

The Enclosures referred to in the Agenda are available for inspection at each of the three Public Libraries in Fairfield, Fairfield Public Schools' website [www.edline.net/pages/fairfield\\_school\\_district](http://www.edline.net/pages/fairfield_school_district) and the Education Center, 501 Kings Highway East.

***THE PUBLIC IS REQUESTED TO TURN OFF CELL PHONES OR PLACE THEM ON VIBRATE PRIOR TO THE START OF THE MEETING***

Board of Education  
Fairfield Public Schools  
Fairfield, CT

Tuesday, October 12, 2010

**EXECUTIVE SESSION**

**7:15 P.M.**

**EDUCATION MEETING**

**7:30 P.M.**

**501 Kings Highway East  
2<sup>nd</sup> Floor Board Conference Room**

**AGENDA AND SUPERINTENDENT'S RECOMMENDATIONS**

I. Call to Order and Roll Call

II. Executive Session

Recommended Motion: "that the Board of Education convene to Executive Session to discuss Special Education Trainer negotiations"

III. Convene to Education Meeting of the Board of Education

IV. Call to Order of the Education Meeting of the Board of Education and Roll Call

V. Pledge of Allegiance

VI. Introduction of PTA Board of Education Representatives

VII. Approval of Minutes

Recommended Motion: "that the Board of Education approve the Minutes of the Special Meeting of September 28, 2010 and the Business Meeting of September 28, 2010"

(Enclosures No. 1, 2)

VIII. Public Comments and Petitions

During this period the Board will hear comments and receive petitions from any citizen present at the meeting. Any single presentation must be limited to two minutes, and audio-visual equipment cannot be used without the advance authorization of the Chairman. **The Board will not hear comment on individual personnel matters or comments addressed to a specific member(s) of the Board.** Decorum will be enforced. Citizens are asked to comment on any voting item at the time the item is under consideration by the Board.

IX. Presentations

- A. Presentation and Approval of the Plans and Specifications for the Fairfield Woods Middle School Project #051-0122EA

Recommended Motion: “that the Board of Education approve the plans and specifications for the Fairfield Woods Middle School Project #051-0122EA as presented”

- B. Presentation of 2011-12 Student Calendar

(Enclosure No. 3)

X. Extraordinary Business

- A. Approval of a Wage Increase for the Special Education Trainers for the 2010-2011 School Year Pursuant to Wage Reopener

Recommended Motion: “that the Board of Education approve a 2% wage increase for the Special Education Trainers for the 2010-2011 school year pursuant to wage reopener”

- B. Approval of Policy

Recommended Motion: “that the Board of Education Approve Policy #3534.2 - Green Cleaning Program as presented at the September 28, 2010 Board of Education Meeting”

(Enclosure No. 4)

- C. Approval of Policy

Recommended Motion: “that the Board of Education Approve Policy #5119 - Student Discipline – Suspension/Expulsion as presented at the September 28, 2010 Board of Education Meeting”

(Enclosure No. 5)

- D. Elimination of Policies #5120 - Expulsion, #5313 - Substance Abuse, and #5320 - Weapons

Recommended Motion: “that the Board of Education eliminate Policies # 5120 - Expulsion, #5313 - Substance Abuse, and #5320 - Weapons as discussed at the September 28, 2010 Board of Education Meeting”

(Enclosure No. 6, 7, 8)

XI. Reports - Members of the Board of Education

|                  |   |
|------------------|---|
| Allison Reich    | Fairfield Ludlowe High School Student Liaison   |
| TBA              | Fairfield Warde High School Student Liaison   |
| Albin, Catherine | Finance, Budget & Community Relations Subcommittee  |
| Brand, Sue       | Curriculum, Policy & Special Programs Subcommittee<br>Board of Health Member****<br>Fairfield Education Association (FEA) Liaison |
| Dow, Sue         | Finance, Budget & Community Relations Subcommittee<br>CT Association of Boards of Education (CABE)**                              |

|                 |  |
|-----------------|--|
|                 | Board of Finance Liaison<br>SEPTA  |
| Fattibene, Paul | Curriculum, Policy & Special Programs Subcommittee<br>Transportation Advisory Committee  |
| Iacono, Pamela  | <b>Finance, Budget &amp; Community Relations Subcommittee*</b><br>Special Projects Standing Building Committee Member***<br>Representative Town Meeting (RTM) Liaison**                |
| Kery, Tim       | <b>Facilities, Technology &amp; Long-Term Planning Subcommittee*</b><br>PTA Council Liaison  |
| Liu, Perry      | Facilities, Technology & Long-Term Planning Subcommittee<br>Fairfield Woods Building Committee Liaison***  |
| Mitola, John    | Facilities, Technology & Long Term Planning Subcommittee<br>Stratfield School Building Committee Liaison***  |
| Zahn, Stacey    | <b>Curriculum, Policy &amp; Special Programs Subcommittee*</b><br>High School Scholarship Foundation<br>Parks and Recreation Commission Member****<br>Six to Six Magnet School Liaison |

|  |
|--|
| * Committee Chairman                                 |
| ** Liaison Position Indicated per By-Laws            |
| *** Ad Hoc – Established by the First Selectman/Town |
| **** Per Town Charter and Serving as a Voting Member |

XII. Open Board Discussion

XIII. Adjournment

Recommended Motion: “that this regular meeting of the Board of Education adjourn”

CALENDAR OF EVENTS

|                  |   |  |
|------------------|---|--|
| October 26, 2010 | Board of Education<br>Business Meeting  | 7:30 p.m.<br>501 Kings Highway East<br>2 <sup>nd</sup> Floor Conference Room |
| November 9, 2010 | Board of Education<br>Education Meeting | 7:30 p.m.<br>501 Kings Highway East<br>2 <sup>nd</sup> Floor Conference Room |

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Pupil & Special Education Services  
501 Kings Highway East  
Fairfield, CT 06825  
Telephone: (203) 255-8379

OCT 12 2010

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF EDUCATION  
FAIRFIELD PUBLIC SCHOOLSFairfield Warde High School  
755 Melville Avenue  
Headmaster's Conference Room

Tuesday, September 28, 2010

Chairman Sue Brand called the Special Meeting to order at 6:34 p.m. for the purpose of Superintendent Evaluation. Other Board Members present were: Sue Dow, Perry Liu, John Mitola, Stacey Zahn, Mrs. Pamela Iacono (arrived 6:42 p.m.), Mr. Paul Fattibene (arrived 6:46 p.m.), Mr. Tim Kery (arrived 6:49 p.m.), and Mrs. Catherine Albin (arrived 7:16 p.m.). Also present were Superintendent Dr. David Title and Selectman Jim Walsh (arrived 7:13 p.m.).

1. Mr. Liu moved, seconded by Ms. Zahn that the Board of Education convene into Executive Session for Superintendent Evaluation.  
Motion carried unanimously: 6:0:0.
2. Mr. Liu moved, seconded by Mr. Kerry to adjourn the meeting at 7:24 p.m.  
Motion carried unanimously: 9:0:0.

Stacey Zahn  
Secretary

FAIRFIELD BOARD OF EDUCATION  
MINUTES OF THE BUSINESS MEETING OF THE BOARD OF EDUCATION  
Tuesday, September 28, 2010

OCT 12 2010

Minutes of the Business Meeting of the Board of Education held Tuesday, September 28, 2010, at Fairfield Warde High School-Auditorium.

The meeting was called to order at 7:36 p.m. by Chairman Mrs. Sue Brand. Other Board members present were: Mrs. Catherine Albin (left at 10:15 p.m.), Mrs. Sue Dow, Mr. Paul Fattibene, Mrs. Pamela Iacono, Mr. Tim Kery, Mr. Perry Liu, Mr. John Mitola and Ms. Stacey Zahn. Also in attendance were Fairfield Ludlowe HS Student Representative Allison Reich, Superintendent Dr. David Title, and members of the administrative staff. Approximately 250 people comprised the remainder of the audience.

1. Mrs. Brand led the Board and audience in the Pledge of Allegiance.
2. Recognition of Teachers and Administrators Achieving Tenure-  
Approximately 55 teachers and administrators were recognized for achieving tenure and presented with a certificate.
3. Mrs. Iacono moved, seconded by Ms. Zahn that the Board of Education approve the Minutes of the Education Meeting of September 14, 2010.

Motion carried: 9:0:0.

4. Old Business

- A. Mr. Kery moved, seconded by Ms. Zahn that the Board of Education approve 'grandfathering' of all sixth and seventh grade students at their current middle schools until they complete eighth grade and that transportation be provided for those students. Parents may opt-out of 'grandfathering' and have current sixth and seventh grade students attend their new middle school if the purpose is to keep siblings together, and transportation will be provided for those students.

Dr. Title stated that three grandfathering options were studied internally with staff for possible educational, social and financial implications and this is his recommendation. The three options were: (1) no grandfathering, (2) grandfathering of existing 7<sup>th</sup> graders who will be entering 8<sup>th</sup> grade, and (3) full grandfathering of existing 6<sup>th</sup> and 7<sup>th</sup> graders. Dr. Title stated that he is recommending Option 3, full grandfathering of existing 6<sup>th</sup> and 7<sup>th</sup> graders so they can finish through 8<sup>th</sup> grade in that middle school regardless of whether their feeder school is changing. The opt out provision was put in for parents who may have a child in two different middle schools and feel strongly that they want both children together. Under this option they can be together at the new school, and there would not have to be extenuating circumstances. Transportation would be provided in both cases. Dr. Title stated that he believes educationally and socially the best case scenario is to grandfather all 6<sup>th</sup> and 7<sup>th</sup> graders because it doesn't force children who have attended a middle school to have to make an additional transition to a new middle school. There is room in the schools to accomplish this in terms of capacity and utilization. To determine how much grandfathering will cost is complex and time consuming work that Mr. Ficke did. Because of the way the kids are distributed, six additional buses would be needed. The buses are set by contract, including fuel, at \$57,000 per bus for a total of \$342,000, which represents about one quarter of one percent of the current year's budget. Dr. Title stated that there is no cost savings to only grandfathering the current 7<sup>th</sup> grade because the buses still have to go out to the far areas of town, there just won't be as many kids on them. Mr. Cullen and Mr. Ficke are here this evening if Board members have questions about the busing costs.

Mr. Ficke commented on how he arrived at the bus numbers. For the 'no grandfathering' option he took the numbers that are currently at each school, put them all into the new schools and divided out by 52 students per bus, which is the maximum number put on a bus when data is

compiled. Physical bus routes were not built for this scenario, just how many buses it would take. For the next options he had to physically start taking bus routes apart. He took the list of every student at the school and pulled all of the 7<sup>th</sup> graders out, then took the 7<sup>th</sup> graders and went stop by stop or house by house to find out whether they are a walker or a rider and broke it all down. When he was given the third option, he went back to last year's records and pulled the 4<sup>th</sup> and 5<sup>th</sup> graders out of those schools, taking their bus stops and feeding them into the current bus routes at the schools and trying to generate bus routes. There some issues in the far reaching areas of town where the bus spends 15 minutes picking up 15 kids and then has a 30 minute bus ride to get to school. Another area has only 13 kids on the bus and a 30 minute ride to school. He stated that he looked at the map across town to figure out if there was a street with five kids where the bus could make one stop and add a few more kids. He physically went through each and every route in four different scenarios down to 3 p.m. this afternoon. There wasn't enough time to complete Roger Ludlowe MS. It was very time consuming and he did the best he could. Mr. Ficke explained why Fairfield Woods MS requires no additional buses under "full" grandfathering while Roger Ludlowe requires four additional buses. This is because Woods is getting the injection of new students. Students are being pulled from the other middle schools and sent to Woods. Since the student base is increasing, there is automatically going to be an additional number of buses there.

Approximately one hour of Board questions, comments and discussion followed regarding the projected cost for busing, doing a bus route study, the possibility of needing more than six additional buses and the additional busing costs, reassigning students to different buses after school starts, length of bus routes, actual time students will be on a bus, the cost of busing for the second year, capacities and enrollment at the middle schools, the impact this will have on the students, the conditions for opt out, and what impact this will have on the budget. Concern was expressed that this is being rushed forward with incomplete information. If this motion is passed, the administration at the middle schools will need to be cognizant about planning with respect to Open Houses, concerts, etc. since there will be families with kids at two different middle schools. The key issue is to make the transition as seamless as possible for the kids.

Dr. Title stated that this is all an estimate. It assumes that 100 percent of the kids who are eligible to be grandfathered will take it. Even if a relatively small number of kids don't take the grandfathering, that helps because they can stay on the regular bus runs. Dr. Title stated that staffing is the biggest part of the budget, and a good estimate is needed of how many kids will be in each grade in each school so that we can staff appropriately. There are also a number of staff members who may be part time now and they need to know what the forecast is for the position next year. This information is all needed to build the budget.

#### Public Comments-

Seth Block, Shrub Oak Lane, commented that this is another incomplete study on a very difficult issue. The kids are going to be impacted educationally and families will be impacted financially. He hopes one of the Board members who voted last month would have the bravery to turn this over. It could save a lot of money.

Richard Joslin, Carriage Drive, commented on the cost and what happens if it costs more. He asked the Board to back and find an option that doesn't cost money for busing or is neutral on busing and neutral on teachers. These numbers are based upon actual enrollment, not the ADS projections which were the fundamental cornerstone of your Option E analysis. .

Debbie Strachan, Lynnbrook Road, stated that the Board is not thinking fiscally responsibly about what could happen later on. You can't vote on this without knowing much closer facts and dollar amounts.

Jane Dellipoali, Sigwin Drive, asked the Board to vote to grandfather all 6<sup>th</sup> and 7<sup>th</sup> grade students.

Michelle Stearns, Benson Place, commented that two weeks ago the Board voted for Option E without knowing the cost, impact on traffic, impact on buses, etc. Now you are talking about grandfathering at a cost estimate of \$342,000. She demanded that the Board demonstrate to the public how you are going to pay for it. This is a lose/lose situation; if we grandfather, something will be cut educationally; and if we don't, it is disruptive to the current 6<sup>th</sup> and 7<sup>th</sup> graders.

Paula Tommins, Wakeman Road, commented that she hopes one of the five Board members who voted for this would put it back on the table. Don't make these kids pay for poor planning. Do the right thing and grandfather. If you really want to do the right thing, scrap Plan E and redistrict properly from elementary school on up to the high school.

Eve Marks and Elizabeth Haney, Tomlinson Middle School students, urged the Board to adopt the recommended motion of keeping all 6<sup>th</sup> and 7<sup>th</sup> graders in their current middle school.

Heather Lajeunesse, Mountain Laurel Road, stated that she thinks the general consensus on the Board is that you support grandfathering. The problem she has is that it is a lot of money and she does not see where the money is going to come from. This plan still leaves huge inequities at the high school level. Address all the levels, do it at once or at least tell us what you are doing so that people can plan and prepare.

Heather Petrecca, Paddock Hill Lane, stated that when her daughter starts school in the fall she will be one of 71 graduating from Burr, and she will be torn from her fellow feeder schools at Fairfield Woods and isolated from other Burr families by grandfathering of 6<sup>th</sup> and 7<sup>th</sup> graders. She asked the Board to reconsider Plan E. On Friday she sent the Board plan, 11.1.2.2, which she put together with a friend and it accomplishes all of the criteria and creates a unifying experience for the entire town of Fairfield to go to 6<sup>th</sup> grade together and eliminates the problem of three middle schools splitting to two high schools. She asked the Board to consider 11.1.2.2.

Jillian Shaffer, Middlebrook Drive, stated that she is in favor of grandfathering although the money is a big problem. The schools are functioning. Support the kids where they are until you can come up with a plan that really works and are not spending more taxpayer dollars.

Suzanne Dammeyer, Thornhill Road, stated that she is against grandfathering. You can't look at spending this amount of money when you haven't even looked at the problems of the elementary and high school overcrowding. How can you pass grandfathering and expect to tell one family they must keep their children in a school and tell another family they don't have to because they have another younger child. That is unfair. If you pass grandfathering it should be equal.

Brigid Wykoff, Meadowbrook Road, stated that the Board is supposed to be discussing the pros and cons and asking questions, and this was not a discussion. She read from an article that was on the web from the Fairfield School Space Coalition. "If history repeats itself and the unexpected always happens, how incapable must man be from learning from experience?" She asked the Board to do it right for the children and if not for the children, for the town of Fairfield that you represent.

Suzanne Miska, Ryegate Road, stated that no matter how you do this you are affecting children, and they should not be the ones that have to bear the price of an ill conceived plan, one that didn't factor in that there would be a cost. She commented that she has received emails from members of the Board of Finance and RTM telling her that they are aware of what is going on. She asked how the Board can go in front of them and say we really need this money, we just weren't sure where it was going to come from. Think please.

Liz Lyons, Holland Hill Road, commented she is surprised that Plan E and grandfathering have been put before the public and before the Board so quickly without all of the considerations. She would like the Board to reconsider their option. She is in favor of grandfathering.

Susan Byrne, Cross Highway, stated that Option E should never have been presented as a no cost option. She now feels deceived because you can't have Option E without grandfathering, and she does not understand how Option E was ever presented without grandfathering. She wants grandfathering if Option E is the only option but does not think it should have even been presented as a no cost option.

Randy Newell, Catamount Road, stated in August the Board represented there were no bus rides over 50 minutes, which is not true because the high school bus serving his area is 1 hour and 2 minutes starting at 6:30 a.m. At the last meeting questions were asked about transportation costs impacting the middle school feeder options and the data was not available at that time. Now after the vote, we are hearing of a cost benefit analysis only on Option E and only on grandfathering. Grandfathering will have an impact of \$342,000 and there is a potential impact on bus times. Students should not be on a bus for 2 hours and 4 minutes a day. Has the Board looked at possible other impacts like special education? Is there an analysis on the facilities and capacity for special ed? Where is the analysis of Option E overall costs versus all of the options? Be brave and roll it back.

Vote on Motion carried: 7:0:2. Mr. Mitola, Ms. Zahn, Mrs. Iacono, Mrs. Albin, Mr. Kery, Mr. Fattibene and Mrs. Dow voted in favor. Mrs. Brand and Mr. Liu abstained.

B. End of Fiscal Year June 30, 2010 Report-

Mrs. McWain stated that Enclosure No. 2 is the final report for the end of year financial position for 2009-10. Explanations for the shortfalls and the balances are provided in the narrative of the report, modifications or additions to the initial report are underlined. The total amount of budget modifications was \$758,196, which is .54 of one percent of our budget allocation for 2009-10. This amount is the lowest that has been requested as a budget modification in at least 8-10 years. We ended the fiscal year expending our full budget allocation for 09-10, and we did not turn any money back to the town this year. There were minimal changes in some of the individual amounts that were identified in June when this was discussed at length.

C. Mr. Mitola moved, seconded by Mrs. Dow that the Board of Education approve Policy #5128-Foreign Exchange Students as presented at the April 27, 2010 Board of Education meeting.

Motion carried: 9:0:0.

D. Ms. Zahn moved, seconded by Mr. Liu that the Board of Education approve Policy #5145-Use of Breathalyzers as presented at the June 8, 2010 Board of Education Meeting.

Mrs. Iacono commented that it was her understanding that a student survey was going to be done on breathalyzers and the Board was to get the results of the survey in order to make a final determination. Dr. Title stated that a student survey was not done. He stated that he does not believe it is a good practice on the part of boards to survey students as a way to determine whether a policy should be passed or not.

Board comments, questions and discussion followed.

Dr. Title stated that he supports the policy as it is written and is recommending it for approval. Currently there is no policy on this. This policy requires the use of breathalyzers at school sponsored dances. If there are other events where the school administration feels it might be necessary, with proper notice, they would be administered. This was passed by legal counsel in terms of constitutionality.

Mrs. Iacono stated that this body gave a directive and the directive was not followed. It should have at least been brought back to this table for discussion.

Board questions and comments continued.



Public Comment-

Wendy Bentivegna, Village Lane, stated that statistics at neighboring high schools that use breathalyzers indicate that breathalyzing will greatly reduce if not stop drinking at the dances. The Fairfield Board of Ed has an opportunity to say no to one aspect of underage drinking and that is drinking at school dances.

Nancy Billington, Fleming Lane, spoke in favor of the breathalyzer policy.

Betty Ann O'Shaughnessy, Queens Grant Road, spoke in support of the breathalyzer policy. It is not just about the kids who are drinking, it is about the ones who are not drinking and are uncomfortable when there are students who have been drinking at their dances.

Cristin McCarthy Vahey, Melville Avenue, commented in favor of the breathalyzer policy. She applauded the Board's interest in examining this policy in the context of a broader conversation and encouraged the Board to continue that conversation in work with groups like RYASAP and the Fairfield Alcohol and Health Taskforce. She urged the Board to vote in support of this.

Kitty Connor, 165 Primrose Lane, stated that she hopes the Board knows from the 250 supporters from the Fairfield Warde community that there is a collective voice requesting that this policy be implemented. She urged the Board to vote for this policy.

J. Alfred Dunn commented that as far as the student survey is concerned, it was not a vote, it was a consensus. It is true that alcohol usage and other means of intoxication is going up. He is for this 550 percent. If it saves one life, it is worth it. Please pass it.

Melissa Petrafesa, Cynthia Drive, urged the Board to pass this. She is a recruiter and just watched someone who recently graduated from college have an offer rescinded because she had a DUI. If we can offer the support to help our juniors and senior to make better choices that will affect the rest of their lives, she is in favor of it.

Sam Audino, a student at Fairfield Ludlowe HS, stated that he is baffled at the indecisiveness of the student survey and stated that as a student it is important to him that his opinion be heard on something that is going to directly affect him. He stated that each year the AP Statistics course at Ludlowe does as a survey project to gather information about what students are thinking and they could easily have the breathalyzer survey as their project for this year. He asked where this will go next; will he eventually need to be breathalyzed on his way in to a football or soccer game.

Grey Walker, a junior at Fairfield Ludlowe HS, stated that last year he attended the junior prom and the environment is not as dangerous or as threatening as is believed. The probability of a student getting in while under the influence or consuming while at the event is extremely low. Not once was there a problem or situation there that in any way endangered the students.

Greg Convertito, junior class representative on the Student Representative Council at Ludlowe, stated that this policy operates on the basis that school dances are a privilege so breathalyzing is OK because you have to prove your eligibility for the privilege. According to the Student/Parent Handbook, dances are considered private social events and the handbook implies that school dances are a right of any student in good standing to attend not a privilege. Therefore, students should not have to undergo breathalyzing. The policy operates on the assumption that students are guilty until you prove yourself innocent.

Will Carroll, a freshman at Ludlowe HS, stated that the kids do drink, but if they are not intoxicated before going to a dance he does not understand why they would have to be breathalyzed. If they smell of alcohol or are intoxicated, then breathalyzers would be available to check.

John Convertito, Oyster Road, stated that he opposes this policy. The idea that the input from students is irrelevant is a frightening thought. This policy as written tells our students we don't trust you or your parents to get you from your home to a school function without drinking. If you want to make breathalyzers discretionary on a probable cause basis as the Constitution of this state says, that is fine, but to make it a unanimous or mandatory rite of passage to walk into a dance is wrong.

Debbie Strachan, Lynnbrook Road, reminded the Board that there are several surrounding towns that support using breathalyzers and it has been proven to help them. If you are saving one life, you are doing your job. Do the right thing and save one child from making the wrong choice.

Kate Mattison, Burr Street, spoke in favor of this policy.

Brigid Wykoff, Meadowbrook Road, spoke in favor of the breathalyzer policy.

Motion carried: 5:3:1. Mr. Liu, Mrs. Dow, Mr. Mitola, Ms. Zahn and Mrs. Brand voted in favor. Mr. Fattibene, Mr. Kery and Mrs. Albin voted in opposition. Mrs. Iacono abstained.

## 5. New Business-

### A. First Read of Policies-

#3534.2 – Green Cleaning

#5119 – Student Discipline – Suspension and Expulsion

Elimination of Policy #5120 – Expulsion

Elimination of Policy #5313 – Substance Abuse

Elimination of Policy #5320 – Weapons

Dr. Title stated that Policy #3534.2-Green Cleaning is in response to a change in the Statute that requires the Board to have a policy about green cleaning. It is basically the CAGE recommended policy. Policy #5119-Student Discipline-Suspension and Expulsion was held over. There are several policies related to student discipline and he is proposing consolidating all of them into one policy. This is a much more detailed policy than you would typically see. This is such a legalistic process and there are so many pitfalls that you really want to make sure everything is spelled out and then have it mimicked precisely in the student handbooks so there is complete clarity about what the expectations are, what the consequences are and what the procedures are. Dr. Title stated that he is recommending that the Board appoint an impartial hearing officer to hear and decide expulsions. The advantage is that we are able to have consistency and it is not a cost item because the Board would need to have a legal advisor there anyway.

Board questions and comments followed. Mrs. Iacono stated that she really would like to see the Board maintain the current procedure, which is if you can't get three Board members then you get the hearing officer.

## 6. Report of the Superintendent-

Dr. Title had no report.

Mrs. Brand asked if there is a plan to incorporate budget reports at future Board meetings. Dr. Title stated that he will bring this up at the next Finance Committee meeting and discuss a format of regular budget reporting at Board meetings. Mrs. Brand also commented that the Board has a Long Range Facilities Plan and but does not have a student population plan. She asked if something like that is going to be addressed. Dr. Title stated that the next work of the Facilities Committee is to do a revision to the Board's Long Term Facilities Plan. With the funding cuts from last year the plan has to be revised. We are prepared to bring forward at the next Facilities subcommittee meeting a revised long term plan for the committee's recommendation. After that, the next step will be to bring it to the Board table. Dr. Title stated that Board members received a copy of the letter from the First Selectman regarding the roof replacement and there is some misunderstanding about how that fits into

the picture. All of that needs to be consolidated with the Facilities Committee and then as the new enrollment projections come in we can start planning even longer term what we need to do for the schools.

7. Public Comments and Petitions-

Betty Ann O'Shaughnessy, Queens Grant Road, stated that along with the student population report that was requested she would like the Board to look at the high school space issue. She also commented that when looking at the budget she saw that the resources are not allocated equitably between the two high schools and would like this Board to also consider that in the budget season.

Michelle Stearns, Benson Place, stated that a group of concerned parents put together a position paper that addresses Option E. We are asking the Board of Ed to reopen the discussion and put the redistricting plan back on the agenda at the next Board of Ed meeting. You must table the decision to implement Option E until you address the problems that are inherent in this plan and address the issues that were not resolved with this plan. She stated that there is also an online petition with 656 signatures. The Fairfield Citizen is running a poll; 178 people have voted and 75% are in favor of what she read.

Ann Marie O'Keefe, Burr Street, submitted letters on behalf of the Burr community. Many people of this town would like the Board to go back and reconsider your decision to implement Option E.

Krista Dougherty, Gilbert Highway, asked the Board to reconsider Option E. There are other options that meet your defined criteria. Take the time to discuss and compare these options.

Brigid Wykoff, Meadowbrook Road, commented that when the Board votes they have to have the costs. We don't have all of the bus costs. Do the elementary redistricting first then the plan.

Seth Block, Shrub Oak Lane, stated that he hopes the Board will look inside yourself as a body that represents the town, the school, the children and open this for discussion and reverse it because the students deserve better, the citizens of this town deserve better. He urged the Board to consider that.

8. Ms. Zahn moved, seconded by Mrs. Iacono that this regular meeting of the Board of Education adjourn at 10:35 p.m.  
Motion carried: 8:0:0.

Stacey Zahn  
Secretary

Adopted by the Board of Education on

**STUDENT CALENDAR**  
**FAIRFIELD PUBLIC SCHOOLS**  
**2011 - 2012**

DRAFT OCT 12 2010

| July   |     |    |    |    |    |    | August  |    |    |    |    |    |    | September (20)  |    |    |    |    |    |    |   |
|--|-----|----|----|----|----|----|---|----|----|----|----|----|----|---|----|----|----|----|----|----|---|
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| 3  | 4   | 5  | 6  | 7  | 8  | 9  | 7   | 8  | 9  | 10 | 11 | 12 | 13 | 4   | 5  | 6  | 7  | 8  | 9  | 10 |   |
| 10   | 11  | 12 | 13 | 14 | 15 | 16 | 14  | 15 | 16 | 17 | 18 | 19 | 20 | 11  | 12 | 13 | 14 | 15 | 16 | 17 |   |
| 17   | 18  | 19 | 20 | 21 | 22 | 23 | 21  | 22 | 23 | 24 | 25 | 26 | 27 | 18  | 19 | 20 | 21 | 22 | 23 | 24 |   |
| 24   | 25  | 26 | 27 | 28 | 29 | 30 | 28  | 29 | 30 | 31 |    |    |    | 25  | 26 | 27 | 28 | 29 | 30 |    |   |
| 31   |     |    |    |    |    |    |   |    |    |    |    |    |    |   |    |    |    |    |    |    |   |
| 4 Independence Day<br>5 Summer School Begins<br>29 Summer School Ends  |     |    |    |    |    |    | 29 All Teachers Report<br>30 Professional Development Day<br>31 Orientation for Grade 6 and Grade 9   |    |    |    |    |    |    | 1 First Day of School - Full Day<br>5 Labor Day<br>28 No After School or Evening Activities<br>29 Rosh Hashanah   |    |    |    |    |    |    |   |
| October (21)   |     |    |    |    |    |    | November (18)   |    |    |    |    |    |    | December (17)   |    |    |    |    |    |    |   |
| S  | M   | T  | W  | T  | F  | S  | S   | M  | T  | W  | T  | F  | S  | S   | M  | T  | W  | T  | F  | S  |   |
|  |     |    |    |    |    | 1  |   |    | 1  | 2  | 3  | 4  | 5  |   |    |    |    | 1  | 2  | 3  |   |
| 2  | 3   | 4  | 5  | 6  | 7  | 8  | 6   | 7  | 8  | 9  | 10 | 11 | 12 | 4   | 5  | 6  | 7  | 8  | 9  | 10 |   |
| 9  | 10  | 11 | 12 | 13 | 14 | 15 | 13  | 14 | 15 | 16 | 17 | 18 | 19 | 11  | 12 | 13 | 14 | 15 | 16 | 17 |   |
| 16   | 17  | 18 | 19 | 20 | 21 | 22 | 20  | 21 | 22 | 23 | 24 | 25 | 26 | 18  | 19 | 20 | 21 | 22 | 23 | 24 |   |
| 23   | 24  | 25 | 26 | 27 | 28 | 29 | 27  | 28 | 29 | 30 |    |    |    | 25  | 26 | 27 | 28 | 29 | 30 | 31 |   |
| 30   | 31  |    |    |    |    |    |   |    |    |    |    |    |    |   |    |    |    |    |    |    |   |
| △ Prof. Dev. Day (Elem.) Early Dismissal<br>7 No After School or Evening Activities<br><○> Conf. Days (Elem. & Middle) Early Dismissal     |     |    |    |    |    |    | 8 Election Day-Prof. Dev. Day for Staff<br>11 Veterans' Day<br>18 Report Cards Issued *<br>23 Early Dismissal<br>24, 25 Thanksgiving Recess |    |    |    |    |    |    | 2 End of 1st Marking Period (Elementary)<br>16 Report Cards Issued (Elementary)<br>26 Holiday Week Begins<br>30 Holiday Week Ends   |    |    |    |    |    |    |   |
| January (19)   |     |    |    |    |    |    | February (16)   |    |    |    |    |    |    | March (22)  |    |    |    |    |    |    |   |
| S  | M   | T  | W  | T  | F  | S  | S   | M  | T  | W  | T  | F  | S  | S   | M  | T  | W  | T  | F  | S  |   |
|  |     |    |    |    |    |    |   |    |    | 1  | 2  | 3  | 4  |   |    |    |    | 1  | 2  | 3  |   |
| 1  | (2) | 3  | 4  | 5  | 6  | 7  | 5   | 6  | 7  | 8  | 9  | 10 | 11 | 4   | 5  | 6  | 7  | 8  | 9  | 10 |   |
| 8  | 9   | 10 | 11 | 12 | 13 | 14 | 12  | 13 | 14 | 15 | 16 | 17 | 18 | 11  | 12 | 13 | 14 | 15 | 16 | 17 |   |
| 15   | 16  | 17 | 18 | 19 | 20 | 21 | 19  | 20 | 21 | 22 | 23 | 24 | 25 | 18  | 19 | 20 | 21 | 22 | 23 | 24 |   |
| 22   | 23  | 24 | 25 | 26 | 27 | 28 | 26  | 27 | 28 | 29 |    |    |    | 25  | 26 | 27 | 28 | 29 | 30 | 31 |   |
| 29   | 30  | 31 |    |    |    |    |   |    |    |    |    |    |    |   |    |    |    |    |    |    |   |
| 2 New Year's Day Observed<br>3 Schools Reopen<br>13 Prof. Dev. Day - All Certified Staff<br>16 Martin Luther King Day                      |     |    |    |    |    |    | 3 Report Cards Issued *<br>△ Prof. Dev. Day (Elem.) Early Dismissal<br>20 Winter Recess Begins<br>24 Winter Recess Ends                     |    |    |    |    |    |    | 14 End of 2nd Marking Period (Elementary)<br>22 Report Cards Issued (Elementary)  |    |    |    |    |    |    |   |
| April (15)   |     |    |    |    |    |    | May (22)  |    |    |    |    |    |    | June (12)   |    |    |    |    |    |    |   |
| S  | M   | T  | W  | T  | F  | S  | S   | M  | T  | W  | T  | F  | S  | S   | M  | T  | W  | T  | F  | S  |   |
|  |     |    |    |    |    |    |   |    |    | 1  | 2  | 3  | 4  | 5   |    |    |    |    |    |    |   |
| 1  | 2   | 3  | 4  | 5  | 6  | 7  | 6   | 7  | 8  | 9  | 10 | 11 | 12 | 3   | 4  | 5  | 6  | 7  | 8  | 9  |   |
| 8  | 9   | 10 | 11 | 12 | 13 | 14 | 13  | 14 | 15 | 16 | 17 | 18 | 19 | 10  | 11 | 12 | 13 | 14 | 15 | 16 |   |
| 15   | 16  | 17 | 18 | 19 | 20 | 21 | 20  | 21 | 22 | 23 | 24 | 25 | 26 | 17  | 18 | 19 | 20 | 21 | 22 | 23 |   |
| 22   | 23  | 24 | 25 | 26 | 27 | 28 | 27  | 28 | 29 | 30 | 31 |    |    | 24  | 25 | 26 | 27 | 28 | 29 | 30 |   |
| 29   | 30  |    |    |    |    |    |   |    |    |    |    |    |    |   |    |    |    |    |    |    |   |
| ○ Conf. Days (Elem. ONLY) Early Dismissal<br>6 Good Friday<br>16 Spring Recess Begins<br>20 Spring Recess Ends<br>27 Report Cards Issued * |     |    |    |    |    |    | 28 Memorial Day   |    |    |    |    |    |    | 18 Last Day for Students and Teachers<br>(The first four snow days will extend the length of the school year and the date of High School Graduation; additional snow days will reduce the April vacation beginning with the first day, April 16.) |    |    |    |    |    |    |   |

- Schools Not In Session
- ◊ Conference Days (Elem. & Middle) Early Release
- Conference Days (Elem. ONLY) Early Release
- △ Early Release (Elementary ONLY)
- ( ) State Require Holidays
- \* May Vary By Level

**CONNECTICUT MASTERY TEST 2012 DATES**  
**AND**  
**CAPT 2012 DATES**

MARCH 5 - MARCH 30, 2012

**CMT WRITING**

MARCH 6, 2012

**CAPT WRITING**

MARCH 6, 7, 8, 2012

**Cooperative Educational Services  
2011-2012  
SCHOOL CALENDAR**

| July         |              |    |    |    |  |   |
|--------------|--------------|----|----|----|--|---|
|              |              |    |    |    |  | 1 |
| <del>4</del> | <del>5</del> | 6  | 7  | 8  |  |   |
| 11           | 12           | 13 | 14 | 15 |  |   |
| 18           | 19           | 20 | 21 | 22 |  |   |
| 25           | 26           | 27 | 28 | 29 |  |   |

4&5 Fourth of July Holiday Observed - closed  
6 Summer Session Begins

| August (3) |    |    |    |    |  |  |
|------------|----|----|----|----|--|--|
| 1          | 2  | 3  | 4  | 5  |  |  |
| 8          | 9  | 10 | 11 | 12 |  |  |
| 15         | 16 | 17 | 18 | 19 |  |  |
| 22         | 23 | 24 | 25 | 26 |  |  |
| 29         | 30 | 31 |    |    |  |  |

5 Summer Session Ends  
22 & 23 New Certified Staff Orientation  
24 Welcome Back Convocation  
29 Students Return

| September (20) |    |    |    |    |   |  |
|----------------|----|----|----|----|---|--|
|                |    |    |    | 1  | 2 |  |
| <del>5</del>   | 6  | 7  | 8  | 9  |   |  |
| 12             | 13 | 14 | 15 | 16 |   |  |
| 19             | 20 | 21 | 22 | 23 |   |  |
| 26             | 27 | 28 | 29 | 30 |   |  |

5 Labor Day - closed  
22 Parent Night  
29 Rosh Hashanah - closed

| October (20)  |    |    |    |    |   |   |
|---------------|----|----|----|----|---|---|
|               |    | 3  | 4  | 5  | 6 | 7 |
| <del>10</del> | 11 | 12 | 13 | 14 |   |   |
| 17            | 18 | 19 | 20 | 21 |   |   |
| 24            | 25 | 26 | 27 | 28 |   |   |
| 31            |    |    |    |    |   |   |

10 Columbus Day - closed

| November (18) |    |    |               |               |
|---------------|----|----|---------------|---------------|
| 1+            | 2  | 3  | 4             |               |
| 7             | 8  | 9  | 10            | <del>11</del> |
| 14            | 15 | 16 | 17            | 18            |
| 21            | 22 | 23 | <del>24</del> | <del>25</del> |
| 28            | 29 | 30 |               |               |

1 Staff Only - PD Day  
11 Veterans' Day - closed  
23 Early Dismissal  
24 & 25 Thanksgiving Holiday - closed

| December (17) |               |    |    |    |
|---------------|---------------|----|----|----|
|               |               |    | 1  | 2  |
| 5             | 6             | 7  | 8  | 9  |
| 12            | 13            | 14 | 15 | 16 |
| 19            | 20            | 21 | 22 | 23 |
| <del>26</del> | <del>27</del> | 28 | 29 | 30 |

23 Early Dismissal  
26-30 Holiday Recess (includes New Year's Day Holiday - classes resume on 1/3/12)

| January (20)  |     |     |    |    |  |
|---------------|-----|-----|----|----|--|
| <del>2</del>  | 3   | 4   | 5  | 6  |  |
| 9             | 10  | 11  | 12 | 13 |  |
| <del>16</del> | 17  | 18  | 19 | 20 |  |
| 23            | 24* | 25* | 26 | 27 |  |
| 30            | 31  |     |    |    |  |

2 New Year's Day Observed - closed  
18 Martin Luther King Day - closed  
24 & 25 Early Dismissal - Parent Conferences

| February (15) |               |               |               |               |
|---------------|---------------|---------------|---------------|---------------|
|               |               | 1             | 2             | 3+            |
| 6             | 7             | 8             | 9             | 10            |
| 13            | 14            | 15            | 16            | 17            |
| <del>20</del> | <del>21</del> | <del>22</del> | <del>23</del> | <del>24</del> |
| 27            | 28            | 29            |               |               |

3 Staff Only - PD Day  
20 Presidents' Day - closed  
21-24 Winter Recess

| March (21) |    |    |    |     |
|------------|----|----|----|-----|
|            |    | 1  | 2  |     |
| 5          | 6  | 7* | 8* | 9   |
| 12         | 13 | 14 | 15 | 16  |
| 19         | 20 | 21 | 22 | 23+ |
| 26         | 27 | 28 | 29 | 30  |

7 & 8 Early Dismissal - PPT Prep  
23 Staff Only - PD Day

| April (15) |     |     |    |              |
|------------|-----|-----|----|--------------|
| 2          | 3   | 4   | 5  | <del>6</del> |
| 9          | 10* | 11* | 12 | 13           |
| 16         | 17  | 18  | 19 | 20           |
| 23         | 24  | 25  | 26 | 27           |
| 30         |     |     |    |              |

6 Good Friday - closed  
10 & 11 Early Dismissal - PPT Prep  
16-20 Spring Recess

| May (22)      |    |    |    |    |
|---------------|----|----|----|----|
|               | 1  | 2  | 3  | 4  |
| 7             | 8* | 9* | 10 | 11 |
| 14            | 15 | 16 | 17 | 18 |
| 21            | 22 | 23 | 24 | 25 |
| <del>28</del> | 29 | 30 | 31 |    |

8 & 9 - Early Dismissal - PPT Prep  
28 Memorial Day Observed - closed

| June (9) |    |    |    |    |
|----------|----|----|----|----|
|          |    |    |    | 1  |
| 4        | 5  | 6  | 7  | 8  |
| 11       | 12 | 13 | 14 | 15 |
| 18       | 19 | 20 | 21 | 22 |
| 25       | 26 | 27 | 28 | 29 |

13 Tent. Last Day for Students - Early Dismissal  
14 Tent. Last Day for Staff

**Note:** State law requires that public schools operate 180 days for students. Any unusual circumstances, snow days or other emergency closing days will extend the scheduled last day for school students. June 21<sup>st</sup> will be the absolute last day for students and June 22<sup>nd</sup> will be the absolute last day for academic year staff which would include six (6) make-up days if needed. Any additional days beyond six (6) required for make-up will occur during the April recess starting at the beginning of the week.

**Key:**

/ All offices closed

\_\_\_ Early closing for all offices

Approved by the Representative Council 10/17/10

**Instruction**

**SCHEDULES**

**6100**

**STUDENT CALENDAR**

**6110**

The Superintendent of Schools or designee shall recommend school calendars meeting all statutory requirements to the Board of Education for its review, modification, as it believes appropriate, and approval.

The calendars recommended to the Board may include the operation of schools on State holidays providing a suitable nonsectarian educational program is held to observe the holiday, except for those holidays that occur in December and January (Christmas Day, New Year's Day, and Martin Luther King Day).

The school calendar shall show school days in each school month, the number of school days in each month, legal and local holidays, staff development days, early closing days, academic breaks, report card periods, contingency make-up dates for possible emergency closings, and other pertinent dates, including the date of graduation for students in grade twelve (12).

The Board may establish a graduation date on or after the one hundred eightieth day in the adopted school calendar. The graduation date may be modified after April 1<sup>st</sup>, in any school year by the Board establishing a firm graduation date, which at the time of such establishment provides for at least one hundred eighty (180) days of school.

To benefit children, families, and school staff in their planning, multiple-year school calendars are preferable to single-year calendars.

- Legal Reference:
- Connecticut General Statutes
  - 1-4 Days designated as legal holidays
  - 10-15 Towns to maintain schools
  - 10-29a Certain days to be proclaimed by governor. Distribution and number of proclamations
  - 10-261 Definitions
  - PA 95-182 An Act Concerning Reduction of Education Mandates
  - PA 96-108 An Act Concerning Student Use of Telecommunication Devices and the Establishment of Graduation Dates

Approved 8/27/04

**Instruction**

**Schedules**

**ADMINISTRATIVE REGULATIONS ON  
STUDENT CALENDAR**

**6110AR**

In developing a student calendar for submission to the Board of Education, the Superintendent shall consider the following objectives:

- Begin school during the last week of August;
- Provide for staff and student orientation days before the start of school;
- Review calendars of the regional program providers and coordinate the Fairfield calendar to the degree practical to facilitate student participation in regional programs;
- Avoid holding school on the optional State holidays (Columbus Day, Veterans' Day, and Presidents' Day) in addition to Election Day and the first full day of Rosh Hashanah and Yom Kippur;
- On the eve of Rosh Hashanah and Yom Kippur there will be no after school or evening activities;
- Avoid holding school on Christmas Eve and schedule a half day of instruction on the Wednesday before Thanksgiving;
- Reopen schools after the December recess as close to January 1<sup>st</sup> as legally and practically permitted;
- Provide an academic break in February and April that avoids State test administration periods;
- Provide early release days for parent / teacher conferences in the fall and spring;
- In setting the February and April break maintain comparable periods of instruction between the break periods; and
- Provide make-up dates for a minimum of three (3) school-closing days before make-up days are removed from the April academic break. If a day must be removed from the April academic break to make-up for school closings, the day will be removed from the beginning of the break week.

8/27/04

Revised 10/27/09

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

### **Hazardous Material in Schools**

#### **Green Cleaning Program**

Cleaning chemicals can negatively impact indoor air quality and cause harm to the occupants of a school building. Therefore, the purpose of this policy is to encourage and promote the principles of green cleaning throughout the Fairfield Public Schools, in compliance with applicable statutes. The Board of Education encourages and supports efforts to implement green cleaning in all District schools. This shall result in the implementation of a green cleaning program in all District facilities no later than July 1, 2011.

It is the policy of the Fairfield Public Schools to achieve the maintenance of clean, safe, and healthy schools through the elimination of contaminants that affect children and adult health, performance and attendance and the implementation of cleaning processes and products that protect health without harming the environment.

The Board of Education, by July 1, 2011, will reduce exposure of school building occupants to potentially hazardous chemical cleaning products by adopting this Green Cleaning policy which requires the use of cleaning products in the schools that meet the guidelines or standards set by a national or international certification program approved by the Department of Administrative Services (DAS) in consultation with the Commissioner of Environmental Protection in order to minimize the potential harmful effects on human health and the environment.

The transition to environmentally and health-friendly cleaning and/or sanitizing products shall be accomplished as soon as possible and in a manner that avoids the waste of existing inventories, accommodates establishment of supply chains for new products, enables the training of personnel in appropriate work practices, and allows the phase-out of products and practices inconsistent with this policy.

#### **Definitions**

**"Green Cleaning Program"** means the procurement and proper use of environmentally preferable cleaning products in school buildings and facilities.

**"Environmentally Preferable Cleaning Products"** means products or services that have a lesser or reduced effect on human health and the environment when compared with competing products or services that serve the same purpose. Such products must be approved by a DAS approved national or international certification program. This term includes, but is not limited to, general purpose cleaners, bathroom cleaners, glass and carpet cleaners, hand cleaners and soaps, and floor finishes and strippers. Excluded are any disinfectants, disinfecting cleaner, sanitizer or any other antimicrobial products regulated by



## Business/Non-Instructional Operations

### Hazardous Material in Schools

### Green Cleaning Program

#### Definitions (continued)

the Federal Insecticide, Fungicide and Rodenticide Act. Also excluded are products for which no guidelines or environmental standard has been established by any national or international certification program approved by the DAS or which is outside the scope of or is otherwise excluded under guidelines or environmental standards established by such a national or international certification program.

#### Notice Requirements

Annually, starting by October 1, 2010, the District will give to members of the school staff and to parents/guardians who request it, a written copy of this policy. In addition, this written statement shall also include:

- a. the names and types of environmentally preferable cleaning products used in the schools and where in the buildings they are applied;
- b. the schedule for applying the products; and
- c. the name of the school administrator or designee whom the parent/guardian or student may contact for more information.

The notice shall also contain the following statement: ***“No parent, guardian, teacher, or staff member may bring into the school facility any consumer product which is intended to clean, deodorize, sanitize or disinfect.”***

In addition, parents/guardians of any child who transfers during the school year, or a new staff member hired during the school year shall be notified of this green cleaning policy via the Fairfield Public School's Family Guide.

## Business/Non-Instructional Operations

### Hazardous Material in Schools

#### Green Cleaning Program (continued)

The Board will also make available on its website a copy of this green cleaning policy.

Biennially, the Board will report to the Commissioner of Education on its green cleaning program, in a manner prescribed by the Commissioner.

(cf. 3524 – Hazardous Materials in Schools)

(cf. 3524.1 – Pesticide Application)

(cf. 7230.2 – Indoor Air Quality)

Legal Reference: Connecticut General Statutes

10-220 Duties of Boards of Education

10-231a through 10-231d. Pesticide applications at schools

22a-46. Short title: Connecticut Pesticide Control Act

P.A. 09-31 An Act Concerning Green Cleaning Products in Schools

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) 7 U.S. Code  
136 et seq.

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

### **Hazardous Material in Schools**

#### **Administrative Regulations on the Green Cleaning Program**

To reduce exposure of school building occupants to potentially hazardous chemical contaminants, the District will fully implement by July 1, 2011, a Green Cleaning Program that requires compliance with the following guidelines:

1. In order to comply with the policy pertaining to green cleaning and applicable state statute, the District shall specify, buy and use where practicable, only Environmentally Preferable Products (EPP) in District owned and leased facilities.
2. Vendors that are contracted by the District to perform janitorial and custodial services are also required to use, wherever practicable, Environmentally Preferable Products (EPP) in the execution of their contractual obligations to the District.
3. Cleaning products regulated by the Federal Insecticide, Fungicide and Rodenticide Act, such as disinfectants, disinfecting cleaners and sanitizers are excluded.
4. Also excluded are products (1) for which no Department of Administrative Services (DAS) approved certification program has established a guideline or environmental standard, (2) that fall outside the scope of such guidelines or standards, or (3) that are otherwise excluded under such guidelines or standards.
5. Environmentally Preferable Products which are a part of the District's Green Cleaning Program include products which must be approved by DAS approved national or international certification program. This includes general purpose, bathroom, glass and carpet cleaners, hand cleaners and soaps, and floor finishes and strippers.
6. The following steps shall be taken when procuring Environmentally Preferable Products:
  - a. Determine the need and intended use for the cleaning product and review the options for EPP cleaners and sanitizers available. EPP items shall be purchased for intended use whenever practicable. In a case where the use of an EPP cleaner or sanitizer is not practicable, the reason for not using an EPP product should be documented and kept on file.
  - b. Consult with vendors of EPP cleaning products for information and training on the use of these products.

## Business/Non-Instructional Operations

### Hazardous Material in Schools

#### Green Cleaning Program (continued)

- c. Carefully review product Material Safety Data Sheets, usage recommendations and manufacturer's usage instructions prior to purchase, even if the product has been certified by DAS. (e.g. Green Seal Certified and EcoLogo).
  - d. In order to ensure the health and safety of school children and employees as well as the effectiveness of the products to be purchased, the products must meet guidelines or environmental standards set by a national or international environmental certification program approved by the DAS in consultation with the Commissioner of Environmental Protection. Examples of such third-party approved certifications include Green Seal Certified and EcoLogo.
- 7.

#### Notice Requirements

Annually, starting by October 1, 2010, members of the school staff and parents/guardians who request it, are to be given a written copy of the green cleaning policy. In addition, this written statement shall also include:

- the names and types of environmentally preferable cleaning products used in the schools and where in the buildings they are applied;
- the schedule for applying the products; and
- the name of the school administrator or designee whom the parent/guardian or student may contact for more information.

The notice shall also contain the following statement: *"No parent, guardian, teacher, or staff member may bring into the school facility any consumer product which is intended to clean, deodorize, sanitize or disinfect."*

In addition, parents/guardians of any child who transfers during the school year, or a new staff member hired during the school year shall be notified of the green cleaning policy via the Fairfield Public School's Family Guide.

A copy of the green cleaning policy will also be posted on the district's/school website.

## Business/Non-Instructional Operations

### Hazardous Material in Schools

#### Green Cleaning Program (continued)

##### Definitions

**“Green Cleaning Program”** means the procurement and proper use of environmentally preferable cleaning products in school buildings and facilities.

**“Environmentally Preferable Products”** means products or services that have a lesser or reduced effect on human health and the environment when compared with competing products or services that serve the same purpose. Such products must be approved by a DAS approved national or international certification program. This term includes general purpose, bathroom, glass and carpet cleaners, hand cleaners and soaps, and floor finishes and strippers. Excluded are antimicrobial products regulated under the Federal Insecticide, Fungicide and Rodenticide Act, such as disinfectants, disinfecting cleaners and sanitizers. Also excluded are products (1) for which no DAS approved certification program has established a guideline or environmental standard, (2) that fall outside the scope of such guidelines or standards, or (3) that are otherwise excluded under such guidelines or standards.

Legal Reference: Connecticut General Statutes  
10-220 Duties of Boards of Education  
10-231a through 10-231d. Pesticide applications at schools  
22a-46 Short title: Connecticut Pesticide Control Act  
P.A. 09-81 An Act Concerning Green Cleaning Products in Schools  
Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) 7 U.S. Code  
136 et seq.

OCT 12 2010

Students

5119

**STUDENT DISCIPLINE SUSPENSION/EXPULSION**I. Definitions

- A. **Emergency** means a situation in which the continued presence of the student in school poses such a danger to persons or property or such a disruption of the educational process that a hearing may be delayed until a time as soon after the exclusion of such student as possible.
- B. **Exclusion** means any denial of public school privileges to a student for disciplinary purposes.
- C. **Expulsion** means the exclusion of a student from school privileges for more than ten (10) consecutive school days. The expulsion period may not extend beyond one calendar year.
- D. **In-School Suspension** means an exclusion from regular classroom activity for no more than five (5) consecutive school days, but not exclusion from school, provided such exclusion shall not extend beyond the end of the school year in which such in-school suspension was imposed. No student shall be placed on in-school suspension more than fifteen (15) times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion.
- E. **Removal** is the exclusion of a student for a class period of ninety (90) minutes or less.
- F. **School Days** shall mean days when school is in session for students.
- G. **School-Sponsored Activity** means any activity sponsored, recognized or authorized by the Board and includes activities conducted on or off school property.
- H. **Seriously Disruptive of the Educational Process** means any conduct that markedly interrupts or severely impedes the day-to-day operation of a school.
- I. **Suspension** means the exclusion of a student from school and/or transportation services for not more than ten (10) consecutive school days, provided such suspension shall not extend beyond the end of the school year in which such suspension is imposed; and further provided no student shall be suspended more than ten (10) times or a total of fifty (50) days in

one school year, whichever results in fewer days of exclusion, unless such student is granted a formal hearing as provided below.

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

II. Scope of the Student Discipline Policy

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

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

B. *Conduct off School Grounds:*

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

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

2. When considering whether conduct off school grounds is seriously disruptive of the educational process, the term "weapon" means any pistol or revolver, 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, and any other

dangerous or deadly weapon or instrument, including any BB gun, sling shot, blackjack, sand bag, metal or brass knuckles, stiletto, knife, the edged portion of the blade of which is four inches and over in length, or any martial arts weapon as defined below at section VII.B.

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

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

1. Striking or assaulting a student, members of the school staff or other persons.
2. Theft.
3. The use of obscene or profane language or gestures.
4. Violation of smoking, dress, transportation regulations, or other regulations and/or policies governing student conduct.
5. Refusal to obey a member of the school staff, law enforcement authorities, or school volunteers, or disruptive classroom behavior.
6. Any act of harassment based on an individual's sex, sexual orientation, race, color, religion, disability, national origin or ancestry.
7. Refusal by a student to identify himself/herself to a staff member when asked, or misidentification of oneself to such person(s).
8. A walk-out from or sit-in within a classroom or school building or school grounds.
9. Blackmailing, threatening or intimidating school staff or students (or acting in a manner that could be construed to constitute blackmail, a threat, or intimidation, regardless of whether intended as a joke).
10. Possession of any weapon, weapon facsimile, deadly weapon, pistol, knife, blackjack, bludgeon, box cutter, metal knuckles,



pellet gun, explosive device, firearm, whether loaded or unloaded, whether functional or not, or any other dangerous object.

11. Unauthorized entrance into any school facility or portion of a school facility or aiding or abetting an unauthorized entrance.
12. Possession or ignition of any fireworks or other explosive materials, or ignition of any material causing a fire.
13. Unauthorized possession, sale, distribution, use or consumption of tobacco, drugs, narcotics or alcoholic beverages (or any facsimile of tobacco, drugs, narcotics or alcoholic beverages, or any item represented to be tobacco, drugs or alcoholic beverages). For the purposes of this Paragraph 13, the term "drugs" shall include, but shall not be limited to, any medicinal preparation (prescription and non-prescription) and any controlled substance whose possession, sale, distribution, use or consumption is illegal under state and/or federal law.
14. Possession of paraphernalia used or designed to be used in the consumption, sale or distribution of drugs, alcohol or tobacco, as described in subparagraph (13) above.
15. The destruction of real, personal or school property, such as, cutting, defacing or otherwise damaging property in any way.
16. Accumulation of offenses such as school and class tardiness, class or study hall cutting, or failure to attend detention.
17. Trespassing on school grounds while on out-of-school suspension or expulsion.
18. Making false bomb threats or other threats to the safety of students, staff members, and/or other persons.
19. Defiance of school rules and the valid authority of teachers, supervisors, administrators, other staff members and/or law enforcement authorities.
20. Throwing snowballs, rocks, sticks and/or similar objects, except as specifically authorized by school staff.
21. Unauthorized and/or reckless and/or improper operation of a motor vehicle on school grounds or at any school-sponsored activity.

22. Leaving school grounds, school transportation or a school-sponsored activity without authorization.
23. Use of or copying of the academic work of another individual and presenting it as the student's own work, without proper attribution.
24. Possession and/or use of a radio, walkman, beeper, paging device, cellular telephone, walkie talkie or similar electronic device on school grounds or at a school-sponsored activity without the written permission of the principal or his/her designee.
25. Unauthorized use of any school computer, computer system, computer software, Internet connection or similar school property or system, or the use of such property or system for unauthorized purposes.
26. Possession and/or use of a laser pointer.
27. Hazing.

Bullying is defined under Sec. 10-222d. as amended by PA 08-160 as: any overt acts by a student or a group of students directed against another student with the intent to ridicule, humiliate, or intimidate the other student while on school grounds or at a school-sponsored activity, which acts are committed more than once against any student during the school year.

28. Any other violation of school rules or regulations or a series of violations which makes the presence of the student in school seriously disruptive of the educational process and/or a danger to persons or property.
29. Any action prohibited by any Federal or State law which would indicate that the student presents a danger to any person in the school community or school property.

#### IV. Procedures Governing Removal From Class

- A. A student may be removed from class by a teacher or administrator if he/she deliberately causes a serious disruption of the educational process. When a student is removed, the teacher must send him/her to a designated area and notify the principal or his/her designee at once.
- B. A student may not be removed from class more than six (6) times in one school year nor more than twice in one week unless the student is referred to the building principal or designee and granted an informal hearing at which the student should be informed of the reasons for the disciplinary action and given an opportunity to explain the situation.

- C. The parents or guardian of any minor student removed from class shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of such removal from class.

V. Procedures Governing Suspension

- A. The principal of a school, or designee on the administrative staff of the school, shall have the right to suspend any student for breach of conduct as noted in Section II of this policy for not more than ten (10) consecutive school days. In such cases, the following procedures shall be followed.
1. Unless an emergency situation exists, no student shall be suspended prior to having an informal hearing before the principal or designee at which the student is informed of the charges and given an opportunity to respond. In the event of an emergency, the informal hearing shall be held as soon after the suspension as possible.
  2. Evidence of past disciplinary problems which have led to removal from a classroom, suspension, or expulsion of a student who is the subject of an informal hearing may be received by the principal or designee, but only considered in the determination of the length of suspensions.
  3. By telephone, the principal or designee shall make reasonable attempts to immediately notify the parent or guardian of a minor student following the suspension and to state the cause(s) leading to the suspension.
  4. Whether or not telephone contact is made with the parent or guardian of such minor student, the principal or designee shall forward a letter promptly to such parent or guardian to the last address reported on school records (or to a newer address if known by the principal or designee), offering the parent or guardian an opportunity for a conference to discuss same.
  5. In all cases, the parent or guardian or any minor student who has been suspended shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the suspension.
  6. Notice of the original suspension shall be transmitted by the principal or designee to the superintendent of schools or designee by the close of the school day following the commencement of the suspension.

7. The student shall be allowed to complete any class work, including examinations, without penalty, which he or she missed while under suspension.
  8. Notice of the suspension shall be recorded in the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record if the student graduates from high school.
  9. The decision of the principal or designee with regard to disciplinary actions up to and including suspensions shall be final.
  10. During the period of suspension, the student shall not be permitted to be on school property and shall not be permitted to attend or participate in any school-sponsored activities, unless the principal specifically authorizes the student to participate in a particular school-sponsored activity.
- B. In cases where the student has previously been suspended, or where such suspension will result in the student's being suspended more than ten (10) times or for fifty (50) days in a school year, whichever results in fewer days of exclusion, the student shall, prior to suspension, be granted a formal hearing. The principal or designee shall report the student to the Superintendent or designee and request a formal hearing.

VI. Procedures Governing In-School Suspension

- A. The principal or designee may impose in-school suspension in cases where a student's conduct endangers persons or property, violates school policy, seriously disrupts the educational process or in other appropriate circumstances as determined by the principal or designee.
- B. In-school suspension may not be imposed on a student without an informal hearing by the building principal or designee.
- C. No student shall be placed on in-school suspension more than fifteen (15) times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion.
- D. The parents or guardian of any minor student placed on in-school suspension shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the period of the in-school suspension.

VII. Procedures Governing Expulsion Recommendation

- A. A principal may consider recommendation of expulsion of a student in a case where he/she has reason to believe the student has engaged in conduct described at sections II.A. and II.B., above.
- B. A principal must recommend expulsion proceedings in all cases against any student whom the administration has reason to believe:
1. was in possession on school grounds or at a school-sponsored activity of a deadly weapon, dangerous instrument, martial arts weapon, or firearm as defined in 18 U.S.C. § 921 as amended from time to time; or
  2. off school grounds, possessed a firearm as defined in 18 U.S.C. § 921, in violation of Conn. Gen. Stat. § 29-35, or possessed and used a firearm as defined in 18 U.S.C. § 921, a deadly weapon, a dangerous instrument or a martial arts weapon in the commission of a crime under chapter 952 of the Connecticut General Statutes; or
  3. was engaged on or off school grounds in offering for sale or distribution a controlled substance (as defined in Conn. Gen. Stat. § 21a-240(9)), whose manufacturing, distribution, sale, prescription, dispensing, transporting, or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under Conn. Gen. Stat. §§21a-277 and 21a-278.
  4. The following definitions shall be used in this section:
    - a. A "firearm" as defined in 18 U.S.C § 921 means (a) any weapon 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.

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 a similar device; or any weapon (other than a shotgun or shotgun shell particularly suited for sporting purposes) that will or may be converted to expel a projectile by explosive or other propellant having a barrel with a bore of more than ½" in diameter. The term

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

- 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.
- c. "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".
- d. "Martial arts weapon" means a nunchaku, kama, kasari-fundo, octagon sai, tonfa or chinese star.
- e. When considering whether conduct off school grounds is seriously disruptive of the educational process, the term "weapon" means any pistol or revolver, any dirk knife or switch knife, any knife having an automatic spring release device by which a blade is released from the handle and having a blade of over one and one-half inches in length, and any other dangerous or deadly weapon or instrument, including any BB gun, sling shot, blackjack, sand bag, metal or brass knuckles, stiletto, knife, the edged portion of the blade of which is four inches and over in length, or any martial arts weapon as defined above.

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

If the Superintendent or his/her designee determines that a student should or must be expelled, he or she shall forward his/her recommendation to an impartial hearing officer to hear and decide the expulsion matter.

### VIII. Procedures Governing Expulsion Hearing

- A. Emergency Exception:

Except in an emergency situation, the Board of Education shall, prior to expelling any student, conduct a hearing to be governed by the procedures outlined herein. Whenever an emergency exists, the hearing provided for herein shall be held as soon as possible after the expulsion.

B. Hearing Panel:

1. The Board appoints an impartial hearing board composed of one or more persons to hear and decide the expulsion matter, provided that no member of the Board may serve on such panel.

C. Hearing Notice

1. Written notice of the expulsion hearing must be given to the student, and, if the student is a minor, to his/her parent(s) or guardian(s) within a reasonable time prior to the time of the hearing.
2. A copy of this Board policy on student discipline shall also be given to the student, and if the student is a minor, to his/her parent(s) or guardian(s), at the time the notice is sent that an expulsion hearing will be convened.
3. The written notice of the expulsion hearing shall inform the student of the following:
  - a. The date, time, and location of the hearing.
  - b. A short, plain description of the conduct alleged by the administration.
  - c. The student may present as evidence, testimony and documents concerning the conduct alleged and the appropriate length and conditions of expulsion, as well as notice that the expulsion hearing will be the student's sole opportunity to present such evidence.
  - d. The student may cross-examine witnesses called by the administration.
  - e. The student may be represented by any third party of his/her choice, including an attorney, at his/her expense or at the expense of his/her parents.

- f. A student is entitled to the services of a translator or interpreter, to be provided by the Board of Education, whenever the student or his/her parent(s) or guardian(s) do(es) not speak the English language or is handicapped.
- g. The conditions under which the Board is not legally required to give the student an alternative educational opportunity (if applicable).

D. Hearing Procedures:

1. The hearing will be conducted by the Presiding Officer, who will call the meeting to order, introduce the parties, board members and counsel, briefly explain the hearing procedures, and swear in any witnesses called by the administration or the student.
2. The hearing will be conducted in executive session. A verbatim record of the hearing will be made, either by tape recording or by a stenographer.
3. Formal rules of evidence will not be followed. The Board has the right to accept hearsay and other evidence if it deems that evidence relevant or material to its determination. The presiding officer will rule on testimony or evidence as to it being immaterial or irrelevant.
4. The hearing will be conducted in two parts. In the first part of the hearing, the Board will receive and consider evidence regarding the conduct alleged by the administration.
5. In the first part of the hearing, the charges will be introduced into the record by the Superintendent or his/her designee.
6. Each witness for the administration will be called and sworn. After a witness has finished testifying, he/she will be subject to cross-examination by the opposite party or his/her legal counsel and by Board members.
7. After the Administration has presented its case, the student will be asked if he/she has any witnesses or evidence to present. If so, the witnesses will be sworn, will testify, and will be subject to cross examination and to questioning by the Board. The student may also choose to make a statement at this time. If the student chooses to make a statement, he or she will be sworn and subject to cross examination and questioning by the Board. Concluding statements



will be made by the administration and then by the student and/or his or her representative.

8. In cases where the respondent has denied the allegation, the Board must determine whether the respondent committed the offense(s) as charged by the Superintendent.
9. If the Board determines that the student has committed the conduct as alleged, then the Board shall proceed with the second portion of the hearing, during which the Board will receive and consider evidence regarding the length and conditions of expulsion.
10. When considering the length and conditions of expulsion, the Board may review the student's attendance, academic and past disciplinary records. The Board may ask the Superintendent for a recommendation as to the discipline to be imposed.
11. Evidence of past disciplinary problems which have led to removal from a classroom, suspension or expulsion of a student being considered for expulsion may be considered only during the second portion of the hearing, during which the Board is considering length of expulsion and nature of alternative educational opportunity to be offered.
12. Where administrators presented the case in support of the charges against the student, such administrative staff shall not be present during the deliberations of the Board either on questions of evidence or on the final discipline to be imposed. The Superintendent may, after reviewing the incident with administrators, and reviewing the student's records, make a recommendation to the Board as to the appropriate discipline to be applied.
13. The Board shall make findings as to the truth of the charges, if the student has denied them, and, in all cases, the disciplinary action, if any, to be imposed. The Board shall report its final decision in writing to the student, or if such student is a minor, also to the parent(s) or guardian(s), stating the reasons on which the decision is based, and the disciplinary action to be imposed. Said decision shall be based solely on evidence presented at the hearing.

E. Expulsion Notice

The parents or guardian or any minor student who has been expelled shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of the period of the expulsion.

F. Presence on School Grounds and Participation in School-sponsored Activities During Expulsion

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

IX. Board Policy Regarding Mandatory Expulsions

In keeping with Conn. Gen. Stat. § 10-233d and the Gun-Free Schools Act, it shall be the policy of the Board to expel a student for one full calendar year for: the conduct described in Section VII(B)(1), (2) and (3) of this policy. The Board may modify the term of expulsion on a case-by-case basis.

X. Alternative Educational Programs for Expelled Students

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

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

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

The Board of Education will provide an alternative education to a sixteen to eighteen year old student expelled for the first time if he/she requests it and if he/she agrees to the conditions set by the Board of Education, except as follows. The Board of Education is not required to offer an alternative program to any student between the ages of sixteen and eighteen who is expelled for the second time, or if it is determined at the hearing that (1) the student possessed a dangerous instrument, deadly weapon, firearm or martial arts weapon on school property or at a school-sponsored activity, or (2) the student offered a controlled substance for sale or distribution on school property or at a school-sponsored activity.

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

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

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

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

XI. Notice of Student Expulsion on Cumulative Record

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

XII. Change of Residence During Expulsion Proceedings

A. *Student moving into the school district:*

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

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

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

renders a decision to expel the student, a notice of the expulsion shall be included on the student's cumulative record.

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

A. *Suspension of students who are eligible for services under IDEA:*

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

1. The administration shall make reasonable attempts to immediately notify the parents of the student of the decision to suspend on the date on which the decision to suspend was made, and a copy of the special education procedural safeguards must either be hand-delivered or sent by mail to the parents on the date that the decision to suspend was made.
2. During the period of suspension, the school district is not required to provide any educational services to the student with a disability beyond that which is provided to all students suspended by the school district.

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

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

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

2. The school district shall immediately convene the IEP team, but in no case later than ten (10) school days after the recommendation for expulsion or the suspension that constitutes a change in placement was made. The student's IEP team shall consider whether the student's disability caused or had a direct and substantial relationship to the behavior that led to the recommendation for expulsion or the suspension which constitutes a change in placement, and whether the behavior was a direct result of the failure to implement the student's IEP in order to determine whether the student's behavior was a manifestation of his/her disability.
3. If the IEP team finds that the behavior was a manifestation of the student's disability, the administration shall not proceed with the recommendation for expulsion. The IEP team shall consider the student's misconduct and revise the IEP to prevent a recurrence of the misconduct and to provide for the safety of other students and staff.
4. If the IEP team finds that the behavior was not a manifestation of the student's disability, the administration may proceed with the recommended expulsion or suspension that constitutes a change in placement.
5. During any period of expulsion, or suspension of greater than ten (10) days per school year, the administration shall provide the student with an alternative education program in accordance with the provisions of the IDEA.
6. The special education records and disciplinary records of the student must be transmitted to the individual(s) who will make the final determination regarding a recommendation for expulsion or a suspension that results in a change in placement.

C. *Transfer of students with disabilities for Certain Offenses:*

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

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

2. Knowingly possessed or used illegal drugs or sold or solicited the sale of a controlled substance while at school or at a school-sponsored activity.
3. Has inflicted serious bodily injury on another person at school, on school grounds or at a school sponsored activity.

As used in this subsection XIII.C., the term “dangerous weapon” means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2.5 inches in length. The term “serious bodily injury” means bodily injury which involves substantial risk of death; extreme physical pain; protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

XIV. Procedures Governing Expulsions for Students Identified as Eligible for Educational Accommodations under Section 504 of the Rehabilitation Act of 1973

Notwithstanding any provision to the contrary, if the administration recommends for expulsion a student identified as eligible for educational accommodations under Section 504 of the Rehabilitation Act of 1973 (a “Student with disabilities under 504”) who has violated any rule or code of conduct of the school district that applies to all students, the following procedures shall apply:

1. The parents of the student must be notified of the decision to recommend the student for expulsion.
2. The district shall immediately convene the student’s Section 504 team (“504 team”) for the purpose of reviewing the relationship between the student’s disability and the behavior that led to the recommendation for expulsion. The 504 team will determine whether the student’s behavior was a manifestation of his/her disability.
3. If the 504 team finds that the behavior was a manifestation of the student’s disability, the administration shall not proceed with the recommended expulsion. The 504 team shall consider the student’s misconduct and revise the 504 plan to prevent a recurrence of the misconduct and to provide for the safety of other students and staff.

4. If the 504 team finds that the behavior was not a manifestation of the student's disability, the administration may proceed with the recommended expulsion.

XV. Early Readmission to School

An expelled student may apply for early readmission to school. The Board delegates the authority to make decisions on readmission requests to the Superintendent. Students desiring readmission to school shall direct such readmission requests to the Superintendent. The Superintendent has the discretion to approve or deny such readmission requests, and may condition readmission on specified criteria.

XVI. Dissemination of Policy

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

XVII. Compliance with Reporting Requirements

- A. The Board of Education shall report all suspensions and expulsions to the State Department of Education.
- B. If the Board of Education expels a student for sale or distribution of a controlled substance, the Board shall refer such student to an appropriate state or local agency for rehabilitation, intervention or job training and inform the agency of its action.
- C. If the Board of Education expels a student for possession of a deadly weapon or firearm, as defined in Conn. Gen. Stat. § 53a-3, the violation shall be reported to the local police.

Legal References:

Connecticut General Statutes:

§§ 4-177 through 4-180 Contested cases. Notice. Record.

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

§ 10-233f as amended by PA 07-66 and PA 08-160

In-school suspension of students.

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

Federal law:

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

Individuals with Disabilities Act, 20 U.S.C. 1400 et seq., as amended by the Individuals with Disabilities Education Act Amendments of 1997, Pub. L. 105-17.

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

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

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

Gun-Free Schools Act, Pub. L. 107-110, Sec. 401, 115 Stat. 1762  
(codified at 20 U.S.C. § 7151)

Policy Approved:



Students

Attendance

EXPULSION

5120

It is the duty and obligation of school personnel to maintain a safe and orderly environment in order for learning to take place. In that regard:

- School personnel will report to administrators all information regarding students who may be in possession of and/or involved in the sale of weapons, facsimiles of weapons, drugs, or alcohol.
- Administrators will vigorously pursue all information regarding students who may be in possession of and/or involved in the sale of weapons, facsimiles of weapons, drugs, and alcohol.
- A principal may recommend to the Superintendent of Schools that a student be expelled from school for conduct which endangers persons or property, which is seriously disruptive of the educational process, or which violates a policy of the Board of Education. A principal may recommend to the Superintendent of Schools that a student be expelled from school for conduct that (1) takes place in school or on school grounds or (2) off school grounds, whether or not during the school day, which is seriously disruptive of the education process, threatens the welfare of the persons who work or study at school, or which violates a policy of the Board of Education. The list of offenses are examples, and are not meant to be an exhaustive list.
  - sale of illegal substances (drugs, alcohol, etc.)
  - repeated possession of drugs or alcohol
  - repeated acts of violence or threats of violence
  - other criminal activity, which takes place in the school, on school grounds, or at school-sponsored activities
  - possession and/or sale of a firearm, deadly weapon, a dangerous instrument or facsimiles of weapons\*

\*Expulsion proceedings must be initiated whenever there is reason to believe that a pupil was in possession of a firearm, deadly weapon, or a dangerous instrument in school, on school grounds, or at a school-sponsored activity.

Students

Attendance

EXPULSION (continued)

5120

Legal Reference: Connecticut General Statutes  
4-176e through 4-180a Contested cases. Notice. Record  
10-233a through 10-233f Suspension, removal and expulsion of  
students (as amended by PA 95-304, PA 96-244, and PA  
98-139)  
53a-3 Definitions  
53a-217b Possession of firearms and deadly weapons on school  
grounds  
PA 94-221 An Act Concerning School Discipline and Safety  
GOALS 2000: Educate America Act, PL 103-227  
18 U.S.C. 921 Definitions  
Title III - Amendments to the Individuals with Disabilities  
Education Act  
Sec. 314 Local Control Over Violence  
Elementary and Secondary Act of 1965 (as amended by the Gun  
Free Schools Act of 1994)  
PL 105-17 The Individuals with Disabilities Act, Amendment of  
1997  
*Kyle P. Packer PPA Jane Packer v. Thomaston Board of  
Education*

Approved 8/27/04

OCT 12 2010

**Students****Code of Behavior****SUBSTANCE ABUSE****5313**

It is the policy of the Fairfield Public Schools to prevent and prohibit the possession, use and/or distribution of any drug (narcotics and alcohol) or drug paraphernalia on school property, at school-sponsored events, on school buses, and en route to and from school by any mode of travel.

Violations of this policy, including possession, use, distribution of any drug or drug paraphernalia, and being under the influence of any drug on school property or at any school-sponsored event, shall be dealt with in accord with the procedures developed by the administration. The consequences of such violations may ultimately result in expulsion from school.

Recognizing that drug use and abuse may be indicative of serious, underlying problems, every effort shall be made to offer a student help and assistance, including early identification, referral for treatment, and after care support. Disciplinary procedures will be administered with the best interests of the student, school population, and community in mind.

Due consideration will be given to the rights of students:

- questioning of a student on school premises will take place only in the presence of a school building administrator and/or dean;
- a student's right to remain silent or to speak through an attorney or parent or guardian may not be abridged; and
- a school building administrator and/or dean will maintain a record of all proceedings under this policy, which shall be available to the student.

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**Students****Code of Behavior****WEAPONS****5320**

The safety of all students is our highest concern. Therefore, students who bring to school, sell, or attempt to sell, or illegally use a firearm, deadly weapon, dangerous instrument, or facsimile of a weapon will be suspended from school and reported to the Fairfield Police Department. State law specifically prohibits such behavior. Such behavior may result in expulsion from school for a period of up to one (1) calendar year.

Legal Reference: Connecticut General Statutes  
10-221 Boards of Education to prescribe rules, policies, and procedures  
as amended by PA 97-290  
10-233a through 10-233f Expulsion as amended by PA 95-304  
53a-3 Definitions  
53a-217b Possession of firearms and deadly weapons on school grounds  
53-206 Carrying and sale of dangerous weapons  
PA 94-221 An Act Concerning School Discipline and Safety  
GOALS 2000: Educate America Act  
18 USC 921 Definitions

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