the CMS Construction Documents | Mr. Mark Mathias |
| 2. Approval of Tentative Agreement with the Westport Intermediate Administrators Association | Mr. John Bayers |
| 3. Approve Contract with JE Consulting for Superintendent Search Services and Update on Superintendent Search | Ms. Karen Kleine |
| 4. Approval of FY 2021 Budget Preparation Calendar | Mr. Elio Longo |

DISCUSSION

- | | |
|---|--------------------------|
| 1. Rebalancing Update | Dr. Anthony Buono |
| 2. Naming Town Property – Staples High School Track, <i>pages 3-13</i> | (Encl.) Dr. David Abbey |
| 3. Discussion of Proposed Board of Education Meeting Dates, <i>page 15</i> | (Encl.) Dr. David Abbey |
| 4. Update on Policy Committee and First Reading of the Following Policies and Regulations: | (Encl.) Ms. Karen Kleine |
| <ul style="list-style-type: none"> • P 4118.11/4218.11 Nondiscrimination (amendment, number change), <i>pages 17-19</i> • P 4118.234 Prohibition on Recommendations for Psychotropic Drugs (new), <i>pages 21-22</i> • P5131.6 Alcohol Use, Drugs, and Tobacco (new), <i>pages 23-26</i> • P5118.1 Homeless Children and Youth (new), <i>page 27</i> • P5125.11 Health/Medical Records (HIPPA) (new), <i>pages 29-30</i> • P5131.74 Weapons and Dangerous Instruments (new), <i>pages 31-32</i> • P5144.4 Physical Activity and Student Discipline (new), <i>pages 33-34</i> • P4212.42, Drug and Alcohol Testing for Bus Drivers (new), <i>pages 35-36</i> | |

- P5145.511 Sexual Abuse Prevention Education Program (new), pages 37-40

5. Quarterly Financial Report: July 1, 2019 – September 30, 2019

Mr. Elio Longo

ADJOURNMENT

*A 2/3 vote is required to go to executive session, to add a topic to the agenda of a regular meeting, or to start a new topic after 10:30 p.m. The meeting can also be viewed on Cablevision on channel 78; Frontier channel 6021 and by video stream @www.westportps.org

PUBLIC PARTICIPATION WELCOME USING THE FOLLOWING GUIDELINES:

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

**WESTPORT BOARD OF EDUCATION
Special Meeting**

Board Members Present:

Mark Mathias Chair
Jeannie Smith Vice Chair
Elaine Whitney* Secretary
Karen Kleine
Vik Muktavaram
Candice Savin
Neil Phillips

Administrators Present:

David Abbey Interim Superintendent
John Bayers Director of Human Resources

*Participated by telephone until 8:06 p.m. and in person thereafter.

PUBLIC SESSION/PLEDGE OF ALLEGIANCE: 7:34 p.m., Staples High School, Cafeteria B (Room 301)

ANNOUNCEMENTS FROM BOARD AND ADMINISTRATION

DISCUSSION/ACTION

Westport Board of Education’s Association with and Representation by the Law Firm of Shipman & Goodwin, LLP

Be it resolved, that the Westport Board of Education will issue a request for qualifications for legal services to the Board of Education, excluding special education services.

MOTION: Vik Muktavaram

SECOND: Neil Phillips

RESULT: Passed unanimously

VOTE: 7-0

ADJOURNMENT: Mark Mathias moved to adjourn at 10:42 p.m.; seconded by Karen Kleine and passed unanimously.

Respectfully submitted,

Elaine Whitney, Secretary, Board of Education
(Minutes written by Lisa Marriott)

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WESTPORT, CONNECTICUT

JAMES S. MARPE
First Selectman

TO: Mark Mathias, Chair
Westport Board of Education

FROM: James S. Marpe, First Selectman 

DATE: October 2, 2019

RE: Naming Town Property – Staples High School Track

I am writing in accordance with the Town of Westport's *Policy for Naming Town Property* (the Policy) as it relates to naming the Track at Staples High School in honor of Coach Laddie Lawrence. Section 2, D reads as follows:

When reviewing a naming request involving property which is under the control of the Board of Education, the First Selectman shall forward to the Board of Education the naming request to be placed on the agenda for the next available meeting. The Board of Education shall communicate any objection to the naming request to the First Selectman within one week after said meeting. The Board of Selectmen shall consider any objection of the Board of Education when reviewing said naming request.

Attached is the written recommendation from Andrew Colabella, RTM D4, including a copy of Mr. Lawrence's Athletic Coaching Resume, and a copy of the Policy for your review. Please take note that the request has my personal support.

Kindly place this item on an upcoming meeting agenda of the Westport Board of Education and communicate the results of the discussion to me.

Thank you for your consideration.

cc: Andrew Colabella, RTM D4

**POLICY FOR NAMING TOWN PROPERTY
(APPROVED 7-29-98)**

1. Purpose.

It is the general policy of the Board of Selectmen, when presented with a request to honor an individual by naming Town-owned real or personal property after the individual, to erect a plaque commemorating the contributions of the individual in lieu of naming town-owned property after the individual. The Board of Selectmen reserves the right to specify the manner in which plaques shall be worded and where they shall be placed, and further reserves the right to reject those requests which it deems inappropriate or unsuitable.

In extraordinary circumstances the Board of Selectmen shall be empowered to name town-owned property in honor of an individual if it is determined to be in the best interests of the town. No public facility shall be so named without the approval of the RTM. Public facilities include land, buildings, rooms within a building and the like, but do not include park benches, and the like. The Board of Selectmen shall make the final determination as to whether town-owned property is a public facility.

This policy shall not apply to requests to name town-owned street.

2. Administrative procedures.

- A. A naming request shall be submitted in writing to the First Selectman, indicating the nature of the contributions the individual has made to the community, and describing the property to be named.
- B. Upon receipt of the written submission, the First Selectman shall review all pertinent information related to the request and prepare a recommendation as to approval or disapproval by the Board of Selectmen.
- C. If the Board of Selectmen approves of the naming request, and the naming request involves a public facility, it shall forward its approval to the Moderator of the RTM to be placed on the agenda for the next available meeting. No public facility shall be so named without the final approval of the RTM.
- D. When reviewing a naming request involving property which is under the control of the Board of Education, the First Selectman shall forward to the Board of Education the naming request to be placed on the agenda for the next available meeting. The Board of Education shall communicate and objection to the naming request to the First Selectman within one week after said meeting. The Board of Selectmen shall consider any objection of the Board of Education when reviewing said naming request.

3. **Criteria.**

A. When considering whether to approve of a plaque and or/naming of town-owned property, the Board of Selectmen shall consider the following:

- 1) Whether it would be appropriate and in the best interests of the town to name the property which is the subject of the request.
- 2) Whether it would be appropriate to name and/or erect a plaque in honor of the individual who is the subject of the request.
- 3) Whether naming the property may conflict in any way with the town's ethical or moral policies.
- 4) Service to the town or community
- 5) The nature and significance of the individual's contribution to the community.
- 6) The individual should be respected throughout the community.

Francis, Eileen

From: Marpe, Jim
Sent: Tuesday, September 10, 2019 6:03 PM
To: Colabella, Andrew J.
Cc: Francis, Eileen; Flug, Eileen
Subject: RE: Laddie Lawrence Track

Andrew,

Thank you for putting together this request and the attendant documentation. I'm very much inclined to support this request and will give it prompt attention. Allow me to review it with Eileen Flug. As I understand it, assuming my support, my next step would be to forward this request to the Board of Education for their review and endorsement. Assuming that would take place, it would come back to the Board of Selectmen for endorsement and then go forward to the RTM.

Jim Marpe
First Selectman
jmarpe@westportct.gov
(203) 341-1111



WESTPORT
CONNECTICUT



From: Andrew Colabella <acolabellartm4@gmail.com>
Sent: Tuesday, September 10, 2019 5:21 PM
To: Marpe, Jim <JMARPE@westportct.gov>
Cc: bos@westportct.gov
Subject: Laddie Lawrence Track

To The Honorable James S. Marpe,

I am writing to you in regards of the new Staples High School Track. This reconstructed, improved and top of the line track is a win for our athletic department, our students, our town, and our future.

What's also winning? Laddie Lawrence. graduated Staples High School in 1964 and attended Southern Arkansas University with a full athletic scholarship, graduating in 1969 receiving a BSE in Physical Education and Biology. He then went on to attend Fairfield University and graduated in 1978 with a masters in Administration and Supervision.

Since 1966, Laddie has been in charge of the Road Runners Club. Since his hiring in 1978 with Westport Public Schools, Laddie has achieved a total of 1,890 wins, 402 losses and 2 ties with a 82.32% winning record.

In varsity, Laddie has achieved:

34 undefeated seasons

142 wins, longest winning streak in Connecticut

75 FCIAC Division Championships

34 FCIAC Championships

34 FCIAC Runner-Up

42 CIAC Class or Open (1/3 Championships of all Staples State Championships since 1961)

33 CIAC Class or Open Runner ups (1/2 of all Staples State Runner-Up since 1961)

2 New England Championships (Cross Country Only)

2 New England Runner-Up (Cross Country Only)

2 New England Third Places Finishes (Cross Country Only)

What I have listed above, is only a fraction of his accolades. I could go on and on.

But as a student, Laddie enjoyed what he did. Laddie taught all of us to accept everyone, just like Laddie does when people try out for track. No one gets cut. No one. Everyone gets on the team and learns or finds their special gift. Laddie is a gift.

Since 1966, as coordinator of the Road Runners club, I have witnessed and watched him as I grew up, out every weekend painting lines on the roads in his SUV, designing, improving, creating and implementing road races for all to attend.

You could wonder how Laddie in his dedication to students and sports have time to get married to his other half, Katie, raise three children Katherine, John and Andrew, and five grand children, Lily, Max, Ben, Eleanor and Emerson. But like his work, what he can give, what he has done, is inexplicable, unmatched and flawless.

So, in accordance with Policy For Naming Town Property, I am requesting that the new Staples Track be named after Laddie Lawrence. Laddie has served this community, and hundreds of thousands of students, touching all their lives. Anywhere you go in this world, there is a Stapelite abroad living who knows, has heard or met the man, Laddie.

In accordance with the criteria, Laddie Lawrence meets it all, free of any immoral or unethical or any controversial thoughts or objections from any residents, citizens or employees within the Town of Westport.

This a win.

Attached is his resume for your viewing of the entire pie of his career. Given the fraction of information you have received, you will see that it is overwhelming, amazing and sweet. And there is nothing sweeter, then naming this new track after Laddie.

You will not be disappointed.

Andrew J. Colabella
RTM District 4 Representative
203-984-7077

CONFIDENTIALITY NOTICE: This email transmission (and/or the attachments accompanying it) may contain legally privileged and confidential information, and is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any dissemination, disclosure, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please promptly notify the sender by reply email and destroy the original message.

Francis, Eileen

From: Andrew Colabella <acolabellartm4@gmail.com>
Sent: Tuesday, September 10, 2019 5:21 PM
To: Marpe, Jim
Cc: bos@westportct.gov
Subject: Laddie Lawrence Track
Attachments: Athletic Coaching Resume.doc

Follow Up Flag: Follow up
Flag Status: Flagged

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In varsity, Laddie has achieved:

- 34 undefeated seasons
- 142 wins, longest winning streak in Connecticut
- 75 FCIAC Division Championships
- 34 FCIAC Championships
- 34 FCIAC Runner-Up
- 42 CIAC Class or Open (1/3 Championships of all Staples State Championships since 1961)
- 33 CIAC Class or Open Runner ups (1/2 of all Staples State Runner-Up since 1961)
- 2 New England Championships (Cross Country Only)
- 2 New England Runner-Up (Cross Country Only)
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have received this communication in error, please promptly notify the sender by reply email and destroy the original message.

Athletic Coaching Resume

- Personal Information:** John "Laddie" Lawrence, 6 Carlton Street, Fairfield, Ct. 06824
(203) 259-2159 (H), (203) 341-1257 (W)
Married to Katie Zeller Lawrence. Three Children: Katherine, John and Andrew.
Five grandchildren: Lily, Max, Ben, Eleanor and Emerson
- Education:** Staples High School, 1964.
Southern Arkansas University, 1969, BSE in Physical Education and Biology.
Fairfield University, 1978, MA in Administration and Supervision.
- Athletic Participation:** Staples H.S. - Football, Soph. Cross Country, Jr. and Sr. Yr., Capt. in Sr. Yr.
Indoor Track and Field, Soph., Jr. and Sr. Yr., Capt. in Sr. Yr.
Outdoor Track and Field, Soph., Jr. and Sr. Yr., Capt. in Sr. Yr.
Southern Ark.-Cross Country, Fr., Soph., Jr. and Sr. Yr., Capt. in Jr. and Sr. Yr.
Track and Field, Fr., Soph., Jr. and Sr. Yr.
Post College - Fairfield County Striders, until age 36.
- Athletic Awards:** Staples H.S. - FCIAC Champion at 440 yards., Jr. and Sr. Yr.
CIAC Class and Open Champion at 600 yards and 4 X 220 yd. relay (indoors)
and 440 yards and 4 X 220 yd. relay (outdoors), Sr. Yr.
Southern Ark.-Full Athletic Scholarship, Fr. Soph., Jr. and Sr. Yr.
Fld. Cnty. Str.-National Junior Champion in Men's Pentathlon.
- Teaching Experience:** Physical Education and Health, Staples H.S., 1978 thru 2013. Retired 2/1/13.
Physical Education, Westport Elementary Schools, 1974 thru 1978.
Physical Education, Roosevelt School, 1969 thru 1974.
- Coaching Experience:** Head Coach, Men's Cross Country, Staples H.S., 1972 thru present.
Head Coach, Men's Indoor Track and Field, Staples H.S., 1970 thru present.
Head Coach, Men's Outdoor Track and Field, Staples H.S., 1977 thru present.
Assistant Coach, Men's Outdoor Track and Field, Staples H.S., 1969 thru 1976.
Head Coach, Women's Cross Country, Staples H.S., 1978 thru 1990 and 2012.
Head Coach, Women's Indoor Track and Field, Staples H.S., 1978 thru 1984.
Student Head Coach, Men's Cross Country, Southern Arkansas University, 1968.
- Concurrent Coaching Experience:** Coordinator, Road Runners Program, Westport Parks and Rec. Dept., 1966 thru present.
Coordinator, Age Group Track and Field Program, Wspt. Pk. and Rec., 1976 thru present.
Coordinator, Track and Field Camp, Westport Parks and Rec. Dept., 2000 thru 2003.
Coordinator, Age Group Cross Country Program, Wspt. Pk. and Rec., 1974 thru 1978.
- Committee Work or Leadership Roles:** Chairman, FCIAC Cross Country Committee, 1976 thru 1990.
Chairman, FCIAC Indoor Track and Field Committee, 1986 thru 1990 and 2004 thru present.
Chairman, FCIAC Outdoor Track and Field Committee, 1974 thru 1976 and 2005 thru present.
Meet/Site Director, FCIAC Indoor Track and Field Program/Championships, 1981 thru present.
Meet/Site Director, FCIAC Outdoor Track and Field Program/Championships, 1976 and 1977 and 1999 thru 2003.
Site Director, SWC Indoor Track and Field Program/Championships, 1996 thru 2010.
Member, CIAC Cross Country Committee, 1982 thru 1987. Coaches Chairman, 1984 thru 1987.
Member, CIAC Indoor Track and Field Committee, 1986 thru 1991.
Member, CIAC Outdoor Track and Field Committee, 1977 thru 1979, 2001 thru 2009 and 2012 thru present
Meet Director, CIAC Indoor Track and Field Sectionals, 1983 thru 1987.
Member, CHSCA National Convention Committee, 1988.
Member, CHSCA Executive Committee, 1984 thru 1986.
President, Connecticut Interscholastic Track Coaches Association, 1987 thru 1989.
Vice-President, Connecticut Interscholastic Track Coaches Association, 1982 thru 1986.
Member, Connecticut TAC Track and Field Committee, 1979 thru 1982.
Vice-President, Fairfield County Track Association, 1981 and 1982.

Chairman, Connecticut AAU Track and Field Committee, 1974 thru 1976.
Member, National AAU Track and Field Committee, 1974 thru 1976.
President, Fairfield County Striders, 1970 thru 1973.
Official, FCIAC and CIAC Championship Meets, 1970 thru present.
Consultant, Road Races run for Charitable Organizations, 1980 thru 1990.

Awards and Honors:

CHSCA XC Comm. Friend of Ct. H. S. XC Award 2018
Southern Arkansas University Sports Hall of Fame 2018
Fairfield County Sports Commission Hall of Fame 2017
FCIAC Ralph King Distinguished Coach Award 2017
USTFCCCA Ct. Boys XC Coach of the Year 2016
USTFCCCA Ct. Boys XC Coach of the Year 2015
NHSACA Hall of Fame, NHSACA, 2015
Gold Key Award, Connecticut Sports Writers' Alliance, 2013.
Fld, Cnty. Sports Comm. Wspt. Sportsperson of the Year (Ind. & Out Track Team) 2012.
FCIAC Overall Coach of the Year 2011-12.
CHSCA Hall of Fame, CHSCA, 2004 .
FCIAC Hall of Fame, FCIAC, 2002.
The "Laddie Lawrence Scholarship Fund," an incorporated \$10,000 College Tuition Award presented annually to a qualified Staples graduate, established by the Pequot Running Club in 2000.
Coaching and Service Recognition Award, Ct. Interscholastic Track Coaches Assoc., 1992.
National Coach of the Year Award, Men's Cross Country, NHSACA, 1990.
Regional Coach of the Year Award, Men's Cross Country, NHSACA, 1990.
Outstanding Coach Award, Men's Indoor Track and Field, CHSCA, 1989.
Outstanding Coach Award, Men's Outdoor Track and Field, CHSCA, 1984.
Outstanding Coach Award, Women's Cross Country, CHSCA, 1983.
Outstanding Coach Award, Men's Cross Country, CHSCA, 1981.
Coach of the Year Award, Men's Cross Country and Track and Field, CITCA, 1987.
High School Athletic Coaching Award, Sportsmen of Westport, 1983.
Connecticut Nominee for National Coach of the Year, Men's Track and Field, CHSCA, 1989.
Connecticut Nominee for National Coach of the Year, Men's Cross Country, CHSCA, 1988.
67 FCIAC Coach of Excellence Awards

50 Year Cumulative
Coaching Record:
(Varsity Only)

Team:

Dual Meet Record = 1,890 Wins, 402 losses and 2 ties. (82.32%)
34 Undefeated Seasons.
142 Wins, longest winning streak.
75 FCIAC Division Championships.
34 FCIAC Championships.
34 FCIAC Runner-Ups.
42 CIAC Class or Open Championships. (1/3 of all Staples State Championships since 1961)
33 CIAC Class or Open Runner-Ups. (1/2 of all Staples State Runner-Ups since 1961)
2 New England Championship. (Cross Country Only)
2 New England Runner-Up. (Cross Country Only)
2 New England Third Place Finishes (Cross Country Only)

Individual:

342 FCIAC Champions.
358 CIAC Class or Open Champions.
42 New England Champions.
8 National Champions.
1,124 All-County Athletes.
506 All-State Athletes.
180 All-New England Athletes.
34 All-American Athletes.

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**WESTPORT PUBLIC SCHOOLS
2020-2021 BOARD OF EDUCATION
MEETING CALENDAR**

DRAFT

- School in Session
- Proposed BOE Meeting Dates

KEY DATES

- Aug 27, 28, 31** Professional Development
- Sept 1** First Day of School
- Sept 7** Labor Day
- Sept 19** Rosh Hashanah
- Sept 28** Yom Kippur
- Nov 3** Election Day – Professional Development
- Nov 25-27** Thanksgiving Recess
- Dec 24-Jan 1** Winter Recess
- Jan 18** Martin Luther King Jr. Day
- Feb 12** Professional Development
- Feb 15** Presidents’ Day
- Feb 12** Professional Development
- Feb 12-19** February Recess
- Apr 2** Good Friday
- April 12-19** Spring Recess
- April 19** Professional Development
- May 31** Memorial Day
- June 16** Last Day of School/Graduation (Early Release)

July 2020				
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August 2020				
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September 2020				
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November 2020				
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December 2020				
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January 2021				
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February 2021				
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March 2021				
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April 2021				
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May 2021				
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June 2021				
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Personnel -- Certified/Non-Certified

Non-Discrimination

The Board of Education will not make employment decisions (including decisions related to hiring, assignment, compensation, promotion, demotion, disciplinary action and termination) on the basis of race, color, religion, age, sex, marital status, sexual orientation, national origin, ancestry, disability (including pregnancy), genetic information, veteran status or gender identity or expression, except in the case of a bona fide occupational qualification.

It is the policy of the Board of Education that any form of discrimination or harassment on the basis of race, religion, color, national origin, sex, sexual orientation, marital status, age, disability (including pregnancy), genetic information, veteran status or gender identity or expression, or any other basis prohibited by state or federal law is prohibited, whether by students, Board employees or third parties subject to the control of the Board. The Board's prohibition of discrimination or harassment in its educational programs or activities expressly extends to academic, nonacademic and extracurricular activities, including athletics. It is also the policy of the Board of Education to provide for the prompt and equitable resolution of complaints alleging any discrimination on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, disability (including pregnancy), veteran status or gender identity or expression.

For the purposes of this policy, "genetic information" means the information about genes, gene products, or inherited characteristics that may derive from an individual or a family member. "Genetic information" may also include an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

For the purposes of this policy, "veteran" means any person honorably discharged from, or released under honorable conditions from active service in, the United States Army, Navy, Marine Corps, Coast Guard and Air Force and any reserve component thereof, including the Connecticut National Guard.

For the purposes of this policy, "gender identity or expression" means a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth, which gender-related identity can be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held, part of a person's core identity or not being asserted for an improper purpose.

Any employee wishing to file a complaint regarding discrimination may obtain a copy of the Board's complaint procedures and complaint form which are included in the Board's

Administrative Regulations Regarding Non-Discrimination/Personnel. These regulations accompany Board Policy #4111.1 and Board Policy #4211.1 and are available online at <http://www.westportps.org/district/policies> or upon request from the main office of any district school.

If a complaint involves allegations of discrimination or harassment based on reasons such as gender/sex or disability, such complaints will be handled under other appropriate policies (e.g., Policy #4118.112 and Policy #4218.112, Sex Discrimination/Harassment in the Workplace; Policy #4111.4 and 4211.4, Section 504/ADA).

Any employee also may file a complaint with the Office for Civil Rights, U.S. Department of Education (“OCR”):

Office for Civil Rights, Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109- 3921
(617) 289-0111
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

Employees may also file a complaint regarding employment discrimination with the Equal Employment Opportunity Commission:

Equal Employment Opportunity Commission, Boston Area Office
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
(800-669-4000)

Employees may also file a complaint with the Connecticut Commission on Human Rights and Opportunities:

Connecticut Commission on Human Rights and Opportunities
450 Columbus Blvd.
Hartford, CT 06103-1835
(800-477-5737)

Anyone who has questions or concerns about this policy, or would like a copy of the Board’s complaint procedures or complaint forms related to claims of discrimination, may contact:

The Office of the Superintendent, 203-341-1025

Anyone who has questions or concerns about the Board’s policies regarding discrimination on the basis of gender/sex may contact the Board’s Title IX Coordinator:

Director of Human Resources and General Administration, 203-341-1023

Anyone who has questions or concerns about the Board’s policies regarding discrimination on the basis of disability may contact the Board’s Section 504/ADA Coordinator:

~~Director~~ Assistant Superintendent of Pupil Personnel Services, 203-341-1250

Legal References:

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq.
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq.
Age Discrimination in Employment Act, 29 U.S.C. § 621
Americans with Disabilities Act, 42 U.S.C. § 12101
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794
Title II of the Genetic Information Nondiscrimination Act of 2008, Pub.L.110-233, 42 U.S.C. § 2000ff; 29 CFR 1635.1 et seq.
Connecticut General Statutes § 10-153. Discrimination on basis of marital status
Connecticut Fair Employment Practices Act, Connecticut General Statutes § 46a-60
Connecticut General Statutes § 46a-81a Discrimination on basis of sexual orientation: Definitions
Connecticut General Statutes § 46a-81c Sexual orientation discrimination: Employment.
Public Act 17-127, An Act Concerning Discriminatory Practices Against Veterans, Leaves of Absence for National Guard Members, Application for Certain Medicaid Programs, and Disclosure of Certain Records to Federal Military Law Enforcement.

Policy adopted: October 1976
Policy amended: December 1978
Policy amended: March 2005
Policy amended: January 22, 2018

WESTPORT PUBLIC SCHOOLS
Westport, Connecticut

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Personnel – Certified

Students

Prohibition on Recommendations for Psychotropic Drugs

In accordance with Conn. Gen. Stat. § 10-212b, the Board of Education prohibits school personnel from recommending the use of psychotropic drugs for any child. Moreover, personnel may not require that a child obtain a prescription for a controlled substance (as defined in the Controlled Substances Act, 21 U.S.C. § 801 et seq.) in order for the child to: 1) attend school; 2) receive an initial evaluation or reevaluation to determine a child's eligibility for special education; or 3) receive special education and related services. Notwithstanding the foregoing, school health or mental health personnel may recommend that a child be evaluated by an appropriate medical practitioner and school personnel may consult with such practitioner with the consent of the parents or guardian of such child, in accordance with the procedures outlined in the administrative regulations.

I. Definitions

For purposes of this policy, the following definitions apply:

- A. Psychotropic drugs means prescription medications for behavioral or social-emotional concerns, such as attentional deficits, impulsivity, anxiety, depression and thought disorders, and includes, but is not limited to, stimulant medication and antidepressants.
- B. Recommend means to directly or indirectly suggest that a child should use psychotropic drugs.
- C. School health or mental health personnel means:
 - 1. school nurses or nurse practitioners appointed pursuant to Conn. Gen. Stat. § 10-212;
 - 2. school medical advisors appointed pursuant to Conn. Gen. Stat. § 10-205;
 - 3. school psychologists;
 - 4. school social workers;

5. school counselors;
6. school administrators;
7. other school personnel (such as a teacher designated as a child's Case Manager) who have been identified by a Planning and Placement Team, Section 504 team, Student Assistance Team or similar group of district professionals as the person responsible for communication with a parent or guardian about a child's need for medical evaluation;
8. a school professional staff member designated by the Superintendent to communicate with a child's parent or guardian about a child's need for medical evaluation.

Legal References:

Conn. Gen. Stat. 10-76d

Conn. Gen. Stat. § 10-212b

34 C.F.R. § 300.174. Prohibition on mandatory medication

Policy adopted:

WESTPORT PUBLIC SCHOOLS

Westport, Connecticut

Students

Alcohol Use, Drugs, and Tobacco (Including Performance Enhancing Substances)

Drugs and Alcohol

The Board is required by Connecticut law to prescribe rules for the management and discipline of its schools. In keeping with this mandate, the unlawful use, sale, distribution or possession of controlled drugs, controlled substances, drug paraphernalia, as defined in C.G.S. Section 21a-240, or alcohol on or off school property or during any school sponsored activity is prohibited. It shall be the policy of the Board to take positive action through education, counseling, discipline, parental involvement, medical referral, and law enforcement referral, as appropriate, in the handling of incidents in the schools involving the unlawful possession, distribution, sale or use of substances that affect behavior.

Performance-Enhancing Drugs (Including Food Supplement)

The Board participates in the Connecticut Interscholastic Athletic Conference (“CIAC”). In accordance with CIAC participation rules and the Board’s obligation under state and federal law, the Board prohibits the unauthorized use, sale, distribution or possession of controlled drugs, controlled substances, drug paraphernalia, performance enhancing substances or alcohol during any school sponsored athletic activity, whether occurring on or off school property. It shall be the policy of the Board to take positive action through education, counseling, discipline, parental involvement, medical referral, and law enforcement referral, as appropriate, in the handling of incidents by student athletes involving the possession, distribution, sale or use of substances that affect behavior, including performance enhancing substances. This policy applies to all student athletes participating in school sponsored athletics, whether or not such athletes are participating in CIAC controlled activities.

Tobacco/E-Cigarette Use by Students

There shall be no smoking or any other unauthorized use or possession of tobacco, tobacco products, including chewing tobacco or tobacco paraphernalia, and electronic nicotine delivery systems or vapor products by students in any school building or school vehicle at any time or on any school grounds during the school day, or at any time when the student is subject to the supervision of designated school personnel. Such as when the student is at any school function, extracurricular event, field trip, or school related activity such as a work-study program. An ongoing program of student support and counseling will be offered to provide support for students who wish to break the smoking habit.

Tobacco includes, but is not limited to cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, nicotine, nicotine delivering systems or vapor product, chemicals, or devices that produce the same flavor or physical effect of nicotine substances; and any other tobacco or nicotine innovations.

For purposes of this policy, "use of tobacco" shall mean all uses of tobacco, including but is not limited to, cigarettes, cigars, snuff, blunts, bidis, pipes, chewing tobacco, or any other substance that contains tobacco or nicotine, and all other forms of smokeless tobacco, rolling papers and any other items containing or reasonably resembling tobacco or tobacco products. In order to protect students and staff, the Board prohibits the use of tobacco or nicotine-based products in school buildings, on school grounds, in school vehicles, or at any school-related event.

Students who violate this policy will be subject to disciplinary action. The Superintendent shall propose and the Board of Education shall approve procedures and regulations to ensure that any student violating this policy is subjected to disciplinary action, and that any disciplinary actions imposed for similar actions are treated consistently.

Definitions

- (1) Controlled Drugs: means those drugs which contain any quantity of a substance which has been designated as subject to the federal Controlled Substances Act, or which has been designated as a depressant or stimulant drug pursuant to federal food and drug laws, or which has been designated by the Commissioner of Consumer Protection pursuant to C.G.S. Section 21a-243, as having a stimulant, depressant or hallucinogenic effect upon the higher functions of the central nervous system and as having a tendency to promote abuse or psychological or physiological dependence, or both. Such controlled drugs are classifiable as amphetamine-type, barbiturate-type, cannabis-type, cocaine-type, hallucinogenic, morphine-type and other stimulant and depressant drugs. C.G.S. Section 21a-240(8).
- (2) Controlled Substances: means a drug, substance or immediate precursor in schedules I to V, inclusive, of the Connecticut controlled substance scheduling regulations adopted pursuant to C.G.S. Section 21a-243. C.G.S. Section 21a-240(9).
- (3) Professional Communication: any communication made privately and in confidence by a student to a professional employee of such student's school in the course of the professional employee's employment. C.G.S. Section 10-154a(a)(4).
- (4) Professional Employee: means a person employed by a school who "(A) holds a certificate from the State Board of Education, (B) is a member of a faculty where certification is not required, (C) is an administration officer of a school, or (D) is a registered nurse employed by or assigned to a school." C.G.S. Section 10-154a(a)(2).
- (5) Drug Paraphernalia: means any equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing controlled drugs or controlled substances into the human body, including but not limited to all items specified in C.G.S. Section 21a-240(20)(A), such as "bongs," pipes, "roach clips," miniature cocaine spoons,

crack cocaine vials, tobacco rolling papers, and any object or container used, intended or designed for use in storing, concealing, possessing, distributing or selling controlled drugs or controlled substances. C.G.S. Section 21a-240(20)(A).

- (6) Performance Enhancing Substances: means any anabolic steroid, hormone or analogue, diuretic or other substance designed to enhance a student's performance in athletic competition, including creatine, androstenedione, ephedrine or other performance enhancing nutritional supplements as defined by the World Anti-Doping Agency (WADA) www.wada-ama.org, except when used under the care and direction of a licensed medical professional and only then in the manner prescribed by the medical professional and manufacturer's recommendations.
- (7) Student Athlete: means any student participating in an extracurricular school-sponsored athletic activity, whether interscholastic or intramural, including but not limited to student athletes who are participating in CIAC controlled activities.
- (8) Electronic nicotine delivery system means an electronic device that may be used to simulate smoking in the delivery of nicotine or other substance to a person inhaling from the device, and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device.
- (9) Liquid nicotine container means a container that holds a liquid substance containing nicotine that is sold, marketed or intended for use in an electronic nicotine delivery system or vapor product, except "liquid nicotine container" does not include such a container that is prefilled and sealed by the manufacturer and not intended to be opened by the consumer.
- (10) Vapor product means any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not include nicotine that is inhaled by the user of such product.

Legal References:

Connecticut General Statutes:

1-21b Smoking prohibited in certain places.

Public Act 18-185, An Act Concerning the Recommendations of the Task Force on Life-Threatening Food Allergies in Schools

Section 10-154a

Section 10-212a

Section 10-221

Sections 10-233a through 10-233f

Section 21a-240

Section 21a-243

Section 21a-408a through 408q

53-198 Smoking in motor buses, railroad cars and school buses

Public Act 16-23, “An Act Concerning the Palliative Use of Marijuana”

Public Act 14-76 An Act Concerning the Governor's Recommendations Regarding Electronic Nicotine Delivery Systems and Youth Smoking Prevention.

Public Act 15-206 An Act Regulating Electronic Nicotine Delivery Systems and Vapor Products

Policy adopted:

WESTPORT PUBLIC SCHOOLS

Westport, Connecticut

Students

HOMELESS CHILDREN AND YOUTH

In accordance with federal law, it is the policy of the Westport Board of Education (the “Board”) to prohibit discrimination against, segregation of, or stigmatization of, homeless children and youth. The Board authorizes the Administration to establish regulations setting forth procedures necessary to implement the requirements of law with respect to homeless children and youth. In the event of conflict between federal and/or state law and these administrative regulations, the provisions of law shall control.

Legal References:

State Law:

Public Act 19-179, “An Act Concerning Homeless Students’ Access to Education”

10-186 Duties of local and regional boards of education re school attendance. Hearings. Appeals to state board. Establishment of hearing board. Readmission. Transfers

10-253 School privileges for children in certain placements, non-resident children and children in temporary shelters

Federal Law:

The McKinney-Vento Homeless Education Assistance Act, 42 U.S.C. §§ 11431 et seq., as amended by Every Student Succeeds Act, Pub. L. 114-95.

Policy adopted:

WESTPORT PUBLIC SCHOOLS
Westport, Connecticut

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Students

Health/Medical Records

When applicable, District schools will comply with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) to maintain the privacy of protected health information that it receives, obtains, transmits or sends. The Board of Education designates the Assistant Superintendent for Pupil Personnel Services as its HIPAA Privacy Officer.

Student education records, including personally identifiable health information, maintained by the District is subject to and protected by the Family Educational Rights and Privacy Act (FERPA). Both the United States Department of Health and Human Services and the United States Department of Education Family Policy Compliance Office have stated that student records under FERPA are not subject to HIPAA. Therefore, District schools will comply with FERPA's confidentiality provisions rather than HIPAA's.

The District will seek Medicaid eligibility information to determine if services to a student may be billed. Bills will be processed electronically for Medicaid reimbursement for qualified services to eligible special education students. The District will comply with HIPAA's electronic transactions requirements. Procedures and safeguards will be developed to protect the privacy of health information and prevent wrongful user and disclosure. At a minimum, the policy and procedure for student records will comply with the Family Educational Rights and Privacy Act of 1974 (FERPA) with assurances that the District has obtained authorization from the parent or adult student prior to the release of protected health information for the purpose of Medicaid billing. Individuals involved in the Medicaid billing process for the District shall be trained on the privacy procedures. Discipline shall be imposed, up to and including discharge, for staff that wrongfully uses or discloses protected health information.

(cf. 5125 - Student Records; Confidentiality)

Legal Reference: Connecticut General Statutes

1- 19(b)(11) Access to public records. Exempt records.

2-

10- 15b Access of parent or guardians to student's records.

10- 154a Professional communications between teacher or nurse & student.

10- 209 Records not to be public

46b-56 (e) Access to Records of Minors.

Connecticut Public Records Administration Schedule V Disposition of Education Records (Revised 1983).

Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93 568, codified at 20 U.S.C.1232g.).

Dept. of Educ. 34 C.F.R. Part 99 (May 9, 1980 45 FR 30802) regs. implementing FERPA enacted as part of 438 of General Educ. provisions act (20 U.S.C. 1232g) parent and student privacy and other rights with respect to educational records, as amended 11/21/96.

USA Patriot Act of 2001, PL 107-56, 115 Stat. 272, Sec 507, 18 U.S.C. §2332b(g)(5)(B) and 2331

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

65 Fed. Reg. 50312-50372

65 Fed. Reg. 92462-82829

63 Fed. Reg. 43242-43280

67 Fed. Reg. 53182-53273

Policy adopted:

WESTPORT PUBLIC SCHOOLS

Westport, Connecticut

Students

WEAPONS AND DANGEROUS INSTRUMENTS

The Board of Education determines that possession, concealment, and/or use of a weapon by a student is detrimental to the welfare and safety of the students and school personnel within the district. Possession and/or use of any dangerous or deadly weapon, firearm, or destructive device in any school building, on school grounds, in any school vehicle, or at any school-sponsored activity is prohibited even if the person possessing the deadly weapon or firearm has a permit for such item.

I. Definitions:

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

B. Deadly Weapon means any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon or metal knuckles. A weapon such as a pellet gun and/or air soft pistol may constitute a deadly weapon if such weapon is designed for violence and is capable of inflicting death or serious bodily harm. In making such determination, the following factors should be considered: design of weapon; how weapon is typically used (e.g. hunting); type of projectile; force and velocity of discharge; method of discharge (i.e. spring v. CO2 cartridge) and potential for serious bodily harm or death.

C. Electronic Defense Weapon means a weapon which by electronic impulse or current is capable of immobilizing a person temporarily, but is not capable of inflicting death or serious physical injury, including a stun gun or other conductive energy device.

D. Firearm, as defined in 18 U.S.C § 921, means (a) any weapon (including a starter gun) that will, is designed to, or may be readily converted to expel a projectile by the action of an explosive, (b) the frame or receiver of any such weapon, (c) a firearm muffler or silencer, or (d) any destructive device. The term firearm does not include an antique firearm. As used in this definition, a "destructive device" includes any explosive, incendiary, or poisonous gas device, including a bomb, a grenade, a rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, or any other similar device; or any weapon (other than a shotgun or shotgun shell particularly suited for sporting purposes) that will, or may be readily converted to, expel a projectile by explosive or other propellant, and which has a barrel with a bore of more than 1/2" in diameter. The term

"destructive device" also includes any combination of parts either designed or intended for use in converting any device into any destructive device or any device from which a destructive device may be readily assembled. A "destructive device" does not include: an antique firearm; a rifle intended to be used by the owner solely for sporting, recreational, or cultural purposes; or any device which is neither designed nor redesigned for use as a weapon.

E. Martial Arts Weapon means a nunchaku, kama, kasari-fundo, octagon sai, tonfa or Chinese star.

F. School-Sponsored Activity "means any activity sponsored, recognized or authorized by a board of education and includes activities conducted on or off school property." Conn. Gen. Stat. § 10-233a(h).

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

II. Consequences

A. A student who possesses and/or uses any deadly weapon or firearm on school property in violation of this policy shall be disciplined in accordance with Board of Education Student Discipline Policy.

Legal References:

Connecticut General Statutes § 10-233a,
§ 10-244a
§ 29-28(e),
§ 53a-3,3
§ 53a-217b

Policy adopted:

WESTPORT PUBLIC SCHOOLS

Westport, Connecticut

Students

PHYSICAL ACTIVITY AND STUDENT DISCIPLINE

It is the policy of the Board to promote the health and well-being of district students by encouraging healthy lifestyles including promoting physical exercise and activity as part of the school day.

Prohibition on Deprivation of Physical Exercise Period as a Form of Discipline:

For elementary school students, the Board includes a time of not less than twenty (20) minutes in total, during the regular school day, to be devoted to physical exercise, except that a planning and placement team (“PPT”) may develop a different schedule for students requiring special education and related services.

In an effort to promote physical exercise, the Board prohibits school employees from disciplining elementary school students by preventing them from participating in the full 20 minutes of time devoted to physical exercise during the regular school day, except in instances where the student’s behavior poses a health and/or safety concern.

Prohibition on Compulsion of Physical Activity as a Form of Discipline:

For all students, the Board prohibits school employees from disciplining students by requiring students to engage in physical activity as a form of discipline during the regular school day.

Definition:

For the purposes of this policy, a “school employee” is defined as (1) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by the Board or working in the district schools, 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 the district schools pursuant to a contract with the Board.

Disciplinary Action for Failure to Follow Policy:

Any employee who fails to comply with the requirements of this policy may be subject to discipline, up to and including termination of employment. Any contracted individual who provides services to or on behalf of students enrolled in the district and who fails to comply with the requirements of this policy may be subject to having his/her contract for services suspended by the district.

Legal References:

Connecticut General Statutes:

§ 10-221o Lunch periods. Recess. Boards to adopt policies addressing the limitations of physical exercise

§ 10-221u Boards to adopt policies addressing the use of physical activity as discipline

Policy adopted:

WESTPORT PUBLIC SCHOOLS

Westport, Connecticut

Personnel – Certified

Drug and Alcohol Testing For School Bus Drivers

The Westport Public School district is committed to the establishment of a drug use and alcohol misuse prevention program that meets all applicable requirements of the Omnibus Transportation Employee Testing Act of 1991 (OTETA), as may be amended, and applicable state statutes pertaining to pre-employment and random drug testing of school bus drivers. The District shall adhere to federal and state law and regulations requiring a school bus driver's drug and alcohol testing program.

In addition to the above cited federal requirement, the Board of Education expects its school transportation carrier, by June 30, 2019, to provide training to all school bus drivers, including instruction on (1) identifying the signs and symptoms of anaphylaxis, (2) administering epinephrine by a cartridge injector ("EpiPen"), (3) notifying emergency personnel, and (4) reporting an incident involving a student's life-threatening allergic reaction.

Beginning July 1, 2019, each carrier must provide the training to school bus drivers following the issuance or renewal of a public passenger endorsement to operate a school bus for carrier employees, and upon the hiring of a school bus driver who is not employed by such carrier (e.g., subcontractor), except a driver who received the training after the most recent issuance or renewal of his or her endorsement is not required to repeat it.

School districts contracting with a private service provider must ensure the provider has a drug and alcohol testing program fulfilling federal regulations, and state law pertaining to a required pre-employment and random drug testing program for drivers of school buses and school transportation vehicles (STVs) that carry ten or fewer students.

Legal Reference: United States Code, Title 49

2717 Alcohol and controlled substances testing (Omnibus Transportation Employee Testing Act of 1991)

Code of Federal Regulations, Title 49; section 40.85

40 Procedures for Transportation Workplace Drug and Alcohol Testing Programs

382 Controlled Substance and Alcohol Use and Testing

395 Hours of Service Drivers

Holiday v. City of Modesto (1991) 229 Cal. App. 3d. 528, 540.

International Brotherhood of Teamsters v. Department of Transportation

932 F. 2d 1292 (1991)

American Trucking Association, Inc. v. Federal Highway Administration,
(1995) WL 136022 (4th circuit)

10-212c Life-threatening food allergies and glycogen storage disease:
Guidelines; district plans. (as amended by PA 18-185)

14-261b Drug and alcohol testing of drivers of certain vehicles, mechanics
and forklift operators

14-276a School bus operators and operators of student transportation
vehicles: Regulations: qualifications; training; drug testing.

52-557b Immunity from liability for emergency medical assistance first
aid or medication by injection.

School personnel not required to administer or render. (as amended by PA
05-144, An Act Concerning the Emergency Use of Cartridge Injectors and
PA 18-185, An Act Concerning Life-Threatening Food Allergies in
Schools)

Policy adopted: _____ WESTPORT PUBLIC SCHOOLS

Policy amended: _____ Westport, Connecticut

Students

Exploitation: Sexual Harassment

Sexual Abuse Prevention and Education Program

Definitions

Sexual violence is a multi-layered oppression that occurs at the societal and individual level and is connected to and influenced by other forms of oppression, in particular, sexism, racism and heterosexism. On the societal level, it is the preponderance of attitudes, actions, social norms that perpetuate and sustain environments and behaviors that promote a cultural tolerance, acceptance, and denial of sexual assault and abuse. On an individual level, sexual violence is a wide range of sexual acts and behaviors that are unwanted, coerced, committed without consent, or forced either by physical means or through threats.

Sexual abuse refers to coerced or forced sexual contact or activity that may be ongoing or occurs over time, often within a trusting relationship. Most victims know their perpetrators. Perpetrators are usually older than their victims and may trick or force them into gradually doing the sexual behavior. The sexual behavior may not be violent and may even be pleasurable to the child, who doesn't necessarily know it is wrong. Perpetrators of ongoing sexual abuse control the child/youth through secrecy, shame, or threats. Children cannot consent to sexual contact with adults or older youth, and sexual contact is considered abuse, regardless of whether it includes touching or not.

Sexual assault usually refers to forced or unwanted sexual contact or activity that occurs as a single incident, as opposed to ongoing sexual abuse that may continue over time. It may also involve verbal or visual behaviors, or any type of pressure designed to coerce or force someone to join in the unwanted sexual contact or activity. The assault may involve a similar range of behaviors that are attempted or perpetrated against a victim's will or when a victim cannot consent because of age, disability, or the influence of alcohol or drugs. Sexual assault may involve actual or threatened physical force, use of weapons, coercion, intimidation or pressure. The offender usually takes advantage of the victim's vulnerability. Anyone can perpetrate this type of abuse - a trusted friend or family member, a stranger, a casual acquaintance, or an intimate partner.

Sexual harassment: In a school setting, sexual harassment is conduct that 1) is sexual in nature; 2) is unwelcome; and 3) denies or limits a student's ability to participate in or benefit from a school's educational program. Sexual harassment can be verbal, nonverbal or physical. Sexual violence is a form of sexual harassment. Sexual harassment creates a hostile environment if the conduct is sufficiently severe or pervasive such that it interferes with or limits a student's ability to participate in or benefit from the school's program. Although not an exhaustive list, the following are examples of sexual conduct prohibited by this policy:

1. Statements or other conduct indicating that a student's submission to, or rejection of, sexual overtures or advances will affect the student's grades and/or other academic progress.
2. Unwelcome attention and/or advances of a sexual nature, including verbal comments, sexual invitations, leering and physical touching.
3. Display of sexually suggestive objects, or use of sexually suggestive or obscene remarks, invitations, letters, emails, text messages, notes, slurs, jokes, pictures, cartoons, epithets or gestures.
4. Touching of a sexual nature or telling sexual or dirty jokes.
5. Transmitting or displaying emails or websites of a sexual nature.
6. Using computer systems, including email, instant messaging, text messaging, blogging or the use of social media websites, or other forms of electronic communications, to engage in any conduct prohibited by this policy.

Program

The Westport Public Schools shall implement the Sexual Abuse and Assault Awareness and Prevention Program identified or developed, in compliance with CGS 17a-101q, by the Department of Children and Families, in collaboration with the Department of Education and other assisting entities, with the goal of informing students and staff about child sexual abuse and assault awareness and available resources. The District's implementation of the Sexual Abuse and Assault Awareness and Prevention Program, per statute, shall be not later than October 1, 2016. The program, for students in Grades K-12, inclusive, shall include, but not be limited to:

1. Providing teachers instructional modules that may include, but not be limited to:
 - a. Training regarding the prevention and identification of, and response to, child sexual abuse and assault, and
 - b. Resources to further student, teacher and parental awareness regarding child sexual abuse and the prevention of such abuse and assault.
2. Providing students age-appropriate educational materials designed for children in grades kindergarten to twelve, inclusive, regarding child sexual abuse and assault awareness and prevention that may include, but not be limited to:
 - a. The skills to recognize:
 - i. Child sexual abuse and assault,
 - ii. Boundary violations and unwanted forms of touching and contact, and

- iii. Ways offenders groom or desensitize victims.
- b. Strategies to promote disclosure, reduce self-blame and mobilize bystanders.
- c. Actions that child victims of sexual abuse and assault may take to obtain assistance.
- d. Intervention and counseling options for child victims of sexual abuse and assault.
- e. Access to educational resources to enable child victims of sexual abuse and assault to succeed in school.
- f. Uniform procedures for reporting instances of child sexual abuse and assault to school staff members.

The lessons should be evidence-informed, developmentally and age appropriate and informed by the required curricula standards and performance indicators contained in the SDE Guidelines (Section Three).

3. Implementing a child sexual abuse curriculum to provide age-appropriate information to teach students the difference between appropriate and inappropriate conduct in situations where child sexual abuse or sexual assault could occur, and to identify actions a child may take to prevent and report sexual abuse or sexual assault. Students will be:

- a. Provided with resources and referrals to handle these potentially dangerous situations.
- b. Provided access to available counseling and educational support.

The Board of Education directs the Superintendent develop administrative regulations to address the issues of students obtaining assistance, intervention and counseling options, access to educational resources and procedures for reporting instances of child sexual abuse and assault. A student shall be excused from participating in the sexual abuse, assault awareness and prevention program offered within the school, in its entirety or any part thereof, upon receipt by the Principal or his/her designee, of a written request from the student's parent/guardian.

Any student exempted from the sexual abuse and assault awareness and prevention program shall be provided, during the period of time in which the student would otherwise be participating in such program, an opportunity for other study or academic work.

Reporting Child Sexual Abuse and Assault

Students shall be encouraged to disclose abuse to a trusted adult member of the staff, including, but not limited to, teachers, administrators, nurses, coaches, and counselors. Child abuse reporting procedures will be followed for all acts of violence and sexual abuse against children as delineated in policy #5141.4, "Reporting of Suspected Child Abuse," and its accompanying regulations.

Connecticut General Statutes §17a-101, as amended, requires all school employees including the Superintendent of Schools, school teachers, substitute teachers, administrators, school guidance counselors, school paraprofessionals, licensed nurses, physicians, psychologists, social workers, coaches of intramural or interscholastic athletics, or any other person, who in the performance of his/her duties, has regular contact with students and who provides services to District students, who have reasonable cause to suspect or believe that a child has been abused, neglected, or placed in imminent risk of serious harm to report such abuse and/or neglect in compliance with applicable state statutes.

An oral report by telephone or in person shall be made as soon as possible but no later than 12 hours to the Commissioner of Children and Families and to the Superintendent of Schools or his/her designee followed within 48 hours by a written report to the Department of Children and Families.

Reporting suspected abuse and/or neglect of children, in addition to the requirements pertaining to staff training, record keeping and dissemination of this policy, shall be in accordance with the procedures established and set forth in the Administrative Regulation #5141.4.

(cf. 5131.911 - Bullying)

(cf. 5141.4 - Reporting of Suspected Child Abuse)

(cf. 5145.5 - Sexual Harassment)

Legal Reference: Connecticut General Statutes

17a-101q Statewide sexual abuse and assault awareness and prevention program (as amended by Section 415 of the June 2015 Special Session Public Act 15-5)

A Statewide K-12 Sexual Assault and Abuse Prevention and Awareness Program developed by DCF, SDE, and Connecticut Alliance (The Alliance) to End Sexual Violence.

Regulation adopted:

WESTPORT PUBLIC SCHOOLS

Westport, Connecticut