



NEW HAVEN PUBLIC SCHOOLS

UNIFIED CODE OF CONDUCT 2019-2020



All kids can learn, achieve and rise to a bright future.



Mayor Toni N. Harp
City of New Haven

Dr. Carol D. Birks
Superintendent of Schools

Darnell Goldson
Board of Education President

Unified Code of Conduct

Currently Under Revision (School Year 2019-2020)

NEW HAVEN PUBLIC SCHOOLS

2019- 2020 Board of Education

Darnell Goldson, President • Joseph Rodriguez, Vice President
Dr. Tamiko Jackson-McArthur, Secretary • Mayor Toni N. Harp
Dr. Edward Joyner • Yesenia Rivera • Matthew Wilcox
Makayla Dawkins • Nico Rivera

Important Phone Numbers			
Superintendent	(475) 220-1000	Parent Engagement	(475) 220-1063
School Choice/Enrollment	(475) 220-1430/31	Transportation	(475) 220-1600
Youth, Family, & Community Engagement	(475) 220-1734	Communication	(475) 220-1591
Pre-Kindergarten	(475) 220-1463/1482	Adult Education	(203) 492-0213
Special Education	(475) 220-1760	School Volunteers	(475) 220-1373
College & Career Pathways	(203) 946-8821	Bureau of Nursing	(203) 946-6364

Stay Connected!

More information – www.nhps.net

United Way of Connecticut Free Infoline – Dial 211

New Haven Promise - www.newhavenpromise.org

NHPS App – Search “New Haven Public Schools” ([iTunes](#) or [Google Play](#))



NewHavenPublicSchools

New Haven Public Schools is committed to providing an open, welcoming, safe and supportive environment for all students, parents and families. To this end, we encourage all of our families to communicate with us and to play a role in shaping positive school climates that foster learning and personal growth of children, regardless of background, language, or immigration status. The district and our schools are committed to treating all students and parents with fairness and respect and will not discriminate against family members for any reason.

ALLNEW HAVEN PUBLIC SCHOOLS/FACILITIES ARE DRUG-FREE ZONES
UP TO ONE THOUSAND (1,000) FEET IN ALL DIRECTIONS FROM THE BUILDING

LEGISLATIVE SECTION 845A OF TITLE 21, UNITED STATES CONGRESS SEC. 21a 267, CONNECTICUT GENERAL STATUTES

Text Telephone/Teletype (TT/TTY) services for the deaf and hearing impaired: Dial 7-1-1

Upon request, pertinent publications will be enlarged for the visually impaired.

Please be advised that policy and procedures may be updated during the course of a school year. A current copy of the Student-Parent Handbook will be available upon request from the school principal.

New Haven Public Schools

This handbook has been developed to provide students and parents with a summary of important New Haven Board of Education policies and procedures. This handbook is not intended to be all inclusive and does not contain all of the rules, regulations, directives and policies of the New Haven Board of Education. The entire policy manual is on file at each school and is available for review upon request of the Principal. All violations will be investigated and appropriate disciplinary action will be dispensed if needed, including the possibility of suspension, and/or expulsion, and/or referral to police and/or other appropriate agencies. All policies, including the newly developed Unified Code of Conduct, are in compliance with the Constitution of the United States, the State of Connecticut, Federal and Local policies. Please contact your school principal or the office of the superintendent for further information.

Text of Relevant Laws

Title IX of the Education amendments of 1972 (Federal)

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance.”

Title VII of the civil Rights act of 1964 (Federal)

“It shall be an unlawful employment practice for an employer
(1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment because of such individual's sex or,
(2) to limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee because of such individual's sex.”

It is the policy of the New Haven Board of Education not to discriminate on the basis of race, color, national origin (in accordance with Title VI of the Civil Rights Act of 1964), sex (in accordance with Title IX of the Educational Amendments of 1972) or handicap (in accordance with Section 504 of the Rehabilitation Act of 1972) in any of its vocational educational programs or regular academic programs or activities.

The following vocational programs are offered; technology education, business technology, life management, school to career opportunities, and health assistance.

Connecticut Human Rights and Opportunities Act - (Connecticut General Statutes Section 46a-60(a)) -

“It shall be a discriminatory practice in violation of this section:

“(8) For an employer, by the employer or the employer's agent, for an employment agency, by itself or its agent, or for any labor organization, by itself or its agent, to harass any employee, person seeking employment or member on the basis of sex or gender identity or expression.”

A summary of course offerings, vocational opportunities and admission criteria is available from the Guidance Department at the high schools.

Table of Contents

[PURPOSE](#)

[RIGHTS & RESPONSIBILITIES](#)

- [1. ATTENDANCE](#)
- [2. RESPECT FOR PERSONS AND PROPERTY](#)
- [3. KNOWLEDGE AND OBSERVATION OF RULES AND CONDUCT](#)
- [4. RIGHT TO LEARN](#)
- [5. RIGHT TO FREE SPEECH AND PUBLICATION](#)
- [6. PARTICIPATION IN SCHOOL ACTIVITIES](#)
- [7. RIGHT TO DUE PROCESS](#)

[Expectations for Essential Stakeholders](#)

[Students](#)

[Parents/Guardians](#)

[Schools](#)

[Teachers](#)

[Administrators](#)

[CLASSIFICATION OF VIOLATIONS](#)

[Level 1: Minor Offenses](#)

[Level 2: Intermediate Offenses](#)

[MAJOR OFFENSES I & II](#)

[Out-of-School Suspension Decision Guide](#)

[CRITERION 1 – Endangerment to Persons/Property](#)

[CRITERION 2 – Serious Disruption](#)

[Questions to consider:](#)

[Mitigating Factors to Weigh in the Determination](#)

[Level 3: Major Offenses I](#)

[Level 4: Major Offenses II](#)

[APPENDIX 1: Administrator's Decision-Making Guide](#)

[APPENDIX 2: Definitions](#)

[Alcohol](#)

[Alternative Education Program](#)

[Arson](#)

[Assault](#)

[Battery](#)

[Bomb Threats](#)

[Bullying](#)

[Burglary](#)

[Cheating](#)

[Disorderly Conduct](#)

[Disruption](#)

[Drug Paraphernalia](#)

[Click here to go to the Table of Contents](#)

[Drugs](#)
[Drugs and Alcohol](#)
[Explosive](#)
[Expulsion](#)
[Extortion](#)
[False Alarms](#)
[Fighting](#)
[Firearm](#)
[Fireworks](#)
[Forgery](#)
[Gambling](#)
[Harassment](#)
[Hazing](#)
[Inappropriate Touching](#)
[Indecent Exposure](#)
[Insubordination](#)
[Knowingly Filing a False Report](#)
[Malicious Threats of Violence](#)
[Pornographic Materials and Communications](#)
[Profane](#)
[Robbery](#)
[Secret Societies](#)
[Sexual Assault](#)
[Sexual Harassment](#)
[Suspension](#)
[Theft](#)
[Tobacco Products](#)
[Trespassing](#)
[Vandalism](#)
[Weapons](#)

[APPENDIX 3: Alternatives to Suspensions](#)

PURPOSE

The purpose of this document is to provide school personnel, students, and parents with a consistent framework of expected behavior and discipline in order to ensure that:

1. Behavioral expectations are fair, age appropriate, and consistent from school to school.
2. All students understand what behaviors are expected of them; and
3. All students are provided with, and understand, the consistent range of consequences for misbehavior.

The code of conduct applies to EVERY student who is under the jurisdiction of the New Haven Board of Education. It is in effect on all school property and at other places where school personnel have responsibility for students.

This code also applies to all students when they travel to and from school.

New Haven Public Schools is in the process of reviewing disciplinary policies and is considering student discipline strategies that move away from traditional zero-tolerance policies that exclude the student from school through suspensions and expulsions.

A team of educators, leaders, parents and community partners is working on a plan around restorative practices, which is a strategy that aims to:

1. Foster learning through positive relationships and interactions with peers;
2. Help educators recognize the importance of keeping the social and emotional health of their students a deliberate and central focus of learning;
3. Ramp up efforts to strengthen safe and supportive schools, address conflict, improve school climate, and build a positive school culture; and
4. Recognize the impact of trauma and loss on our youth; and the need to use restorative strategies that includes consequences and accountability for those who have caused harm and restorative justice to repair the harm for those who have suffered from destructive actions.

We will provide opportunity for public discussion of any new discipline policies around restorative practices and will update the handbook when changes occur.

RIGHTS & RESPONSIBILITIES

1. ATTENDANCE

RIGHTS

- Students have the right to 180 days of meaningful learning experience.

RESPONSIBILITIES

- Students enrolled in New Haven Public Schools have the responsibility to attend school regularly in accordance with the district attendance policy. *

2. RESPECT FOR PERSONS AND PROPERTY

RIGHTS

- Students have the right to use school property in a manner approved by the district.*
- Students have the right to use their personal property in a manner approved by the district.*
- Students have the right to privacy consistent with applicable laws.
- Students have the right to be respected and accepted as individuals.

RESPONSIBILITIES

- Students have the responsibility to respect the rights of others and not to interfere with their learning. *
- Students have the responsibility to respect and adhere to the rules and regulations of the school district.
- Students have the responsibility to report evidence of an illegal act or violation of the code of conduct to school or district personnel.
- Students have the responsibility to dress appropriately and in accordance with approved policy.

3. KNOWLEDGE AND OBSERVATION OF RULES AND CONDUCT

RIGHTS

- Students have the right to know the rules and regulations regarding their conduct. Students have the opportunity for input in the development of these rules and regulations through school and district student council meetings, school-based SPMT meetings, and other ad-hoc forums for student input.
- Students have the right to be assured of a safe and healthy school environment.

RESPONSIBILITIES

- Students have the responsibility to follow the rules and regulations of the district as approved by the school board.*
- Students have the responsibility to follow the rules and regulations of the school and district.

4. RIGHT TO LEARN

RIGHTS

- Students have the right to learn and pursue an education.
- Students have the right to a school climate and culture that is conducive and appropriate to learning.
- Students have the right to equal access to an education.

RESPONSIBILITIES

- Students have the responsibility to pursue an education to the best of their ability.
- Students have the responsibility to be present on time, prepared, attentive in class and ready to learn.
- Students have the responsibility to contribute to a positive school climate conducive to learning.

5. RIGHT TO FREE SPEECH AND PUBLICATION

RIGHTS

- Students are entitled to freedom of expression of their views unless there are legal reasons to regulate their speech or publications as stipulated by statute and relevant case law.

RESPONSIBILITIES

- Students have the responsibility to have a specific and clear understanding of the meaning of freedom of speech within a school context.
- Students have the responsibility to assemble according to the prescribed rules and regulations approved by the school board.

6. PARTICIPATION IN SCHOOL ACTIVITIES

RIGHTS

- Students have the right to participate in school programs and activities in accordance with eligibility requirements.

RESPONSIBILITIES

- Students have a responsibility to contribute to these activities in a constructive manner.

7. RIGHT TO DUE PROCESS

RIGHTS

- Students have the right to due process as prescribed in federal and state laws and school board policy including: (1) an impartial investigation of the incident; (2) to be represented by counsel as may be appropriate; and, (3) to have parents/guardians notified and present at all proceedings as may be appropriate according to law and district policy.

RESPONSIBILITIES

- Students have the responsibility to cooperate in all due process proceedings by providing truthful and accurate information.

*See *Student and Family Handbook* and/or district policy manual.

Expectations for Essential Stakeholders

The cooperation of parents/guardians, family members, school personnel, and students is necessary to achieve a school climate essential to learning.

Students

Students are expected to meet their responsibilities as defined in the “Rights and Responsibilities” section of this document.

Parents/Guardians

Parents/guardians are expected to:

1. Maintain a positive attitude toward schools and education.
2. Ensure that their children arrive at school on time.
3. Teach their children respect for the authority of school personnel.
4. Cooperate with school personnel in solving behavior problems.
5. Show interest in their child’s progress.
6. Ensure that their children are neat, clean, and appropriately dressed.

Schools

Each school should develop a positive behavior support system which rewards and encourages good behavior and has fair and consistent consequences for inappropriate behavior.

Teachers

Classroom behavior management begins in the relationship between teacher and student. Teachers are, therefore, expected to maintain a responsive classroom environment and to manage behavior proactively, in the classroom.

The teacher may take the following actions:

1. Progressive disciplinary actions in class appropriate to the situation reflecting the consensus of the faculty or grade-level.
2. Contact the student’s parent/guardian.
3. Request a meeting with student, teacher, and administrator.
4. Schedule a conference with the parent/guardian and other appropriate staff members.
5. Refer the student to the SSS Team.
6. However, there are behaviors that, due to their repetition or severity, warrant the intervention of the school administration.

Administrators

In any situation where a violation of this Code is alleged to have occurred, the principal or designee will hear the student’s explanation and investigate the matter fully before determining if a violation has occurred. If a violation has occurred, the principal or designee will determine the level of that violation.

CLASSIFICATION OF VIOLATIONS

Violations of this Code of Conduct are grouped into four (4) levels: **Minor**, **Intermediate**, **Major I**, and **Major II**. The recommended responses should be used. However, the principal's primary responsibility is to maintain order and protect the safety and security of all students and faculty. Therefore, the principal's judgment in any given situation is considered to be paramount.

The following behavior code classifications include travel to and from school, behavior at school, and while participating in any school-sponsored events.

Level 1: Minor Offenses

DEFINITION: A minor offense is one which includes behavior that disrupts the educational environment, but does not include safety risk, damage to property, or physical harm to self or others.

Examples include, but are not limited to the following:

- Making noises in class
- Dress-code violation
- Tardiness to class

RESPONSES: Responses to minor offenses focus on prevention of future violations and/or repetition of the behavior. It is required that parents or guardians will be notified of any actions taken.

Examples include, but are not limited to the following:

- Time out (a class period or less)
- Loss of privileges
- Mediation

Level 2: Intermediate Offenses

DEFINITION: An intermediate offense includes behavior that disrupts the educational environment and has the potential to put at risk the safety and security of students and staff. Behaviors also include minor offenses which have become chronic (three or more occurrences). Intermediate offenses also include those which compromise the integrity of students or the school.

Examples include, but are not limited to the following:

- Cheating
- Disruption of a school activity
- Unauthorized absence from class
- Profane, obscene, or vulgar language or expression (in any language) directed at others; either verbal, written, or by gesture

RESPONSES: Responses to intermediate offenses focus not only on prevention of future behavior, but also on consequences for negative actions. Responses also include reflection with the student on his or her behavior, and may include referral to support staff. It is required that parents or guardians will be notified of any actions taken.

Examples include, but are not limited to the following:

- Behavioral contract
- Detention
- Extended loss of privileges
- Peer mediation
- Restitution and/or remediation
- Community service

MAJOR OFFENSES I & II

Insofar as major offenses are those most likely to result in out-of-school suspension, and as it is a goal of the State of Connecticut to reduce the incidence of out-of-school suspension in the public schools, the state requires the use of the following decision making guide in determining whether or not out-of-school suspension is warranted. However, in the absence of legislation requiring the use of in-school suspension and in the absence of fully funded in-school suspension programs in all the schools, it should be recognized that out-of-school suspension remains a viable response for the offenses in these categories.

Out-of-School Suspension Decision Guide

Directions: Please use this reference guide to inform the decision for an out-of-school suspension. The student must meet either Criterion 1 or Criterion 2 in order to apply out-of-school suspension. Examine the list of mitigating factors that are applicable to each criterion because they may have a role in determining a course of action.

CRITERION 1 – Endangerment to Persons/Property

Student poses such a danger to persons or property that exposes a pupil or property to damage or injury, peril, risk, hazard or any harmful situation, (e.g., violent crimes, weapons possession and drug distribution) that out-of-school suspension is warranted.

CRITERION 2 – Serious Disruption

Student poses such a serious disruption to the educational process that causes a serious disorder, confusion, interruption or impediment to the operation of a class, study hall, library, assembly, program or other gathering involving pupils or staff members that out-of-school suspension is warranted.

Questions to consider:

1. Does the behavior markedly interrupt or severely impede the day-to-day operation of a 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., through 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

Level 3: Major Offenses I

DEFINITION: A major offense I includes behavior that severely disrupts the educational environment and may put the safety and security of students and staff at risk. Offenses at this level include harm to self or others, and/or damage to school property. Major offenses I may include referral to outside agencies such as the police department. Behaviors also include intermediate offenses that have become chronic (three or more occurrences). Examples include, but are not limited to the following:

- Alcohol; the use, possession, or being under the influence
- Bullying and other forms of harassment
- Distribution of a non-prescription medication
- Drugs or drug paraphernalia: the possession or use of
- Electronic tampering: unauthorized access to information systems or inappropriate use of electronic equipment (including computers, fax machines, telephones, etc.)
- False alarm
- Fighting
- Fireworks; the use, possession, or distribution of
- Hazing
- Harassment; based on gender, race, religion, disability, and other protected categories
- Indecent exposure
- Introduction of a foreign substance (toxic or harmful) into food or drink
- Malicious threats of violence
- Possession of a common pocket knife
- Secret society; organization, establishment, promotion, membership, participation in any secret society related activity or wearing any secret society organization or gang logo in any way which is disruptive of the educational process
- Sexual harassment
- Theft
- Trespassing
- Vandalism under \$100
- Any other violation which the principal/designee reasonably believes falls within this category.

RESPONSES:

Notification of parent/guardian is required.

NOTE: Appropriate law enforcement agencies will be notified if the offense involved qualifies as a criminal act under Connecticut Law.

****In the case of Bullying ONLY, Refer to the full Bullying Policy and implement progressive discipline as noted.**

- Suspension: from school or transportation services is recommended; the length of suspension is appropriate to the offense and to the number of previous violations
- In school suspension (During the period of suspension the student(s) lose all privileges pertaining to extracurricular events and activities.)
- Assignment to an alternate educational program
- Restitution
- Community service
- SSS Team referral
- Recommendation for expulsion, as may be appropriate

Level 4: Major Offenses II

DEFINITION: A major offense II includes behavior that severely disrupts the educational environment, puts the safety and security of students and staff at risk, and/or leads to consequences defined by state law. Offenses at this level include harm to self or others, and/or damage to school property. Major offenses II include referral to outside agencies such as the police department. Behaviors also include Major Offenses I that have become chronic (three or more occurrences). For further clarification, refer to the student/parent handbook and/or the district policy manual.

Examples include, but are not limited to the following:

- Alcohol; distribution, sale, or attempted sale (including substances represented as alcohol)
- Arson
- Assault/Battery on a student or students
- Assault/Battery on a school board employee
- Bomb threat
- Disorderly conduct
- Drugs (including counterfeit): distribution, attempted distribution, sale, or attempted sale
- Explosives
- Firearms; the distribution, sale, attempted sale, use or willful possession
- Homicide
- Kidnapping
- Riot
- Sexual assault
- Vandalism over \$100
- Vehicle theft
- Weapon; the use, threat, or possession of
- Any other violation which the principal/designee reasonably believes falls within this category.

RESPONSES:

Notification of Parent/Guardian is required.

NOTE: Appropriate law enforcement agencies will be notified if the offence involved qualifies as a criminal act under Connecticut Law.

- Suspension: from school or transportation services is **required**. An immediate suspension of a period of 10 school days and a recommendation for expulsion is required. If the principal determines that there are extenuating circumstances, length of the suspension should be appropriate to the offense and to the number of previous violations. (During the period of suspension pending expulsion the student(s) lose all privileges pertaining to extracurricular events and activities.)
- Assignment to an alternate educational program
- Referral to SSS Team

APPENDIX 1: Administrator's Decision-Making Guide

Does the behavior severely disrupt the educational environment, put the safety and security of students and staff at risk, and/or lead to consequences defined by state law OR is the behavior a Level 3 offense which has become chronic (three or more occurrences)?

Yes... See responses for Level 4, Major Offense II.

No... Does the behavior severely disrupt the educational environment and/or may it have put the safety and security of students and staff at risk OR is the behavior a Level 2 offense which has become chronic (three or more occurrences) ?

Yes... See responses for Level 3, Major Offense I.

No... Does the behavior disrupt the educational environment and have the potential to put at risk the safety and security of students and staff OR does the behavior compromise the integrity of students or the school OR is the behavior a Level 1 offense which has become chronic (three or more occurrences)?

Yes... See responses for Level 2, Intermediate Offense.

No... Does the behavior disrupt the educational environment but not include safety risk, damage to property, or physical harm to self or others?

Yes... See responses for Level 1, Minor Offense.

No... Refer back to teacher for classroom response. Provide support as necessary.

APPENDIX 2: Definitions

Alcohol

All beverages and/or edible items or substances containing alcohol in any percent by volume, including distilled spirits.

Alternative Education Program

An educational program used in lieu of suspension or expulsion. Students assigned to an alternative education program are prohibited from attending or participating in other events or activities, where the Unified Code of Conduct is in effect. For the purpose of this policy, the term “alternative education” does not include schools of choice.

Arson

Willful and malicious damage to any structure by fire or explosion.

Assault

Intentionally threatening by word or act to do violence to another person, combined with an apparent ability to commit violence, which creates a well-founded fear in the person that violence is imminent.

Battery

Physically striking another person against that person’s will causing bodily harm to another person.

Bomb Threats

Intentionally making a false report to any person, including school personnel, concerning the planting or placing of any bomb, dynamite or other arson-causing device.

Bullying

Bullying is defined as repeated acts by any student in the New Haven Public School district against another student in the district that causes physical or emotional harm to a student or such student’s property, places a student in reasonable fear of harm to himself or herself or of damage to his or her property, creates a hostile environment at school for such student, infringes on the rights of such student at school, or substantially disrupts the educational process.

Bullying may include but is not limited to, acts based on actual or perceived differentiating characteristics: gender, gender identity and expression, ethnicity, national origin, race, sexual orientation, physical, mental, developmental or sensory capacity, academic status, physical appearance, or religion. Bullying extends to hostile written, verbal or electronic communication or physical acts or gestures against any student(s) associated with an individual or group who has or is perceived to have one or more of the above perceived differentiating characteristics, including physical appearance, gender identity and expression, socioeconomic status, academic status, developmental or sensory disability.

Cyberbullying is the use of technology, including but not limited to email, cellular mobile telephone, instant messaging, web pages, and digital photo, to harass or bully someone.

Burglary

Breaking and entering into a building or vehicle with the intent to commit a crime.

Cheating

To influence by deceit, trick or fraud, to violate rules for personal gain or the gain of others. To obtain by deceit a grade or reward to which one is not entitled. To plagiarize.

Disorderly Conduct

Any act which substantially disrupts the orderly conduct of a school function, or substantially disrupts the learning environment or poses a threat to the health, safety, and/or welfare of others.

Disruption

Behavior, which is willful and overt, initiated on the part of the student and which requires the attention of school personnel to deal with the incident.

Drug Paraphernalia

All equipment, products, and materials of any kind which are used, intended for use, or designated for use in planning, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of federal and state laws.

Drugs

All substances defined as controlled substances under federal and state laws including marijuana, hallucinogens, inhalants; any substance represented as a controlled substance by any person intending to deliver or sell said substance to another, whether or not the substance is controlled substance.

Drugs and Alcohol

- A. **Possession** – to have unlawful custody or control over any substance defined as a drug or alcohol under this code; prescription medication is exempt from the definition of possession if the student in possession of the medication has a valid prescription for that medication and has followed the prescribed procedures for administration of medication.
- B. **Distribution** – the delivery of a drug or alcohol to another one who is responsible for the introduction of the drug or alcohol upon school board property or at a school-sponsored event. Where quantities of the drug or alcohol are extremely small, or where there are some questions as to whether the substance was willingly distributed, or where there were a number of individuals passing the same item or substance.
- C. **Sale** – the delivery of a drug or alcohol to another in return for money or other consideration.
- D. **Use** – introduction of alcohol or a drug into the body.

Explosive

Device A prepared chemical or powder device designed to explode or burn, not unaltered commercial fireworks.

Expulsion

The discontinuation of educational services provided by the New Haven Public Schools for a period of time from 11-180 school days prescribed by the School Board. Students under expulsion are prohibited from attending or participating in any event or activities where the Unified Code of Conduct is in effect.

Extortion

Threatening another with the intent to obtain money or other property, or to compel that person to do an act or refrain from doing an act against his/her will.

False Alarms

Intentionally initiating any false alarm, including contacting 911.

Fighting

Mutual participation in a fight involving physical violence. Does not include verbal confrontation or horseplay.

Firearm

Any weapon which will, is designated to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device; or any machine gun. A destructive device is any bomb; grenade, mine, rocket, missile, pipe bomb, or similar device containing some type of explosive that is designed to explode and is capable of causing bodily harm or property damage. Includes firearms of any kind (operable or inoperable, loaded or unloaded), including but not limited to, hand zip, pistol, rifle, shotgun, starter gun, and flare gun.

Fireworks

Commercially manufactured explosive or combustibles used to produce light, smoke, and noise for entertainment.

Forgery

To make a document with the intent to defraud.

Gambling

To bet money or other takes on an outcome or a game, contest, or event.

Harassment

Unwanted and/or repeated, verbal or physical behavior based upon gender, racial, sexual orientation, ethnic, or religious reasons or based upon a disability which is offensive and objectionable to the recipient, causes discomfort or humiliation and interferes with school performance as defined in school board policy.

[Click here to go to the Table of Contents](#)

Hazing

Any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student for purposes, including but not limited to, initiation or admission into or affiliation with any organization operating under the sanction of postsecondary institution. Hazing includes, but is not limited to, pressuring or coercing the student into violating state or federal law, any brutality of a physical nature, such as whipping, beating, branding, exposure to the elements, forced consumption of any food, liquor, drug or other substance, or other forced physical activity that could adversely affect the physical health or safety of the student, and also includes any activity that would subject the student to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in extreme embarrassment, or other forced activity that could adversely affect the mental health or dignity of the student. Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective.

Inappropriate Touching

Any contact or touching of a sexual nature which is inappropriate for an educational setting or event.

Indecent Exposure

Exposing or exhibiting sexual organs in any public setting.

Insubordination

Failure to comply with the reasonable directive of any adult staff member.

Knowingly Filing a False Report

Willfully giving or conveying to any law enforcement officer or school official false information or reports concerning the alleged commission of any crime under the laws of the state, or ethical violation of school board policy, knowing that such information is false, in that no crime or ethical violation has been committed.

Malicious Threats of Violence

Threats that do not constitute assault. Words or acts that are not coupled with an apparent ability to do so or which do not create a well-founded fear that such violence is imminent. This does not require law enforcement involvement.

Pornographic Materials and Communications

Vulgar or obscene material or communications, oral or written. This includes notes, phone calls, text messages, and other communications such as Internet communications, as well as the possession of lewd or obscene drawings, pictures or magazines. Magazines which depict nude models, are included in this category.

Profane

Obscene or vulgar language – any expression in any language, either verbal, written, or by gesture which is disruptive and/or offends individuals or groups and violates the norms of the school and community.

Robbery

Taking money or other property from the person or custody of another by the use of force or threat.

Secret Societies

The organization of, establishment of, promotion of, membership in, or pledge of membership in any secret fraternity, sorority, or group (including a gang) wholly or partly composed of student(s) enrolled in the New Haven Public Schools and which perpetuates itself wholly or partly by taking in additional members on the basis of the decision of its membership rather than on the right of any student who is qualified by the rules of the school to be a member. Displaying or wearing any secret society organization logo in any way disruptive of the educational program is prohibited.

Sexual Assault

Any sexual act or attempt directed against another person, forcibly and/or against the person's will or where the victim is incapable of giving consent because of their youth or because of temporary or permanent mental incapacity. This category includes all offenses categorized as sexual assault under federal and Connecticut State Title IX law.

Sexual Harassment

Sexual harassment is defined as any unwelcome sexual advances or request for sexual favors or any verbal, nonverbal or physical conduct of a sexual nature when such conduct has the purpose or effect of substantially interfering with an individual's work or academic performance, or creating an intimidating, hostile or offensive working or academic environment; when submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual; or submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or her/his academic status or progress. Sexual harassment is not limited to prohibited behavior by a male toward a female, or by a supervisory employee toward a non-supervisory employee, or a teacher to a student. Harassment may be student to student, teacher to student, student to teacher or teacher to teacher. The victim does not have to be the opposite sex of the harasser. The gender of the complainant and/or the alleged harasser is irrelevant, even if they are of the same gender. Sexual harassment based on sexual orientation or gender identify is also prohibited under State law.

Sexual harassment can involve staff members, students, vendors, independent contractors, volunteers, or parents

Suspension

A temporary (5-10 days) cessation of educational services which are provided by the regular school or academic program. Students under suspension are prohibited from attending or participating in any event or activities where the Unified Code of Conduct is in effect.

Theft

The unlawful taking of property of another without threat of violence or bodily harm.

Tobacco Products

All items, which in total or in part, include tobacco or a by-product of tobacco, including but not limited to, cigarettes, cigars, chewing tobacco, snuff, and pipe tobacco.

Trespassing

Willfully entering or remaining on any school board property, building or vehicle without permission or authority. This includes returning to any school board property while under suspension or expulsion.

Vandalism

Willfully damaging by any means any real or personal property belonging to another or to the government.

Weapons

Possession, use or intention of use of any instrument or object to inflict harm on another person, or to intimidate any person. Included, but not limited to, in this category are items not being used for a particular purpose such as all types of knives, chains (any not being used for the purpose for which it was normally intended and capable of harming an individual), pipe (any length or metal not being used for the purpose it was normally intended), hunting equipment, including bows and/or arrows, hunting grade sling shots, razor blades, or similar instruments with sharp cutting edges, ice picks, dirks, other pointed instruments, nunchaks, brass knuckles, Chinese darts, billy clubs, tear gas gun, electrical weapons or device (stun gun), BB or pellet gun, explosives or propellants over 2 oz, possession of any knife (other than folding, non-locking pocket knife) is included here. A common pocket knife will not be considered to be a weapon unless used as one, however, CT state law prohibits knives of ANY length or description to be possessed by students at school. Weapons and other items of contraband are also prohibited from being in vehicles while on school board property or while at school-sponsored events.

APPENDIX 3: Alternatives to Suspensions

The following alternatives are approved by the Superintendent and may be used when suspension is contemplated (Levels 1-3):

- Peer mediation
- Cool down spot
- Time out
- Ways to decompress
- Administrative interventions
- After school supports
- After school reflection
- After school redirection
- Lunch choice restrictions
- Loss of privileges
- Home visits
- Saturday Academy
- Alternative program
- Community/School/Volunteer service (Manual Labor); Cafeteria, Library, Clean-up, Assistantship. (Must be approved by parent.)
- Self containment of consistently disruptive students
- Restorative justice
- Restitution
- Parent meetings
- Decide with parent (after relationship with parent has been established)
- Refer to counseling
- Behavior consultant
- Consult with community agencies
- SSS/Team referral
- Anger management
- Functional Behavior Assessment
- Reflective Writing/Written Apology

The following preventative measures are approved by the Superintendent to attempt to reduce the incidence of suspension in the schools:

- Raise positive climate in building
- Constantly reinforce positive behaviors to parents and students
- Student generated clubs and activities
- Recognition awards – daily, weekly, monthly
- Lunch bunch with teachers
- Point system
- Problem solving skills
- Contracts
- Parent in classroom
- School-based health clinic

- School based therapeutic intervention team
- Advisor / advisee program
- Teach and practice appropriate behaviors
- Older Students buddies – mentors
- Intergenerational support in classroom – mentors

NOTE: Use of these alternatives may be dependent on the availability of resources in particular schools. Not all of these options may be available to all schools.