

NEW MILFORD BOARD OF EDUCATION
New Milford Public Schools
50 East Street
New Milford, Connecticut 06776

POLICY SUB-COMMITTEE
MEETING NOTICE

DATE: November 7, 2017
TIME: 6:45 P.M.
PLACE: Lillis Administration Building - Rm. 2

RECEIVED
TOWN CLERK
NOV - 3 P 12: 51
NEW MILFORD CT

AGENDA

New Milford Public Schools Mission Statement

The mission of the New Milford Public Schools, a collaborative partnership of students, educators, family, and community, is to prepare each and every student to compete and excel in an ever-changing world, embrace challenges with vigor, respect and appreciate the worth of every human being, and contribute to society by providing effective instruction and dynamic curriculum, offering a wide range of valuable experiences, and inspiring students to pursue their dreams and aspirations.

1. Call to Order

2. Public Comment

An individual may address the Board concerning any item on the agenda for the meeting subject to the following provisions:

- A. A three-minute time limit may be allocated to each speaker with a maximum of twenty minutes being set aside per meeting. The Board may, by a majority vote, cancel or adjust these time limits.
- B. If a member of the public comments about the performance of an employee or a Board member, whether positive, negative, or neutral, and whether named or not, the Board shall not respond to such comments unless the topic is an explicit item on the agenda and the employee or the Board member has been provided with the requisite notice and due process required by law. Similarly, in accordance with federal law pertaining to student confidentiality, the Board shall not respond to or otherwise discuss any comments that might be made pertaining to students.

3. Discussion

A. Policies:

- 1. 1140 Distribution of Materials to and by Students (Use of Students) follow up
- 2. 1331 Smoking
- 3. 5114 Removal/Suspension/Expulsion – page 5114(e)
- 4. 5131.6 Drugs, Alcohol and Tobacco
- 5. 5131.61 Inhalant Abuse

4. Item of Information

A. Possible Budget Drivers

- 1. Expulsion legislation
- 2. High school reform

5. Public Comment

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member has been provided with the requisite notice and due process required by law. Similarly, in accordance with federal law pertaining to student confidentiality, the Board shall not respond to or otherwise discuss any comments that might be made pertaining to students.

6. Adjourn

**Sub-Committee Members: J.T. Schemm, Chairperson
Wendy Faulenbach
Dave Littlefield
Tammy McInerney**

**Alternates: Bill Dahl
Brian McCauley**

Community Relations

Distribution of Materials to and by Students (Use of Students)

The purpose of permitting the distribution of materials to and by students is to provide a convenient and inexpensive method to notify students and parents of extra-curricular activities of a general interest to students in the school district. At the same time this courtesy to the school community has the potential to interfere with the efficient operation of the school district and distract from instructional activities. The Board of Education reserves the right to refuse distribution of any material to the students of the district by individuals or groups not affiliated with the New Milford Public Schools. The Superintendent of Schools (or designee) shall impose reasonable time, place, and manner restrictions on the distribution of materials to prevent disruption and preserve the educational focus of the schools.

Distribution of Materials at Central Locations in the Schools

Members of the school and local community may request approval to distribute non-curricular materials during non-instructional time at central locations in the schools. Such materials must be pre-approved by the Superintendent of Schools and shall comply with the following standards:

1. The materials must relate to youth-oriented activities or events during the school year (e.g., sports, recreational, social or civic activities) of the public schools, parent teacher organizations, town, or other local, non-profit organizations.
2. The materials must explicitly identify the organization(s) distributing the materials and all sources of information contained in the publication.
3. The materials are not in violation of the law or any Board policy and do not encourage violation of the law or any Board policy.

The Superintendent of Schools shall ensure that students are made aware that the materials that are approved for distribution are not necessarily endorsed or sponsored by the school district.

Distribution of Materials Directly to Students

Any distribution of materials to students directly (e.g., flyers given to students in the classroom to be brought home to parents/guardians) shall be limited to those materials that relate to youth-oriented activities or events sponsored by the public schools, parent teacher organizations, the Town of New Milford or the State of Connecticut. Such materials must be pre-approved by the Superintendent of Schools and comport with Board policy and applicable law.

All requests from groups or individuals to have students distribute materials to people in the community, with the exception of requests from school-connected organizations like parent-teacher organizations or Board appointed citizens' ad hoc advisory committees, will be referred to the office of the Superintendent to determine whether the requests comply with overall school purposes and policy.

Community Relations

Distribution of Materials to and by Students (Use of Students)

Use of Students

The Board prohibits the use of students during normal school hours in activities which are not part of the normal educational and planned curriculum process. Permission for use of students in activities of a non-educational nature must be obtained from the Superintendent or his/her designee who will ensure that the student's rights in terms of voluntary activities are maintained and that students are not exploited either knowingly or unknowingly.

The Superintendent or his/her designee shall interpret this policy strictly; the decisions of the Superintendent will be final.

Budget/Referendum Materials

After the date is set for the budget referendum, information concerning a pending referendum, specifying only the time, date, location, and question or proposal to be voted upon may be disseminated through the students. This information may not contain any other information or statements, or be written in a manner which may advocate a position on the referendum question.

Legal Reference:

Connecticut General Statutes

9-369b Explanatory text relating to local questions.

Policy adopted: May 7, 2001
 Policy revised: June 9, 2009
 Policy revised: February 12, 2013
 Policy revised: November 12, 2013

NEW MILFORD PUBLIC SCHOOLS
 New Milford, Connecticut

Community Relations

Smoking

The Board of Education is convinced, on the basis of substantial scientific and medical evidence, that smoking poses a serious hazard to the health of smokers and non-smokers alike. In addition, the Board believes that a school system, as an institution committed to the positive growth and development of young people that it serves.

For the purpose of this policy, the term “smoking” includes the use of vapor products and electronic devices that simulate smoking by delivering nicotine or other substances by the inhalation of a vapor.

Students

There shall be no smoking or any other unauthorized use of tobacco by students in any school building or school vehicle at any time, or on any school grounds or at any time when the student is subject to the supervision of designated school personnel, such as when the student is at any school function, extracurricular event, field trip, or school related activity such as a work-study program.

An ongoing program of student support and counseling will be offered to provide support for students who wish to break the smoking habit.

Staff and Public

It is the policy of the Board of Education, consistent with Connecticut General Statutes, to prohibit smoking within school buildings at all times, and to prohibit smoking on school grounds while school is in session or student activities are conducted. Breaks by employees to smoke or use tobacco products are considered recreational activities. If an employee takes a break from work to smoke or use tobacco products or leaves school grounds at any time for any reason other than district business, including to smoke or use tobacco products, he/she will not be considered to be acting within the normal course and scope of employment.

Legal Reference: Connecticut General Statutes
 19a-342 Smoking prohibited in certain places. Signs required. Penalties.
 21a-242 Schedules of controlled substances.
 53-198 No smoking on buses
 14-275c-2 Regulations of Department of Transportation
 Public Act 14-76, “An Act Concerning the Governor’s Recommendations
 Regarding Electronic Nicotine Delivery Systems and Youth Smoking
 Prevention.”

Policy adopted: May 7, 2001
Policy revised: December 10, 2002
Policy revised: June 9, 2009
Policy reviewed: October 15, 2013
Policy revised: October 14, 2014

NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut

FOR DISCUSSION

5114(a)

Students

Removal/Suspension/Expulsion

SECTION I DEFINITIONS

- A. **“Bullying”** is defined as (A) the repeated use by one or more students of a written, oral or electronic communication directed at or referring to another student in the school district; or (B) a physical act or gesture by one or more students repeatedly directed at another student in the school district that (1) causes physical or emotional harm to such student or damage to the student’s property; (2) places such student in reasonable fear of harm to himself/herself or of damage to his/her property; (3) creates a hostile environment at school for such student; (4) infringes on the rights of such student at school; or (5) substantially disrupts the educational process or the orderly operation of the school. Bullying shall include but not be limited to a written, oral or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socio-economic status, academic status, physical appearance, or mental, physical developmental or sensory disability or by association with an individual or group who has or is perceived to have one or more of such characteristics.
- B. **“Cyberbullying”** is defined as any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.
- 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 motor vehicle and a dog that has been commanded to attack.
- D. **“Days”** is defined as days when school is in session.
- E. **“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.
- F. **“Emergency”** is defined as a situation under which the continued presence of the student in the school imposes 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.
- G. **“Exclusion”** is defined as any denial of public school privileges to a student for disciplinary purposes.

Students

Removal/Suspension/Expulsion

SECTION I DEFINITIONS (continued)

- H. “**Expulsion**” is defined as an exclusion from school privileges for more than ten (10) consecutive school days and shall be deemed to include, but not be limited to, exclusion from the school to which such student was assigned at the time such disciplinary action was taken, provided such exclusion shall not extend beyond a period of one (1) calendar year. Such period of exclusion may extend to the school year following the school year in which such exclusion was imposed.
- I. “**Firearm**” means 1) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; 2) the frame or receiver of any such weapon; 3) any firearm muffler or firearm silencer; or 4) any destructive device. Firearm does not include any antique firearm. For purposes of this definition "destructive device" means any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than 4 ounces, missile having an explosive or incendiary charge of more than 1/4 ounce, mine, or device similar to any of the weapons described herein.
- J. “**In-school suspension**” is defined as an exclusion from regular classroom activity for not more than ten (10) consecutive school days, but not an exclusion from school, provided such exclusion shall not extend beyond the end of the school year in which such in-school suspension was imposed. 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. An in-school suspension may include reassignment to a regular classroom program in a different school in the school district; such reassignment shall not constitute a "suspension" or "expulsion" under this policy.
- K. “**Martial arts weapon**” means a nunchaku, kama, kasari-fundo, octagon sai, tonfa or chinese star.
- L. “**Possess**” means to have physical possession or otherwise to exercise dominion or control over tangible property.
- M. “**Removal**” is defined as an exclusion from a classroom for all or part of a single class period, provided such exclusion shall not extend beyond 90 minutes.
- N. “**School sponsored activity**” is defined as any activity sponsored, recognized or authorized by the Board and includes activities conducted on or off school property.

Students

Removal/Suspension/Expulsion

SECTION I DEFINITIONS (continued)

- O. “**Suspension**” is defined as an exclusion from school privileges and/or from transportation services for not more than ten (10) consecutive school days, provided such exclusion shall not extend beyond the end of the school year in which such suspension was imposed.
- P. “**Vehicle**” means a "motor vehicle" as defined in Section 14-1 of the Connecticut General Statutes, snow mobile, any aircraft, or any vessel equipped for propulsion by mechanical means or sail.

SECTION II REMOVAL FROM CLASS

- A. Each teacher shall have the authority to remove a student from class when such student deliberately causes a serious disruption of the educational process within the classroom, provided that no student shall be removed from class more than six times in any year, nor more than twice in one week unless such student is referred to the building principal, or his/her designee, and granted an informal hearing as set forth in section IV C of this policy.
- B. Whenever any teacher removes a student from the classroom, such teacher shall send the student to a designated area and shall immediately inform the building principal or his/her designee as to the name of the student against whom such disciplinary action was taken and the reason therefore.

SECTION III STANDARDS GOVERNING SUSPENSION AND EXPULSION

- A. Conduct on school grounds or at a school sponsored activity as set forth in Section C below will be cause for suspension and/or expulsion when such conduct:
1. Violates a publicized policy or code of student conduct in effect in the schools; or
 2. Seriously disrupts the educational process; or
 3. Endangers persons or property
- B. Conduct off school grounds as described in paragraph C below will be cause for suspension and/or expulsion when such conduct:
1. Violates a publicized policy of the Board and
 2. Seriously disrupts the educational process

Students

Removal/Suspension/Expulsion

SECTION III STANDARDS GOVERNING SUSPENSION AND EXPULSION (continued)

- C. The following conduct is prohibited and will be considered cause for suspension and/or expulsion:
1. Threatening, harassing or intimidating another member of the school community in any manner, including orally, in writing, via electronic communication, or by gestures or other physical behavior such as stalking. Members of the school community include any school employee, fellow student, consultant, volunteer, or visitor to a school.
 2. Use of physical force against another person which is not reasonably necessary for self-defense;
 3. Theft of personal or school property, or taking or attempting to take personal property or money from another person, or from his/her presence, by means of force or fear;
 4. Willfully causing, or attempting to cause, damage to school property;
 5. Possession, use, transmission or being under the influence of any narcotic drug, hallucinogenic drug, performance enhancing drug, amphetamine, barbiturate, marijuana, cocaine, alcoholic beverage, or intoxicant of any kind including inhalants, prescription drugs for which the possessor, user or transmitter has no legal prescription, or drug paraphernalia;
 6. Possession or transmission of a facsimile of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, or marijuana;
 7. Knowingly being in the presence of those who are in possession of, using, transmitting, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind;
 8. Possession or transmission of any weapon, including but not limited to any firearm, deadly weapon, dangerous instrument, martial arts weapon, knife, box cutter, razor, blade, chemical sprays, electroshock weapons or facsimile of any weapon or instrument.
 9. Using or copying the academic work of another and presenting it as his/her own without proper attribution;

Students

Removal/Suspension/Expulsion

SECTION III STANDARDS GOVERNING SUSPENSION AND EXPULSION (continued)

10. Possessing, smoking or consuming tobacco products or using vapor products and electronic devices that simulate smoking by delivering nicotine or other substances by the inhalation of a vapor on school grounds;
11. Open defiance of the authority of any teacher or person having authority over the student, including verbal abuse;
12. Intentional and successful incitement of truancy by other students;
13. Bullying or cyberbullying, including such conduct that may occur outside of the school setting if such bullying (1) creates a hostile environment at school for the victim; (2) infringes on the rights of the victim at school; or (3) substantially disrupts the education process or the orderly operation of a school.
14. Any violation of the Board's policies prohibiting sexual, racial and other unlawful harassment including any act of harassment based on an individuals' race, color, national origin, sex, age, disability, sexual orientation, gender identity or expression or religion;
15. Intentional incitement which results in an unauthorized occupation of any part of a school or other facility owned by any school district;
16. Participation in an unauthorized occupancy of any part of any school or school premises or other building owned by any school district and failure to leave such school premises or other facility promptly after having been directed to do so by the principal or other person in charge of such building or facility;
17. Making false bomb threats or other threats to the safety of students, staff members and/or other persons;
18. Unauthorized use of any school computer, computer system, computer software, Internet connection or similar school property system or the use of such property or system for unauthorized or non-school related purposes;
19. Create, use, access, upload, download, possess, transmit or distribute profane, pornographic, obscene, sexually explicit, harassing, threatening or illegal material or communications including but not limited to electronic data and communications;

Students

Removal/Suspension/Expulsion

SECTION III STANDARDS GOVERNING SUSPENSION AND EXPULSION (continued)

20. Violation of any other Board policy, rule, agreement, or directive dealing with student conduct, including that dealing with conduct on school buses and the use of school district equipment and;
 21. Violation of any federal or state law which would indicate that the violator presents a danger to any person in the school community or to school property.
- D. Expulsion proceedings pursuant to section V, shall be required whenever there is reason to believe that any student 1) was in possession of a firearm, deadly weapon, dangerous instrument or martial arts weapon, on school grounds or at a school-sponsored activity; 2) off school grounds, did possess a firearm in violation of Connecticut General Statutes §29-35, or did possess and use such a firearm, dangerous instrument, deadly weapon or martial arts weapon in the commission of a crime; or 3) on or off school grounds, offered for sale or distribution a controlled substance as defined in Connecticut General Statutes, §21a-240(9), whose manufacture, distribution, sale, prescription, dispensing, transporting or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under Connecticut General Statutes §§21a-277 and 21a-278. A student shall be expelled for a period of one calendar year if the Board of Education finds that the student engaged in any of the conduct described herein, provided the period of expulsion may be modified on a case-by-case basis.

In the event it is determined by the Superintendent that a student issued a threat against a member of the school community as described in paragraph C.1, above, the matter shall be referred to law enforcement officials for possible criminal prosecution and the Superintendent shall take all available measures to ensure the safety of persons in the school community in the event of the student's return to school.

- E. Students in kindergarten, first and second grade may not be expelled except for mandatory reasons as described in the previous paragraph and in section V below.

SECTION IV SUSPENSION PROCEDURE

- A. The administration of each school is authorized to invoke suspension for a period of up to ten (10) days, or to invoke in-school suspension for a period of up to ten (10) days, of any student for one or more of the reasons stated in section III, above, in accordance with the procedure outlined in Paragraph C of this section. Moreover, the administration is authorized to suspend a student from transportation services whose conduct while receiving transportation violates the standards set forth in section III, above. The school administration is authorized to immediately suspend any student when there is an emergency as defined in section I, above.

Students

Removal/Suspension/Expulsion

SECTION IV SUSPENSION PROCEDURE (continued)

Suspensions shall be in-school suspensions, except an out-of-school suspension may be imposed if:

GRADES K to 2:

the administration determines that an out-of-school suspension is appropriate for such pupil based on evidence that such pupil's conduct on school grounds is of a violent or sexual nature that endangers persons.

GRADES 3-12:

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 (B) the administration determines that an out-of-school suspension is appropriate for such pupil based on evidence of (i) previous disciplinary problems that have led to suspensions or expulsion of such pupil, and (ii) efforts by the administration to address such disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies.

- B. In the case of suspension, the school administration shall notify the Superintendent within twenty-four (24) hours of the suspension as to the name of the student who has been suspended and the reason for suspension. Any student who is suspended shall be given an opportunity to complete any class work including but not limited to examinations missed during the period of his/her suspension.
- C. Except in the case of an emergency as defined in section I, above, a student shall be afforded the opportunity to meet with a member of the administration and to discuss the stated charges prior to the effectuation of any period of suspension or in-school suspension. If at such a meeting the student denies the stated charges he/she may at that time present his/her version of the incident(s) upon which the proposed suspension is based. The school administration shall then determine whether or not suspension or in-school suspension is warranted. In determining the length of a suspension period, the school administration may receive and consider evidence of past disciplinary problems which have led to removal from a classroom, in-school suspension, suspension or expulsion.
- D. 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 a hearing as provided in section V(B) of this policy is first granted.

Students

Removal/Suspension/Expulsion

SECTION IV SUSPENSION PROCEDURE (continued);

- E. 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, unless a hearing as provided in section V(B) of this policy is first granted.
- F. Whenever a student is suspended, notice of the suspension and the conduct for which the student was suspended shall be included on the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record if the student graduates from high school.
- G. The administration may shorten or waive the suspension period of a student who is suspended for the first time and who has never been expelled if the student successfully completes a program and any other conditions specified by the administration. Any such program shall be at no expense to the student or his/her parents/guardians. For a student whose suspension period is shortened or waived, the notice of the disciplinary action must be expunged from the cumulative education record if the student graduates from high school or, if the administration chooses, at the time the student completes the specified program and any other conditions required by the administration, whichever is earlier.

SECTION V EXPULSION PROCEDURES

The Board of Education may expel any student in grades three to twelve, inclusive, for one or more of the reasons stated in section III if, in the Superintendent's judgment, such disciplinary action is in the best interests of the school system. An expulsion hearing is required in any instance in which the Superintendent has reason to believe a student in grades kindergarten to twelve, inclusive has engaged in the conduct described in section III (D). The procedures outlined in Paragraphs A and B, below, shall be followed prior to the effectuation of any expulsion unless an "emergency" as defined in section I, above, exists. If an emergency exists, such a hearing shall be held as soon after the expulsion as possible.

- A. The Board of Education shall notify the student concerned and his/her parents, or the student if he/she has attained the age of eighteen (18), that expulsion is under consideration. Such notice shall contain the information required under Paragraph B of this section. Three members of the Board of Education shall constitute a quorum for an expulsion hearing. A student may be expelled if a majority of the Board members sitting in the expulsion hearing vote to expel, except that when only three Board members are presiding at the hearing, a unanimous vote shall be required for expulsion.

Students

Removal/Suspension/Expulsion

SECTION V EXPULSION PROCEDURES (continued)

- B. The procedure for any hearing conducted under this section shall be determined by the hearing officer or Board chairperson, as appropriate, but shall include the right to:
1. Notice of the proposed hearing which shall include:
 - a. a statement of the time, place, and nature of the hearing;
 - b. a statement of the legal authority and jurisdiction under which the hearing is to be held;
 - c. reference to the particular sections of the Connecticut General Statutes or school policies involved;
 - d. a short and plain statement of the matters asserted, if such matters have not already been provided in a statement of reasons requested by the student; the statement so provided may be limited to a statement of the issues involved if it is not possible to state the issues in detail at the time such notice is served. Upon request from the student concerned a more definite and detailed statement of the issues shall be furnished;
 - e. a statement, where appropriate, that the Board is not required to offer an alternative educational opportunity to any student between the ages of sixteen and eighteen who (1) has been expelled previously or (2) is found to have engaged in conduct which endangered persons and involved (a) possession on school property or at a school-sponsored activity of a firearm, deadly weapon, dangerous instrument or martial arts weapon, or (b) offering for sale or distribution on school property or at a school sponsored activity a controlled substance as defined by law. (See section VII on Alternative Educational Opportunity);
 - f. information concerning legal services provided free of charge or at a reduced rate that are available locally and how to access such services.
 2. The opportunity to be heard;
 3. The opportunity to present witnesses and introduce documentary evidence;

Students

Removal/Suspension/Expulsion

SECTION V EXPULSION PROCEDURES (continued)

4. The opportunity to cross-examine adverse witnesses and challenge the introduction of documentary evidence;
 5. The opportunity to be represented by counsel; and
 6. Prompt notification of the decision of the Board of Education which decision shall be in writing if adverse to the student concerned.
- C. The record of any hearing held in an expulsion case shall include the following:
1. All evidence received or considered by the Board of Education, including a copy of the initial letter of notice of proposed expulsion, if any, and a copy of all notices of hearing;
 2. Questions and offers of proof, objections and rulings on such objections;
 3. The decision of the Board of Education rendered after such hearing; and
 4. The official transcript, if any, of proceedings relating to the case or, if these are not transcribed, any recording or stenographic record of the proceedings.
- D. Rules of evidence at expulsion hearings shall include the following:
1. Any oral or documentary evidence may be received by the Board of Education, but as a matter of policy irrelevant, immaterial or unduly repetitious evidence shall be excluded;
 2. The Board of Education shall give effect to the rules of privilege recognized by law;
 3. In order to expedite a hearing, evidence may be received in written form, provided the interest of any party is not substantially prejudiced thereby;
 4. Documentary evidence may be received in the form of copies or excerpts if the original is not readily available provided, however, that any party to a hearing shall be given an opportunity to compare the copy with the original;
 5. A party to an expulsion hearing may conduct cross-examination of witnesses where examination is required for a full and accurate disclosure of the facts;

Students

Removal/Suspension/Expulsion

SECTION V EXPULSION PROCEDURES (continued)

6. The Board of Education may take notice of judicially cognizable facts in addition to facts within the Board's specialized knowledge provided, however, the parties shall be notified either before or during the hearing of material noticed, including any staff memoranda or data, and an opportunity shall be afforded to any party to contest the material so noted;
 7. A record of any oral proceedings before the Board of Education at an expulsion hearing shall be made. A transcript of such proceedings shall be furnished upon request of a party with the cost of such transcript to be paid by the requesting party.
- E. In determining the length of an expulsion, the Board of Education may receive and consider evidence of past disciplinary problems, which have led to removal from a classroom, in-school suspension, suspension, or expulsion.
 - F. Decisions shall be in writing if adverse to the student and shall include findings of fact and conclusions necessary for the decision. Findings of fact made by the Board after an expulsion hearing shall be based exclusively upon the evidence adduced at the hearing.
 - G. Except as provided for in Section VII, any student who is expelled shall be offered an alternative educational opportunity consistent with the requirements of state law.
 - H. Whenever a student is expelled pursuant to the provisions of this policy, notice of the expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such notice shall not be expunged at any time if the expulsion was based upon possession of a firearm or deadly weapon and the student was in grade nine through twelve. Such notice shall be expunged from the cumulative educational record if the student graduates from high school. The expulsion notice may be expunged from the student's record prior to graduation if the student has demonstrated to the Board that his/her conduct and behavior in the years following the expulsion warrants expungement.
 - I. Whenever a student against whom an expulsion hearing is pending withdraws from school after notification of such hearing but before the hearing is completed and a decision rendered, notice of the pending expulsion hearing shall be included on the student's cumulative educational record and the Board shall complete the expulsion hearing and render a decision.

Students

Removal/Suspension/Expulsion

SECTION V EXPULSION PROCEDURES (continued)

- J. Except in cases where an expulsion is based upon the possession of a firearm or deadly weapon, the Board of Education may shorten the length of or waive the expulsion period of a student who is expelled for the first time and who has never been suspended if the student successfully completes a program and any other conditions specified by the Board. Any such program shall be at no expense to the student or his/her parents/guardians. For a student whose expulsion period is shortened or waived, the notice of the disciplinary action must be expunged from the cumulative education record if the student graduates from high school or, if the Board chooses, at the time the student completes the specified program and any other conditions required by the administration, whichever is earlier. Nothing herein shall be deemed to restrict the ability of the Board to shorten or waive the expulsion period, based upon completion of any program or meeting of conditions, for students who have been previously suspended or expelled, as may be permitted by law and as provided in Subsection L, below.
- K. The Board of Education may adopt the decision of a student expulsion hearing conducted by another school district, provided that the Board shall hold a hearing pursuant to this policy which shall be limited to a determination of whether the conduct which was the basis for the expulsion would also warrant expulsion under the policies of the Board. The student shall be excluded from school pending such hearing. The excluded student shall be offered an alternative educational opportunity in accordance with statutory requirements and this policy.
- L. In addition to such rights specified in Section J, above, an expelled pupil may apply for early readmission to school. Such readmission shall be at the discretion of the Board of Education; however, the Board may delegate authority for readmission decisions to the Superintendent. If the Board delegates such authority, readmission shall be at the discretion of the Superintendent. The Board or Superintendent, as appropriate, may condition such readmission on specified criteria.
- M. A student requiring special education and related services as described in Connecticut General Statutes §10-76a(5)(A) shall not be referred to an expulsion hearing until a planning and placement team is convened to determine whether the misconduct was caused by the student's disability. If it is determined that the misconduct was caused by the child's disability, the child shall not be referred to an expulsion hearing and shall not be expelled.

The planning and placement team shall reevaluate the child for the purpose of modifying the child's individualized education program to address the misconduct and to ensure the safety of other children and staff in the school. If it is determined that the misconduct was not caused by the student's disability, the student may be expelled in accordance with the provisions of this section applicable to children who do not require special education and related services. Notwithstanding the provisions of Section VII, below, whenever a student

Students

Removal/Suspension/Expulsion

SECTION V EXPULSION PROCEDURES (continued)

requiring such special education and related services is expelled, an alternative educational opportunity, consistent with such child's educational needs shall be provided during the period of expulsion.

- N. Any student who commits an expellable offense and is subsequently committed to a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement for such offense may be expelled using the procedures of this policy. The period of expulsion shall run concurrent with the period of commitment. If a student who committed an expellable offense seeks to return to the school district after having been in a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement and the student has not been expelled for such offense, the district shall allow such student to return and may not expel the student for additional time for such offense.
- O. A student who has been identified as eligible for school accommodations pursuant to Section 504 of the Rehabilitation Act, shall not be referred to an expulsion hearing until the student's Section 504 Team is convened to determine whether the misconduct was caused by the student's disability. If it is determined that the misconduct was caused by the child's disability, the child shall not be referred to an expulsion hearing and shall not be expelled. Where appropriate, the Section 504 Team shall modify and otherwise review the student's accommodations plan to address the misconduct and to ensure the safety of other children and staff in the school. If it is determined that the misconduct was not caused by the student's disability, the student may be expelled in accordance with the provisions of this section applicable to non-disabled students.

SECTION VI NOTIFICATION TO PARENTS OR GUARDIAN

The parents or guardian of any minor student against whom disciplinary action is taken under this policy shall be given notice of such disciplinary action within twenty-four (24) hours of the time the student was excluded.

SECTION VII ALTERNATIVE EDUCATIONAL OPPORTUNITY

The Board of Education recognizes its obligation to offer any student under the age of sixteen (16) who is expelled an alternative educational opportunity during the period of expulsion. Any parent or guardian of such a student who does not choose to have his or her child enrolled in an alternative program shall not be subject to the provisions of section 10-184 of the General Statutes. Any expelled student who is between the ages of sixteen (16) and eighteen (18) and who wishes to continue his or her education shall be offered an alternative educational opportunity if he or she

Students

Removal/Suspension/Expulsion

SECTION VII ALTERNATIVE EDUCATIONAL OPPORTUNITY (continued)

complies with conditions established by the Board of Education. Such alternative may include, but shall not be limited to, the placement of such student in a regular classroom program of a school other than the one from which the student has been excluded and, for students at least sixteen (16) years of age, placement in an adult education program. Any student participating in an adult education program during a period of expulsion shall not be required to withdraw from school. In determining the nature of the alternative educational opportunity to be offered under this section the Board of Education may receive and consider evidence of past disciplinary problems which have led to removal from a classroom, suspension, or expulsion.

State statutes do not require the Board of Education to offer an alternative educational opportunity to a student between the ages of sixteen (16) and eighteen (18) who has been expelled previously or who is expelled because of conduct which endangers persons and it was determined at the expulsion hearing that the conduct for which the student was expelled involved (a) possession on school property or a school-sponsored activity of a firearm, deadly weapon, dangerous instrument, or martial arts weapon or (b) offering for sale or distribution on school property or at a school sponsored activity a controlled substance as defined in subdivision (9) of C.G.S. §21a-240, whose manufacture, distribution, sale, prescription, dispensing, transporting, or possessing with the intent to sell or dispense, offering, or administration is subject to criminal penalties under C.G.S. §§21a-277 and 21a-278.

If the Board expels a student for the sale or distribution of such a controlled substance the Board shall refer the student to an appropriate state or local agency for rehabilitation, intervention or job training, or any combination thereof, and inform the agency of its action. If the Board expels a student for possession of a firearm or deadly weapon, the Board shall report the violation to the local police department. The Board shall give the name of the student and a summary of the Board's action in so referring the student, to the commissioner of education within thirty (30) days after the student is expelled.

The provisions of this section shall not apply to students requiring special education who are described in subdivision (1) of subsection (e) of Connecticut General Statutes §10-76a.

SECTION VIII GUN FREE SCHOOLS ACT

The Board of Education shall submit to the Commissioner of Education such information on expulsions for the possession of weapons as is required for purposes of the Gun Free Schools Act of 1994, 20 U.S.C. §7151, et seq.

Students

Removal/Suspension/Expulsion

SECTION IX PRE-SCHOOL PROGRAMS

- A. As used in this section, "preschool program provider" means a local or regional board of education, state or local charter school or interdistrict magnet school that offers a preschool program. No preschool program provider shall expel any child enrolled in such provider's preschool program, except an expulsion hearing shall be conducted, in accordance with the provisions of subsection B, below, whenever there is reason to believe that any child enrolled in such preschool program was in possession of a firearm, on or off school grounds or at a preschool program-sponsored event. Such child shall be expelled for one calendar year if, at the expulsion hearing it is determined, that the child did so possess such a firearm. A preschool program provider may modify the period of expulsion for a child on a case-by-case basis.
- B. An expulsion hearing required under this subsection shall be conducted by (1) the program provider, as set forth above, or (2) the board of education, in accordance with section V above, if (a) the preschool program provider is the board of education, or (b) the preschool program provider is a regional educational service center or a state or local charter school pursuant to an agreement between such preschool program provider and the board of education. Unless an emergency exists, as set forth in section I, above, no child shall be expelled under this subsection without a formal hearing held pursuant to section V. If an emergency exists, such hearing shall be held as soon after the expulsion as possible.
- C. No preschool program provider may authorize a suspension of a child enrolled in such provider's preschool program, unless the suspension is an in-school suspension. Except that an out-of-school suspension may be imposed if the administration determines that an out-of-school suspension is appropriate for such pupil based on evidence that such pupil's conduct on school grounds is of a violent or sexual nature that endangers persons.

Legal references: 18 U.S.C. §921 Definitions
 20 U.S.C. §7151, et seq., Gun Free Schools Act
 20 U.S.C. §1415 Individuals with Disabilities Education Act

Connecticut General Statutes

4-176e	through 4-180a, 4-181a	Administrative Procedures Act
10-76a		Definitions
10-76d		Duties and powers of boards of education to provide special education programs and services
10-222d		Safe school climate plans. Definitions. School climate assessments

Students**Removal/Suspension/Expulsion**

Connecticut General Statutes (continued)

10-233a	Definitions
10-233b	Removal of pupils from class
10-233c	Suspension of pupils
10-233d	Expulsion of pupils
10-233e	Notice as to disciplinary policies and action
10-233f	In-school suspension of pupils. Reassignment
10-233g	Reports of principals to police authority concerning physical assaults upon school employees by students
10-233h	Arrested students
21a-240	Definitions
21a-277	Penalty for illegal manufacture, distribution, sale, prescription, dispensing
21a-278	Penalty for illegal manufacture, distribution, sale, prescription or administration by non-drug-dependent person
53a-3	Definitions
53-206	Carrying of dangerous weapons prohibited
53a-217b	Possession of a weapon on school grounds: Class D felony

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NEW MILFORD PUBLIC SCHOOLS
 New Milford, Connecticut

FOR DISCUSSION

5131.6(a)

Students

Drugs, Alcohol and Tobacco

The Board of Education is committed to maintaining a drug and alcohol free environment for students in the school district. It is the policy of the Board of Education to take positive action through instruction, counseling, parental involvement, medical referral and law enforcement referral, as appropriate, in handling incidents involving the possession, distribution, sale or use of drugs, alcohol and other substances that affect behavior.

In keeping with this policy, the unauthorized use, possession, sale or distribution of drugs, controlled substances, drug paraphernalia or alcoholic beverages, including the unauthorized use or possession, or the sale or distribution of a prescription drug, is prohibited on school premises or at any school sponsored activity. Students who violate this policy are subject to disciplinary measures including suspension and expulsion. In addition, the student's parents will be contacted and referrals will be made to the appropriate treatment agency and/or law enforcement agency. Students should also be aware that they are subject to mandatory expulsion proceedings if they engage in the sale or distribution of a controlled substance regardless of whether such conduct occurred on or off school grounds.

The personal privacy rights of students shall be protected as provided by law. Students are on notice that school properties, including lockers and desks, may be searched when there are reasonable grounds to suspect that the search will produce evidence that the student has violated school rules.

Students will be notified annually of the requirements of this policy and potential disciplinary sanctions through the student handbook or other appropriate means of notification.

Smoke Free Environment

There shall be no smoking or any other unauthorized use of tobacco by students in any school building or school vehicle at any time, or on any school grounds during the school day or at any time when the student is subject to the supervision of designated school personnel, such as when the student is at any school function, field trip, extracurricular event, or school related activity such as a work-study program. For the purpose of this policy, the term "smoking" includes the use of vapor products and electronic devices that simulate smoking by delivering nicotine or other substances by the inhalation of a vapor. An ongoing program of student support and counseling will be offered to provide support for students who wish to break the smoking habit. Students who violate this policy are subject to discipline.

Definitions

For the purposes of this policy, the following definitions shall apply:

1. "Controlled Substance" is a drug, substance, or immediate precursor in schedules I to V, inclusive, of the Connecticut controlled substance scheduling regulations adopted pursuant to section 21a-243 of the Connecticut General Statutes.

Students

Drugs, Alcohol and Tobacco

Definitions cont.

2. "Drug" is any quantity of a substance which has been designated as subject to the federal Controlled Substances Act, or which has been designated as a depressant or stimulant drug pursuant to federal food and drug laws, or which has been designated by the Commissioner of Consumer Protection pursuant to section 21a-243 of the Connecticut General Statutes, as having a stimulant, depressant or hallucinogenic effect upon the higher functions of the central nervous system and as having a tendency to promote abuse or psychological or physiological dependence, or both. Such drugs are classifiable as amphetamine-type, barbiturate-type, cannabis-type, cocaine-type, hallucinogenic, morphine-type and other stimulant and depressant drugs.
3. "Drug Paraphernalia" is any equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing into the human body, any controlled substance. This includes, but is not limited to objects used, intended for use or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body, such as: metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with screens, permanent screens, hashish heads or punctured metal bowls; water pipes; carburetion tubes and devices; smoking and carburetion masks; roach clips: meaning objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand; miniature cocaine spoons, and cocaine vials; chamber pipes; carburetor pipes; electric pipes; air-driven pipes; chillums; bongos or ice pipes or chillers.
4. "Professional Communication" is any communication made privately and in confidence by a student to a professional employee of such student's school in the course of the latter's employment.
5. "Professional Employee" means a person employed by a school who (A) holds a certificate from the State Board of Education, (B) is a member of a faculty where certification is not required, (C) is an administration officer of a school, or (D) is a registered nurse employed by or assigned to a school.

Disclosure or Discovery of Drug/Alcohol Problem

In this policy, it is the intent of the Board of Education to differentiate between voluntary and involuntary disclosure or of a student's substance abuse problem.

Students

Drugs, Alcohol and Tobacco

Disclosure or Discovery of Drug/Alcohol Problem cont.

1. Voluntary Disclosure

If a student voluntarily tells a professional employee during a professional communication information concerning the student's alcohol or drug abuse, the following guidelines shall apply:

- (a) The professional employee may, but is not required, to disclose any information acquired through a professional communication with a student when such information concerns alcohol or drug abuse or any alcoholic or drug problem of such student. The professional employee may elect to disclose such information when the employee has a good faith belief that such disclosure is necessary or appropriate, including but not limited to safeguarding the health and well-being of the student. In no event is the professional employee required to do so.
- (b) The professional employee should make every effort to guide the student to obtain the kind of help he/she needs. A staff member may, without disclosing the name of the student, obtain advice and information on the resources available to students and refer the student to such resources.
- (c) If a professional employee obtains physical evidence from a student indicating that a crime has been or is being committed by the student, such employee shall be required to turn such evidence over to school administrators or law enforcement officials within two school days after receipt of such physical evidence. In no such case shall the employee be required to disclose the name of the student from whom he obtained such evidence.
- (d) Any physical evidence surrendered to a school administration pursuant to this section shall be turned over by such school administrator to the Commissioner of Consumer Protection or the appropriate law enforcement agency within three school days after receipt of such physical evidence, for its proper disposition.
- (e) No parent or legal guardian shall be entitled to information concerning drug and alcohol abuse that is considered to be a privileged communication between a student and a professional employee.
- (f) If a student consents to the disclosure of his/her alcohol or drug abuse problem, or if the professional employee deems disclosure to be necessary to safeguard the health and well-being of the student, such employee will make a report to the student's guidance counselor or Department of Student Services mental health professional and the building Principal.

Students

Drugs, Alcohol and Tobacco

Disclosure or Discovery of Drug/Alcohol Problem cont.

- (g) The guidance counselor or Department of Student Services mental health professional will, upon confirmation of an alcohol or drug abuse problem by a student under the age of eighteen hold a conference with the parent. Corrective plans will be developed with the cooperation and consent of the parents and student. The parents will be given a written copy of the conference minutes and recommendations for corrective plans.
- (h) Copies of the conference minutes will be kept in the guidance counselor or Department of Student Services worker's professional file. The counselor or Department of Student Services mental health professional will maintain contact with the student and his/her family regarding the problem.
- (i) The building principal will be informed of all activity relative to assisting the student to solve his/her alcohol or drug abuse problem.

2. Involuntary Disclosure

When a professional employee obtains information related to a student who, on or off school grounds or at a school sponsored activity, is under the influence of or possesses, uses, dispenses, distributes or sells a controlled substance, drug paraphernalia, or alcohol from a source other than the student's confidential disclosure, such information is considered to have been disclosed involuntarily and the following guidelines apply:

- (a) The employee will report the information immediately to the building principal.
- (b) Any physical evidence in the form of alcohol or drugs obtained from a student must be turned over to the building principal immediately. Because the discovery of the student's drug or alcohol problem was made without the voluntary disclosure of the student, the professional employee must disclose the name of the student from whom evidence was obtained.
- (c) Any physical evidence surrendered to a school administrator pursuant to this section shall be turned over by such school administrator to the Commissioner of Consumer Protection or the appropriate law enforcement agency within three school days after receipt of such physical evidence, for its proper disposition.
- (d) Students found in possession and/or use of a drug, controlled substance, or alcoholic beverage in school or on school property are subject to arrest. In the event that a student is to be arrested, the building principal or his/her designee will attempt to contact the parent prior to calling the police and inform them of the potential arrest.

Students

Drugs, Alcohol and Tobacco

Disclosure or Discovery of Drug/Alcohol Problem cont.

- (e) Students found to have been in possession and/or use of a drug, controlled substance or alcoholic beverage in school are required to meet with the building principal or his/her designee along with the student's parents or guardian, guidance counselor, Department of Student Services mental health professional and school nurse. Corrective plans will be recommended with written notification to the parents. Arrangements for further follow-up will be made. The counselor or Department of Social Services mental health professional will maintain contact with the student and his/her parents regarding the problem.

The preceding provisions of this section shall not apply in instances where a professional employee learns of a student's lawful use of medical marijuana pursuant to their status as a qualifying medical marijuana patient under state law. Medical marijuana usage is prohibited on school grounds during school sponsored activities and on school buses.

Use of Alcohol Detection Devices

1. Introduction

In order to promote a safe environment for our students at school and on school buses and for students and their guests at school sponsored and/or Board-authorized activities and events, the school administration is authorized to employ the use of both "passive" and/or active alcohol detection devices.

The Superintendent shall develop a process and timeline to reasonably ensure reliability of the screening instrument used according to manufacturer's guidelines, appropriate training of administrators and designated personnel, and student privacy during the taking of the sample and security of the sample once obtained. Results of any breathalyzer testing will be maintained in a confidential manner, to the extent practicable.

If the Principal and/or other administrator or any law enforcement officer has reasonable suspicion that a student or a guest is under the influence of alcohol, then the trained administrator or law enforcement officer may employ the use of an alcohol detection device.

2. Definitions

- a. Reasonable suspicion shall include, but not be limited to, any of the following:
- Observed use or possession of alcohol; or
 - Odor of an alcoholic beverage or the presence of an alcohol container; or
 - Slurred speech, unsteady gait, lack of coordination, bloodshot or glazed eyes or otherwise impaired motor functions; or

Students

Drugs, Alcohol and Tobacco

Use of Alcohol Detection Devices cont.

- Marked change in personal behavior not attributable to other factors; or
 - Behavior that is risky, aggressive or disruptive; or
 - Involvement in or contribution to, an accident where the use of alcohol is reasonably suspected or student involvement in a pattern of repetitive accidents, whether or not they involve actual or potential injury.
- b. A passive alcohol sensor device is a non-invasive high-speed breath alcohol-screening instrument which can be used as a “sniffer” for overt or covert alcohol detection. This device may be used to sample a student’s breath in order to detect alcohol use. An active breathalyzer test is administered when the result of a passive alcohol sensor screening is positive.
- c. A guest is any person who is accompanying a student to a school-sponsored or Board-authorized activity or event. When a guest is a parent/guardian of the student and there is a reasonable basis to believe that the parent/guardian’s condition could jeopardize the safety of the student, police shall be notified and shall administer the alcohol screening when the police deem that such screening is warranted.

3. Screening Procedures

When an administrator has reasonable suspicion that a student or guest is under the influence of alcohol at school, on a school bus or a school-sponsored event, the student or guest shall be given a passive alcohol sensor screening. If the student or guest fails the passive assessment, he/she will be given a fifteen minute wait period after which the passive screening will be re-administered. If screening results are negative, no action shall be taken. However, if the student or guest tests positive, he/she will be given an active breathalyzer test. If the student declines to take the screening, when reasonable suspicion exists, or if such screening proves positive he/she shall be subject to appropriate disciplinary action as set out in the Board’s disciplinary policies.

4. Prior Notification

It is the responsibility of the school administration to provide prior notice of the use of alcohol detection devices to the attendees of Board authorized events. Prior notice will include, but is not limited to, notification in the student/parent-guardian handbook, notification at school-wide assemblies, notification on event specific advertisements and/or tickets, and notification on guest permission forms.

Students

Drugs, Alcohol and Tobacco

Use of Alcohol Detection Devices cont.

5. Refusal to Screen

Students and/or their guests who refuse to submit to alcohol detection screening at events where prior notice has been given will not be permitted to attend the Board authorized activity. No refunds will be provided to these students or their guests. Parents/Guardians of these students will be contacted and informed of their refusal to screen. Students will be subject to disciplinary action consistent with Board policies and regulations.

6. Testing Positive

Students and/or their guests who test positive for consumption of alcoholic and/or intoxicating beverages will not be allowed to attend the Board-authorized activity. Students will be subject to disciplinary action consistent with Board policies and regulations. Parents/Guardians will be called to pick the student up from school or from the school-sponsored event.

7. Maintenance of Screening Devices and Training

All devices used to screen students shall be checked for accuracy and for full calibration at least as frequently as recommended by the manufacturer. Designated school personnel and/or the school resource officer(s) shall be trained in the use of such devices.

Consequences for the Possession, Use, Sale or Distribution of Drugs, Controlled Substances or Alcohol

1. Any student found to have engaged in the unauthorized use, possession, sale, distribution or procurement of drugs, controlled substances, drug paraphernalia or alcohol either on or off school grounds or at a school sponsored function is subject to discipline up to and including expulsion pursuant to the Board's student discipline policy.
2. Students who are expelled for violating this policy may be referred to appropriate counseling and rehabilitation agencies. In such event, assessment and treatment costs will be the responsibility of the parent or guardian.
3. Law enforcement officials will be contacted by the building principal in cases where a student is found to have distributed or sold drugs, controlled substances or alcohol on school property or at a school sponsored activity. In all cases of emergency or of clear danger, the schools will cooperate with local law enforcement officials.

Students

Drugs, Alcohol and Tobacco

Emergencies

1. If an emergency situation results from a student's drug or alcohol use, the student shall be sent to the school nurse or medical advisor immediately. The parent or guardian will be notified.
2. If the student is in need of immediate medical attention, the student will be transported to an area hospital.
3. If immediate medical attention is not necessary, the parent or guardian will be asked to take the student home.
4. The building principal will be immediately notified when an emergency involving a student's use of drugs or alcohol arises. The school nurse will advise the principal of the severity of the emergency. Written records of the incident will be kept in the principal's confidential file.
5. In the event that a student is hospitalized for alcohol, drug or substance abuse related problems, school personnel will consult with the student's medical and/or psychiatric advisers, his/her parents or guardian and, if feasible, the student to determine an appropriate plan of action. The Board of Education will assume only legitimate educational costs.

Drug Free Awareness Program

The Superintendent of Schools shall direct a drug free awareness program for students regarding the following topics:

1. Dangers of drug abuse;
2. Board of Education policy of maintaining drug free schools;
3. Availability of drug counseling and rehabilitation programs;
4. Penalties for violating the drug and alcohol policy in school.

Instruction

1. The program of instruction in the schools shall include the subject matter of substance abuse prevention.
2. Annually, the teachers in each grade shall emphasize the effect of alcohol, nicotine, tobacco and drugs on health, character and personality development wherever appropriate in the health education program and other such contexts which touch upon the subject.
3. The professional staff shall become more aware of substance abuse issues among students and learn to recognize and address the symptoms of such problems.

Students

Drugs, Alcohol and Tobacco

Instruction cont.

4. The administration may make use of in-service training sessions for both certified and non-certified staff in order to achieve the goals of this policy.

Legal Reference: Connecticut General Statutes

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

§ 10-16b Prescribed courses of study

§ 10-19 Teaching about alcohol, nicotine or tobacco, drugs and AIDS

§ 10-154 Professional communications between teacher or nurse and student.

§ 10-221(d) Boards of Education to prescribe rules, policies and procedures

§ 10-233d Expulsion of students

§ 19a-342 Smoking prohibited in public buildings

§ 21a-240 Definitions

§ 21a-243 Regulations re: schedules of controlled substances

§ 21a-277 Penalty for illegal manufacture, distribution, sale, prescription, dispensing.

§ 21a-278 Penalty for illegal manufacture, distribution, sale, prescription or administration by non-drug-dependent person.

§ 31-40q Smoking in the workplace.

§ 58-198 Smoking in motor buses, railroad cars and school buses

Public Act 16-23: An Act concerning the Palliative Use of Marijuana

20 U.S.C.A. § 7101 *et seq.*, Safe and Drug-Free Schools and Communities Act

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FOR DISCUSSION

5131.61

Students

Inhalant Abuse

In addition to the prohibitions pertaining to alcohol, drugs and tobacco contained in Board policy #5131.6, Alcohol, Drugs and Tobacco, no student shall inhale, ingest, apply, use or possess an abusable glue, aerosol paint or substance containing a volatile chemical with the intent to inhale, ingest, apply or use any of these in a manner:

1. Contrary to directions for use, cautions or warnings appearing on a label of a container of the glue, paint aerosol or substance; and
2. Designed to affect the central nervous system, create or induce a condition of intoxication, hallucination or elation, or change, distort, or disturb the person's eyesight, thinking process balance or coordination.

For purposes of this policy, inhalants are defined as follows:

Nitrous Oxide - Laughing Gas, Whippets, CO2 Cartridge

Amyl Nitrite - "Locker Room," "Rush," "Poppers," "Snappers"

Butyl Nitrite - "Bullet," "Climax"

Chlorohydrocarbons - Aerosol Paint Cans, Cleaning Fluids

Hydrocarbons - Aerosol Propellants, Gasoline, Glue, Butane

Further, no student, 18 years of age or older, shall intentionally, knowingly or recklessly deliver or sell potentially abusable inhalant materials as listed above to a minor student.

No person shall intentionally use or possess with intent to use inhalant paraphernalia to inhale, ingest, or otherwise introduce into the body a abusable glue, aerosol paint or substance or other substance that contains a volatile chemical.

Students who violate this policy shall be subject to disciplinary action, up to and including suspension and a recommendation for expulsion. Violators of this policy may also be required to complete an appropriate rehabilitation program.

The Board of Education shall incorporate into the curriculum at all levels education pertaining to potential inhalant abuse which is appropriate for students given their age, maturity, and grade level. Inhalant abuse educational programs/information for parents/guardians will be offered in a manner convenient to parents/guardians.

(cf. 5131.6 - Alcohol, Drugs and Tobacco)

Legal Reference: Connecticut General Statutes
21a-240 Definitions, dependency producing drugs.

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NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut