

Students

Student Conduct

I. Philosophy of Discipline

Discipline begins in the home with the responsibility of parents to develop a positive attitude towards study and behavior. No code established or action taken by school officials can be effective without parental acceptance of this primary responsibility. Discipline continues in the classroom with the relationship between the teacher and the student.

The school district is unequivocally committed to the principle that disorderly and disruptive behavior should not be permitted to interfere with the right of other students to pursue an education. While most discipline problems should be handled by the teacher, student and parent the Administration and the Board of Education have the responsibility to support and maintain the enforcement of discipline within the building.

All students will be required to conduct themselves at all times in accordance with established codes of student conduct. Every reasonable effort will be made to keep students within the school's sphere of influence, using suspension and/or expulsion only as a last resort. In this connection, students are reminded that:

1. The exercise of any of the student's rights must be weighed against the rights of another individual or group.
2. No student has the right to disrupt the educational process within a school.
3. All students will have the right to due process procedures in matters of suspension, transfer, and expulsion.

II. Areas of Responsibility

A. Board of Education

The Board of Education holds the certified personnel responsible for the proper conduct and control of students while legally under the supervision and jurisdiction of the school and charges the Superintendent to see that such responsibility is effectively carried out.

B. Principal

The Principal shall implement immediate and necessary procedures and rules to render effective the policies of the Board of Education relating to standards of student behavior. The Principal may involve representatives of all areas of school personnel, students, parents and citizens of the community to this end.

Students

Student Conduct (continued)

C. Teachers

Teachers shall be responsible for the instruction of students in rules and regulations of proper conduct, as well as be responsible for proper and adequate control of students. The responsibility and authority of any teacher extends to all students of the school district under the assigned supervision of the teacher and to other students so situated with respect to the teacher as to be subject to the teacher's control.

D. Parents

Parents shall be expected to cooperate with school authorities regarding the behavior of their children. Parents shall be held responsible for the willful misbehavior of their children.

III. Student Behavior

Students shall be properly instructed in rules and regulations of acceptable conduct; they shall then be responsible for understanding and complying with the standards of behavior described therein. Any student who fails to comply with these laws and rules concerning student behavior is liable to suspension, exclusion or expulsion. Physical endangerment of another student or person shall be treated with especial strictness.

(cf. 5114 - Suspension and Expulsion)

Legal Reference: Connecticut General Statutes

52-572 Parental Liability for torts of minors. Damage defined.

Policy adopted: February 10, 2010

ANDOVER PUBLIC SCHOOLS
Andover, Connecticut

Students

Bus Conduct

School transportation privileges are extended to students conditional upon their satisfactory behavior on the bus.

Students will be advised that they may be suspended from transportation services for unsatisfactory conduct while awaiting or receiving transportation to and from school which endangers persons or property or violates a Board policy or administrative regulation.

(cf. 5114/5114.1 - Suspension/Expulsion; Due Process)

Legal Reference: Connecticut General Statutes

10-186 Duties of local and regional boards of education re school attendance.

10-220 Duties of boards of education

10-221 Boards of education to prescribe rules

10-233c Suspension of students

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ANDOVER PUBLIC SCHOOLS
Andover, Connecticut

Students

Bus Conduct

Students will be advised that they may be suspended from transportation services and subject to any other disciplinary action for unsatisfactory conduct while awaiting or receiving transportation to and from school which endangers persons or property or violates a Board policy or administrative regulation.

1. Students must take a seat when they enter the bus and remain seated at all times while the bus is in motion.
2. Indecent or profane language, smoking, rowdyism, loud talking, card playing, or unnecessary conversation with the driver are expressly prohibited.
3. Students must not throw any object in or out of the bus.
4. Students must not, at anytime, extend their arms or heads out of the bus window.
5. Students must not open bus windows without permission from the driver.
6. Students shall enter and leave the bus only by the front door except in cases of emergency.
7. Students must be on time and at all times must cooperate in keeping the bus on schedule.
8. Students must not stand on the traveled portion of the highway while waiting for a bus.
9. Students must cross the highway, if necessary, only in front of the stopped bus, being careful to see that traffic is halted.
10. Students to keep the aisle clear of books, bags, instruments and other possessions.
11. Students must follow the instructions of the bus driver.

Students

Conduct

Video Surveillance

The Board authorizes the use of video cameras on District property to ensure the health, welfare and safety of all staff, students and visitors to District property, and to safeguard District facilities and equipment. Video cameras may be used in locations as deemed appropriate by the Superintendent. (or: In consultation with the safety planning committee and relevant staff, the Superintendent or designee shall identify appropriate locations for the placement of surveillance cameras.)

Cameras shall not be placed in areas where students, staff and community members have a reasonable expectation of privacy.

The Superintendent or designee shall notify staff and students through student/parent and staff handbooks, District calendar, District website or by other means that video surveillance may occur on district property. A notice will also be posted at the main entrance of all District buildings.

Students or staff in violation of Board policies, administrative regulations, building rules or law shall be subject to appropriate disciplinary action. Others may be referred to law enforcement agencies.

(cf. 4112.6/4212.6 – Personnel Records)

(cf. 5125 – Student Records)

(cf. 5131.1 – Bus Conduct)

(cf. 5131.11 – Video Cameras on School Buses)

(cf. 5131.5 – Vandalism)

(cf. 5145.12 – Search and Seizure)

Legal Reference: Family Educational Rights and Privacy Act, sec. 438, 20 U.S.C. sec. 1232g (1988).

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ANDOVER PUBLIC SCHOOLS
Andover, Connecticut

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Vandalism

Vandalism by Minors

The parent or guardian of any minor/unemancipated child who willfully cuts, defaces or otherwise injures in any way any property real or personal, belonging to the school district shall be held liable for all such damages up to the maximum amount allowed under state law. Injury shall include intentional unauthorized modifications made to computer hardware and/or software.

The liability provided under Connecticut General Statutes 52-572 does not relieve the minor(s) of personal liability for such damage or injury. This liability of the parent for damages done by a minor child is in addition to any other liability which exists in law. Liability shall include all costs incurred to remedy the situation.

The parent or guardian of a minor child shall also be held liable for all property belonging to the school system lent to the student and not returned upon demand of the school system. The student may also be subject to disciplinary action.

Theft

Any and all thefts are to be reported to the administration immediately. Employees or students should not leave money or other valuables in a desk or room or any other unsupervised location.

(cf. 6161.2 - Guidelines for Care of Instructional Materials)

Legal Reference: Connecticut General Statutes

10-221(c) Boards of education to prescribe rules. (re sanctions that may be imposed by a board against students who damage or fail to return textbooks, library materials or educational materials)

52-572 Parental liability for torts of minors. Damage defined.

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ANDOVER PUBLIC SCHOOLS
Andover, Connecticut

Students

Drugs, Alcohol, and Tobacco

The Board of Education recognizes that any program to combat the misuse of controlled drugs must be a community effort. The Board of Education shall ensure that students are informed in as cogent a manner as possible about the dangers of drug abuse. The Board of Education must also protect all Board of Education employees from undue jeopardy when their concern and dedication lead them to personal involvement in a student drug abuse problem.

The Board of Education shall establish meaningful drug education programs for all grade levels. Further, the Board of Education will attempt to involve concerned segments of our society in these programs; i.e., students, parents/guardians, Board of Education employees, social and law enforcement agencies. Also, the Board of Education will cooperate with town groups and agencies that are involved in the health of students relating to drug abuse. Parents/guardians and citizens will be informed through various means about drug abuse problems and their cooperation will be sought in solving the problems which exist.

Students will be advised that they are prohibited from the possession, use or distribution of illegal drugs and alcohol on school premises or during any school activity. Students in violation of this policy will be subject to discipline pursuant to the Regulations for Drug/Alcohol Abuse and Policy #5114, In-School Suspension, Suspension and Expulsion.

Administrative regulations shall be developed which will indicate the manner in which suspected and/or actual cases of drug possession, use or sale shall be handled. These rules shall recognize the welfare of the individual as well as of the entire student body.

The specific instance of drug abuse must be dealt with by the administration and faculty in a manner which precludes arbitrary decisions, protects the rights of all students, and functions within the law.

Students will be informed that student lockers and/or desks are the property of the school district and may be searched at any time when at the discretion of the school administration.

The Principal or his/her designee is personally responsible for holding contraband materials and for delivery of them to the proper public authorities. A receipt should be furnished to the owner, if known, and one demanded from the officer who takes possession.

The Andover Board of Education is committed to maintaining and improving the health and well-being of its students. Medical research shows that smoking and other tobacco use poses a significant risk to the health of the smoker and non-smoker.

Students

Drugs, Alcohol, and Tobacco (continued)

It shall be the policy of the Board of Education that no smoking or other use of tobacco related products be allowed on school property at any time, on any transportation provided by the Board of Education, or during the course of any trip or activity sponsored by the Board of Education.

Further, it shall be the policy of the Board to provide all students in Andover programs as directed by Section 10-19 of the Connecticut General Statutes. It is expected that these programs will help students to become more aware of health hazards caused by smoking and tobacco use and better informed about the diseases related to such use. In addition, it is also expected that these programs will aid students in developing constructive attitudes and help them make wise decisions about smoking and tobacco use.

The administration is charged with developing regulations to enforce this policy. Penalties for infractions of smoking regulations must be consistently administered to both students and Board employees.

The administration will provide accurate up-to-date materials and resources for an effective and stimulating instructional program in this important health area. Programs for those desiring to terminate tobacco use prior to implementation of this policy are to be provided.

Legal Reference: Connecticut General Statutes
 1-21b Smoking prohibited in certain places
 10-19 Teaching about alcohol, nicotine or tobacco, drugs and acquired immune deficiency syndrome. Training of personnel.
 10-154a Professional communications between teacher or nurse and student. Surrender or physical evidence obtained from students.
 10-220b Policy statement on drugs
 10-221(d) Boards of education to prescribe rules, policies and procedures re sale or possession of alcohol or controlled drugs
 21a-240 Definitions dependency producing drugs.
 21a -240(8) Definitions “Controlled Drugs,” dependency producing drugs
 21a-240(9) Definitions “controlled substance”
 21a-243 Regulation re schedules of controlled substances.
 53-198 Smoking in motor buses, railroad cars and school buses
 Federal Regulation 34 CFR Part 85 Drug-free Schools & Communities Act
 20 U.S.C. Section 7181 et. seq., No Child Left Behind Act
New Jersey v. T.L.O., 469 U.S. 325 (1985)
Veronia School District 47J v. Acton, 515 U.S. 646
 (1995) *Board of Education of Independent School District No 92 of Pottawatomie County v. Earls* 01-332 U.S. (2002)

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ANDOVER PUBLIC SCHOOLS
 Andover, Connecticut

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Weapons and Dangerous Instruments

The Board of Education determines that possession and/or use of a weapon by a student is detrimental to the welfare and safety of the students and school personnel within the district. Possession and/or use of any dangerous or deadly weapon in any school building on school grounds, in any school vehicle, or at any school-sponsored activity is prohibited. Such weapons include but are not limited to any pistol, revolver, rifle, shotgun, air gun or spring gun; slingshot; bludgeon; brass knuckles or artificial knuckles of any kind; knives having a blade of greater than two inches, any knife the blades of which can be opened by a flick of a button or pressure on the handle, or any pocketknife where the blade is carried in a partially opened position; martial arts weapon; destructive device. Pursuant to federal law, the term firearm includes, but is not limited to, any weapon designed to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for such a weapon, or destructive device. A student who violates this policy will be reported to law enforcement authorities.

The possession or use of any such weapon will require that the proceedings for the suspension and/or expulsion of the student involved will be initiated immediately by the principal. If the student is found to have possessed a firearm or other dangerous weapon as defined in Connecticut General Statutes 53a-3 in violation of 29-35 or 53-206, in or on the real property of a school or at any school activity as defined in Connecticut General Statutes 10-233a, he/she must be expelled for one calendar year. The Board of Education or hearing board may modify the period of expulsion on a case by case basis. To comply with federal law, any finding of an exception shall be reduced to writing. All legal restrictions and requirements will be adhered to pertaining to special education students.

The Board shall consider a student's conduct off school grounds that is seriously disruptive of the educational process or is violative of publicized policies of the Board as grounds for expulsion.

(cf. 5114 - Suspension/Expulsion)

(cf. 5145.12 - Search and Seizure)

Legal Reference: Connecticut General Statutes
 10-221 Boards of education to prescribe rules.
 10-233a through 10-233f - Expulsion as amended by PA 95-304
 53a-3 Definitions.
 53a-217b - Possession of firearms and deadly weapons on school grounds
 53-206 Carrying and sale of dangerous weapons.
 PA 94-221 An Act Concerning School Discipline and Safety.
 GOALS 2000: Educate America Act
 18 U.S.C. 921 Definitions.
 USCA 7151 – No Child Left Behind Act

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ANDOVER PUBLIC SCHOOLS
 Andover, Connecticut

Students

Electronic Devices

Use of Beepers - Paging Devices/Cellular Telephones

Students are not allowed to use, wear, possess or store in their locker cellular telephones, communication beepers, other electronic communication devices, including all “look a-likes,” at school during the regular school day or at school-sponsored events. Any student found in violation of this policy shall be subject of disciplinary action, up to and including [in-school] suspension.

The School Principal may grant written permission for such possession and use of a paging device by a student if the student or his parent or guardian establishes to the satisfaction of the Principal that a reasonable basis exists for the possession and use of the device.

A “paging device” is defined as a telecommunications device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor. A “portable telephone” is defined as a cellular phone or comparable communication device that is not connected to a standard telephone outlet or permanent connector.

This section pertaining to paging devices does not apply in the following cases, provided that the Building Principal approves in advance of the presence of a telephone pager: a disabled student using portable pagers for medical reasons, visitors on school property for an authorized program, meeting or function, a student who is a member of a volunteer fire company, ambulance or rescue squad, or a student who has the need due to the medical condition of an immediate family member.

The Board of Education shall consider the special needs of parents and students in determining whether to restrict the student possession or use of cellular mobile telephones.

A person who discovers a student in possession of a laser pointer or a paging device, without the written permission of the Principal, or using a cellular mobile telephone during the regular school day, without the approval of the [Principal] [Board of Education], shall report the violation to a school administrator who shall confiscate the device and contact the parent/guardian. Repeated violation of this policy shall result in confiscation of the device and its forfeiture to the District.

Students violating this policy shall be subject to disciplinary action, up to and including suspension and/or expulsion

The administration shall promulgate rules to enforce this policy at the building level.

Students

Electronic Devices

Use of Beepers - Paging Devices/Cellular Telephones

Legal Reference: Connecticut General Statutes
10-233j Student possession and use of telecommunications devices
PA 95-304 An Act Concerning School Safety
PA 96-108 An Act Concerning Student Use of Telecommunication Devices
and the Establishment of Graduation Dates
PA 99-256 An Act Concerning AAC Laser Pointers

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ANDOVER PUBLIC SCHOOLS
Andover, Connecticut

Students

Safe School Climate and Bullying

I. PURPOSE

The Board of Education is dedicated to promoting and maintaining a positive learning environment where all students are welcomed, supported and feel safe in school, socially, emotionally, intellectually and physically. The purpose of this policy is to address the existence of bullying in schools and to establish the guidelines for the development of the district's Safe School Climate Plan.

II. BULLYING PROHIBITED

- A. Bullying activities of any type are inconsistent with the educational goals of the school district and are prohibited at all times. No student, employee, volunteer or contractor of the school district shall encourage, aid or consent to bullying. No student, employee, volunteer or contractor of the school district shall permit, condone or tolerate bullying. Apparent permission or consent by a student being bullied does not lessen the prohibitions contained in this policy.
- B. Bullying is prohibited 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 the Board of Education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board of Education.
- C. Bullying is also prohibited outside of the school setting if such bullying results in any of the following: (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of school.
- D. Any form of discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying is also strictly prohibited.
- E. Any student who engages in bullying as defined in this policy may be subject to discipline up to and including expulsion. Any school employee who fails to respond to bullying as required by this policy and the district's Safe School Climate Plan may be subject to discipline up to and including termination.

Students

Safe School Climate and Bullying (continued)

III. DEFINITIONS

- A. “Bullying” means (1) the repeated use by one or more students of a written, oral or electronic communication, such as cyberbullying, directed at or referring to another student attending school in the same school district, or (2) 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,
 - (e) Substantially disrupts the education process or the orderly operation of school.

Bullying shall include, but not be limited to, a written, oral or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, 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.

- B. “Cyberbullying” 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. “Mobile electronic device” means any hand-held or other portable electronic equipment capable of providing data communication between two or more individuals, including but not limited to, a text messaging device, a paging device, a personal digital assistant, a laptop computer, equipment that is capable of playing a video game or a digital video disk, or equipment on which digital images are taken or transmitted.
- D. “Electronic communication” means any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system.
- E. “Hostile environment” means a situation in which bullying among students is sufficiently severe or pervasive to alter the conditions of the school climate.

Students

Safe School Climate and Bullying (continued)

- F. “Outside of the school setting” means at a location, activity or program that is not school related, or through the use of an electronic device or a mobile electronic device that is not owned, leased or used by a local or regional board of education.
- G. “Safe School Climate Coordinator” means the individual appointed by the Superintendent of Schools from existing staff who is responsible for:
1. Implementing the district’s Safe School Climate Plan;
 2. Collaborating with the Safe School Climate Specialist, the Board of Education and the Superintendent of Schools to prevent, identify, and respond to bullying in the school;
 3. Providing data and information, in collaboration with the Superintendent of Schools of the district, to the State Department of Education regarding bullying, in accordance with state law; and
 4. Meeting with the Safe School Climate Specialist at least twice during the school year to discuss issues relating to bullying in the school district and to make recommendations concerning amendments to the district’s Safe School Climate Plan.
- H. “Safe School Climate Specialist” means the principal of the school, or the principal’s designee, who is responsible for:
1. Investigating or supervising the investigation of reported acts of bullying in the school in accordance with the district’s Safe School Climate Plan;
 2. Collecting and maintaining records of reports and investigations of bullying in the school; and
 3. Acting as the primary school official responsible for preventing, identifying, and responding to reports of bullying in the school.
- I. “School employee” means:
1. A teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by a local or regional board of education or working in a public elementary, middle or high school; or
 2. Any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle or high school, pursuant to a contract with the local or regional board of education.
- J. “School climate” means the quality and character of school life with a particular focus on the quality of the relationships within the school community between and among students and adults.

Students

Safe School Climate and Bullying (continued)

IV. SAFE SCHOOL CLIMATE

The school district shall develop and implement a Safe School Climate Plan to address bullying in its school. Not later than January 1, 2012, the Board of Education shall approve the Safe School Climate Plan and submit such plan to the State Department of Education. Revisions to the Safe School Climate Plan shall be approved by the Board of Education. The Safe School Climate Plan will serve as the administrative regulations for this policy.

Legal References: Connecticut General Statutes
 10-15c Discrimination in public schools prohibited
 46a-58 Deprivation of rights
 10-145a Certificates of qualification
 10-145o Teacher education and mentoring program
 10-220a In-service training
 10-222d Policy on bullying behavior
 10-222g Prevention and intervention strategy re: bullying
 10-222h Analysis of bullying policies

PA 11-232 “An Act Concerning the Strengthening of Bullying Laws”

United States Codes
 20 U.S.C. 1400 Individuals with Disabilities Education Act
 20 U.S.C. 1681 Title IX of the Education Amendments of 1972
 29 U.S.C. 794 Section 504 of the Rehabilitation Act of 1973
 42 U.S.C. 2000d Title VI of the Civil Rights Act of 1964
 42 U.S.C. 12101 Americans with Disabilities Act

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 Andover, Connecticut