

Violent and Aggressive Behavior

Section I - Introduction

The Board of Education recognizes that there are certain behaviors which, if tolerated, would quickly destroy the positive learning environment to which the students and staff are entitled.

These behaviors, categorized as violent and aggressive, will not be tolerated and shall result in immediate action as per policy 5114. All acts of violence and aggression, shall result in specific consequences, determined by the seriousness of the act and the student's history of misconduct, including suspension from school and consideration of expulsion from school by the Board of Education for acts of a serious or chronic nature.

Section II - Definitions

1. "Incitement, Instigation and Promotion of Violence" shall be defined as acts intended to prod, rouse, foment or urge others to act violently. They may include but not be limited to taunting, swearing, screaming, obscene gesturing or threatening when directed at an individual or group.
2. "Threats and Intimidation" shall be defined as acts intended to frighten someone or coerce someone into submission or obedience. They may include but not be limited to extortion, bullying, terroristic threats, threats of physical violence, or acts of sexual harassment.
3. "Physical Assault" shall be defined as the act of striking or touching a person or that person's property with a part of the anatomy or with any object, with the intent of causing hurt or harm. Retaliating when provoked or physically assaulted is also considered physical assault. Self-defense shall not be considered physical assault.
4. "Possession of a Firearm, Deadly Weapon, Dangerous Instrument or Martial Arts Weapon" shall be defined as having a firearm, deadly weapon, dangerous instrument, or martial arts weapon, as defined in Policy 5114, on one's person, or in an area subject to one's control.
 - . Possession of a firearm, deadly weapon, dangerous instrument, or martial arts weapon by a special education student requires a referral of that student for a Planning and Placement Team (PPT) meeting.
 - . Any student who finds a firearm, deadly weapon, dangerous instrument, or martial arts weapon is advised to seek adult assistance and is advised not to touch the weapon. A student who finds a firearm, deadly weapon, dangerous instrument, or martial arts weapon and immediately advises a teacher or other adult, shall not be considered in possession of such device.

Students

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Section III - Disciplinary Action

1. A student who commits a physical assault; incites, instigates or promotes violence; or threatens and intimidates shall be suspended out of school for a minimum of two school days up to a maximum of ten days and may be subject to expulsion for up to one calendar year. A complaint may be filed with the local police. The duration of suspension may be modified by the building principal or designee for a student in grades kindergarten through four. In-school suspension may be imposed in lieu of out-of-school suspension in instances of minor infractions when there is no history of misconduct by the student.
2. A student in possession of a firearm, deadly weapon, dangerous instrument, or martial arts weapon, on school grounds, in any school vehicle, at any school-sponsored activity or off school grounds shall be expelled for one calendar year as per policy 5114.

Section IV - Notification

Acts of violence and aggression shall be well-documented and communicated to the school principal or designee. The Superintendent of Schools shall be notified immediately of all acts pertaining to possession, threat with, or use of a firearm, deadly weapon, dangerous instrument or martial arts weapon, of physical assaults, of threats or intimidation and of incitement, instigation or promotion of violence. The Board of Education shall be informed and involved where deemed necessary by the Superintendent or where required by law or board policy.

When any act or threat of violence and/or aggression occurs, the Superintendent (taking due care to observe all statutes, policies and regulations relating to confidentiality applicable to the situation) shall use reasonable efforts to promptly notify affected parties. As used in this context, the term "affected parties" shall mean the parent(s) guardian(s) of the minor student(s) committing the act or making the threat, the parent(s) /guardian(s) of the student(s) who is (are) the object of any threat, and any member of the Brookfield school system staff who is the object of a threat.

Appropriate law enforcement agencies and other agencies shall be contacted and involved when required by board policy or when warranted in the judgment of the administration.

The Superintendent shall ensure that students and parents or guardian of minor students are informed of this policy annually or at the time of enrollment of a transfer student.

Students

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cf:

5113, Truancy
5114, Removal, Exclusion, Suspension and Expulsion/Due Process 5144-5131,
Conduct/Discipline/Punishment
5131.1, Bus Conduct
5131.5, Vandalism
5131.6, Drugs, Alcohol, Tobacco
5137, Firearms, Weapons, and Dangerous Instruments
5145.5, Sexual Harassment

Legal Reference:

Connecticut General Statutes

4-176e through 4-180a. Contested Cases. Notice. Record 10-233a through 10-2133f Suspension, removal and expulsion of students, as amended by PA 95-304 and PA906-24446a-60 Discriminatory employment practices prohibited.

Constitution of the State of Connecticut, Article I, Section 20

53a-3 Definitions.

53-217b 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, Pub. L. 103-227

18 U.S.c. 921 Definitions

Title III - Amendments to the Individuals with Disabilities Education Act Sec. 314 (Local Control Over Violence)

Elementary and Secondary Act of 1965 as amended by the Gun Free Schools Act of 1994.

PL 105-17 The Individuals with Disabilities Act, Amendment of 1997 Civil rights Act of 1964, Title VII, 42 D.S.C.

Equal Employment Opportunity Commission Policy Guidance N-9115.035) on Current Issues of Sexual Harassment, effective 10/15/88.

Title IX of the Education Amendments of 1972, CFR Section 106 *Meritor Savings Bank, FSB v. Vinson*, 447 U.S. 57 (1986)

Policy Adopted: 1/18/06

BROOKFIELD PUBLIC SCHOOLS
Brookfield, Connecticut