

The Enclosures referred to in the Agenda are available for inspection at each of the three Public Libraries in Fairfield, Fairfield Public Schools' website <http://www.fairfieldschools.org/> 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, March 13, 2012

REGULAR MEETING
7:30 P.M.

501 Kings Highway East
2nd Floor Board Conference Room

AGENDA

- I. Call to Order and Roll Call
- II. Pledge of Allegiance
- III. Presentation
 - A. Presentation of Elementary Math Curriculum, Grades 3-5
- IV. Approval of Minutes
 - A. Approval of Minutes of the Regular Meeting of February 28, 2012

Recommended Motion: "that the Board of Education approve the Minutes of the Regular Meeting of February 28, 2012"

(Enclosure No. 1)

V. Student/Committee/Liaison Reports

Emma Sweet/Sara Wiant	Fairfield Ludlowe High School Student Liaison
Stephanie Teixeira	Fairfield Warde High School Student Liaison
Brand, Sue	Board of Health Member
Convertito, John	Special Projects Standing Building Committee Member
Dwyer, Philip	Building Projects Review Committee Member Cooperative Educational Services (CES) Council Member
Fattibene, Paul	Stratfield Building Committee Liaison Transportation Advisory Committee Member

Gerber, Jessica	Parks & Recreation Commission Member
Iacono, Pamela	Representative Town Meeting (RTM) Liaison
Kennelly, Jennifer	Policy Committee Chair SEPTA Liaison
Kery, Tim	PTA Council Liaison Board of Finance Liaison
Liu, Perry	Fairfield Woods Building Committee Liaison

- VI. Superintendent's Report
 - A. Strategic School Profile Report

- VII. Old Business

- A. Approval of Elementary Art Curriculum

Recommended Motion: "that the Board of Education approve the Elementary Art Curriculum"

- B. Approval of Policy #5119 - Student Discipline

Recommended Motion: "that the Board of Education approve Policy #5119 - Student Discipline"

(Enclosure No. 2)

- VIII. New Business

- A. Discussion of Naming the Fairfield Woods Middle School Fitness Center

(Enclosure No. 3)

- B. Discussion of Educational Specifications for the Osborn Hill Elementary School Window Replacement Project

(Enclosure No. 4)

- C. Discussion of UI Energy Opportunities Program- Proposed Projects at Mill Hill Elementary School and Holland Hill Elementary School

(Enclosure No. 5)

- IX. 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.

- X. Open Board Comment

- XI. Adjournment

CALENDAR OF EVENTS

April 10, 2012	Board of Education Regular Board Meeting	7:30 p.m. 501 Kings Highway East 2 nd Floor Conference Room
May 8, 2012	Board of Education Regular Board Meeting	7:30 p.m. 501 Kings Highway East 2 nd Floor Conference Room

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

MAR 13 2012

FAIRFIELD BOARD OF EDUCATION
MINUTES OF THE REGULAR MEETING OF THE BOARD OF EDUCATION
Tuesday, February 28, 2012

Minutes of the Regular Meeting of the Board of Education held Tuesday, February 28, 2012, at 501 Kings Highway East, 2nd Floor Board Conference Room.

1. Chairman Ms. Pamela Iacono called the Regular Meeting of the Board of Education to order at 6:02 p.m. Other Board members present were: Mrs. Sue Brand, Mr. Philip Dwyer, Mr. Paul Fattibene, Mrs. Jessica Gerber, Mr. Tim Kery, Mr. Perry Liu and Mrs. Jennifer Maxon Kennelly. Mr. John Convertito was absent. Also in attendance were Superintendent Dr. David Title and members of the administrative staff. Approximately 35 people comprised the remainder of the audience.
2. Ms. Iacono led the Board and audience in the Pledge of Allegiance.
3. Presentation

A. Presentation of Art Curriculum, Grades K-5

Ms. Barbara Pollock, Art Curriculum Coordinator, recognized the members of the Elementary Art Committee who worked on this curriculum. She gave a brief PowerPoint presentation highlighting the elementary art curriculum units. The units at each grade level are building blocks for the next grade. She briefly reviewed the various techniques that are learned in each grade level. There are unit objectives, skill objectives, assessments, resources and materials, technology resources and differentiated instruction. Historic and cultural connections have also been added. We are not just referring to cultural and historical connections, but we are also referring to connections made to the classroom curriculum. Art reinforces the learning that is happening in other subjects. All of the elementary schools have their own art shows, and there is a town-wide art show held at Fairfield University the day after Memorial Day.

Board questions and comments followed.

4. Approval of Minutes

- A. Mrs. Brand moved seconded by Mr. Dwyer that the Board of Education approve the Minutes of the Special Meeting of January 17, 2012.

Motion carried: 7:0:1. Mr. Kery abstained.

- B. Mrs. Gerber moved, seconded by Mr. Dwyer that the Board of Education approve the Minutes of the Special Meeting of January 19, 2012.

Mr. Liu commented on the content in the minutes and stated that there is not a lot of detail about what the Board's opinions are and questions from the Board; and he thinks they need to capture more of the Board's comments, questions and the diversity of differences because that is all part of the representation of this Board of Education and the transparency of our government.

Motion carried: 8:0:0.

- C. Mrs. Brand moved, seconded by Mr. Kery that the Board of Education approve the Minutes of the Regular Meeting of January 24, 2012.

Motion carried: 8:0:0.

- D. Mr. Kery moved, seconded by Mrs. Kennelly that the Board of Education approve the Minutes of the Special Meeting of February 8, 2012.

Motion carried: 7:0:1. Mr. Dwyer abstained.

5. Student/Committee/Liaison Reports-

Mr. Kery moved, seconded by Mrs. Gerber to waive the reading of the Reports since there is a discussion starting at the Board of Finance on \$2 million of capital projects for this body.

Several Board members were not in favor of this motion since this is the only Board Meeting in February and the Reports were also waived at the last Board Meeting.

Motion failed: 3:5:0. Mr. Kery, Mr. Fattibene and Ms. Iacono voted in favor. Mrs. Kennelly, Mr. Liu, Mrs. Gerber, Mr. Dwyer and Mrs. Brand voted in opposition.

- ◆ Mrs. Brand reported on the Board of Health. The Town Medical Director Dr. McDonald and Nursing Supervisor Joanne Ryan addressed PTA Council and gave a presentation about the PCB issues in the school district. Dr. McDonald is also doing research into concussions and how that would impact school districts and the Board of Ed policy. There is still ongoing work for the protocols of what qualifies for extracurricular activities which is relevant for the school nurses.
- ◆ Mr. Dwyer reported that the Building Projects Review Committee has not met; however, the effort to move the capital budget ahead a little faster than the operating budget is happening as he last reported. CES did not meet last month.
- ◆ Mr. Fattibene reported that the Stratfield Building Committee met and due to a conflict, by the time he arrived the meeting had ended. He did read the minutes and there are two primary issues. One is related to the heating and cooling system that they are going to try to balance; and the other is with respect to one of the invoices related to some cost sharing with the contractor which is under question, and they will resolve that. The project is winding down, there is not much money left and they are trying to close it out at their meeting next month.
- ◆ Mrs. Gerber reported that Parks and Rec met the week before February break. The only item with regards to school issues was a presentation by the Fairfield Ludlowe HS Baseball Coach on a proposal to put windscreens and fence capping at the Kiwanis Field where the Fairfield Ludlowe High School Baseball Team plays. There will be no cost to us or the Town. There is a company that sells ad space for the windscreens that will pay for the cost of the windscreen and the installation. It is an incredibly windy site so they are hoping this will help with playability, and once the season is over it will be taken down until the following season. The neighbors are OK with the ads. Mrs. Kennelly asked about the content of the ads and if there is an approval process. Mrs. Gerber stated that the company that does this is locally based, and they are going to appeal to local businesses who will want to appeal to people playing baseball.
- ◆ Ms. Iacono reported that the RTM met last night and approved the Riverfield Elementary School Building Committee, an appropriation to get started on the Warde roof and the Meadow Street lease for our Maintenance Department. There was discussion about the Warde Roof Building Committee. The First Selectman is in the process of getting that up and running and Mrs. Kennelly will serve on that for the Board of Ed. The RTM as well as the Board of Finance and the Board of Selectmen want to look at the long-term use of our maintenance spaces, and Mr. Tetreau will be meeting with Dr. Title in April to start to map that out. Mrs. Brand stated that she heard last night that we didn't have mold at Fairfield Warde and asked if mold testing was done and if there is a recent report. Dr. Title stated that mold testing has not been done. Mr. Liu asked how you know there is no mold if you don't test. Ms. Iacono stated that in the Board's Friday Packet there was an Indoor Air Quality Report, and the protocol is not to test for mold. She stated that to her knowledge there are no visible signs of mold in the building; and Dr. Title agreed. Ms. Iacono stated that from everything she has heard by administration and by representatives from the Tools for Schools, all of the protocols are being followed. Mrs. Brand stated that she was on Tools for Schools and is actually inclined to go for the fix rather than the testing. However, she wants to be sure when addressing another Town body that we are confident in our statements and that we can back them up.
- ◆ Mrs. Kennelly reported that the Policy Committee met on February 6 and discussed several items. One was the three By-law items which had been passed down to the Policy Committee by this Board and are on tonight's agenda. The Student Discipline Policy was discussed twice and is on tonight's agenda for a first read. The final item is the Board of Ed Handbook. The hope is to

have a draft with content by March; a second draft in April with May slotted for discussion and approval. Mr. Dwyer would appreciate feedback regarding the Table of Contents because there is no point in filling in the content if Board members are not supportive. Mrs. Brand asked to make sure this was informational only. Mr. Dwyer stated that is correct. This is a document that brings a variety of information together in one place. There were no other Board comments. Ms. Iacono stated that she will take that as Mr. Dwyer is moving in the right direction.

- ◆ Mr. Kery reported that he missed a large part of the PTA Council meeting; however, he understands there was a spirited discussion on the budget as well as capital projects, particularly, the Warde roof. When the minutes become available he will forward them to the Board. The Board of Finance voted the \$11 million appropriation for the Warde roof, and the RTM approved it last night. The Board of Selectmen/Board of Finance are meeting tonight on Town Capital Projects Non-recurring of which we have \$2 million proposed. This Thursday will be the joint Board of Selectmen/Board of Finance meeting on the budget. Mrs. Brand stated that last night there was a question from the RTM to Board of Finance member Mr. Bellitto, who said that he was still waiting for information relative to the roof. Ms. Iacono stated that it was information they were looking for from the architect and the TFC.
- ◆ Mr. Liu – No Report.

6. Superintendent's Report

Dr. Title stated that at last night's RTM meeting the Moderator, Mr. Steele, mentioned that the RTM was going to have a little different budget review process this year. During the week of April 2, prior to the committee meetings, each department will give a presentation to the full RTM and answer any questions. All of the committees will still meet, but the hope is that by doing it this way, we will only have to go to the Education Committee. All of the details are still being worked out. This has a lot of potential to clear up any misinformation and everyone gets to hear the same information at once. Mrs. Gerber asked if the RTM members received a copy of the questions the Board members asked and the answers received. It may be helpful to preemptively answer questions they may have that have already been asked and answered. Dr. Title stated that the Q&A is on the website, but he could send them a hard copy. Mrs. Brand asked if it is possible to have the RTM Moderator get a copy of the building committee reports so they are kept up to date with what is going on with the building projects. Ms. Iacono stated that she will speak to the Moderator and suggest that he get on the distribution list for the building committee minutes and then he can disseminate the information to his body. That would be better than being the go between.

7. Old Business

A. Update on Understanding on Health Insurance

Ms. Iacono turned this item over to Mr. Dwyer who has, at her direction, been working with the appropriate Town officials and Dr. Title in trying to resolve this.

Mr. Dwyer stated that during the last Board discussion on this item, there were items on the second page of the Memorandum that were of concern to the First Selectman and the Board of Finance Chair. A meeting was held to put together a draft document that the Superintendent, the First Selectman and the Chairman of the Board of Finance could recommend to all three bodies. The document that was sent to the Board reflects the results of that meeting. Two items from page 2 were left in the draft document: (1) Nothing in this Memorandum of Intent on Health Insurance prohibits the Board of Education from making additional contributions to its health insurance account at any point in a given fiscal year; and (2) that it is not the intent of the Board of Selectmen to be directing the Board of Ed and we maintain control over our individual line items as per state law and as we always have. Mr. Dwyer stated that he spoke with Mr. Fattibene about this and he suggested a little stronger language so that was put in the draft. That is the summary of the changes between the draft the Board last looked at and the one that is currently being circulated. The goal is to have the Board of Finance and Board of Selectmen review it at their March and April meetings and get their comments back to the Board of Ed.

Mrs. Brand asked who the person or body is that is proposing this. Mr. Dwyer stated that his goal was to have a document that the Superintendent of Schools, the Chair of the Board of Finance and the First Selectman would be comfortable saying all three of us agree on this draft. He personally wanted a document that wasn't a one sided document; one that all three could say this is a good working draft. Ms. Iacono stated that she thinks it is a collective proposal. Mrs. Brand stated that if the other Town bodies are looking at this, she wants them to be clear that this is not a Board approved draft. Mr. Dwyer stated that he will find a way to make sure the other Town bodies know that this is only coming from the three officials and not from the respective boards.

Mr. Liu commented on the old MOU and that these should be two separate documents and not tied together. The old MOU was never approved by any Board of Education; and this Board should start with a clean slate in order to have good faith.

B. Discussion and possible action on Board of Education By-Law items that were postponed from the December 13, 2011 Board of Education Meeting

Mrs. Kennelly stated that the Policy Committee met and discussed the three items on Enclosure No. 5.

Agenda & Enclosures – Mrs. Dyer spoke to the committee regarding the time involved in preparing the agenda and collecting the enclosures. She did not see a problem in getting the agenda sooner, but getting the enclosures sooner might be more difficult. Mrs. Kennelly asked about the months where there is only one Board meeting, and Mrs. Dyer agreed that would be far easier to do but in the months with multiple meetings it would be more difficult. There was no sense from the three committee members; we just wanted to get information to bring back for discussion at the Board table.

Mr. Liu stated that there is no problem with the timing of when the Board gets the agenda and enclosures if there are two meetings a month. This only came up because the Board has gone to one meeting per month. According to our By-laws #8510, which were never changed, we are supposed to have two meetings a month, and he thinks the only way to solve this is to try to go back to that.

Mrs. Brand commented that this speaks to having sufficient time to review materials. In the past there was a regular meeting on the second Tuesday of the month and then a business meeting on the fourth Tuesday of the month, and she would prefer having two shorter meetings to allow sufficient time for the Board to review and deliberate on items.

Meeting Minutes – As a group, the Policy Committee was not in favor of limiting the meeting minutes. When only actions are recorded, it doesn't capture the sense of the meeting. Mr. Fattibene stated that the discussion and the consensus was that the minutes should accurately reflect the meeting and should characterize who brought up what points. There should be a fair representation of the discussion at the Board meeting not just the favorable comments or the ones that are supportive of certain issues but they should be a fair representation. The minutes are for the purpose of the record and that record should be clear so that when going back a year or two later you have a good indication as to what actually transpired and that is an important record to maintain.

Reports – This might involve a policy change, but it didn't rise to the level of a By-law change. Dr. Title was willing to take this on as part of his Superintendent's Report. There is so much going on at the state level and while the Board does get certain CABA reports, it is good to have it explicitly reported to the Board. The Policy Committee was satisfied with having Dr. Title reporting.

8. New Business

A. First Reading of Policy #5119 – Student Discipline, Revised

Dr. Title stated that there are two reasons for this policy revision. One is that there have been changes in the State law with respect to in-school and out-of-school suspension and our policy needed to be updated. Mrs. Parks reviewed this with our attorney and those changes are now reflected in this policy. The other issue has to do with using a Hearing Officer for expulsions. The current policy is that if we can get five Board members to hear an expulsion, then a Board panel hears it; if not, then a Hearing Officer hears it. The experience has been that 95% of the time it has been a Hearing Officer. A Hearing Officer is experienced in expulsion cases and gives consistency from case to case. The feeling was that it shouldn't be random as to which student gets the Board members and which one gets the Hearing Officer. The rest of the changes just clarify the language if we are going to use a Hearing Officer. Dr. Title stated that he thinks the time has come to move to a Hearing Officer for expulsions.

Mrs. Kennelly stated that the Policy Committee recognized the merits of needing consistency and the availability of Board members since there is a time crunch involved with an expulsion. There has to be a fast turnaround time.

Mr. Fattibene stated that originally it was three members of the Board of Education that were required to hear an expulsion, and by Statute three affirmative votes are needed in order to expel a student. Last year it was changed to five members, which is harder to assemble than three. Now moving to no Board members is of concern to him. He is reluctant to see the obligation of the Board being removed from them and put into a Hearing Officer's hands.

Mrs. Brand stated that she supports this and thinks this is the way to go. She would like to have a record of the number expulsions and the location of the schools sent to the Board, so the Board has a sense of what is going on in the district.

Ms. Iacono stated that she was on record last year and still feels that it is a responsibility of the Board to hear what is going on in the school communities. When she first joined the Board, expulsions were heard in the evening and it was easier to get a quorum of the Board at night. They now only seem to take place during the day. She also agreed that getting five Board members is harder to achieve than three, especially since they are only being heard during the day now. She stated that she will not be voting in favor of this because she thinks it is the Board's responsibility to hear these. She would like to go back to evening expulsions where the full Board hears them and by Statute only three Board members need to be present.

Dr. Title stated that the reason for having them during the day is that we often need school-based personnel or other personnel who only work during the day to testify; and if we are going to have them at night, we are going to pay extra. It also has to do with attorney availability and the turnaround time. Often there is something that the Hearing Officer will simply stipulate to because it is in the best interest of everybody. Dr. Title stated that in a district this size, for the consistency of who is going to be there, this is the way to go. He urged the Board to adopt these changes.

Mrs. Kennelly reminded everyone that there are two issues: in-school and out-of-school suspension and a Hearing Officer for expulsions.

Mr. Kery asked if there are other types of discipline other than suspending and expelling. Dr. Title stated that there are other types of discipline, and they are outlined in the student handbooks. The Board's policies have to govern suspension and expulsion.

Mr. Kery stated that there needs to be consequences for both the predator and the bystander if we are going to make an impact on bullying. Dr. Title stated that on page 6 of this policy, there is a paragraph on bullying and there is also the Bullying Policy. Mr. Kery stated that there are three

players; the predator, the bystander and the victim; and the predator is acting for the bystander so the bystander needs to be part of the process in terms of discipline. He asked for the Policy Committee in conjunction with the administration and future discussions about discipline to start to incorporate bystanders in terms of discipline that might not rise to the level of suspension. Dr. Title stated that he will turn this over to Andrea to address in the policies. Mr. Kery stated that he would like there to be consequences and would like the students to be on notice that their participation in these types of things will be dealt with consequences.

This policy will be on the next Board agenda for approval.

9. Public Comments and Petitions –

Leeann Ratner, PTA Council President, invited everyone to the March 7th PTA Council meeting at 7 p.m. when the Brian Fagan Awards will be presented to six Fairfield teachers. Immediately following will be a presentation on the Education budget and there will be representatives from the Board of Selectmen, Board of Finance, RTM and central office to answer questions.

Kelly Crisp, Harbor Road, commented on the student discipline policy and that there seems to be a disconnect because if a student is expelled for sale or distribution of a controlled substance they are referred out, but nowhere in the policy does it indicate that teachers are mandated reporters. If a student is expelled, that student should be reported to social services. She would like to see something that says we are mandated reporters; we have a legal obligation to report education deprivation or deprivation of any kind.

10. Open Board Comment – None

11. Mrs. Brand moved, seconded by Mrs. Kennelly that this meeting of the Board of Education adjourn at 7:27 p.m.

Motion carried: 8:0:0.

Jessica Gerber
Secretary

MAR 13 2012

Board of Education
Policy Guide**Students****STUDENT DISCIPLINE - SUSPENSION/EXPULSION****5119****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.~~
- D. **Removal** is the exclusion of a student for a class period of ninety (90) minutes or less.
- E. **School Days** shall mean days when school is in session for students.
- F. **School-Sponsored Activity** means any activity sponsored, recognized or authorized by the Board and includes activities conducted on or off school property.
- G. **Seriously Disruptive of the Educational Process** means any conduct that markedly interrupts or severely impedes the day-to-day operation of a school.

Students

STUDENT DISCIPLINE - SUSPENSION/EXPULSION (continued)

5119

H. **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. Suspensions pursuant to this Policy shall be in-school suspensions unless during the hearing held pursuant to Section V of this Policy, (1) the administration determines that the pupil being suspended poses such a danger to persons or property or such a disruption of the educational process that the pupil shall be excluded from school during the period of suspension, or (2) the administration determines that an out-of-school suspension is appropriate for such pupil based on evidence of (A) previous disciplinary problems that have led to suspensions or expulsion of such pupil, and (B) efforts by the administration to address such disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies. An in-school suspension may be served in the school that the pupil attends, or in any school building under the jurisdiction of the board of education.

I. 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

Students

STUDENT DISCIPLINE - SUSPENSION/EXPULSION (continued)

5119

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.

Students

STUDENT DISCIPLINE - SUSPENSION/EXPULSION (continued)

5119

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.

Students

STUDENT DISCIPLINE - SUSPENSION/EXPULSION (continued)

5119

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.

Students

STUDENT DISCIPLINE - SUSPENSION/EXPULSION (continued)

5119

26. Possession and/or use of a laser pointer.
27. Hazing.
28. 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.
29. 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.
30. 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.

Students

STUDENT DISCIPLINE - SUSPENSION/EXPULSION (continued)

5119

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 and/or Section III 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~~ and considered in the determination of the length of suspensions and/or whether the suspension is an in-school or out-of-school suspension.
 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.

Students

STUDENT DISCIPLINE - SUSPENSION/EXPULSION (continued)

5119

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 (except in the case of an in-school suspension), 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.~~

Students

STUDENT DISCIPLINE - SUSPENSION/EXPULSION (continued)

5119

~~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.~~

VI. 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 ~~and/or III A. and H.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.

Students

STUDENT DISCIPLINE - SUSPENSION/EXPULSION (continued)

5119

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.

Students

STUDENT DISCIPLINE - SUSPENSION/EXPULSION (continued)

5119

- 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.

VII. 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:

~~The Board will hear expulsions within the required time by Statute. In the event the Board of Education cannot seat a quorum (five (5) or more members) to hear an expulsion, t~~The Superintendent will be **is hereby** authorized to retain a hearing officer.

- 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:

Students

STUDENT DISCIPLINE - SUSPENSION/EXPULSION (continued)

5119

- 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 **a hearing 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.

Students

STUDENT DISCIPLINE - SUSPENSION/EXPULSION (continued)

5119

3. Formal rules of evidence will not be followed. The Board hearing officer has the right to accept hearsay and other evidence if it deems that evidence relevant or material to its determination. The presiding hearing 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 hearing officer 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 the hearing officer 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 hearing officer 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 hearing officer 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 hearing officer must determine whether the respondent committed the offense(s) as charged by the Superintendent.
9. If the hearing officer Board determines that the student has committed the conduct as alleged, then the hearing officer Board shall proceed with the second portion of the hearing, during which the hearing officer Board will receive and consider evidence regarding the length and conditions of expulsion.
10. When considering the length and conditions of expulsion, the hearing officer Board may review the student's attendance, academic and past disciplinary records. The hearing officer Board may ask the Superintendent for a recommendation as to the discipline to be imposed.

Students

STUDENT DISCIPLINE - SUSPENSION/EXPULSION (continued)

5119

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 hearing officer 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 hearing officer 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 hearing officer Board as to the appropriate discipline to be applied.
13. The hearing officer 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 hearing officer 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.

Students

STUDENT DISCIPLINE - SUSPENSION/EXPULSION (continued)

5119

VIII. 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 VI(B)(1), (2) and (3) of this policy. The hearing officer Board may modify the term of expulsion on a case-by-case basis.

IX. 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 is expelled, ~~it shall offer~~ any such student shall be offered 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, acting through the Superintendent, 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"):*

Students

STUDENT DISCIPLINE - SUSPENSION/EXPULSION (continued)

5119

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

X.I. 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.

XI. Change of Residence During Expulsion Proceedings

A. *Student moving into the school district:*

1. If a student enrolls in the district while an expulsion hearing is pending in another district, such student shall not be excluded from school pending completion of the expulsion hearing unless an emergency exists, as defined above. The hearing officer 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 hearing officer Board may adopt the decision of the student expulsion hearing conducted by such other school district. The hearing officer Board shall make its determination based upon a hearing held by the hearing officer 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 hearing officer Board, the notice of the pending expulsion hearing shall be included on the student’s cumulative record and the hearing officer Board shall complete the expulsion hearing and render a decision. If the hearing officer Board subsequently renders a decision to expel the student, a notice of the expulsion shall be included on the student’s cumulative record.

Students

STUDENT DISCIPLINE - SUSPENSION/EXPULSION (continued)

5119

XII.I. 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 (a “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.

Students

STUDENT DISCIPLINE - SUSPENSION/EXPULSION (continued)

5119

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.

Students

STUDENT DISCIPLINE - SUSPENSION/EXPULSION (continued)

5119

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.

XIII. 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.

Students

STUDENT DISCIPLINE - SUSPENSION/EXPULSION (continued)

5119

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.

XIV. 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.

XV. I. 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.

XVI. I. Compliance with Reporting Requirements

- A. The Board of Education shall report all suspensions and expulsions to the State Department of Education.
- B. If a student is expelled ~~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.

Students

STUDENT DISCIPLINE - SUSPENSION/EXPULSION (continued)

5119

- C. If **a student is expelled** 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: 11/9/2010

Revised and Approved:

MAR 13 2012

*Fairfield Woods
Middle School*



TO: Dr. David Title, Superintendent
FROM: Greg Hatzis, Principal, FWMS *GH*
DATE: 2/9/2012
RE: Request for dedication of school facility

Dear Dr. Title,

On behalf of the Fairfield Woods community of staff, students, and parents, I would like to propose the dedication of our fitness center in honor of Ray Agostino.

Mr. Agostino was a beloved member of our community for many years. He was a graduate of Roger Ludlowe High School, class of 1956, and went on to serve as a career educator in the Fairfield Public Schools for forty-five years. He taught at North Stratfield Elementary and later went on to become Assistant Principal at Tomlinson Middle School. He spent the majority of his time in administration as the Assistant Principal of Fairfield Woods Middle School until his retirement in June of 2007.

In 2007, Ray was awarded the Town Employee of the Year award from the town of Fairfield. Ray was considered by many a master teacher, a mentor, an instructional leader, a trusted advisor, and an incredible resource for resolving issues. Above all, he was a champion of education; thousands of children were touched by his efforts.

Ray was also known by many as a dedicated proponent of good fitness and healthy living. He was a fixture at local gyms, often giving advice to colleagues, former students, or total strangers. Ray's health approach comprised of a diet and exercise regimen that was before his time, and a model to be admired by any nutritional or fitness expert.

Ray passed away in January of 2010 after a valiant battle with pancreatic cancer. His loss was felt by everyone in the community.

It is for these reasons that we make our proposal. Our fitness center is the place where so many students first develop the healthy habits we hope they will continue throughout their lives. It would not only be fitting to have Ray Agostino's name donning the entrance of the fitness center as a testament to his work for the Fairfield Public Schools, but it would also serve as a reminder to all of a great role model. We would like to post a sign with Ray's name, possibly accompanied by a picture of Ray during his time at FWMS.

Thank you for considering this request. We are happy to pursue the next steps of acquiring permission to move forward.

cc: Margaret Mary Fitzgerald

MAR 13 2012

**EDUCATIONAL SPECIFICATIONS FOR
OSBORN HILL ELEMENTARY SCHOOL
WINDOW REPLACEMENT PROJECT**

March 1, 2012

Energy Conservation

PROJECT RATIONALE

The window systems at Osborn Hill Elementary School are original to the construction of the main building (1958), the classroom addition (1969), and the Media Center and Kindergarten Expansion (1997). The majority of the windows are inefficient single pane type. The age of a majority of the units make it increasingly difficult to obtain replacement parts for damaged hinges, latches, etc. Inoperable and difficult to operate windows impede their use for natural ventilation. Operable windows are the primary source of fresh air ventilation at Osborn Hill Elementary School. Installation of new energy efficient replacement windows will bring savings to the town by enhancing the building's envelope performance while also enhancing the building's appearance and ensuring natural ventilation is available.

LONG-RANGE PLAN

The long-range plan for the school facilities for the Fairfield Public Schools calls for provision of a safe and appropriate learning environment. In accordance with this aspect of the plan, Fairfield will undertake a window replacement project at Osborn Hill Elementary School.

The Fairfield Public Schools plans to continue to utilize Osborn Hill Elementary School in its current capacity, and with appropriate maintenance, as an elementary school for the next twenty years.

THE PROJECT

The Fairfield Public Schools proposes a window replacement project at Osborn Hill Elementary School to address the deficiencies with the windows at the facility.

Current space: Osborn Hill Elementary School includes the following instructional and support spaces: general classrooms, kindergartens, library/media center, computer lab, gymnasium, music room, art room, special education classrooms, special education resource room, cafeteria, nurse's office, kitchen, conference room, school administration's offices, custodial services, storage, and boiler room.

Construction: All original windows throughout the main building (installed in 1958 and 1969) will be replaced with a new window system meeting current standards for maximum energy efficiency. The new replacement windows will include glass tinting for increased occupant comfort and new window hardware which will enhance security at the facility.

Final space: See *Current space* above.

FF&E: New window treatments.

BUILDING SYSTEMS

Security: Not applicable.

Public Address: Not applicable.

Technology: Not applicable.

Phone System: Not applicable.

Clocks: Not applicable.

INTERIOR BUILDING ENVIRONMENT

Acoustics: Ceilings: Not applicable.

Walls: Not applicable.

Lighting: Not applicable.

HVAC: Not applicable.

Plumbing: Not applicable.

Windows/Doors: All windows throughout the main building (installed in 1958 & 1969) will be replaced with a new window system meeting current standards for energy efficiency. Windows will also be of a hopper type that can be opened at the bottom to allow for natural ventilation and will include glass tinting for increased occupant comfort.

SITE DEVELOPMENT

Site Acquisition:	Not applicable.
Parking:	Not applicable.
Drives:	Not applicable.
Walkways:	Not applicable.
Outdoor Athletic Facilities:	Not applicable.
Landscaping:	Not applicable.
Site Improvements:	Not applicable.

COMMUNITY USES

Osborn Hill Elementary School does not contain or host space(s) for other town departments or outside firms. The building is used exclusively as an elementary school. The building facilities are available to the public on a reservation basis when the building is not in use (nights and weekends). Some of these uses include among others:

- Parent Teacher Association (PTA) meetings and events
- Cub Scouts
- Girl Scouts
- Various school clubs
- Civic group meetings

Osborn Hill Elementary School is used as a polling place.

MAR 13 2012

Fairfield Public Schools
Fairfield, CT 06825

TO: Dr. David Title and Members of the Board of Education

FROM: Salvatore Morabito, Manager of Construction, Security and Safety

DATE: March 1, 2012

RE: **UI Energy Opportunities Program - Proposed Projects at:
Mill Hill Elementary and Holland Hill Elementary**

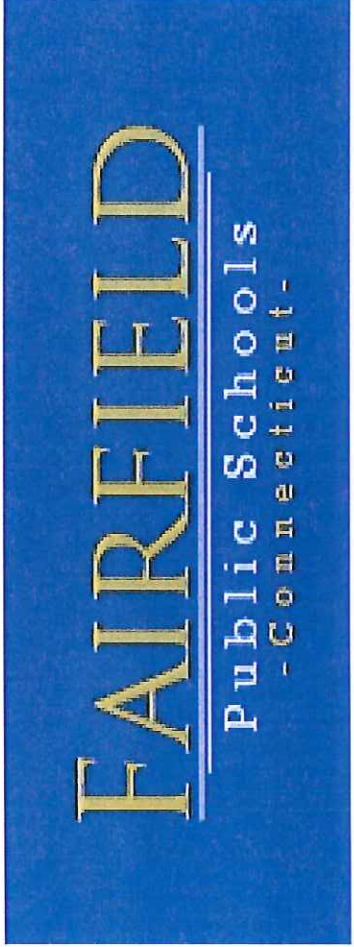
Lighting upgrade projects have been proposed by LED Lighting Solutions, LLC of Berlin, CT. for Mill Hill and Holland Hill Elementary School sites. These proposed projects would replace the existing exterior lights with energy efficient LED light fixtures and upgrade the existing interior light fixtures with high performance ballasts and bulbs. These proposed projects will be paid for by the use of rebates and incentives available through the United Illuminating Company's Energy Opportunities Program.

It is requested that the Board authorize the Superintendent to enter into a Municipal Energy Opportunities Agreement with the United Illuminating Company and further authorize the Superintendent to execute the required documents in order to participate in an energy conservation program called Energy Opportunities.

Attached are the standard agreements for participation in the UI Energy Opportunities Program for proposed lighting update projects at Mill Hill and Holland Hill Elementary Schools along with a project summary prepared by LED Lighting Solutions, LLC of the proposed lighting upgrades at each of these schools.

If you have any questions, please feel free to contact me.

c: Central Office Administration
Bev Dyer



Energy Conservation Opportunity

February 16, 2012

Prepared by:



Objectives

- Identify energy saving opportunities for Fairfield Public Schools that will result in long-term cost reductions while improving overall operating conditions
- Optimize available State & Federal grants/incentives
- Provide a turn key project that results in a positive cash flow

FOCUS

- Primary focus; High Efficiency Lighting
- Energy Conservation Measures “ECM” overview-
 - Area lighting from fluorescent T12 /T8 to new high-efficiency 28w-T8
 - MH outdoor to LED technology
- LLS proposes integrating lighting technology which has been approved by the CT Conservation & Load Management programs.
- The total project represents 1,058 Energy Conservation Measures being installed.

Benefits

- Create a **sustainable** reduction of energy and operational costs.
- Improved working environment
- Reduced Maintenance costs
- **Warranty:**
 - LLS 1Yr. Material & Labor
 - Manufacturer- 3yr. Lamp, 5yr. Ballast
 - **5 year non-prorated LED warranty!!!**
- Turn-key
- **Environmental Impact : Socially Responsible**
 - Reduced emissions
 - Reduced reliance on fossil fuels
 - Reduced carbon footprint

Financial Analysis

Mill Hill School Upgrade

Total Project Cost	\$ 62,614
<u>Utility Incentives</u> (est. 36%)	<u>\$ (23,090)</u>
Net Cost	\$ 39,524
Payback in Years	2.56
ROI	39%
Estimated Annual Energy Savings	\$ 12,336
Estimated Annual Maintenance Savings	\$ 3,084
Estimated Annual kwh Savings	84,607

Financial Analysis

Holland Hill School Upgrade

Total Project Cost	\$ 64,289
<u>Utility Incentives</u> (est. 36%)	<u>\$(23,601)</u>
Net Cost	\$ 40,688
Payback in Years	2.59
ROI	38.6%
Estimated Annual Energy Savings	\$ 12,418
Estimated Annual Maintenance Savings	\$ 3,264
Estimated Annual kwh Savings	85,169

Financial Analysis

Combined Upgrades

Total Project Cost	\$ 126,903
<u>Utility Incentives</u> (est. 36%)	<u>\$ (46,691)</u>
Net Cost	\$ 80,212

Payback in Years	2.57
ROI	38.9%

Estimated Annual Energy Savings	\$ 24,754
Estimated Annual Maintenance Savings	\$ 6,348
Estimated Annual kwh Savings	169,776

Next Steps

1. Review ECM detail- Letter of Intent- Acceptance
2. Secure CL&M Incentives- Utility Letter of Agreements
3. Secure Project financing
4. Finalize all project documentation
5. Review Project Implementation and Close out Process