

*City of Waterbury*  
**Board of Education**



**SAFE SCHOOL  
and  
POSITIVE CLIMATE  
HANDBOOK**

*2016-2017  
School Year Edition*

# Waterbury Board of Education

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# **POLICY STATEMENT**

## **STUDENT CONDUCT**

It is a privilege to be a part of the Waterbury School System. We expect all students to observe the basic rules for maintaining order and decorum while in the educational environment. The adherence to the rules and expectations will encourage the development of good citizenship skills throughout the lives of our students. The Waterbury School System will provide opportunities for all students to maximize their skills and talents in an atmosphere where teaching and learning flourish under the never-wavering belief that all students can be exemplary. The articles and behavioral expectations are set forth for all members of the Waterbury School System.

### **These expectations include:**

- Norms, values, and expectations that support people feeling socially, emotionally, physically and intellectually safe
- Members of the school community are engaged and respected
- Students, families and educators work together to develop, live and contribute to a shared school vision
- Educators model and nurture attitudes that emphasize the benefits and satisfaction gained from learning
- Each person contributes to the operations of the school and the care of its social, emotional, intellectual and physical environment

*National School Climate Standards*

The Waterbury Public School System is committed to providing the best possible education in the best possible environment for all of its students in an effort to fulfill this commitment; the Waterbury Public Schools have integrated the Positive Behavioral Interventions and Support (PBIS) program as a framework to further develop positive school climates and positive relationships throughout the district. PBIS reinforces the National School Climate Standards.

The development of good discipline practices is the concern of all persons involved in the education of youth. To this end, thoughtful and patient effort is required in order to reach pupils in a way which will help and guide them in achieving self-discipline. Such measures may involve, but are not limited to, interventions, restorative measures, removal, suspension, or expulsion. Whatever measure is employed, it must always be fair, dignified, and consistent.

## **ARTICLE 1**

### **EXCLUSION FROM SCHOOL FOR DISCIPLINARY PURPOSES**

#### **SECTION 1**

##### **1. Definitions**

- a. "Exclusion" means any denial of public school privileges to a pupil for disciplinary purposes.

- b. "Removal" means an exclusion from a classroom for all or part of a single class period, provided such exclusion shall not extend beyond ninety minutes.
- c. "Suspension" means an exclusion from school privileges for no 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. Suspensions pursuant to this policy shall be in-school suspensions except (1) for students in grades three (3) to twelve (12), inclusive, if, (A) the administration determines that the pupil being suspended poses such a danger to persons or property or such a disruption of the education 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 suspensions including positive behavior support strategies or (2) for grades preschool to grade two (2), inclusive, if during the hearing held, 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.
- d. "Expulsion" means an exclusion from school privileges for more than ten consecutive school days and shall be deemed to include, but not be limited to, exclusion from the school to which such pupil was assigned at the time such disciplinary action was taken, provided such expulsion shall not extend beyond a period of one calendar year (12 consecutive months). Such period of exclusion may extend to the school year following the school year in which such exclusion was imposed.
- e. "Emergency" means a situation under which the continued presence of the pupil 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 pupil as possible.
- f. "Probation" means a warning which has an automatic penalty if offense is repeated.
- g. "School" means any school under the direction of the Board of Education.
- h. "Off-campus behavior" means behavior off school grounds which violates school policy and is seriously disruptive to the educational process.

## **SECTION 2**

### **1. Removal**

- a. The Board of Education authorizes teachers, with the approval of the building principal, or his/her designee, to remove a pupil, except those students covered under Article 6 below, from class when such pupil deliberately causes a serious disruption of the educational process within the classroom, provided no pupil shall be removed from class more than six times in any year nor more than twice in one week unless such pupil is granted an informal hearing by the building principal or his/her designee in accordance with the provisions below.
- b. Whenever any teacher removes a pupil from the classroom, such teacher shall send him/her to an area designated by the building principal with a designated staff member to supervise, and send the name of the pupil against whom such disciplinary action was taken and the reason therefore to the principal.
- c. Each teacher shall maintain an individual pupil log of interventions in accordance with the designated form. The teacher shall provide the original copy of such log to the building principal when referring a pupil for disciplinary action. This log will be provided for disciplinary action in accordance with the designated form. If removal from a classroom does not result in disposition of the disciplinary case within ninety minutes, the building principal must consider the case a suspension and follow procedures in Section 4 following. (Maintenance of logs is required by the Office of Civil Rights.)

**2. Notification** – Parents shall be notified in order to solicit their cooperation in an effort to alter the student’s behavioral pattern before more serious problems develop which will require disciplinary action at the suspension level.

**a.** By telephone, the principal or designee may make attempts to immediately notify the parent or guardian of the student about the removal and state the cause(s) which led to the removal.

**b.** Whether or not telephone contact is made with the parent or guardian, the principal or designee shall forward a letter to such parent or guardian to the most current address within one school day of the removal action and offer the parent or guardian an opportunity for a conference to discuss same. All notices, written and/or oral, required by this policy shall be in English or in the primary language of the home if fluency in English is limited.

**c.** If a student is eighteen years of age or older, any notice required by this policy shall also be given to the student.

**d.** The principal or designee shall maintain a file of removal reports and copies shall be sent to the school counselor and one will be placed in the student’s permanent record file.

**3. Chronic Behavior Problems**

**Referral to Planning and Placement Team**

Each board of education shall accept and process referrals from appropriate school personnel, as well as from a child’s parents; or from a physician, clinic or social worker, provided the parent so permits, in order to determine a child’s eligibility for special education and related services. A board of education shall make available a standard referral form which shall be used in all referrals. Before a child is referred to a planning and placement team, alternative procedures and programs in regular education shall be explored and, where appropriate, implemented. Provision shall be made for the prompt referral to a planning and placement team of all children who have been suspended repeatedly or whose behavior, attendance or progress in school is considered unsatisfactory or at a marginal level of acceptance. (Effective September 1, 1980) See Conn State Reg.10-76d 7.

A process shall be developed by the building principal or Building Intervention Team, to systematically review all discipline and suspension records on a quarterly basis and begin the referral process (i.e., for any student whose behavior problems could be described as chronic or excessive).

**SECTION 3**

**IN-SCHOOL SUSPENSION ROOM PROCEDURES**

**1.** A student must report on time after homeroom with all assignments, or an additional day of In-school suspension may be assigned.

**2.** A student is required to follow all rules for In-school suspension and stay on task at all times. The In-school suspension room instructor will review the In-school suspension rules and the In-school suspension rubric and score sheet with the student at the commencement of the first day of In-school suspension.

**3.** A student must complete the character education assignment given them by the In-school teacher in the first period and all other assigned work must be completed satisfactorily.

**4.** A student who fails to follow In-school suspension rules and procedures may result in additional time in the In-school room or other consequence.

**5.** The In-school suspension room instructor shall follow the district wide model for In-school suspensions and may assign additional classroom work to the student when appropriate.

**6.** In-school suspension cannot be assigned for more than ten (10) consecutive days or more than fifteen (15) times or a total of fifty (50) days in one school year.

7. In-school suspension shall be held in a classroom in each school which room shall be kept closed, separated from the rest of the school and the room shall be quiet and orderly at all times.
8. If In-school suspension is completed successfully, the student will receive full credit for the school work completed therein and will be allowed to participate in after school activities.
9. The In-school suspension instructor shall follow school policy for the proper operation of the In-school suspension classroom and shall at all times implement the grading rubric designed for the City's In-school suspension classrooms and all other rules associated with it to insure that all In-school suspension classrooms and instructors are operated consistently and uniformly in the District.
10. For special education and Section 504 students, a copy of their IEP or Section 504 plan should be submitted to the In-school suspension instructor on or before the student's In-school suspension.

## **SECTION 4 SUSPENSION**

### **1. Procedures Governing Suspension**

Unless an emergency situation requiring the student's immediate exclusion exists, the principal shall observe the following procedures in all actions which may lead to suspension except for those students covered under Article 6 below. In the event of an emergency, the procedure must be initiated as soon after the cessation of the emergency as possible, but no later than 72 hours after the exclusion.

No student shall be suspended, as suspension is defined in Section 1 above, 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 in accordance with the procedures governing Board hearings concerning Expulsion.

#### **a. Informal Hearings**

- i. No student shall be suspended prior to having an informal hearing before the principal or his/her designee. The student will be informed of the charges which have been written.
- ii. The student shall be granted an opportunity to refute the charges against him/her.
- iii. The principal or designee shall inform the student of the disciplinary action to be imposed.

#### **b. Notification**

- i. By telephone, the principal or designee shall make all possible attempts to immediately notify the parent or guardian of the student about the suspension and state the cause(s) leading to the suspension.
- ii. Whether or not telephone contact is made with the parent or guardian, the principal or designee shall forward a letter to such parent or guardian to the most recent address reported on school records within one school day of the suspension action and offering the parent or guardian an opportunity for a conference to discuss same.
- iii. Notice of the original suspension shall be transmitted by the principal or designee to the Superintendent of Schools by the close of the school week following the commencement of the suspension.
- iv. If a student is eighteen years of age or older, any notice required by this policy shall also be given to the student.
- v. Any pupil who is suspended shall be given an opportunity to complete any classwork including, but not limited to, examinations which such pupil missed during the period of suspension.

**SECTION 5**  
**NOTIFICATION TO PARENTS**

1. Within three weeks of the effective date of this policy, within three weeks of the beginning of each school year thereafter, and at other such times as it deems appropriate, this policy shall be distributed to students (Grades K–12) and parents (or legal guardians, if known to be other than parents) and to school employees printed in the English language with notices appended thereto in the Spanish language.
2. All notices, written or oral, required by this policy shall be in English and in the primary language of the home. All notices shall be made in simple and commonly understood words to the extent possible. All hearings and conferences required by this policy shall be conducted by persons fluent in the primary language of the student's home or with the assistance of an interpreter. The constitutional rights of all students and school staff will be upheld.
3. Each board shall further provide an effective means of notifying the parents or guardian of any minor pupil against whom the disciplinary action authorized by the provisions of this act has been taken. Such notice shall be given within twenty-four hours of the time such pupil has been excluded.

**ARTICLE 2**  
**ASSAULT ON STAFF**

1. In the event of an assault committed on a member of the staff, the Board of Education authorizes that staff person to (a) retreat if possible, (b) defend himself/herself, utilizing only what force is reasonably necessary. All assaults on staff are to be reported immediately by the building principal or his/her designee to the police for prosecution, to the Superintendent (for disciplinary action if the perpetrator is a pupil) and to the Clerk of the Board. All staff members, both professional and non-professional, shall cooperate with police and prosecution authorities in prosecuting the perpetrator to the full extent of the law.
2. The victim of assault is encouraged by the Board to seek compensation from the offender and/or his/her parents by means of legal action.
3. The Board of Education shall hold harmless any member of the staff from loss and expense including legal fees and costs coming out of any claim by reason of that staff member defending himself/herself, another staff member, or pupil from assault in accordance with Section 10-235 of the Connecticut General Statutes.

**ARTICLE 3**  
**SUSPENSION OF SCHOOL BUS PRIVILEGES**

The Board of Education authorizes the administration of the schools under its direction to suspend school bus privileges for any pupil whose conduct endangers persons or property or is seriously disruptive of the transportation process, or which conduct is violative of a publicized policy of the Board.

1. Unless an emergency exists, no pupil shall be suspended without an informal hearing before the principal of the school the pupil attends or his/her designee at which student shall be informed of the reasons for such action and given an opportunity to explain the situation. If an emergency exists such hearing shall be held as soon after the suspension as possible.
2. Prior to reinstatement of bus privileges if said suspension exceeds five (5) school days, the pupil, his/her parent or legal guardian may appeal for reinstatement at a

hearing with the principal or his/her designee to show cause why said pupil shall be reinstated.

3. In the event of suspension of school bus privileges of a pupil, the responsibility of getting the pupil to and from school rests with the parent or guardian. In considering this option, it is advisable for school administrators to assure that alternative arrangements are made with the parent or guardian for safe transportation of the student to and from school and if no such arrangements can be made, to consider other alternatives to such disciplinary actions.

4. Unless an emergency exists, the parent or legal guardian of a child when school bus privileges have been suspended shall be notified one (1) day in advance of such suspension of the reason therefore and the duration thereof.

5. The duration of the suspension of school bus privileges is within the discretion of the principal or his/her designee and is to be rationally based upon the nature and severity of the disruption and the likelihood of repetition if and when busing privileges are restored.

6. For the purpose of the discipline policy, students' behavior on the bus, on a field trip or any school sponsored activity or/and at a school bus stop will be regarded as behavior at school. The Board authorizes the administration to suspend transportation services for any pupil whose conduct while waiting or receiving transportation to and from school endangers persons or property or is violative of a publicized policy of the Board of Education.

**Hold Harmless Clause:** The Board of Education will hold harmless from claims for damages any member of the professional staff against whom a claim for damages is made based upon the denial of school bus transportation whether by virtue of a suspension of school bus privileges or detention that causes a pupil to miss a school bus, as long as the proper notification was dispatched to the parent or guardian in accordance with these rules.

## **ARTICLE 4**

### **DISCIPLINARY PROCEDURES AND GUIDELINES**

All members of the professional staff shall enforce discipline in accordance with the following procedures:

1. When minor violations occur, level 1, these incidents will be handled proactively in the classroom. Disciplinary measures consistent with proven prior practices and known educational techniques consistent with the law may be used. Teacher will contact the parent/legal guardian and inform them of these minor violations.

2. Repeated minor occurrences will require a written referral to an administrator, contact with the parent/ legal guardian and a conference should be scheduled. (This can be done by phone, email or in person.)

3. When all teacher interventions and restorative measures prove ineffective, probation or exclusion (removal from classroom or suspension) may be warranted and imposed by the building principal as set forth in Section 1, Exclusion for Disciplinary Purposes.

4. However, the building principal is authorized to exclude (removal from classroom or suspension) a pupil to maintain an environment conducive to education as set forth in Section 1, Exclusion for Disciplinary Purposes.

5. When a major offense occurs, the building principal is authorized to use an in school suspension or out of school suspension as set forth in Section 1, Exclusion for disciplinary purposes, arrest or referral to court.

6. Unless an emergency exists, the parent or legal guardian of a child who has been suspended shall be notified one day in advance of such suspension of the reason for and the duration of the suspension.



7. The length of any exclusion is to be determined pursuant to statute, Board of Education Rules and Policy, and the Superintendent's regulations, as set forth herein.
8. After an exclusion period the parent and/or legal guardian shall return with the pupil for a conference and reinstatement, except where extenuating circumstances preclude parent's presence.
9. When any pupil is found vandalizing, damaging, or defacing school property, parents or legal guardians shall be held financially responsible for repair of such school property and the Board of Education shall pursue such claims through the Legal Department of the City of Waterbury.
10. In the event of vandalism, damage or defacement of school property, the building principal or his/her designee is empowered to assign the pupil or pupils involved, with proper supervision, to clean up and replace school property, where practical, in lieu of suspension when authorized in writing by the parents of the pupil.
11. Books and/or equipment and supplies are supplied for the use of pupils. It is the responsibility of each pupil to care for such school property. If damaged or lost, parents must pay for the replacement of such school property. The building principal is authorized to obtain written permission of a pupil's parents for specific work to be performed by a pupil or pupils under proper supervision, i.e., snow shoveling, weed pulling, picking up litter, etc., to meet the financial responsibility for replacement of school property.
12. Whenever the police are called in connection with a disciplinary action, every attempt should be made to notify the parent(s) of the pupil prior to the arrival of police authorities. When an emergency situation exists, the parent(s) should be notified as soon as possible. The principal or his/her designee will be present whenever the parent(s) are not at the scene.
13. Corporal punishment is not a part of the disciplinary procedure. However, school personnel may use reasonable and prudent physical force upon a student when necessary, pursuant to CGS 53a-18, to:
  - a. Protect themselves or others from immediate harm or injury;
  - b. Obtain a dangerous instrument or illegal item from a student;
  - c. Protect property;
  - d. Restrain or remove a student to maintain order.
14. The authority of the entire professional staff extends throughout the entire building, school grounds, school activities, and school transportation.

## **ARTICLE 5 DISCIPLINE**

1. **Expulsion** – The Board of Education may expel any pupil in grades three (3) to twelve (12) inclusive, except those students grades three (3) to twelve (12), inclusive, covered by Article 6 below, from school if, after a full hearing, the Board finds that his/her conduct endangers persons or property or is seriously disruptive of the educational process or is in violation of a publicized Board policy or whose conduct off school grounds is violative of such policy and is seriously disruptive of the educational process. Students who have been expelled may be eligible for an alternative educational program.

Since this is a very severe penalty it must be used with care and deliberation, and generally for one of two basic reasons: (1) to protect the school population from individuals whose behavior continually interrupts the learning process of other individuals, or (2) to help an individual understand that a constant behavior pattern is so inappropriate that the most serious disciplinary action possible must be taken.

For any student expelled for the first time and who has never been suspended: under the recommendation of a hearing officer, the Board of Education may shorten the length

of or waive the expulsion period if the student successfully completes a Board specified program and meets any other conditions required by the Board.

## **2. Actions Leading To Expulsion**

- a. A principal must request expulsion in cases where a student, grades three (3) through twelve (12), inclusive, has already been or exclusion will result in the student's being suspended more than ten (10) times or fifty (50) days in a school year, whichever results in fewer days of exclusion, or in circumstances under which the student will be prevented from completing a normal course of study.
- b. A principal may request expulsion for students grades three (3) through twelve (12), inclusive, in cases where the principal has cause to believe:
  - i. That the student has committed conduct which has endangered persons or property or seriously disrupted the educational process and/or has violated a publicized policy of the Board of Education, and/or;
  - ii. That the student's past conduct at school is so serious as demonstrated by repeated violation of actions leading to suspensions to indicate that he/she will endanger persons or property or seriously disrupt the educational process if allowed to remain in school; or
  - iii. That the student's conduct while off school grounds violates a policy of the Board of Education and is seriously disruptive of the educational process.

## **3. Procedures Governing Expulsion**

- a. Upon receipt of an expulsion request and required school record, the Superintendent or his/her designee, shall conduct an inquiry within two (2) school days of the request. This inquiry may include an opportunity for an informal conference with the student and his/her parent or guardian.
- b. If after the inquiry, the Superintendent or designee determines that a student ought to be expelled, he/she shall forward such request to the Board of Education within five (5) days of the conclusion of the inquiry.
- c. The Board of Education shall, prior to expelling the student, conduct a hearing to be governed by the following procedures:
  - i. The student and his/her parent(s) or guardian(s) must be given reasonable notice prior to the date of the hearing.
  - ii. The notice shall contain: the date, time, and place of the scheduled hearing, the details of the grounds for the scheduled hearing, the details of the grounds for the proposed expulsion—including a narrative of the events leading to the expulsion—the names of any witnesses against the student, copies of any statements or affidavits of those witnesses, a detailed summary of any other information to be used in support of expulsion—including any record of past offenses or misbehavior, and whether any prior warnings or suspensions have been given, the proposed penalty, a statement of the student's rights as enumerated in Article 6 together with a copy of Article 6 and notice that the parents may be entitled to free or reduced legal services that are locally available through Connecticut Legal Services, 85 Central Ave., Waterbury, CT.
  - iii. At the hearing, the student shall have the right to testify and produce witnesses and other evidence in his/her defense. The student shall have the right to demand that any witnesses against him/her appear in person to answer questions asked by the student or his/her representative.
  - iv. A student may be represented by any third party of his/her choice, including an attorney.
  - v. A student is entitled to the services of a translator, to be provided by the Board of Education, whenever the student or his/her parent(s) or guardian(s) does not speak the English language.
  - vi. The Board shall keep a verbatim record of the hearing, and the student or such student's parent or guardian shall be entitled to a copy of that record at his/her own expense unless the family of the student is indigent, in which case the

record shall be provided free of charge.

- vii. The Board shall report its final decision in writing to the student, stating finding of facts, the reasons on which the decision is based, and the penalty to be imposed. Said decision shall be based solely on evidence derived at the hearing.
  - viii. Within twenty-four (24) hours after its decision, the Board shall notify the parent(s) or guardian(s) of any minor pupil, of such action.
  - ix. The Board of Education shall mail a copy of its decision to the State Board of Education within five (5) days of the effective date of such action when required by statute.
- d. Whenever the Board of Education expels a student, it shall offer such student an alternative education program. The parent(s) or guardian(s) of such student has the legal right to reject such a program without being subject to the truancy law. The parent(s) or guardian(s) of such student may challenge the adequacy of this program at a hearing before the Board held subject to the requirements of Connecticut General Statutes.
- e. The Board of Education will not provide an alternative education program for a student who is expelled, if this individual case was decided on the conditions stated in C.G.S., Section 10-233d.(e).
- f. Whenever a pupil is expelled pursuant to the provisions of this section, notice of the expulsion and the conduct for which the pupil was expelled shall be included on the pupil's cumulative educational record.
- g. The Waterbury Board of Education may adopt the decision of a pupil expulsion hearing conducted by another school district. The pupil shall be excluded from school pending the expulsion period as identified by the student's previous educational facility and/or school. The excluded student may be offered an alternative educational opportunity.

#### **4. Procedures Governing the Expungement of Expulsion Records**

- a. Notice of an expulsion pursuant to C.G.S. §10-233d(f) and as set forth in section 3 of this policy, except for notice of an expulsion of pupils in grades nine through twelve, based on possession of a firearm or deadly weapon as described in subsection (a) of C.G.S. §10-233d as follows:
- i. shall be expunged from the cumulative educational record by the local or regional board of education upon a pupil graduating from high school;
  - ii. may be expunged from the cumulative educational record by the local or regional board of education before a pupil graduates from high school if:
    - a. in the case of a pupil expelled for the first time and who has never been suspended, except for a pupil who has been expelled based on possession of a firearm or deadly weapon, for which the length of the expulsion period is shortened or the expulsion period is waived, such board determines that an expungement is warranted at the time such pupil completes the board-specified program and meets any other conditions required by such board, or
    - b. such pupil has demonstrated to such board that the conduct and behavior of such pupil in the years following such expulsion warrants an opportunity.

#### **5. Mandatory Expulsion Policy**

- a. The Board of Education, in compliance with Connecticut General Statutes §10-233d, has adopted a policy under which whenever there is reason to believe that any student, grades kindergarten (K) to twelve (12), inclusive:
- i. on school grounds or at a school sponsored activity was in possession of a firearm as defined by law or

- ii. off school grounds to possess a firearm or did possess or use a firearm, instrument or weapon in the commission of a crime or
- iii. on or off school grounds offered for sale or distribution of a controlled substance, or possessed with intent to sell

shall be expelled for a period of one calendar year. The Board of Education may modify the period of expulsion for a pupil on a case by case basis. These students shall also be referred to the Criminal Justice System. Waterbury will maintain records that include: (1) the name of the school concerned; (2) the number of students expelled from the school; and (3) the type of weapons concerned. The Board of Education agrees to provide this information to the state upon request.

**b.** As to pre-K students enrolled in programs offered by the Board of Education, no preschool program provider shall expel any student enrolled except an expulsion hearing may be conducted whenever there is reason to believe that any child enrolled in such preschool program was in possession of a firearm as defined by Title 18 of the United States Code Section 921, on or off school grounds or at a preschool program-sponsored event. Such child shall be expelled for one calendar year if it is determined at the hearing that the child did possess a firearm. A preschool program may modify the period of expulsion for a child on a case by case basis.

**c.** The Gun-Free Schools Act, which was re-codified as section 4141 of the No Child Left Behind Act, obligates state educational agencies that receive federal funds to require that local educational agencies expel students who bring a “weapon” to school for no less than one calendar year, subject to exceptions on a case-by-case basis. The law defines “weapon” as a firearm as defined as 18 U.S.C. §921 (a), summarized as follows:

- i. *The term "firearm" means -*
  - a. 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;
  - b. the frame or receiver of any such weapon;
  - c. any firearm muffler or firearm silencer; or
  - d. any destructive device. Such term does not include an antique firearm.
- ii. *The term "destructive device" means -*
  - a. any explosive, incendiary, or poison gas,
  - b. bomb,
  - c. grenade,
  - d. rocket having a propellant charge of more than four ounces,
  - e. missile having an explosive or incendiary charge of more than one-quarter ounce,
  - f. mine, or
  - g. device similar to any of the devices described in the preceding clauses.

The statutory definition also includes any combination of parts designed or intended for use readily construction a “weapon” as defined above. The Act requires that students who bring such weapons to school be expelled for one calendar year. It permits the chief executive officer of the school district to make case by case exceptions in writing.

## **ARTICLE 6**

### **DISCIPLINARY POLICY FOR PUPILS WITH DISABILITIES**

1. Notwithstanding the foregoing, the following procedures shall apply to students who are eligible or have been identified as having one or more disabilities under the IDEA. (an “identified student”).

Notwithstanding any provision to the contrary, if suspension or expulsion is considered as a consequence of an identified student’s conduct, if an issue exists as to whether the conduct was the direct result of the district’s failure to implement the IEP, or, if the board

of Education is contemplating a change of placement for more than ten (10) school days per school year for an identified student who has engaged in other behavior that violated any rule or code of conduct of the school district that applies to identified or non-identified students, the following procedures shall apply:

- a.** If an identified student engages in conduct that would lead to a recommendation for disciplinary action not contemplated by a child's behavior plan;
  - b.** the parents of the student must be notified of the decision to take disciplinary action not later than on the date on which the decision to take that action was made and must also receive notice of all special education procedural safeguards; and
  - c.** in the case of a recommendation for expulsion, or a disciplinary action that would result in the suspension of an identified student for greater than ten (10) school days per school year, the district shall convene the student's planning and placement team (PPT) as soon as possible, but in no case later than ten (10) school days after the recommendation for such discipline was made, for the purpose reviewing the relationship between the student's disability and the behavior that led to the recommendation for such discipline and whether the conduct directly relates to any failure to provide special education services set forth in the student's IEP, in order to determine whether the student's behavior was a manifestation of his/her disability. During the process of manifestation review, a student may be suspended for up to ten (10) school days. An identified student must not be suspended for more than ten (10) days per school year, without the school district's conducting a manifestation PPT.
- 2.** If the PPT finds that the behavior was a manifestation of the student's disability, the Administration shall not proceed with the recommendation for expulsion. The PPT shall consider the student's misconduct together with any unique circumstances and revise the IEP to prevent a recurrence of the misconduct and to provide for the safety of other students and staff. If the IEP of the identified student does not contain a current behavior intervention plan, the PPT must develop a behavior intervention plan to address the behavior that led to the disciplinary action. If the IEP of the identified student contains a current behavior intervention plan, the PPT must consider the use of positive behavioral interventions to address the child's behavior and convene as necessary to review and modify the behavior intervention plan to address the student's behavior.

If the PPT finds that the behavior was not a manifestation of the student's disabilities, the Administration may proceed with the recommended expulsion, to the extent that a non-identified student would be subject to such discipline. During any period of expulsion, or suspension of greater than ten (10) days per school year, an identified student shall receive an alternative education plan in accordance with the IEP as modified by the PPT in light of the student's exclusion. 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 exclusions of greater than ten (10) school days per year.

- 3.** Notwithstanding the foregoing, the placement of an identified student may be changed as a disciplinary measure under the following circumstances:
- a.** School personnel may transfer an identified student to an appropriate interim alternative educational setting, another setting, or suspension for not more than ten (10) school days per school year if such disciplinary action would also apply to non-identified students; or
  - b.** School personnel may transfer an identified student to an appropriate interim alternative education setting for not more than forty-five (45) school days if the student 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

- c.** 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; or
  - d.** School personnel may take disciplinary action against an identified student that would be taken against similar behavior by a non-identified student, including expulsion, if a PPT review of the relationship between the student's disability and the behavior subject to disciplinary action and a review of the district's implementation of the IEP concludes that the student's behavior was not a manifestation of the student's disability or due to the district's failure to implement the IEP. Under such circumstances, the Board of Education must continue to provide a free appropriate public education to the identified student.
  - e.** The Board of Education may report a crime committed by an identified student to the appropriate law enforcement authority. When the Board reports such a crime, copies of the student's special education and discipline records must be transmitted for consideration by the authorities who received the report of the crime.
  - f.** As used in the following subsection, 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.
- 4.** Procedures concerning students who are eligible or who have been identified as having one or more disabilities under Section 504 of the Rehabilitation Act, which student does not fit the criteria under the IDEA as described in subsection 1 above (a "student with disabilities") are set forth below.: Notwithstanding the foregoing, the following additional procedures apply to a student with disabilities as defined in this subsection:
- a.** Notwithstanding any provision to the contrary, if suspension or expulsion is considered as a consequence of a student with disabilities' conduct, if an issue exists as to whether the conduct was the direct result of the district's failure to implement the Section 504 plan, or if the Board of Education is contemplating a change of placement for more than ten (10) school days per school year for a student with disabilities who has engaged in other behavior that violated any rule or code of conduct of the school district that applies to students with or without disabilities, the following procedures shall apply:

- i.** If a student with disabilities engages in conduct that would lead to a recommendation for suspension or expulsion:
  - a.** the parents of the student must be notified of the decision to suspend or expel not later than on the date on which the decision to take that action was made.
  - b.** the district shall convene the student's Section 504 Team (504 Team) as soon as possible but in no case later than ten (10) school days after the recommendation for such discipline was made, for the purpose of reviewing the relationship between the student's disability and the behavior that led to the recommendation for such discipline and whether the conduct directly relates to any failure to provide Section 504 services set forth in the student's Section 504 plan, in order to determine whether the student's behavior was a manifestation of his/her disability.
- ii.** If the Section 504 Team finds that the behavior was a manifestation of the student's disability, the Administration shall not proceed with the recommendation for expulsion. The Section 504 Team shall consider the student's misconduct and revise the Section 504 Plan to prevent a recurrence of the misconduct and to provide for the safety of other students and staff. If the 504 Plan of the student with disabilities does not contain a current behavior intervention plan, the Section 504 Team must develop a behavior intervention plan to address the behavior that led to the disciplinary action. If the Section 504 Plan of the student with disabilities contains a current behavior intervention plan, the 504 Team must consider the use of positive behavioral interventions

to address the child's behavior and convene as necessary to review and/or modify the behavior intervention plan.

- iii. If the Section 504 Team finds that the behavior was not a manifestation of the student's disabilities, the Administration may proceed with the recommended expulsion, to the extent that a student without disabilities would be subject to such discipline. Even if the behavior is a manifestation of the student's disability, the "student with disabilities" placement may change to an appropriate interim alternate setting as set forth under subsection 3a through 3e above.

**The following rules violations, disruptive and offensive behaviors have been leveled according to severity. Recommended consequences are listed in the chart that follows. Consequences will be determined on an individual basis and will vary with the degree of the offense.**

All incidents will be entered as a normal incident. All bullying incidents will be labeled with one of the following two codes (02 OR 03):

**02** Yes – Protected Class

This is a bullying incident based on one of the following protected classes: Race, Color, Religion, Ancestry, National origin, Gender, Sexual orientation, Gender identity or expression, Mental/Physical/developmental/sensory disability, or the victim is associated with a group with one of these characterizes.

**03** Yes – Non-protected class

This is a bullying incident not based on one of the protected classes listed above.

**NOTE:** Socioeconomic status, academic status, and physical appearance are not protected classes

## Decision Making Guide

This guide will be used when determining the consequence for inappropriate student behavior.

Questions to consider:

1. Does the behavior markedly interrupt or severely impede the day-to-day operation of the school?
2. Is there a pattern of frequent or recurring incidents versus a single incident?

Mitigating Factors to Weigh in the Determination:

1. Intensity of any or all offenses.
2. Age, grade level, and developmental stage of the student.
3. Learning/behavioral support provided to the student (e.g., though special education, Section 504, etc.)
4. Student's discipline history and likelihood of repetition.
5. Student's intent and expressed reasons for the behavior.
6. Student's academic progress and relative risk of lost instruction
7. Interpretation of culture and communication factors.
8. History of school and family collaboration in supporting positive behaviors.

Please refer to **ARTICLE 4: DISCIPLINARY PROCEDURES AND GUIDELINES** above. Note constraints: students with disabilities/students with 504 plans.

	Offense	Level	City Code	State Code
<b><i>Assault/Fighting</i></b>				
1	Accessory to a Fight	3	18	[1713]
2	Assault/Battery	4	14	[1720]
3	Inciting a Fight/Riot	3	13	[1712]
4	Physical Aggression	3	10	[1700]
5	Physical Altercation	3	11	[1710]
6	Sexual Battery	4	31	[1910]
7	Sexual Offense	4	32	[1920]
8	Stabbing	4	41	[2100]
9	Throwing an Object, with intent	4	15	[1730]
10	Verbal Altercation	2	12	[1711]
<b><i>Cheating</i></b>				
11	Cheating	1	52	[3604]
12	Forgery	1	53	[3605]
13	Plagiarism	1	54	[3606]
<b><i>Destruction of Property</i></b>				
14	Arson	4	1	[1100]
15	Destruction of personal property such as clothing; book bag, etc.	2	48	[3510]
16	Reckless Burning	4	2	[1110]
17	Vandalism	3	47	[3500]
<b><i>Disruption of the Learning Environment</i></b>				
18	Disorderly Conduct	2	60	[3610]
19	Disruption/Disruptive Behavior	1	58	[3628]
20	Excessive talking	1	78	[3689]
21	Failure to complete assigned work	1	79	[3690]
22	Serious Disorderly Conduct	3	59	[1740]
23	Tardiness	1	72	[3632]
24	Throwing Objects, no intent to harm	1	61	[3611]
<b><i>District Policy Violation * refer to district policy</i></b>				
25	Truancy	*	73	[3633]
26	Attendance Policy	*	70	[3630]
27	Dress Code Violation	*	83	[3638]
<b><i>Insubordination</i></b>				
28	Insubordination/Disrespect – major	2	51	[3601]
29	Insubordination/Disrespect – minor	1	51	[3601]
30	Refusal to Identify	1	87	[3642]
31	Skipping Class	2	71	[3631]
<b><i>Obscenity</i></b>				
32	Obscene Behavior	2	62	[3620]
33	Obscene Gestures	2	63	[3621]
34	Obscene Language/Profanity	2	66	[3624]
35	Obscene Written Messages	2	64	[3622]
<b><i>Stealing</i></b>				
48	Burglary/Breaking and Entering	4	5	[1400]
49	Possession of Stolen Property	4	8	[1430]
50	Robbery	4	7	[1420]
51	Sale or Intent to Sell Stolen Property	4	9	[1431]
52	Theft/Stealing	4	6	[1410]



<b>School Policy Violation</b>				
36	Candy/Food/Gum/ Beverage	1	56	[3684]
37	Displays of Affection	1	65	[3623]
38	Failure to Attend Detention - teacher	1	74	[3634]
39	Failure to Attend Detention - administration	2	74	[3634]
40	Failure to Attend ISS	3	74	[3634]
41	Failure to return school documents	1	77	[3686]
42	Leaving class without permission	1	75	[3648]
43	Leaving Grounds	2	80	[3635]
44	Loitering	1	81	[3636]
45	Lying	1	55	[3653]
46	Misuse of hall pass	1	76	[3685]
47	Unauthorized Area	2	86	[3641]
<b>Threatening/Harassment * refer to district policy</b>				
54	Harassment – Sexual	3	30	[1900]
55	Harassment (Non-Sexual) *	3	20	[1800]
56	Intentionally endangering an individual(s)	3	95	[1825]
57	Physical Intimidation	3	17	[1818]
58	Racial Slurs/Hate Crime	3	22	[1811]
59	Teasing	1	25	[1814]
60	Threat/Intimidation/Verbal Harassment	3	21	[1810]
61	Threats of Bodily Harm	3	16	[1817]
<b>Technology Violation * refer to district policy</b>				
62	Camera	*	38	[3675]
63	Cell phone	*	34	[3671]
64	Electronic music device	*	36	[3673]
65	Grade Tampering	*	57	[3607]
66	Hand held gaming device	*	35	[3672]
67	Misuse of Technology	*	85	[3670]
68	Tape recorder/recording device/other electronic device	*	37	[3674]
69	Unauthorized use of computers	*	33	[3670]
<b>Unlawful Action</b>				
70	Abduction	4	43	[2300]
71	Blackmail	4	42	[2200]
72	Breach of Peace	4	26	[1760]
73	Counterfeiting	4	88	[2800]
74	Drugs/Alcohol/Tobacco	4	91	[3800]
75	False fire alarm	4	44	[3650]
76	Foreign Substance (Illegal Drugs)	4	93	[1822]
77	Foreign Substance (Prescription Medications)	4	92	[1821]
78	Foreign substance onto a person	4	94	[1824]
79	Gambling	2	45	[3660]
80	Gang Related Behavior	4	19	[1750]
81	Hazing	4	24	[1813]
82	Homicide	4	40	[2000]
83	Pornography	3	67	[3625]
84	Possession of counterfeit currency	4	89	[2801]
85	School Threat/Bomb Threat	4	46	[2700]
86	Trespassing	4	84	[3639]
87	Weapon	4	90	[3700]

	Level 1	Level 2
Persons Involved in interventions	Rules Violations/Disruptive & Offensive Behaviors	Chronic Disruptive & Serious Behaviors
	Teacher Parent(s)/Guardian(s) School Support Personnel	All Previous Persons Involved plus:
		Guidance Counselor School Social Worker Administrator Community Agencies
Progressive Intervention Options and Discipline Actions		All Previous Level Interventions/Discipline Plus:
	Verbal warning	1 to 1 counseling
	Redirection	Mentoring program
	Parent contact	Office detention
	Student/Teacher conference	Referral to student support personnel
	Use of Pre-Referral Intervention Manual for possible interventions	Written warning letter sent home
	Parent/Teacher conference and other parties as deemed necessary	Parent/Team conference and other parties as deemed necessary (guidance, school social workers, Etc.)
	Consult team members and/or support staff	Behavior intervention or reflection room
	Use of Alternative setting	Student/teacher conference
	Review File	School/Community service
	Loss of classroom privileges	Saturday detention
	Restricted activity	Loss of school Privileges
	Lunch detention	Referral to attendance Review Board
	Teacher detention	Restricted Activities
	Collect data on interventions and their effectiveness	Create Behavioral Intervention plans/FBA
	Create Behavioral Contract	
Discipline Actions	<b>Disciplinary action: Minor:</b> Teacher action, noted in intervention log, not referred to office. <b>Chronic:</b> Teacher intervention log, referral to level II	<b>Disciplinary action: Minor:</b> Probation, detention, In-School Suspension 1-3 days. <b>Chronic: Detention,</b> In-School Suspension 2-5 days, referral to level III

	Level 3	Level 4
Persons Involved in interventions	Safety Concerns	Mandatory Referral to School Resource Officer/Police
	All Previous Persons Involved plus:	All Previous Persons
	School Resource Officer Student Assistant Team	
Progressive Intervention Options	All Previous Level Interventions/Discipline Plus:	All Previous Level Interventions/Discipline Plus:
	Referrals to SAT	
	Referral to school safety review board	Arrest
	Referral to substance intervention program	Referral for Consideration of possible expulsion
	Law enforcement referral to Diversionary Program	
	Parent/Administration conference and other parties as deemed necessary (guidance, school social workers, Etc.)	
	Law Enforcement ticket/fine	
	Out-of-school Suspension	
	Possible arrest	
	Possible referral for consideration of expulsion	
Discipline Actions	<b>Disciplinary action: Initial Offense:</b> Detention, In-School Suspension, Out-of-school Suspension 3-10 days. <b>Chronic:</b> Out-of-school Suspension 5-10 days.	<b>Disciplinary action: Major Offenses:</b> Out-of-school Suspension 5-10 days, refer to police, refer to Board of Education

**CT State Department of Education Weapon Codes (07/08/10)**

<b>Code</b>	<b>Description</b>
3701	Knife 2 ½ Inches or Greater
3702	Knife Smaller than 2 ½ Inches
3703	Box Cutters
3704	Pencil/Pen
3705	Razor Blade
3708	Sword/Machete/Long knife
3710	Shank
3711	Handgun
3712	Rifle/Shotgun
3713	Toy Gun/Water Gun/Cap Gun
3714	Pellet/BB Gun/Air Gun
3715	Sling Shot
3716	Ammo
3717	Stun Gun
3718	Paint Gun
3719	Facsimile of Gun
3720	Explosive Devices
3721	Stink Bomb/Smoke Bomb
3722	Fireworks/Firecrackers
3723	Facsimile of bomb
3724	Flame Thrower
3730	Defensive Device
3731	Any Object that can be thrown such as rocks, brick ( <i>high-risk</i> )
3732	Rubber band to snap or to shoot paper wads ( <i>low-risk</i> )
3733	Office School Supplies (Sharp)
3734	Office School Supplies (Blunt)
3735	Furniture
3736	Belt/Rope
3737	Pen Shocker/Zapper
3738	Chain, Wire, Rope, etc.
3740	Martial Arts Device
3741	Brass Knuckles
3742	Baton/Billy Club
3743	Blunt Tools
3744	Nail Gun
3745	Grooming Tools
3746	Sharp Tools
3750	School Supplies
3751	Flare Gun
3755	Hatchet/Axe
3760	Sport Equipment/Sticks
3771	Medical Equipment
3773	Pocketbook
3780	Butter Knife/Table Knife
3781	Plastic Knife
3782	Switch Blade
3791	Facsimile of Other Weapon
3792	Laser Pointer
3793	Lighter/Matches
3794	Suspicion of Weapon Possession
3795	Inappropriate Dangerous Clothing
3798	Possession of a Dangerous Instrument

**CT State Department of Education  
Drug/Alcohol/Tobacco Codes (07/08/10)**

<b>Code</b>	<b>Description</b>
3801	Alcohol Sale/Intent to Sell/Distribution
3802	Suspicion of Alcohol Sale
3803	Alcohol Use
3804	Suspicion of Alcohol Use
3805	Alcohol Possession
3806	Alcohol Sale/Distribution to Minor
3811	Drug Possession
3812	Drug Use
3813	Suspicion of Drug Use
3814	Drug Sale/Intent to Sell/Distribution
3815	Suspicion of Drug Sale
3816	Facsimile of Drug
3817	Drug Paraphernalia
3818	Drug Solicitation
3819	Inappropriate Talk About the Drug Use/Sale/Possess
3820	Sale of Prescription Medication Distribution/ Intent to sell
3821	Possession of Prescription Medication
3822	Use of Prescription Medication
3823	Possession of Over the Counter Drugs
3824	Use of Over the Counter Drugs
3825	Sale of Over the Counter Drugs/Distr/Intent to Sell
3829	In the Company of Person in Poss. of illegal Drugs
3830	Tobacco Possession
3831	Tobacco Use
3832	Suspicion of Tobacco Use
3833	Tobacco Sale/Intent to Sell/Distribution
3834	Suspicion of Tobacco Sale
3835	Tobacco Paraphernalia
3836	Facsimile of Cigarette/Cigar
3837	E-Cigarette
3840	Inhaling Harmful Substance
3897	Knowledge that an Individual is in Possession
3898	Under the Influence of an Unknown Substance

# District Policies

## Policy Notice Requirements

There are a number of federal and state statutes which require school districts to provide parents, guardians, and students with information pertaining to board policies. These policies, some of which have been included in this booklet, are available in the principal's office, district website or may be sent home as separate documents. Please contact your building principal for specific information. You may also contact your principal and request information regarding the professional qualifications of your child's classroom teacher.

The following federal notifications can be found on the Waterbury Public Schools website ([www.waterbury.k12.ct.us](http://www.waterbury.k12.ct.us)):

1. Homeless students
2. Title 1 parental involvement
3. Limited English Proficient
4. Migrant student
5. Participation in NAEP assessment
6. Surveys of students
7. The Asbestos Hazard Emergency Response Act
8. The Health Insurance Portability and Accountability Act (HIPAA)

## Non-Discrimination Policy

The Waterbury Public Schools do not discriminate in admission to, access to, treatment in, or employment in its services, programs, and activities, on the basis of race, color, or national origin, in accordance with Title VI of the Civil Rights Act of 1964 (Title VI); on the basis of sex, in accordance with Title IX of the Education Amendments of 1972 (Title IX); on the basis of disability, in accordance with Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990 (ADA); on the basis of age, in accordance with the Age Discrimination Act of 1975 (Age Discrimination Act); gender identity and expression, (PA 11-55); or any other protected status, such as sexual orientation. The District provides equal access to the Boy Scouts and other designated youth groups.

The Waterbury Public Schools do not retaliate against any complainant who alleges discrimination.

To file a complaint alleging discrimination or harassment by Waterbury Public Schools on the basis of race, color, national origin, sex, gender identity or expression, disability, or age, under Title VI, Title IX, Section 504, the ADA, the Age Discrimination Act, PA 11-55 or their respective implementing regulations, or any other protected status such as sexual orientation, please contact:

Superintendent  
Waterbury Public Schools  
Department of Education  
236 Grand Street  
Waterbury, CT 06702  
(203) 574-8004

Inquiries and complaints concerning the applicability of the aforementioned laws and regulations may be referred to:

U.S. Department of Education  
Office for Civil Rights (OCR)  
Lyndon Baines Johnson Department of Education Bldg.  
400 Maryland Avenue, SW  
Washington, DC 20202-1100  
Telephone: 800-421-3481  
FAX: 202-453-6012; TDD: 877-521-2172  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)

## **School Attire**

The Board of Education has determined that reasonable regulation of school attire can contribute to a positive learning environment in the following manner:

- (1) Reducing distraction and minimizing disruption in the classroom.
- (2) Providing an environment where students can focus on learning.
- (3) Creating an atmosphere reflecting the seriousness of purpose about education.
- (4) Reflecting a level of respect one has for oneself, one's peers and respect for one's school.
- (5) Creating a greater sense of community amongst the students.
- (6) Preparing students for future roles as responsible members of the community.

It is the responsibility of parents/guardians to ensure that their children's' dress conforms to the requirements set forth below. The health, safety, and education of the child must be the concern of every parent/legal guardian. It is the recommendation of professional school personnel that parents/guardians hold their children to the highest standards in regard to school attire.

**Mandatory Dress Code Policy, Elementary and Middle Schools:** The following Dress Code Policy is mandatory for all elementary and middle school students. The purpose of this policy is to further the important educational interests identified above (*please note separate policy for Waterbury Arts Magnet Middle School students*).

### **1. BOYS:**

- a. Pants or shorts in solid navy blue, white, gray, black or khaki; worn completely covering undergarments and no more than three inches above the knee.
- b. Tops in solid blue, white, gray, black or khaki; button down, pullover, or turtleneck style with long or short sleeves and a collar.

### **2. GIRLS:**

- a. Pants, shorts, skirts, skorts, dresses, or jumpers in solid navy blue, white, gray, black or khaki; worn completely covering undergarments and no more than three inches above knee. Note: Leggings, stockings or other stretch/form fitting leg coverings may only be worn under shorts, skirts, skorts, dresses or jumpers.
- b. Tops in solid blue, white, gray, black or khaki; button down, pullover, or turtleneck style with long or short sleeves and a collar; worn completely covering undergarments, cleavage and midriiffs.

**3. ALL STUDENTS:**

- a. Optional solid blue, white, gray, black or khaki sweaters, vests, suit jackets or fleece may be worn over a dress code top.
- b. Optional solid white, gray, black or khaki denim pants may be worn.
- c. Shoes or sneakers must be worn at all times. Laces on shoes or sneakers must be tied. Sandals, clogs, flip-flops, heels or bare feet are not permitted. All shoes must have backs.
- d. Gym Day Attire (Boys and Girls): Elementary school students may wear sweats to school on scheduled gym day. Sweats must be solid navy blue, white, gray, black or khaki. Middle school students must bring gym clothing to change into for physical education classes.

**4. BOYS/Waterbury Arts Magnet Middle School:**

- a. Pants or shorts/or cargo shorts in solid black or khaki cloth or denim; worn at the waist and completely covering undergarments and no more than three inches above the knee.
- b. Tops in solid Columbia blue “polo” or “golf” collared shirt with/without the “WAMS” logo.

**5. GIRLS/Waterbury Arts Magnet Middle School:**

- a. Pants, shorts, skirts, skorts, or dresses in solid black or khaki cloth or denim; worn at the waist and completely covering undergarments and no more than three inches above knee. Note: Leggings, stockings or other stretch/form fitting leg coverings may only be worn under shorts, skirts, skorts, or dresses.
- b. Tops in solid Columbia blue “polo” or “golf” collared shirt with/without the “WAMS” logo.

**6. ALL STUDENTS/Waterbury Arts Magnet Middle School:**

- a. Optional solid colored non-hooded BLACK or WPS school colored sweater, vest, suit jacket, or fleece style top may be worn OVER a dress code shirt.
- b. Shoes or sneakers must be worn at all times. Laces on shoes or sneakers must be tied. Sandals, clogs, flip-flops, heels or bare feet are not permitted. All shoes must have backs.

**7. RESTRICTIONS:**

Students are **not** permitted to wear the following during the school day:

- a. Blue jeans of any kind.
- b. Leggings, stockings or other stretch/form fitting leg coverings unless worn under skirts, shorts, skorts or jumpers.
- c. Skirts, shorts, skorts, dresses, or jumpers worn more than three inches above the knee.
- d. Pants worn at a length which is dangerous to themselves or others.
- e. Hooded shirts or sweatshirts.
- f. Clothes which are torn, ripped, ragged or have holes.
- g. Clothes worn to expose midriffs, cleavage, or undergarments.
- h. Clothing which displays words, pictures or symbols that advocate or depict profanity, violence, drugs, alcohol, sex, hate groups or gang affiliation.
- i. Clothing that is distracting to the educational process.
- j. Outer coats of any kind.
- k. Any article of clothing that covers any part of the face and/or head including but not limited to hats, visors, earmuffs, headbands, do-rags, bandannas, curlers, goggles, and sunglasses;
- l. Footwear which is unsafe or a health hazard including but not limited to flip-flops, sandals, clogs, heels and all open-toed shoes;
- m. Clothing or items indicating gang affiliation.



**Mandatory Dress Code Policy, High Schools:** The following Dress Code Policy is mandatory for all high school students. The purpose of this policy is to further the important educational interests identified above (***please note separate policy for Waterbury Career Academy***).

**1. BOYS:**

- a. Pants or shorts/or cargo shorts in solid black or khaki cloth or denim; worn at the waist and completely covering undergarments and no more than three inches above the knee.
- b. Tops in solid black “polo” or “golf” collared shirt with/without the “Waterbury High Schools” logo. In addition to districtwide black shirt, each high school will have a school specific solid color “polo” or “golf” collared shirt (i.e. Crosby – royal blue with/without “bulldog” logo; Enlightenment navy blue with/without “Rise Up” logo; Wilby – kelly green with/without “wildcat” logo; Kennedy – navy blue with/without “eagle” logo; and WAMS – white with/without “WAMS” logo.

**2. GIRLS:**

- a. Pants, shorts, skirts, skorts, or dresses in solid black or khaki cloth or denim; worn at the waist and completely covering undergarments and no more than three inches above knee. Note: Leggings, stockings or other stretch/form fitting leg coverings may only be worn under shorts, skirts, skorts, or dresses.
- b. Tops in solid black “polo” or “golf” collared shirt with/without the “Waterbury High Schools” logo. In addition to districtwide black shirt, each high school will have a school specific solid color “polo” or “golf” collared shirt (i.e. Crosby – royal blue with/without “bulldog” logo; Enlightenment – navy blue with/without “Rise Up” logo; Wilby – kelly green with/without “wildcat” logo; Kennedy – navy blue with/without “eagle” logo; and WAMS – white with/without “WAMS” logo; covering undergarments, cleavage and midriiffs.

School colors: all students have the option of wearing a black top or the color associated with their respective school. See below.

Crosby – Royal Blue	Kennedy – Navy Blue	Enlightenment – Navy Blue
WAMS – White	Wilby – Kelly Green	

**3. ALL STUDENTS:**

- a. Optional solid colored non-hooded BLACK or WPS school colored sweater, vest, suit jacket, or fleece style top may be worn OVER a dress code shirt.
- b. Shoes or sneakers must be worn at all times. Laces on shoes or sneakers must be tied. Sandals, clogs, flip-flops, heels or bare feet are not permitted. All shoes must have backs.

**4. BOYS/Waterbury Career Academy:**

- a. Pants or shorts/or cargo shorts in solid black or khaki cloth worn at the waist and completely covering undergarments and no more than three inches above the knee.
- b. Tops in solid black “polo” collared shirt with WCA “Spartan” logo.

**5. GIRLS/Waterbury Career Academy:**

- a. Pants, shorts, skirts, skorts, or dresses in solid black or khaki cloth; worn at the waist and completely covering undergarments and no more than three inches above knee. Note: Leggings, stockings or other stretch/form fitting leg coverings may only be worn under shorts, skirts, skorts, or dresses.
- b. Tops in solid black “polo” collared shirt with WCA “Spartan” logo; worn completely covering undergarments, cleavage and midriiffs.

**6. ALL STUDENTS/Waterbury Career Academy:**

- a. Optional solid colored non-hooded BLACK or WPS school colored sweater, vest, suit jacket, or fleece style top may be worn OVER a dress code shirt.
- b. Shoes or sneakers must be worn at all times. Laces on shoes or sneakers must be tied. Sandals, clogs, flip-flops, heels or bare feet are not permitted. All shoes must have backs.

**7. RESTRICTIONS:**

Students are **not** permitted to wear the following during the school day:

- a. Blue jeans of any kind.
- b. Leggings, stockings or other stretch/form fitting leg coverings unless worn under skirts, shorts, skorts or jumpers.
- c. Skirts, shorts, skorts, dresses, or jumpers worn more than three inches above the knee.
- d. Pants worn at a length which is dangerous to themselves or others.
- e. Hooded shirts or sweatshirts.
- f. Clothes which are torn, ripped, ragged or have holes.
- g. Clothes worn to expose midriffs, cleavage, or undergarments.
- h. Clothing which displays words, pictures or symbols that advocate or depict profanity, violence, drugs, alcohol, sex, hate groups or gang affiliation.
- i. Clothing that is distracting to the educational process.
- j. Outer coats of any kind.
- k. Any article of clothing that covers any part of the face and/or head including but not limited to hats, visors, earmuffs, headbands, do-rags, bandannas, curlers, goggles, and sunglasses;
- l. Footwear which is unsafe or a health hazard including but not limited to flip-flops, sandals, clogs, heels and all open-toed shoes;
- m. Clothing or items indicating gang affiliation.

**Adherence to the B.O.E. Dress Code Policy (July 2005):**

**First Offense:** Contact with parent; written warning; removal from class with a chance to correct and return to class

**Second Offense:** Contact with parent; Detention\*

**Third Offense:** Contact with parent; In-school Suspension

**Fourth and Subsequent Offense:** Contact with parent; Suspension (1 day), and/or Administrative investigation of misbehavior; appropriate application of Waterbury Board of Education Discipline Policy for specific infraction(s)

**Religious, Disability and Health Accommodations:** Where the bona fide religious beliefs, disability, or health needs of a student conflict with the school attire policy, the schools will provide reasonable accommodation. Any student desiring accommodation shall notify their school principal or team in writing of the requested accommodation and the factual basis for the request. Approved coverings worn as part of a student's bona fide religious practices or beliefs shall not be prohibited under this policy.

**Clothing Assistance:** It is the policy of the Board of Education that no student will be denied an education due to bona fide financial inability to obtain clothing that complies with the School Attire Policy. Any student for whom compliance with the school attire policy poses a bona fide financial burden, may submit a written request for clothing assistance to their school principal specifying the clothing needed together with a statement of financial need. School principals will contact central office with recommendations to address the written request from families with financial need.

**Accommodation of Free Expression:** An item of approved clothing containing an expressive message is permitted. Expressive items are prohibited if, in the reasonable judgment of school officials, they tend to disrupt or interfere with educational interests.

**Administrative Review:** Any student who believes that their school has not reasonably accommodated his or her bona fide religious, health or financial needs or right of free expression, may submit a written request for review to the Waterbury Board of Education. The Board of Education, or its designee, will review the matter and respond in writing to the student's concern.

**Compliance:** School administrators and teachers are encouraged to use positive reinforcement to obtain compliance with school attire requirements. However, when a student fails to comply with the School Attire Policy, discipline is appropriate. See "Procedures for Disciplinary Action".

## **Attendance Requirements for Students Under 18 Years of Age With Respect to Truancy**

The Waterbury Board of Education requires all students to attend school on a consistent basis following the prescribed Waterbury school calendar and school hours. Each student shall be present to participate in class instruction and to learn through interaction with faculty and peers. (Note: Also see Policy entitled "Course Credit or Promotion: Attendance Requirement")

### **1. Definitions**

**"Student"** - a student enrolled in the Waterbury Public Schools, any grade and/or age five (5) through (18).

**"Truant"** - any student, age five (5) to eighteen (18) who has four (4) unexcused absences from school in any one month or ten (10) unexcused absences from school in any school year.

**"Excused Absences"** - A student's absence from school shall be considered excused if written documentation of the reason for the absence has been submitted within ten (10) school days of the student's return to school or in accordance with Section 10-210 of the Connecticut General Statutes and meets the following criteria:

- A.** For absences one through nine, a student's absences from school are considered excused when the student's parent/legal guardian approves such absence and submits appropriate documentation and
- B.** For the tenth absence and all absences thereafter, a student's absences from school are considered excused for the following reasons:
  - 1.** student illness (Note: all student illness absences must be verified in writing by an appropriately licensed medical professional to be deemed excused, regardless of the length of absence);
  - 2.** student's observance of a religious holiday;
  - 3.** death in the student's family or other emergency beyond the control of the student's family;
  - 4.** mandated court appearances (written documentation required);
  - 5.** the lack of transportation that is normally provided by a district other than the one the student attends (no parental documentation is required for this reason); or
  - 6.** extraordinary educational opportunities pre-approved by district administrators and in accordance with Connecticut State Department of Education guidance.

C. Students who are children of military service providers are entitled to up to ten (10) days of excused absences when his or her parent is a service member who is: about to be deployed, is on leave from a deployment, or has immediately returned from a deployment to a combat or combat support zone, and, additional absences at the discretion of the Board or its designee. Such child and parent or legal guardian shall be responsible for obtaining assignments from the student's teacher prior to any period of excused absence, and for ensuring that such assignments are completed by such child prior to his or her return from school from such period of excused absences.

**“Unexcused Absences”** - A student's absence from school shall be considered unexcused unless they meet one of the following criteria:

- A. the absence meets the definition of an excused absence (including timely documentation requirements); or
- B. the absence meets the definition of a disciplinary absence.

**“Disciplinary Absences”**- Absences that are the result of school or district disciplinary action are excluded from these definitions.

**“Tardies/Early Dismissals”** - A student is considered to be 'in attendance' if present at his/her assigned school, or an activity sponsored by the school (e.g., field trip), for at least half of the regular school day.

**“Written documentation”**- Written documentation relating to absences one (1) through nine (9) includes a signed note from the student's parent/legal guardian, a signed note from a school official that spoke in person with the parent/legal guardian regarding the absence, or a note confirming the absence by the school nurse or by a licensed medical professional, as appropriate. Documentation from a parent or guardian shall include the dates and reasons for the absences and the signature of the parent or guardian. An in-person explanation from a parent or guardian to an authorized school staff member shall include the dates and reasons for the absences, name of the parent or guardian reporting the absence, date and location of the report made by the parent or guardian, and signature of staff member receiving the report. A school nurse evaluation, either in person or by telephone, includes the dates and reason for the absences, date and location of the consultation, the type of consultation, and the signature of the school nurse.

In reference to the tenth (10<sup>th</sup>) absence and any absence thereafter, additional written documentation is required for the following reasons:

- For student illnesses: written documentation shall include a signed note from a medical professional who has evaluated the student confirming the absence and giving an expected return date or school nurse verification of the student's absence with the medical professional treating the student. The medical professional treating the student can be the school nurse.
- For court appearances: written documentation shall include any of the following – a police summons, a subpoena, a notice to appear, or a signed note from a court official.
- For absences due to family emergencies, written documentation shall include a parent or guardian note explaining the emergency in sufficient detail for the school officials to evaluate if the situation is an emergency.
- For absences due to religious holidays, written documentation shall include a parent or guardian note explaining the religious holiday in sufficient detail for school officials to confirm the religious holiday.
- For absences that are based on extraordinary educational opportunities, all requests for approval of exceptional educational opportunities must be submitted in writing prior to the opportunity, bear the signature of the student, his parent or guardian and outline the learning objective of the opportunity and detail how the

objective is linked to the student's classwork or plan of study. All approvals for opportunities should be in writing and detail any requirements placed upon student as a condition of approval. Approvals are made on a case by case basis.

- For absences that result from a student not receiving transportation from one school district to attend school in another district and for absences that result from disciplinary actions, no written documentation is required.

Separate documentation must be submitted for each "incidence" of absenteeism. An incidence of absence is each day absent or a set of consecutive school days a student is absent when the absences share a common cause.

Written documentation does not include email or text messages but may include a note in the parent's language which is other than English.

School officials have the right to verify written documentation submitted. The classroom or homeroom teacher or administrative assistant or administrative designee determines the legitimacy of an excused absence for the tenth absence and all absences thereafter, and final determination will be made by the building principal.

**2. The Waterbury Board of Education and the school administration will make a concerted effort to prevent and remedy truancy in its early stages for students who are found to be truant.** This will include:

- A. A meeting to review and evaluate reasons with the appropriate school staff community agencies and parent or other person having control of child, will be held no later than ten days after the child's fourth unexcused absence in a month or tenth in a year. (Principal or designee).
- B. The designated staff shall coordinate referrals, and services of children with community agencies providing child and family services. (Principal or designee).

**If a parent or other person having control of a child who is truant fails to attend the meeting held pursuant to this section or if such parent or other person otherwise fails to cooperate with the school in attempting to solve the truancy problem, the superintendent of schools will file for each such truant enrolled in the schools under his jurisdiction a written complaint with the superior court pursuant to section 46b-149 alleging the belief that the acts or omissions of the child are such that his family is a family with service needs.**

- C. A truancy referral is appropriate only at such time as the school has exhausted all administrative and social service remedies and has reason to believe that absenteeism constitutes truancy. Then the following steps are to be taken by the school, prior to referral, so as to expedite processing and reduce delay.
  1. Provide documentation of at least four (4) days in any one-month or a cumulative total of ten (10) days in any school year of unexcused absences. Indicate the lack of ongoing parent/legal guardian acknowledgement or collaborative effort maintained with school personnel to remediate attendance problem. When parent/legal guardian cooperation to resolve the number of unexcused absences is present, the administrator may defer making a truancy referral to the court. (Appendix 4-C; also on Referral to Juvenile Matters Form, Appendix 4-F).
  2. Make the referral as early as possible in the school year in order for the court to provide the most effective intervention.
  3. Have completed a review of educational records (Appendix 4-E) that identifies the child's special needs, *if any*, and documents the appropriateness of the child's present academic program within his/her school; or has referred the student for a PPT meeting to determine eligibility or held a PPT meeting relating to the identified student's truancy.

4. Document what referrals have been made on the child's behalf to relevant mental health, social service, or related agencies.
5. Provide documentation of the school's attempt to return the child to acceptable attendance standards (Principal or designee). Dates of parental contacts (and/or attempts), home visits, and other efforts should be included in court referral. (Appendix 4-D, 4-F) (Note 2.1 - failure to participate.)
6. The Superintendent shall file a written complaint with the Superior Court for each truant. (Appendix 4-F)
7. The designated school staff annually notifies the parent or other person having control of each child enrolled in a grade from kindergarten to twelfth, in writing, of obligations of the parent pursuant to 10-184 of the Connecticut General Statutes. (Appendix 4-A)
8. Annually, at the beginning of each school year and upon enrollment during the school year, obtain from the parent a telephone number (Appendix 4-B) or other means of contacting such parent during the day.
9. Whenever a child under age 18 fails to report to school on a regularly scheduled school day, and no indication has been received by school personnel that the child's parent or guardian is aware of the pupil's absence, a concerted effort shall be made by school personnel or volunteers under the direction of school personnel to contact the parent or guardian.
10. Intervention process for truants.
  - a. **One to four unexcused absences**
    1. Classroom/homeroom teacher/school staff will contact parents to schedule a meeting to discuss reasons for truancy, and suggest ways to improve attendance. (Meeting must be held no later than ten school days after the child's fourth unexcused absence.)
    2. School notifies parent or responsible other.
    3. Teacher/school staff continues to monitor attendance.
  - b. **Five to ten unexcused absences**
    1. School notifies parent or responsible other.
    2. Referral to Attendance Counselor or Truancy Specialist. (Appendix 4-D).
    3. Have completed a review of educational records (Appendix 4-E) that identifies the child's special needs, *if any*, and documents the appropriateness of the child's present academic program within his/her school.
    4. Attendance Counselors or Truancy Specialists Report
    5. Continued school based monitoring
    6. Student evaluation as required by PPT prior to written complaint to Superior Court (Appendix 4-E) only if child was previous labeled or referred for special education services.
    7. Short term counseling with school personnel (i.e., social workers, psychologists, SAT, guidance counselors, school nurse, administration, truancy officer, attendance counselor, truancy specialists, etc.)
    8. Coordinate referrals and services with community agencies (Principal or designee)
  - c. **Eleventh day and continuance of unexcused absences**
    1. School notifies parent or responsible other.
    2. Principal will complete Referral to Juvenile Matters (Appendix D-6)
    3. Superintendent will file written complaint to Superior Court
  - d. **To file referral to Juvenile Matters**
    1. Complete all above sections.
    2. Complete Referral to Juvenile Matters form accurately.
    3. Send Referral to Juvenile Matters to Supervisor of Special Education for review.

4. Supervisor will approve and forward to Assistant Superintendent or Special Education and Pupil/Personnel Services.
5. Superintendent will receive Referral to Juvenile Matters form for signature and mailing to superior court.

## **Attendance Requirements for Course Credit or Promotion**

### **1. Definitions:**

*“Student”* - a student enrolled in the Waterbury Public Schools, any grade and/or age five (5) through (18).

*“Excused Absences”* - A student’s absence\* from school shall be considered excused if written documentation\*\* of the reason for the absence has been submitted within ten (10) school days of the student’s return to school and meets the following criteria:

- A. A student’s absences from school are considered excused for the following reasons:
  1. Student illness (Note: ALL student illness absences must be verified by an appropriately licensed medical professional to be deemed excused, regardless of the length of absence, for course credit or promotion consideration);
  2. Student’s observance of a religious holiday;
  3. Death in the student’s family or other emergency beyond the control of the student’s family;
  4. Mandated court appearances (additional documentation required);
  5. The lack of transportation that is normally provided by a district other than the one the student attends (no parental documentation is required for this reason);  
or
  6. Extraordinary educational opportunities pre-approved by district administrators and in accordance with Connecticut State Department of Education guidance.

*“Unexcused Absences”* - A student’s absence from school shall be considered unexcused unless they meet one of the following criteria:

- A. The absence meets the definition of an excused absence (including documentation requirements); or
- B. The absence meets the definition of a disciplinary absence.

*“Disciplinary Absences”* - Absences that are the result of school or district disciplinary action are excluded from these definitions.

The classroom or homeroom teacher or administrative assistant or administrative designee determines the legitimacy of an excused absence, and final determination will be made by building principal.

### **Footnotes:**

\*The Connecticut State Board of Education policy states that “A student is considered to be ‘in attendance’ if present at his/her assigned school, or an activity sponsored by the school (e.g., field trip), for at least half of the regular school day. A student who is serving an out-of-school suspension or expulsion should always be considered absent.” A student not meeting the definition of ‘in attendance’ is considered absent.

\*\*Such documentation should include a signed note from the student’s parent/legal guardian, a signed note from a school official that spoke in person with the parent/legal guardian regarding the absence, or a note confirming the absence by the school nurse or by a licensed medical professional, as appropriate. Documentation should explain the nature of and the reason for the absence as well as the length of the absence. Separate documentation must be submitted for each incidence of absenteeism. For example, if a student is out sick two consecutive days, that student must submit the appropriate documentation covering both sick days. If a student is out sick two nonconsecutive days, that student must submit the appropriate documentation following each absence. Schools should take steps to allow non-English speaking parents/guardians to submit documentation in their native language.

- 1.2 Any student enrolled in the Waterbury School System in grades K – 12:  
Twenty Absence Limit. No student may receive course credit for a full-year course after having been absent from that course more than twenty (20) class periods during the school year. These absences will be pro-rated for other than full-year courses and for courses meeting other than five (5) periods per week. All absences in a class will be counted except those incurred while a student participates in school-sponsored activities and/or essential administrative business and/or for an absence that meets the definition of a disciplinary action.
- 1.3. TARDINESS/EARLY DISMISSAL - For the purpose of tardiness and early dismissal, “excused” is defined the same as “excused” absence. A pupil who is tardy or dismissed early must report to the office before reporting to his/her classroom. Regardless whether the tardy or early dismissal is excused or unexcused, the student must be present in school for at least half of the regular school day in order to receive attendance credit for the day.
- For High School and Middle School:** Pupils are considered tardy or dismissed early if not in class when the bell rings. For every three unexcused tardies to school or for every three unexcused early dismissals from school, one unexcused day of absence will be assessed to the student’s academic record for that class period specifically affected by the tardy or early dismissal.
- At the high school level, the unexcused tardy or unexcused absence applies to each individual class the student is late for or absent from. This may apply to more than one class. In addition, when homeroom is dissolved, the student’s previous unexcused absences and unexcused tardies will be reflected in the student’s first period class.
- For Elementary Schools:** Total unexcused tardy and unexcused early dismissal time accumulated throughout the year will be assessed to the student’s academic record as determined by the school administrator.
- 1.4 The board of Education’s policy “Attendance Requirements for Students under 18 Years of Age with Respect to Truancy”, 5132.2, will be strictly enforced.
- 1.5 The school administrator or administrative designee will be responsible for administering policy.
- 2.0 Waiver Policy:** A student who has accumulated more absences than allowed by the policy, but who feels that the situation warrants special consideration, may appeal to the administration for a waiver increasing the number of allowable absences for that particular student. At the discretion of the administration, the parent may be requested to appear at the hearing to verify the legitimacy of the appeal.
- 2.1 If extenuating circumstances exist, parents and students have the right to a waiver of the denial of credit and/or promotion. The waiver must be requested in writing within five (5) days after notification of credit withdrawal and directed to the school principal.
- 2.2 Each school will set up an Appeals Board to consider the waiver, consisting of the principal and two teachers to informally hear all requests. Other pupil personnel faculty may be invited by the Appeals Board to participate when appropriate. All parties directly involved may attend the informal hearing. The Appeals Board will meet as soon as possible after individual students have exceeded their absences



2.3 The Appeals Board will consider:

- a. Presentation by parent/legal guardian
- b. Documentation from medical personnel
- c. The student's attendance record
- d. The student's request to earn back lost credit
- e. Other information deemed appropriate by the administration

2.4 A student may be allowed an attendance appeal hearing on a yearly basis.

However, a successful waiver for promotion or restoration of credit may only be granted twice in grades K-5, once in grades 6-8, and once in grades 9-12.

2.5 Decisions of the Appeals Board are final. Waivers granted or denied must become a part of student's permanent cumulative file and recorded into the computer data base.

## **Electronic Device**

The Waterbury Board of Education is committed to maintaining a safe and productive learning environment that provides each student with an atmosphere that is free of disruptions.

1. The use of electronic devices during the academic day disrupts and interferes with the educational process and will not be tolerated. Students will be subject to disciplinary procedures and confiscation of the device if it is either visible and/or used during regular school hours. Parents, upon appearing at school, will be given the confiscated devices on all second offenses.

2. Disciplinary action will be taken against any student for using a cellular telephone, iPod, beepers, walk man type player, laser pens and any other types of electronic device that is otherwise not banned by this policy, in any manner that disrupts the educational environment.

3. In no case will any personal communication device be allowed that provides for a wireless, unfiltered connection to the Internet or which has the capability to take photographs or any kind. The sending, sharing, viewing, or possessing pictures, e-mails, or other material of a sexual nature in electronic or any other form on a cell phone or other electronic device is prohibited in the school setting and is subject to disciplinary action.

### **High School and Middle School:**

**1<sup>st</sup> offense:** Confiscate, warning and notify parent, return to student at the end of the school day.

**2<sup>nd</sup> offense:** Confiscate, in-school suspension or after school detention, item to be returned to parent/legal guardian only at the end of the school day.

**3<sup>rd</sup> offense:** Confiscate, out-of-school suspension, item to be returned to parent/legal guardian only at the end of the school day.

### **Elementary School:**

**1<sup>st</sup> offense:** Confiscate, warning and notify parent, return to student at the end of the school day.

**2<sup>nd</sup> offense:** Confiscate, warning and/or probation, item to be returned to parent/legal guardian only at the end of the school day.

**3<sup>rd</sup> offense:** Confiscate, out-of-school suspension or in-school suspension if available, item to be returned to parent/legal guardian only at the end of the school day.

## **Bullying/Cyber-Bullying Policy**

*The Waterbury Public Schools are committed to providing an educational environment where the right and dignity of every student is respected.*

**A. POLICY STATEMENT:** The Waterbury Board of Education is committed to creating and maintaining an educational environment that is physically, emotionally and intellectually safe and thus free from bullying, harassment and discrimination. In accordance with state law and the Board's Safe School Climate Plan, the Board expressly prohibits any form of bullying behavior on school grounds; at a school-sponsored or school-related activity, function or program, whether on or off school grounds; at a school bus stop; on a school bus or other vehicle owned, leased or used by a local or regional board of education; or through the use of an electronic device or an electronic mobile device owned, leased or used by Board of Education. The Board also prohibits any form of bullying behavior outside of the school setting if such bullying 1) causes physical or emotional harm to a student or such student's property; 2) places a student in reasonable fear of harm to himself or herself or of damage to his or her property; 3) creates a hostile environment at school for such student; 4) infringes on the rights of such student at school; or 5) substantially disrupts the educational process.

Discrimination and/or retaliation against an individual who reports or assists in the investigation of any act of bullying are likewise prohibited. Any student who engages in bullying behavior shall be subject to appropriate disciplinary action, which action may include suspension and expulsion, and/or referral to law enforcement officials in accordance with the Board's policies and state and federal law. In addition, the Waterbury Board of Education will address teen dating violence in accordance with its Safe School Climate Plan.

### **B. DEFINITIONS:**

***Bullying*** is defined as the repeated use by one or more students of a written, oral or electronic communication, such as cyber-bullying, directed at or referring to another student attending school in the same school district, or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same school district, that:

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

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

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

**C. DISTRICT PROGRAM AND SAFE SCHOOL CLIMATE PLAN:** The Safe School Climate Plan (“Plan”) is a multi-faceted approach to improving overall school climate and to prohibit and address any incidences of bullying and teen dating violence in the Waterbury Public Schools. The Waterbury Board of Education authorizes the Superintendent of the Waterbury Public Schools or his/her designee, along with the District Safe School Climate Coordinator, Safe School Climate Specialists and Safe School Climate Committees to develop, approve and adopt a Safe School Climate Plan in accordance with state law in furtherance of this policy. The Plan is to be periodically reviewed and revised as appropriate. Such Plan shall include, but not be limited to provisions which:

1. Enable students to anonymously report acts of bullying to school employees and require students and the parents/guardians of students to be notified annually of the process by which students may make such reports;
2. Enable parents/guardians to file written reports of suspected bullying;
3. Address teen dating violence.
4. Require school employees who witness acts of bullying or receive reports of bullying to orally notify the safe school climate specialist or another school administrator if the safe school climate specialist is unavailable, not later than one school day after such school employee witnesses or receives a report of bullying, and to file a written report not later than two school days after making such an oral report;
5. Require the safe school climate specialist to investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written report;
6. Require the safe school climate specialist to provide prompt notice that such investigation has commenced to the parents or legal guardians of the student alleged to have committed an act or acts of bullying and the parents or legal guardians of the student against whom such alleged act or acts were directed;
7. Require the safe school climate specialist to review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report;
8. Require each school to have a prevention and intervention strategy, as defined by statute, for school employees to deal with bullying and teen dating violence;
9. Provide for the inclusion of language about bullying and teen dating violence in student codes of conduct and in all students handbooks;
10. Require each school to notify parents or guardians of students who commit any verified act of bullying and the parents or guardians of any student against whom such acts were directed not later than forty-eight hours after the completion of the investigation;
11. Require each school to invite the parents or guardians of a student against whom such act was directed to a meeting to communicate to such parents or guardians the measures being taken by the school to ensure the safety of the student against whom such act was directed and policies and procedures in place to prevent further acts of bullying;
12. Require each school to invite the parents or legal guardians of the student who commits any verified act of bullying to a meeting separate and distinct from the meeting referenced in 11 above of this subsection, to discuss specific interventions undertaken by the school to prevent further acts of bullying.
13. Establish a procedure for each school to document and maintain records relating to reports and investigations of bullying in such school and to maintain a list of the number

of verified acts of bullying in such school and make such list available for public inspection, and annually report such number to the Department of Education and in such manner as prescribed by the Commissioner of Education;

14. Direct the development of case-by-case interventions for addressing repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline;
15. Prohibit discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying;
16. Require the development of student safety support plans for students against whom an act of bullying was directed that addresses safety measures the school will take to protect such students against further acts of bullying;
17. Require the principal of a school or the principal's designee, to notify the appropriate local law enforcement agency when such principal or the principal's designee believes that any act of bullying constitutes criminal conduct;
18. Prohibit bullying (A) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a local or regional board of education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the local or regional board of education, and (B) outside of the school setting if such bullying (i) creates a hostile environment at school for the students against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) subsequently disrupts the education process or the orderly operation of a school;
19. Require, at the beginning of each school year, for each school to provide all school employees with a written or electronic copy of the school district's safe school climate plan; and
20. Require all school employees to annually complete the training required by C.G.S. 10-220a, as amended on bullying prevention and related topics.

Any information provided under this policy or accompanying Safe School Climate Plan shall be provided in accordance with the confidentiality restrictions imposed under the Family Educational Rights and Privacy Act ("FERPA") and any Board policy regarding student confidentiality and access to records.

**Complaints related to bullying:** Students can file written complaints related to bullying in any school in the Waterbury District. Complaints should be given to the school principal. Students can also make a complaint orally by notifying a school employee. Students can remain anonymous. Parents and legal guardians of students can file a bullying complaint in writing and submit the complaint to the school principal. Written complaint forms can be found in each school and also on the District website.

## **Education Records**

### ***Notification of Rights under FERPA for Elementary and Secondary Institutions***

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

- The right to inspect and review the student's education records within forty-five (45) days after the day a Waterbury district school ("School" hereafter)] receives a request for access. "Education records" are records that directly relate to a student

and that are maintained by an educational agency or institution or by a party acting for the agency or institution.

Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

- The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask a "School" to amend a record should write the school principal (or appropriate school official), clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

- The right to file a complaint with the U.S. Department of Education concerning alleged failures by a "School" to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

- The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

FERPA permits the disclosure of personally identifiable information ( PII) from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, §99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures.

A "School" may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student:

1. To school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, teacher, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. (§99.31(a)(1))

2. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
3. To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency in the parent or eligible student's State (SEA). Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§99.31(a)(3) and 99.35)
4. In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))
5. To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to §99.38. (§99.31(a)(5))
6. To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
7. To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
8. To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
9. To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
10. To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
11. Information the school has designated as "directory information" under §99.37. (§99.31(a)(11)) A "School" may disclose appropriately designated directory information, (information that is generally not considered harmful or an invasion of privacy if released), without written consent, unless the parent or eligible student have advised the District to the contrary in writing in accordance with District procedures, and have opted out. However, parents and eligible students may not, by opting out of directory information, prevent a local educational agency (LEA) or "School" from requiring a student to wear or to present a student ID or badge. The following may, but is not required to be designated by the District as directory information:

Student's name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, dates of attendance, grade level, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors, and awards received, the most recent educational agency or institution attended, and student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. Student's SSN, in whole or in part, cannot be used for this purpose.

Family Policy Compliance Office  
 U.S. Department of Education  
 400 Maryland Avenue, SW  
 Washington, DC 20202-5920



# Waterbury Public Schools

## 2016 ~ 2017 School Year Calendar

July						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

August						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

22nd - New Teacher Orientation - 7hr.  
 23rd - New Teacher Orientation - 7hr.  
 24th - New Teacher Orientation - 7hr.  
 25th - Professional Development Day - 7hr.  
 26th - Professional Development Day - 7hr.  
 29th - First Day of School

September						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

5th - Labor Day - No School  
 13th - Open House Elem. 5-7pm - Early Dismissal  
 14th - Open House H.S. 7-9pm - Early Dismissal  
 14th - Early Dismissal - M.S. - Teacher Collab./PD  
 21st - Open House M.S. 5-7pm - Early Dismissal  
 21st - Early Dismissal - H.S. & Elem-Teacher Collab/PD

October						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

7th - P.D. Day - 7hr - No School  
 10th - Columbus Day - No School  
 31st - End of 1st MP: HS/MS/Elem

November						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

8th - Election Day- No Sch- P.D. Day - 7hr.  
 9th - Grade Submission Ends-9AM  
 11th - Veteran's Day - No School  
 17th - Distribute 1st MP Report Cards  
 23rd - Early Dismissal - Thanksgiving Recess  
 24th & 25th - Thanksgiving Recess - No School  
 28th - Pre-K & Kindergarten - End of 1st MP

December						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

5th - Pre-K & K - Grade Submission Ends - 9AM  
 7th - Parent Conference Elem. 5-7pm - Early Dismissal  
 7th - Parent Conference H.S. 7-9pm - Early Dismissal  
 7th - Early Dismissal - M.S. - Teacher Collab./PD  
 12th - Pre-K & K - Distribute 1st MP Report Cards  
 14th - Parent Conference M.S. 5-7pm - Early Dismissal  
 14th - Early Dismissal - H.S. & Elem-Teacher Collab/PD  
 26th-30th - Winter Recess - No School

January						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

2nd - New Year's Day Observed - No School  
 3rd - School Resumes  
 6th - Three King's Day - No School  
 16th - Martin Luther King Jr.'s Day - No School  
 12th-18th-Mid Term Exams- Early Dismissal HS Only  
 18th - Early Dismissal - Teacher Collaboration/PD  
 18th - End of 2nd MP: HS/MS/Elem  
 25th - Grade Submission Ends-9AM

February						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

1st - Distribute 2nd MP Report Cards  
 15th - Early Dismissal - Teacher Collaboration/PD  
 20th - President's Day - No School  
 21st - Lincoln's Day (Observed) - No School

March						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

6th - Pre-K & Kindergarten - End of 2nd MP  
 14th - Pre-K & Kindergarten - Grade Submission Ends-9AM  
 21st - Distribute 3rd MP Report Cards  
 22nd - Pre-K & Kindergarten-Distribute 2nd MP Report Cards  
 23rd - End of 3rd MP: HS/MS/Elem  
 29th - Early Dismissal - Teacher Collaboration/PD  
 30th - Grade Submission Ends-9AM

April						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

6th - Distribute 3rd MP Report Cards  
 10th-14th - Spring Recess - No School  
 19th - Parent Conference Elem. 5-7pm - Early Dismissal  
 19th - Parent Conference H.S. 7-9pm - Early Dismissal  
 19th - Early Dismissal - M.S. - Teacher Collab./PD  
 26th - Parent Conference M.S. 5-7pm - Early Dismissal  
 26th - Early Dismissal - H.S. & Elem-Teacher Collab/PD

May						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

1st-12th - AP Exams  
 17th - Early Dismissal - Teacher Collaboration/PD  
 29th - Memorial Day - No School

June						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

\*\* Pre-K - 8th-Grades due 5 days before last day  
 \*\* Pre-K - 8th-Distribute Report Cards on last day  
 \*\* H.S. Grade submission ends on last day  
 Last Day of School shall be Early Dismissal  
 2nd-8th- Final Exams- Early Dismissal HS Only  
 9th - Last Day of School - Depending on Weather

Full Day Professional Development Day  
 \*Prepared by the Computer Technology Center\*

School Closed  
 School Day

Early Dismissal Professional Development Day  
 Approved by the BOE on 01/21/16- Revised 5/9/2016