

Policy Committee Meeting  
Tuesday, October 17, 2023 6:30 PM

Town Campus Hammonasset Room/Zoom  
10 Campus Drive  
Madison, CT 06443

## **Meeting Agenda**

### I. Policies for Rescission:

- 5120.8 Missing School without Parental Consent/Unaccounted for
- 5120.9.1 Supervision of Students
- 5120.9.2 Student Dismissal Precautions

### II. Policies for Review:

- 4040 Plan for Minority Educator Recruitment
- 5110.4 Student Discipline
- 5040 Admission to the Public Schools at or Before Age Five
- 9540.2 Construction and Posting of Agenda
- 5180.1 Confidentiality and Access to Educational Records

*Repeal and Replace:*

- 5180.1 Records / Confidentiality
  - 5180.1.1 Directory Information
  - 5180.1.2 Relations with Non-Custodial Parents
- 5125.1 Health/Medical Records

*Rescind:*

- 5100.9.1 Student Recruitment

- 9450 Committees

*Repeal and Replace:*

- 9450 Board Committees
- 9450.1 Committee of the Whole
- 9460 Advisory Committees

*Rescind:*

- 9740 Board-Community Relations

- 9710 School District logo and or motto & 9720 Guidelines for use of District Logo/ Board Members' Names
- 5030.2 Interdistrict School Attendance Areas

### III. Public Comment

The Town of Madison does not discriminate on the basis of disability, and the meeting facilities are ADA accessible. Individuals who need assistance are invited to make their needs known by contacting the Town ADA/Human Resources Director, Debra Ferrante, at 203-245-6310 or by email at [ferranted@madisonct.org](mailto:ferranted@madisonct.org) at least five (5) business days prior to the meeting.

**Rescind – waive second read**

5120.8 Missing School without Parental Consent/Unaccounted for

Recommend repealing this policy because the topic is addressed by the Model Policy Attendance, Truancy, Chronic Absenteeism. (Model policy has been adopted)

5120.9.1 Supervision of Students

This policy is not mandatory and we recommend repeal. Job descriptions and collective bargaining agreements address "duties" of teachers and other staff members. Further, this policy applies broadly to all schools and age levels, even though necessary and appropriate levels of supervision may differ.

5120.9.2 Student Dismissal Precautions

This policy is not mandatory and we recommend repeal. This topic concerns the day-to-day operation of a school building and is best included in a regulation or school procedures. If the Board wishes to maintain the policy, we recommend internal review to ensure the policy is still being implemented, as it was last reviewed in 1996.

**Review**

4040 Plan for Minority Educator Recruitment

Under prior law, boards of education were required to develop and implement a “plan for minority educator recruitment” to reduce racial, ethnic and economic isolation and provide students with opportunities to interact with teachers from a variety of racial, ethnic, and economic backgrounds. Effective July 1, 2023, state law requires that such plan be named the “increasing educator diversity plan.” The new law also changes various references from “minority” to “diverse” without redefining the term’s underlying meaning. We revised our model policy to account for these language adjustments. Boards of education should note that, pursuant to Section 10 of Public Act 23-167, they are now required to submit their “increasing educator diversity plan” to the Commissioner of Education by March 15, 2024 for review and approval. In customizing and implementing their plans, boards of education should be mindful of state and federal legal requirements as well as evolving legal developments in the wake of the United States Supreme Court’s decision in *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College* and *Students for Fair Admissions, Inc. v. University of North Carolina*.

5110.4 Student Discipline

We have revised this policy to add a definition of “Protected Class Harassment” and clarify that Protected Class Harassment is an offense that may lead to disciplinary action. Further, pursuant to changes in Connecticut law regarding the legalization of cannabis under certain

circumstances, we have clarified that the sale or distribution of less than one kilogram of cannabis is not subject to mandatory expulsion pursuant to Connecticut General Statutes Section 10-233d. We have also made additional technical revisions for clarity.

#### 5040 Admission to the Public Schools at or Before Age Five

Under current law, boards of education are required to cause each child five years of age and over and under eighteen years of age who is not a high school graduate and is residing within the district to attend school in accordance with state law. In addition, current law requires children to be at least five years old on or before January 1 of the school year in order to enroll in the public schools. Beginning July 1, 2024, children must turn five years old on or before September 1 of the school year in order for that child's parent or guardian to enroll the child in kindergarten. The new law further provides, effective July 1, 2024, that a child who is not five years old on or before September 1 of the school year may be admitted to public school (1) upon written request by the child's parent or guardian to the school principal and (2) after the principal and an appropriate certified staff member conduct an assessment of the child to ensure that admitting the child is developmentally appropriate. In light of the new statutory requirements, we drafted a new policy to address admission to the public schools. We will continue to monitor whether additional guidance will be provided by the State Department of Education as related to the new statutory provisions.

#### 9540.2 Construction and Posting of Agenda

Pursuant to the Freedom of Information Act, boards of education are required to post an agenda in various locations at least twenty-four hours prior to the time of a regular or special meeting. Section 6 of Public Act 23-160 expands the duties of boards of education to require boards to post on the board's website any associated documents that board members may review at such meeting (provided such documents are not exempt from disclosure under the Freedom of Information Act). We revised our model policy to reflect the new requirements.

#### 5180.1 Confidentiality and Access to Educational Records

- *Repeal and Replace:*
  - 5180.1 Records / Confidentiality  
Recommend that the Board repeal this policy and replace it with the model Student Records policy for consistency and legal compliance.
  - 5180.1.1 Directory Information  
Recommend that the Board repeal this policy because Directory Information is addressed in the model Student Records (FERPA) policy.
  - 5180.1.2 Relations with Non-Custodial Parents  
Recommend that the Board repeal this policy because this topic is addressed in the model Student Records (FERPA) policy.
  - 5125.1 Health/Medical Records  
This policy is not mandatory and may be repealed. The information included in the policy is either statutory or agency guidance and is not required to be in

policy. The model Student Records (FERPA) policy appropriately addresses the confidentiality of all student records, including medical records.

- *Rescind:*
  - 5100.9.1 Student Recruitment

We recommend this policy be repealed and replaced with the model Uniform Treatment of Recruiters policy in Series 2000, and the model Student Records (FERPA) policy. These Model Policies include all of the necessary information. (Uniform Treatment of Recruiters policy has already been adopted)

#### 9450 Committees

- *Repeal and Replace:*
  - 9450 Board Committees

We recommend incorporating this bylaw into the model bylaw, Committees. This bylaw is district-specific and was recently revised in January 2022. During the incorporation, we recommend review of this bylaw to ensure it reflects current committee composition and practice. We also recommend further legal review regarding various provisions, including but not limited to: (1) provisions regarding each committee's role to make recommendations to the Board, rather than act pursuant to its own authority (e.g., developing a telecommunications plan), (2) the provision allowing the Board Chair to dissolve any committee (which standing committees are established by Board policy) at a regular meeting through action by the Board, and (3) the provision regarding the release of reports to the public, to ensure compliance with the FOIA.
  - 9450.1 Committee of the Whole

We recommend repeal and replacement with our model bylaw, Committees, and consolidation with Policy 9450, which we recommend for further legal review regarding issues including, but not limited to, those identified above.
  - 9460 Advisory Committees

We recommend repeal and consolidation with our model bylaw, Committees, which addresses the creation of special committees.
- *Rescind:*
  - 9740 Board-Community Relations

This bylaw is not required and we recommend repeal. To the extent this bylaw addresses the creation of special committees, we recommend that the Board adopt our model bylaw, Committees, for consistency.

#### 9710 School District logo and or motto & 9720 Guidelines for use of District Logo/ Board Members' Names

A draft policy has been presented for consideration. Shipman initially shared that a policy is not necessary but took greater issue with policy 9720 starting, "This bylaw is not required and we recommend repeal. In addition, the bylaw addresses duties of the Superintendent, rather than the Board, and the topic is not appropriate for a bylaw. In addition, the equal opportunity statement listed in the bylaw should be revised

to reflect all protected classes and not refer to affirmative action, which is separate and distinct from equal educational opportunity.”

5030.2 – Interdistrict School Attendance Areas

This policy is not mandatory and we recommend repeal. It does not appear that a choice program is currently operational through LEARN or in conjunction with New London.

**#5120.8****Missing School Without Parental Consent / Unaccounted For**

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In the event that a student's absence cannot be reconciled per the conditions delineated in Policies #5080 (Absences), #5080.1 (Tardiness) or #5080.2 (Truancy), school officials will cooperate with local authorities to report cases of unaccounted for or missing students.

After notifying the parent, guardian, or legal custodian of an unaccounted for student absence, school personnel will cooperate with the parents and authorities to provide information to assist in locating the student.

Date of Adoption: June 4, 1996

#5113  
**Student Attendance, Truancy and  
Chronic Absenteeism**  
**(formerly Student Attendance)**

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Regular and punctual student attendance in school is essential to the educational process. Connecticut state law places responsibility for assuring that students attend school with the parent or other person having control of the child. To assist parents and other persons in meeting this responsibility, the Board of Education (the “Board”), through its Superintendent, will adopt and maintain procedures to implement this policy.

In addition, the Board takes seriously the issue of chronic absenteeism. To address this issue, the Board, through its Superintendent, will adopt and maintain procedures regarding chronic absenteeism in accordance with state law.

**Legal References:**

Public Act No. 22-47

Connecticut General Statutes § 10-220

Connecticut General Statutes § 10-184

Connecticut General Statutes § 10-186

Connecticut General Statutes § 10-198a

Connecticut General Statutes § 10-198b

Connecticut General Statutes § 10-198c

Connecticut General Statutes § 10-198d

Connecticut General Statutes § 10-198e

Connecticut General Statutes § 10-198f

Guidelines for Reporting Student Attendance in the Public School Information System  
(Connecticut State Department of Education, January 2008)

Connecticut State Board of Education Memorandum, *Definitions of Excused and Unexcused Absences* (June 27, 2012)

Connecticut State Department of Education, *Guidelines for Implementation of the Definitions of Excused and Unexcused Absences and Best Practices for Absence Prevention and Intervention* (April 2013)

Connecticut State Department of Education, *Reducing Chronic Absence in Connecticut's Schools: A Prevention and Intervention Guide for Schools and Districts* (April 2017)

Connecticut State Department of Education Memorandum, *Youth Service Bureau Referral for Truancy and Defiance of School Rules* (February 22, 2018)

Connecticut State Department of Education, *Youth Service Bureau Referral Guide* (February 2018)

Connecticut State Department of Education Memorandum, *Mental Health Wellness Days* (January 24, 2022)

Date of Adoption:    October 6, 2020  
Date Revised:        April 5, 2022  
Date Revised:        January 10, 2023



**Regulation #5113**  
**Student Attendance, Truancy and**  
**Chronic Absenteeism**  
**(formerly Student Attendance)**

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**I. Attendance and Truancy**

A. Definitions for Section I

1. “**Absence**” - any day during which a student is not considered “in attendance” at his/her assigned school, or on a school sponsored activity (e.g. field trip), for at least one half of the school day.
  
2. “**Disciplinary absence**” - Any absence as a result of school or district disciplinary action. Any student serving an out-of-school suspension or expulsion should be considered absent. Such absence is not considered excused or unexcused for attendance and truancy purposes.
  
3. “**Educational evaluation**” - for purposes of this policy, an educational evaluation is an assessment of a student’s educational development, which, based upon the student’s presenting characteristics, would assess (as appropriate) the following areas: health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities.
  
4. “**Excused absence**” - a student is considered excused from school if the school has received written documentation describing the reason for the absence within ten (10) school days of the student’s return to school, or if the child has been excluded from school in accordance with section 10-210 of the Connecticut General Statutes (regarding communicable diseases), and the following criteria are met:
  - a. Any absence before the student’s tenth (10<sup>th</sup>) absence is considered excused when the student’s parent/guardian approves such absence and submits

**#5113R(b)**

appropriate written documentation in accordance with this regulation.

- b. For the student's tenth (10<sup>th</sup>) absence and all absences thereafter, a student's absences from school are, with appropriate documentation in accordance with this regulation, considered excused only for the following reasons:
    - i. student illness (verified by an appropriately licensed medical professional);
    - ii. religious holidays;
    - iii. mandated court appearances (documentation required);
    - iv. funeral or death in the family, or other emergency beyond the control of the student's family;
    - v. extraordinary educational opportunities pre-approved by the district administrators and in accordance with Connecticut State Department of Education guidance and this regulation;
    - vi. lack of transportation that is normally provided by a district other than the one the student attends.
  
  - c. A student, age five (5) to eighteen (18), whose parent or legal guardian is an active duty member of the armed forces who has been called for duty, is on leave from or has immediately returned from deployment to a combat zone or combat support posting, shall be granted ten (10) days of excused absences in any school year, and, in the discretion of the administration, additional excused absences to visit such student's parent or legal guardian with respect to the parent's leave or deployment. In the case of such excused absences, the student and parent or legal guardian are 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 the student prior to his or her return to school.
5. "In Attendance" - Any day during which a student is present at the student's assigned school, or an activity sponsored by the school, for at least half of the regular school day.

**#5113R(c)**

6. "Student" - a student enrolled in the Madison Public Schools (the "District").
7. "Truant" - any student five (5) to eighteen (18) years of age, inclusive, who has four (4) unexcused absences from school in any one month or ten (10) unexcused absences from school in any school year.
8. "Unexcused absence" - any absence from a regularly scheduled school day for at least one half of the school day, which is not excused or considered a disciplinary absence.

The determination of whether an absence is excused will be made by the building principal or his/her designee. Parents or other persons having control of the child may appeal that decision to the Superintendent or his/her designee, whose decision shall be final.

### B. Mental Health Wellness Days

Any student enrolled in grades kindergarten to twelve, inclusive, shall be permitted to take two mental health wellness days during the school year, during which day such student shall not be required to attend school. No student shall take mental health wellness days during consecutive school days.     Mental health wellness days shall be excused when permission by the student's parent/guardian is documented by the student's school, regardless of the number of absences a student has accrued in the school year. Mental health wellness days will not be included in reporting or referrals related to truancy. Mental health wellness day will count as an "absence" for determining chronic absenteeism, as defined in Section II of this policy.

### C. Written Documentation Requirements for Absences

1. Written documentation must be submitted for each incidence of absence within ten (10) school days of the student's return to school. Consecutive days of absence are considered one incidence of absence.

### #5113R(d)

2. The first nine (9) days of absence will be excused upon receipt of a signed note from the student's parent/guardian, a signed note from a school official that spoke in person with the parent/guardian regarding the absence, or a note confirming the absence by the school nurse or by a licensed medical professional, as appropriate. For any absence due to student illness, the signed note must include the specific symptom(s) exhibited by the student so that the District can monitor trends that would suggest the spread of COVID-19.
  
3. For the student's tenth (10<sup>th</sup>) absence, and all absences thereafter, documentation of the absence must be submitted in accordance with paragraphs 1 and 2 above, and must also include the reason for the absence and the following additional information:
  - a. student illness:
    - i. a signed note from a medical professional, who may be the school nurse, who has evaluated the student confirming the absence and giving an expected return date and including the specific symptom(s) exhibited by the student so that the District can monitor trends that would suggest the spread of COVID-19; or
    - ii. a signed note from school nurse who has spoken with the student's medical professional and confirmed the absence, including the date and location of the consultation and including the specific symptom(s) exhibited by the student so that the District can monitor trends that would suggest the spread of COVID-19.
  - b. religious holidays: none.
  - c. mandated court appearances:
    - i. a police summons;
    - ii. a subpoena;
    - iii. a notice to appear;
    - iv. a signed note from a court official; or
    - v. any other official, written documentation of the legal requirement to appear in court.

### #5113R(e)

- d. funeral or death in the family, or other emergency beyond the control of the student's family: a written document explaining the nature of the emergency.
  - e. extraordinary educational opportunity pre-approved by the district administrators and in accordance with Connecticut State Department of Education guidance and this policy: written pre-approval from the administration, in accordance with this regulation.
  - f. lack of transportation that is normally provided by a district other than the one the student attends: none.
4. Neither e-mail nor text message shall serve to satisfy the requirement of written documentation. In rare and extraordinary circumstances, a building administrator may, in his/her own discretion, accept the delivery of written documentation through a scanned copy sent by e-mail.
  5. The District reserves the right to randomly audit written documentation received, through telephone and other methods of communication, to determine its authenticity.
  6. Any absence that is not documented in accordance with this regulation within ten (10) school days after the incidence of absence will be recorded as unexcused. If documentation is provided within ten (10) school days, but is incomplete, the building principal may, at his/her own discretion, grant up to a five (5) school day extension for provision of the completed documentation.

#### D. Extraordinary Educational Opportunities

1. To qualify as an extraordinary educational opportunity, the opportunity must:
  - a. be educational in nature and must have a learning objective related to the student's course work or plan of study;
  - b. be an opportunity not ordinarily available to the student;

#5113R(f)

- c. be grade and developmentally appropriate; and
  - d. include content that is highly relevant to the student; while some opportunities will be relevant to all students, others will contain very specific content that would limit their relevance to a smaller group of students.
2. Family vacations do not qualify as extraordinary educational opportunities.
3. All requests for approval of extraordinary educational opportunities must:
  - a. be submitted to the building principal in writing prior to the opportunity, but no later than ten (10) school days prior to the opportunity except in exceptional circumstances at the discretion of the building administrator;
  - b. contain the signatures of both the parent/guardian and the student;
  - c. include an outline of the learning objective of the opportunity and include detail as to how the objective is linked to the student's coursework or plan of study; and
  - d. include additional documentation, where available, about the opportunity.
4. The building principal shall provide a response in writing and include the following:
  - a. either approval or denial of the request;
  - b. brief reason for any denial;
  - c. any requirements placed upon the student as a condition of approval;
  - d. the specific days approved as excused absences for the opportunity;
  - e. the understanding that the building administrator may withdraw its approval if the opportunity is canceled or the student fails to meet the agreed-upon requirements of the approval.
5. All decisions of the building principal relating to extraordinary educational opportunities shall be final.

6. Students who are granted excusal from school to participate in extraordinary educational opportunities are expected to share their experiences with other students and/or school staff when they return.

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7. Approval for an extraordinary educational opportunity is determined on a case-by-case basis and the analysis of individualized factors. An opportunity approved for one student may not be approved for another.

E. Truancy Exceptions:

1. A student five (5) or six (6) years of age shall not be considered truant if the parent or person having control over such student has appeared personally at the school district office and exercised the option of not sending the child to school at five (5) or six (6) years of age.
2. Until June 30, 2023, A student seventeen (17) years of age shall not be considered truant if the parent or person having control over such student consents to such student's withdrawal from school. Such parent or person shall personally appear at the school district office and sign a withdrawal form indicating such consent. Such withdrawal form must include an attestation from a guidance counselor or school administrator from the school that the district provided the parent (or person having control of the child) with information on the educational options available in the school system and community.
3. Beginning July 1, 2023, a student who is eighteen (18) years of age or older may withdraw from school. Such student shall personally appear in person at the school District office and sign a withdrawal form. Such withdrawal form must include an attestation from a guidance counselor or school administrator from the school that the District provided such student with information on the educational options available in the school system and community.

4. Beginning July 1, 2023, a student seventeen (17) years of age shall not be considered truant if the parent or person having control over such child withdraws such child from school and enrolls such child in an adult education program pursuant to Conn. Gen. Stat. § 10-69. Such parent or person shall personally appear at the school District

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office and sign an adult education withdrawal and enrollment form. Such adult education withdrawal and enrollment form shall include an attestation (1) from a school counselor or school administrator of the school that the District has provided such parent or person with information on the educational options available in the school system and in the community, and (2) from such parent or person that such child will be enrolled in an adult education program upon such child's withdrawal from school.

- 5.. If a parent or guardian of an expelled student chooses not to enroll the student in an alternative program, the student shall not be considered to be “truant.”

### F. Readmission to School Following Voluntary Withdrawal

1. Except as noted in paragraph 2 below, if a student voluntarily withdraws from school (in accordance with Section D.2, above) and subsequently seeks readmission, the Board may deny school accommodations to the student for up to ninety (90) school days from the date of the student’s withdrawal from school.
2. If a student who has voluntarily withdrawn from school (in accordance with Section D.2, above) seeks readmission within ten (10) school days of his/her withdrawal, the Board shall provide school accommodations to the student not later than three (3) school days after the student requests readmission.

### G. Determinations of Whether a Student is “In Attendance”:

1. A student serving an out of school suspension or expulsion shall be reported as absent unless he or she receives an alternative educational program for at least one half of the



## **Students**

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regular school day. In any event, the absence is considered a disciplinary absence, and will not be designated as excused or unexcused.

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2. On early dismissal days and days shortened due to inclement weather, the regular school day for attendance purposes is considered to be the amount of instructional time offered to students on that day. For example, if school is open for four hours on a shortened day scheduled, a student must be present for a minimum of two hours in order to be considered “in attendance.”
3. Students placed on homebound instruction due to illness or injury in accordance with applicable regulations and requirements are counted as being “in attendance” for every day that they receive instruction from an appropriately certified teacher for an amount of time deemed adequate in accordance with applicable law.

H. Procedures for students in grades K-8\*

1. Notification

- a. Annually at the beginning of the school year and upon the enrollment of any child during the school year, the administration shall notify the parent or other person having control of the student enrolled in grades K - 8 in writing of the obligations pursuant to Conn. Gen. Stat. § 10-184 to ensure that such a student attends school regularly or to show that the child is elsewhere receiving equivalent instruction in the studies taught in the District.
- b. Annually at the beginning of the school year and upon the enrollment of any child during the school year, the administration shall obtain from the parent or other person having control of the student in grades K-8 a telephone number or other means of contacting such parent or other person during the school day.

2. Monitoring

Each school shall implement a system of monitoring individual unexcused absences of students in grades K-8. Whenever such a student fails to report to school on a regularly scheduled school day, school personnel under the direction of the building

### #5113R(j)

principal [or designee] shall make a reasonable effort to notify the parent or other person having control of such student by telephone and by mail of the student's absence, unless school personnel have received an indication that the parent or other person is aware of the student's absence. [Reasonable efforts shall include two (2) attempts to reach the parent or other person at the telephone number provided by the parent or other person. Such attempts shall be recorded on a form provided by the Superintendent.] Any person who, in good faith, gives or fails to give such notice shall be immune from liability, civil or criminal, which might otherwise be incurred or imposed and shall have the same immunity with respect to any judicial proceeding which results from such notice or failure to give notice.

#### I. Procedures applicable to students ages five (5) to eighteen (18)

##### 1. Intervention

- a. When a student is truant, the building principal or his/her designee shall schedule a meeting with the parent (or other person having control of such student) and appropriate school personnel to review and evaluate the reasons for the student's truancy. This meeting shall be held no later than ten (10) days after the student becomes truant. The district shall document the meeting, and if parent or other person declines to attend the meeting, or is otherwise is non-responsive, that fact shall also be documented and the meeting shall proceed with school personnel in attendance.
- b. When a student is truant, the Superintendent or his/her designee shall coordinate services with and referrals of students to community agencies providing child and family services, as appropriate. The district shall document efforts to contact and include families and to provide early intervention in truancy matters.
- c. When a student is truant, the Superintendent or designee shall provide notice to the student's parent or guardian of the information concerning the existence and availability of the 2-1-1 Infoline program, and other pediatric mental and

**#5113R(k)**

- behavioral health screening services and tools described in Conn. Gen. Stat. § 17a-22r.
- d. Beginning July 1, 2023, when a student is truant, an appropriate school mental health specialist, as determined by the District, shall conduct an evaluation of the student to determine if additional behavioral health interventions are necessary for the well-being of the child. “School mental health specialist” means any person employed by the District to provide mental health services to students, including but not limited to a school social worker, school psychologist, trauma specialist, behavior technician, board certified behavior analyst, school counselor, licensed professional counselor or licensed marriage and family therapist.
  - e. If the Commissioner of Education determines that any school under the jurisdiction of Madison Board of Education (the “Board”) has a disproportionately high rate of truancy, the district shall implement in that school a truancy intervention model identified by the Department of Education pursuant to Conn. Gen. Stat. § 10-198e.
  - f. In addition to the procedures specified in subsections (a) through (c) above, a regular education student who is experiencing attendance problems should be referred to the building Child Study Team [or other appropriate school-based team] to consider the need for additional interventions and/or assistance. The Team will also consider whether the student should be referred to a planning and placement team (“PPT”) meeting to review the student’s need and eligibility for special education. A special education student who is experiencing attendance problems should be referred to a PPT meeting for program review.
  - g. Where the documented implementation of the procedures specified in subsections (a) through (d) above does not result in improved outcomes despite collaboration with the parent/guardian, the Superintendent or his/her designee may, with written parental consent, refer a student who is truant to a Youth Service Bureau.

J. Attendance Records

All attendance records developed by the Board shall include the individual student's state-assigned student identifier (SASID).

**II. Chronic Absenteeism**

A. Definitions for Section II

1. "Chronically absent child" - a child who is enrolled in a school under the jurisdiction of the Board and whose total number of absences at any time during a school year is equal to or greater than ten percent (10%) of the total number of days that such student has been enrolled at such school during such school year;
2. "Absence" - an excused absence, unexcused absence or disciplinary absence, as those terms are defined by the State Board of Education pursuant to section 10-198b of the general statutes and these administrative regulations;
3. "District chronic absenteeism rate" - the total number of chronically absent children under the jurisdiction of the Board in the previous school year divided by the total number of children under the jurisdiction of the Board for such school year; and
4. "School chronic absenteeism rate" - the total number of chronically absent children for a school in the previous school year divided by the total number of children enrolled in such school for such school year.

B. Establishment of Attendance Review Teams

If the Board has a district chronic absenteeism rate of ten percent (10%) or higher, it shall establish an attendance review team for the school district.

**#5113R(m)**

If a school under the jurisdiction of the Board has a school chronic absenteeism rate of fifteen percent (15%) or higher, it shall establish an attendance review team for that school.

If the Board has more than one school with a school chronic absenteeism rate of fifteen percent (15%) or higher, it shall establish an attendance review team for the school district or at each such school.

If the Board has a district chronic absenteeism rate of ten percent (10%) or higher and one or more schools with a school chronic absenteeism rate of fifteen percent (15%) or higher, it shall establish an attendance review team for the school district or at each such school.

C. Composition and Role of Attendance Review Teams

Any attendance review team established under these regulations may include school administrators, guidance counselors, school social workers, teachers, representatives from community-based programs who address issues related to student attendance by providing programs and services to truants, as defined under I.A.7, and chronically absent children and their parents or guardians.

Each attendance review team shall be responsible for reviewing the cases of truants and chronically absent children, discussing school interventions and community referrals for such truants and chronically absent children and making any additional recommendations for such truants and chronically absent children and their parents or guardians. Each attendance review team shall meet at least monthly.

D. State Chronic Absenteeism Prevention and Intervention Plan

The Board and its attendance review teams, if any, will consider any chronic absenteeism prevention and intervention plan developed by the State Department of Education.

**III. Reports to the State Regarding Truancy Data**

Annually, each local and regional board of education shall include information regarding the number of truants and chronically absent children in the strategic school profile report for each school under its jurisdiction and for the school district as a whole submitted to the Commissioner of Education. Measures of truancy include the type of data that is required to be collected by the Department of Education regarding attendance and unexcused absences in order for the department to comply with federal reporting requirements and the actions taken by the board of education to reduce truancy in the school district.

**IV. Evolving State Department of Education Guidance**

The Board will comply with any and all guidance issued by the State Department of Education regarding attendance requirements, including during periods of blended learning, and regarding attendance requirements of students who choose not to participate.

Legal References:

Connecticut General Statutes § 10-220

Connecticut General Statutes § 10-184

Connecticut General Statutes § 10-186

Connecticut General Statutes § 10-198a

Connecticut General Statutes § 10-198b

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Connecticut General Statutes § 10-198c

Connecticut General Statutes § 10-198d

Connecticut General Statutes § 10-198e

Connecticut General Statutes § 10-198f

Guidelines for Reporting Student Attendance in the Public School Information System  
(Connecticut State Department of Education, January 2008)

Connecticut State Board of Education Memorandum, *Definitions of Excused and Unexcused Absences* (June 27, 2012)

Connecticut State Department of Education, *Guidelines for Implementation of the Definitions of Excused and Unexcused Absences and Best Practices for Absence Prevention and Intervention* (April 2013)

Connecticut State Department of Education, *Reducing Chronic Absence in Connecticut's Schools: A Prevention and Intervention Guide for Schools and Districts* (April 2017)

Connecticut State Department of Education Memorandum, *Youth Service Bureau Referral for Truancy and Defiance of School Rules* (February 22, 2018)

Connecticut State Department of Education, *Youth Service Bureau Referral Guide* (February 2018)

Connecticut State Department of Education Memorandum, *Mental Health Wellness Days* (January 24, 2022)



**#5120.9.1  
Supervision of Students**

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Supervision inside and outside the classroom is necessary to protect the physical safety of the students. Each principal will be responsible to draw up a list of supervisory duties and assign staff members within the building to cover them. The duties specifically will include: lunch, recess, hall monitoring, bus duties as well as other duties peculiar to a particular building or educational level. The numbers of staff members required for a particular duty or set of duties will be determined by the principal.

The Board expects all students to be under assigned adult supervision at all times when they are in school, on school grounds, traveling under school auspices, or engaging in school sponsored activities. School personnel assigned this supervision are expected to act as prudent adults, keeping student safety as their chief concern.

During school hours, or while engaging in school sponsored activities, students will be released only into the custody of parents or other authorized persons.

The school administrators will ensure that anyone who wishes to contact a student during the school day is doing so within approved guidelines.

Date of Adoption: January 23, 1996  
Reference: Policy # 5120, Student Welfare/Safety

**#5120.9.2****Student Dismissal Precautions**

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No staff member will excuse any student from school prior to the end of the school day, or into any person's custody, without the direct prior approval and knowledge of the building principal or his/her designee, who will authorize early or otherwise irregular dismissal only when it is requested by the student's parent or guardian. Students who are eighteen or older may be released without parental permission per the principal's approval.

Special precautions will be taken by the school administration appropriate to the age of students, and as needs arise.

No teacher may permit any individual student to leave school prior to the regular hour of dismissal except by permission of the principal.

No school or grade may be dismissed before the regular hour for dismissal except with the approval of the Superintendent of Schools.

**Release of Child to Noncustodial Parent**

Before releasing a child to a parent or guardian, the school principal or designee will ascertain that the person calling for the child is the parent/guardian. A child will be released to either parent if the parents are divorced and have joint custody. A child will be released to a noncustodial parent only if there is a permission for doing so signed by the custodial parent on file with the school office.

**Permission to Leave Grounds During the School Day**

A student will not be permitted to leave school during the school day in the custody of a person other than the student's parent or legal guardian unless that person has the authorization of one of the parents or legal guardians and can identify himself/herself. In

**5120.9.2 (Continued)**

all cases, the teacher will secure the approval of the principal or his/her designee. The principal will verify the authorization.

Students will not miss classes for errands away from the school grounds except in instances where the activity is related to the course or school activity and with the approval of the principal or assistant principal and permission of the parent.

No student will be released from school early on the basis of a phone call which has not been validated.

Date of Adoption: January 23, 1996

## Student Drop-Off and Pick-Up

### AM Student Drop-Off

The upper parking lot will be used for AM drop off between 8:35 and 8:50am. When dropping off, please enter the parking lot no earlier than 8:35, as staff still need to access the parking spots. Cars should enter the upper parking lot and proceed to the designated drop-off area marked by the cones. Once signaled by a staff member, children are to exit from the passenger side of the vehicle and proceed directly to the sidewalk.

Drop off ends promptly at 8:50am, as staff need to report to duties in the building. Therefore, parents arriving after 8:50am should park their vehicle in a visitor's spot and escort their child through the front door and to the Main Office to be signed in.

The front circular driveway is reserved for bus use only between 8:35-9:00 am daily. No cars should be in the bus area during this time.

### PM Student Pick-Up

For students being picked up at the end of the day at 3:25pm, please note the following:

- **Students in Kindergarten and Grade 1 will be picked up at the outside GYM doors.** Parents should park their cars on the back blacktop and line up outside of the GYM doors to sign out their child(ren).
- **Students in Grades 2 and 3 will be picked-up outside room 13.** Parents should park their cars in the upper parking lot and wait in line to sign out their child(ren).

*\*If students are being picked up across these grade configurations, the older sibling (Grades 2-3) is asked to wait with the younger sibling in the Kindergarten pick-up area.*

The front circular driveway is reserved for bus use only between 3:00-3:45 pm daily. No cars should be in the bus area during this time.

### Changes in Dismissal Plan/Early Dismissal

Changes in pick-up or bus transportation should be arranged prior to the student's arrival at school. Please send a note (use the blue note pads) to the teacher informing him/her of this change. If someone other than the parent or legal guardian is to pick-up a student, the school secretary must be informed through written communication indicating the time, date, and name of the person picking up the student. IDs will be checked. When you arrive on campus, please check in at the Main Office. All children dismissed prior to the scheduled daily dismissal time will be marked "dismissed early." Such dismissals will be noted on the report card. In order to provide families with a safe and efficient dismissal, all changes in dismissal plans must be received by the school secretary *no later than 2:00 pm*.

## **FAMILY VACATIONS**

### **Students**

- Must make arrangements with teachers regarding lost instruction time/make-up work.

### **Parents/Guardians**

- Should consider the State of Connecticut definitions of excused absences.
- Should carefully consider the negative effects that absence from school may have on their children's total educational progress.
- Must provide written notification to the school principal at least two weeks in advance of vacations occurring while school is in session.

### **School**

- Recommends that family vacations be taken in conjunction with scheduled school vacations.

## **TARDY POLICY**

Tardy is defined as being late to school, class, or activity without permission of school personnel.

### **Tardy to School/ Tardy to First Time Block Class**

All students arriving tardy to school before 7:45 should go directly to class. Students who arrive to school after 7:45 must report to the main office for a pass. Teachers will not admit students to class after 7:45 without an office pass.

Students tardy to school/first time block class are considered tardy, unexcused, unless parents/guardians have contacted school with an explanation that meets the criteria for an excused absence. Reasons such as oversleeping or missing the bus will not be accepted as excused. All unexcused tardies over 20 minutes will be considered as unexcused absences to class and will count towards loss of credit. Refer to the section on Excused Absences and Loss of Credit.

### **Tardy to Class**

Teachers will establish a tardy policy. A student may be assigned a teacher detention for each tardy. Once a student has received three tardies, they will be referred to administration.

### **Students**

- Will be in school on time; failure to report to any class due to unexcused tardiness is considered a class cut.
- Will attend every class on time.
- Will not be excused for excuses such as car problems and oversleeping (except in the event of a power outage) as reasons for being late to school.

## **School**

- Will work together to address the needs of students who are developing a pattern of being tardy.
- Will refer to a school administrator those students who are not making progress towards correcting tardy issues.
- Recognizes any tardy of twenty (20) minutes or more as an unexcused absence.

## **LATE ADMITTANCE PRIVILEGE**

Seniors and juniors who do not have a period 1 class may arrive to school late with prior approval.

**All** students are expected to be on time for their period 2 class or assigned attendance location. Failure to report to a period 2 location will be considered a class cut.

## **EARLY DISMISSAL**

### **Students**

- Must bring a note from home stating the reason for early dismissal and must present a note to the Attendance Secretary upon entering school.
- Will be issued an early dismissal slip that must be signed by the teacher and returned to the Attendance Secretary before leaving school.

### **Parents/Guardians**

- Should only request early dismissal in cases of pressing family business.
- Should send note to school with student explaining early dismissal request.
- Must call the school on the morning of the dismissal to confirm the note.
- Must call the school at any time to request early dismissal for their children in the event of an emergency situation.

### **School**

- Recognizes any early dismissal of twenty (20) minutes or more as an unexcused absence.

## **TRIMESTER EARLY DISMISSALS**

### **Juniors and Seniors**

Juniors and Seniors may leave school after their last class of the day once they fill out and file a permanent early dismissal form. These forms may be obtained from the main office or on the school website and must be returned to the main office when completed. Trimester early dismissal requests must be approved by an administrator.

#4040

**Increasing Educator Diversity Plan  
(formerly Minority Recruitment Plan)**

In accordance with Sections 10-4a(3), 10-220(a), 10-156ee, and 10-156hh of the Connecticut General Statutes, the Madison Board of Education (the “Board”) has developed the following written plan for increasing educator diversity:

1. All recruiting sources will be informed in writing of the Board's non-discrimination policy.
2. Each Board employee involved in hiring educators for the Madison Public Schools (the “District”) shall successfully complete the video training module relating to implicit bias and anti-bias in the hiring process, developed pursuant to Connecticut General Statutes [§ 10-156ee, prior to such employee’s participation in the educator hiring process for the District.](#)
3. The Board, or its designee, will develop contacts with local training and educational institutions, including those with highly diverse enrollments, to publicize job openings within the school district and to solicit referrals of diverse and qualified candidates.
4. The Board, or its designee, will develop contacts with local community organizations, including diverse community organizations, to publicize job openings within the school district and to solicit referrals of diverse and qualified candidates.
5. The Board, or its designee, will maintain, or expand, as appropriate, its help-wanted advertising to include print and/or broadcast media that is targeted to diverse individuals.

- 31 6. The Board, or its designee, will participate in local job fairs, including those that  
32 are sponsored by diverse community organizations or otherwise targeted toward  
33 diverse individuals.  
34
- 35 7. The Board, or its designee, will maintain records documenting all actions taken  
36 pursuant to this plan, including correspondence with recruitment agencies and  
37 other referral sources, job fair brochures and advertising copy.  
38
- 39 8. The Board, or its designee, will review on an annual basis the effectiveness of this  
40 plan in increasing diverse applicant flow and attracting qualified candidates for  
41 employment.  
42

43 Legal References:

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45 Connecticut General Statutes §10-4a (3) Educational interests of state identified  
46 Connecticut General Statutes §10-220(a) Duties of boards of education  
47 Connecticut General Statutes §10-156ee Duties re minority teacher recruitment  
48 [Connecticut General Statutes §10-156hh Completion of video training module](#)  
49 [re implicit bias and anti-bias in hiring](#)  
50 [process for certain school district](#)  
51 [employees](#)  
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53 Date of Adoption: June 15, 1999  
54 Technical Revision: April 4, 2006  
55 Date of Revision June 21, 2022  
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**Student Discipline  
(formerly Suspension/Expulsion/Exclusion  
From School/School Activities)**

It is the policy of the Madison Board of Education (the “Board”) to create a school environment that promotes respect of self, others, and property within the Madison Public Schools (the “District”). Compliance with this policy will enhance the Board and the District’s ability to maintain discipline and reduce interference with the educational process that can result from student misconduct.

**I. Definitions**

A. **Cannabis** means marijuana, as defined by Conn. Gen. Stat. § 21a-240.

B. **Dangerous Instrument** means any instrument, article or substance which, under the circumstances in which it is used or attempted or threatened to be used, is capable of causing death or serious physical injury, and includes a "vehicle" or a dog that has been commanded to attack.

C. **Deadly Weapon** means any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon or metal knuckles. A weapon such as a pellet gun and/or air soft pistol may constitute a deadly weapon if such weapon is designed for violence and is capable of inflicting death or serious bodily harm. In making such determination, the following factors should be considered: design of weapon; how weapon is typically used (e.g. hunting); type of projectile; force and velocity of discharge; method of discharge (i.e. spring v. CO2 cartridge) and potential for serious bodily harm or death.

D. **Electronic Defense Weapon** means a weapon which by electronic impulse or current is capable of immobilizing a person temporarily, but is not capable of inflicting death or serious physical injury, including a stun gun or other conductive energy device.

E. **Emergency** means a situation in which the continued presence of the student in school poses such a danger to persons or property or such a disruption of the

31 educational process that a hearing may be delayed until a time as soon after the  
32 exclusion of such student as possible.

33 F. **Exclusion** means any denial of public school privileges to a student for disciplinary  
34 purposes.

35 G. **Expulsion** means the exclusion of a student from school privileges for more than ten  
36 (10) consecutive school days and shall be deemed to include, but not be limited to,  
37 exclusion from the school to which such student was assigned at the time such  
38 disciplinary action was taken. The expulsion period may not extend beyond one (1)  
39 calendar year.

40 H. **Firearm**, as defined in 18 U.S.C § 921, means (a) any weapon (including a starter  
41 gun) that will, is designed to, or may be readily converted to expel a projectile by the  
42 action of an explosive, (b) the frame or receiver of any such weapon, (c) a firearm  
43 muffler or silencer, or (d) any destructive device. The term firearm does not include  
44 an antique firearm. As used in this definition, a "**destructive device**" includes any  
45 explosive, incendiary, or poisonous gas device, including a bomb, a grenade, a rocket  
46 having a propellant charge of more than four ounces, a missile having an explosive or  
47 incendiary charge of more than one-quarter ounce, a mine, or any other similar  
48 device; or any weapon (other than a shotgun or shotgun shell which the Attorney  
49 General finds is generally recognized as particularly suited for sporting purposes) that  
50 will, or may be readily converted to, expel a projectile by explosive or other  
51 propellant, and which has a barrel with a bore of more than ½" in diameter. The term  
52 "destructive device" also includes any combination of parts either designed or  
53 intended for use in converting any device into any destructive device and from which  
54 a destructive device may be readily assembled. A "destructive device" does not  
55 include: an antique firearm; a rifle intended to be used by the owner solely for  
56 sporting, recreational, or cultural purposes; or any device which is neither designed  
57 nor redesigned for use as a weapon.

58 I. Protected Class Harassment is a form of discrimination on the basis of any  
59 protected characteristic (or protected class) including race, color, religion, age, sex,  
60 sexual orientation, marital status, national origin, alienage, ancestry, disability,  
61 pregnancy, gender identity or expression, veteran status, status as a victim of domestic

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62 violence, or any other basis prohibited by state or federal law (“Protected Class”).  
63 Harassment constitutes unlawful discrimination when it creates a hostile environment,  
64 which occurs when the harassment is sufficiently severe, pervasive, or persistent so as  
65 to interfere with or limit a student’s ability to participate in or benefit from the  
66 services, activities, or opportunities offered by a school. Harassment does not have to  
67 include intent to harm, be directed at a specific target, or involve repeated incidents.  
68 Harassment against any individual on the basis of that individual’s association with  
69 someone in a Protected Class may be a form of Protected Class harassment.

70 J. **In-School Suspension** means an exclusion from regular classroom activity for no  
71 more than ten (10) consecutive school days, but not exclusion from school, provided  
72 such exclusion shall not extend beyond the end of the school year in which such in-  
73 school suspension was imposed. No student shall be placed on in-school suspension  
74 more than fifteen (15) times or a total of fifty (50) days in one (1) school year,  
75 whichever results in fewer days of exclusion.

76 K. **Martial Arts Weapon** means a nunchaku, kama, kasari fundo, octagon sai, tonfa or  
77 Chinese star.

78 L. **Removal** is the exclusion of a student from a classroom for all or part of a single class  
79 period, provided such exclusion shall not extend beyond ninety (90) minutes.

80 M. **School Days** shall mean days when school is in session for students.

81 N. **School-Sponsored Activity** means any activity sponsored, recognized or authorized  
82 by the Board and includes activities conducted on or off school property.

83 O. **Seriously Disruptive of the Educational Process**, as applied to off-campus conduct,  
84 means any conduct that markedly interrupts or severely impedes the day-to-day  
85 operation of a school.

86 P. **Suspension** means the exclusion of a student from school and/or transportation  
87 services for not more than ten (10) consecutive school days, provided such suspension  
88 shall not extend beyond the end of the school year in which such suspension is  
89 imposed; and further provided no student shall be suspended more than ten (10) times

90 or a total of fifty (50) days in one school year, whichever results in fewer days of  
91 exclusion, unless such student is granted a formal hearing as provided below.

92 Q. **Weapon** means any BB gun, any blackjack, any metal or brass knuckles, any police  
93 baton or nightstick, any dirk knife or switch knife, any knife having an automatic  
94 spring release device by which a blade is released from the handle, having a blade of  
95 over one and one-half inches in length, any stiletto, any knife the edged portion of the  
96 blade of which is four inches and over in length, any martial arts weapon or electronic  
97 defense weapon, or any other dangerous or deadly weapon or instrument, unless  
98 permitted by law under Section 29-38 of the Connecticut General Statutes.

99 R. Notwithstanding the foregoing definitions, the reassignment of a student from one  
100 regular education classroom program in the District to another regular education  
101 classroom program in the District shall not constitute a suspension or expulsion.

102 S. For purposes of this policy, references to “school”, “school grounds”, and  
103 “classroom” shall include physical educational environments, including on school  
104 transportation, as well as in which students are engaged in remote learning, which  
105 means instruction by means of one or more Internet-based software platforms as part  
106 of a remote learning.

107 **II. Scope of the Student Discipline Policy**

108 A. Conduct on School Grounds, on School Transportation or at a School-Sponsored  
109 Activity:

110 1. Suspension. Students may be suspended for conduct on school grounds, on  
111 school transportation, or at any school-sponsored activity that violates a  
112 publicized policy of the Board or is seriously disruptive of the educational process  
113 or endangers persons or property.

114 2. Expulsion. Students may be expelled for conduct on school grounds, on school  
115 transportation or at any school-sponsored activity that either (1) violates a  
116 publicized policy of the Board and is seriously disruptive of the educational  
117 process, or (2) endangers persons or property.

118 B. Conduct off School Grounds:

119 Discipline. Students may be disciplined, including suspension and/or expulsion,  
120 for conduct off school grounds if such conduct *violates a* publicized policy of the  
121 Board and is seriously disruptive of the educational process.

122 C. Seriously Disruptive of the Educational Process

123 In making a determination as to whether such conduct is seriously disruptive of  
124 the educational process, the Administration and the Board of Education may  
125 consider, but such consideration shall not be limited to, the following factors: (1)  
126 whether the incident occurred within close proximity of a school; (2) whether  
127 other students from the school were involved or whether there was any gang  
128 involvement; (3) whether the conduct involved violence, threats of violence, or  
129 the unlawful use of a weapon, as defined in Section Conn. Gen. Stat. § 29-38, and  
130 whether any injuries occurred; and (4) whether the conduct involved the use of  
131 alcohol. The Administration and/or the Board of Education may also consider (5)  
132 whether the off-campus conduct involved the illegal use of drugs.

133 D. A student shall not have greater discipline, punishment, or sanction for the use,  
134 sale, or possession of cannabis on school property than a student would face for  
135 the use, sale, or possession of alcohol on school property, except as otherwise  
136 required by applicable law.

137 **III. Actions Leading to Disciplinary Action, including Removal from Class, Suspension**  
138 **and/or Expulsion**

139 Conduct that is considered to violate a publicized policy of the Board of Education  
140 includes the offenses described below. Any such conduct may lead to disciplinary action  
141 (including, but not limited to, removal from class, suspension and/or expulsion in  
142 accordance with this policy):

- 143 1. Striking or assaulting a student, members of the school staff or other persons.
- 144 2. Theft.

- 145 3. The use of obscene or profane language or gestures, the possession and/or display of  
146 obscenity or pornographic images or the unauthorized or inappropriate possession  
147 and/or display of images, pictures or photographs depicting nudity.
- 148 4. Violation of smoking, dress, transportation regulations, or other regulations and/or  
149 policies governing student conduct.
- 150 5. Refusal to obey a member of the school staff, law enforcement authorities, or school  
151 volunteers, or disruptive classroom behavior.
- 152 6. Any act of [Protected Class Harassment or reprisal or retaliation against any individual](#)  
153 [for reporting in good faith incidents of Protected Class Harassment, or who participate in](#)  
154 [the investigation of such reports.](#)  
155
- 156 7. Refusal by a student to respond to a staff member's request for the student to provide  
157 the student's name to a staff member when asked, misidentification of oneself to such  
158 person(s), lying to school officials or otherwise engaging in dishonest behavior.
- 159 8. Inappropriate displays of public affection of a sexual nature and/or sexual activity on  
160 school grounds, on school transportation, or at a school-sponsored activity.
- 161 9. A walk-out from or sit-in within a classroom or school building or school grounds.
- 162 10. Blackmailing, threatening or intimidating school staff or students (or acting in a  
163 manner that could be construed to constitute blackmail, a threat, or intimidation,  
164 regardless of whether intended as a joke)
- 165 11. Possession of any weapon, weapon facsimile, deadly weapon, martial arts weapon,  
166 electronic defense weapon, pistol, knife, blackjack, bludgeon, box cutter, metal  
167 knuckles, pellet gun, air pistol, explosive device, firearm, whether loaded or  
168 unloaded, whether functional or not, or any other dangerous object or instrument.  
169 The possession and/or use of any object or device that has been converted or  
170 modified for use as a weapon.
- 171 12. Possession of any ammunition for any weapon described above in paragraph 11.
- 172 13. Unauthorized entrance into any school facility or portion of a school facility or  
173 aiding or abetting an unauthorized entrance.

- 174 14. Possession or ignition of any fireworks, combustible or other explosive materials, or  
175 ignition of any material causing a fire. Possession of any materials designed to be  
176 used in the ignition of combustible materials, including matches and lighters.
- 177 15. Possession, sale, distribution, use, or consumption of tobacco, electronic nicotine  
178 delivery systems (e.g. e-cigarettes), electronic cannabis delivery system, or vapor  
179 products, or the unlawful possession, sale, distribution, use or consumption of  
180 drugs, narcotics or alcoholic beverages (or any facsimile of tobacco, drugs, narcotics  
181 or alcoholic beverages, or any item represented to be tobacco, drugs or alcoholic  
182 beverages), including being under the influence of any such substances or aiding in  
183 the procurement of any such substances. For the purposes of this Paragraph 15, the  
184 term “electronic nicotine delivery system” shall mean an electronic device used in  
185 the delivery of nicotine or other substances to a person inhaling from the device,  
186 and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic  
187 cigarillo, electronic pipe or electronic hookah and any related device and any  
188 cartridge or other component of such device, including, but not limited to, electronic  
189 cigarette liquid. For purposes of Paragraph 15, the term “electronic cannabis  
190 delivery system” shall mean an electronic device that may be used to simulate  
191 smoking in the delivery of cannabis to a person inhaling the device and includes,  
192 but is not limited to, a vaporizer, electronic pipe, electronic hookah and any related  
193 device and any cartridge or other component of such device. For the purposes of  
194 Paragraph 15, the term “vapor product” shall mean any product that employs a  
195 heating element, power source, electronic circuit or other electronic, chemical or  
196 mechanical means, regardless of shape or size, to produce a vapor that may or may  
197 not include nicotine and is inhaled by the user of such product. For the purposes of  
198 this Paragraph 15, the term "drugs" shall include, but shall not be limited to, any  
199 medicinal preparation (prescription and non-prescription) and any controlled  
200 substance whose possession, sale, distribution, use or consumption is illegal under  
201 state and/or federal law, including cannabis.
- 202 16. Sale, distribution, or consumption of substances contained in household items;  
203 including, but not limited to glue, paint, accelerants/propellants for aerosol  
204 canisters, and/or items such as the aerators for whipped cream; if sold, distributed or

- 205 consumed for the purpose of inducing a stimulant, depressant, hallucinogenic or  
206 mind-altering effect.
- 207 17. Possession of paraphernalia used or designed to be used in the consumption, sale or  
208 distribution of drugs, alcohol or tobacco, as described in subparagraph (15) above.  
209 For purposes of this policy, drug paraphernalia includes any equipment, products  
210 and materials of any kind which are used, intended for use or designed for use in  
211 planting, propagating, cultivating, growing, harvesting, manufacturing,  
212 compounding, converting, producing, processing, preparing, testing, analyzing,  
213 packaging, repackaging, storing, containing or concealing, or injecting, ingesting,  
214 inhaling or otherwise introducing controlled drugs or controlled substances into the  
215 human body, including but not limited to items such as "bongs," pipes, "roach  
216 clips," vials, tobacco rolling papers, and any object or container used, intended or  
217 designed for use in storing, concealing, possessing, distributing or selling controlled  
218 drugs or controlled substances, including cannabis.
- 219 18. The destruction of real, personal or school property, such as, cutting, defacing or  
220 otherwise damaging property in any way.
- 221 19. Accumulation of offenses such as school and class tardiness, class or study hall  
222 cutting, or failure to attend detention.
- 223 20. Trespassing on school grounds while on out-of-school suspension or expulsion.
- 224 21. Making false bomb threats or other threats to the safety of students, employees,  
225 and/or other persons.
- 226 22. Defiance of school rules and the valid authority of teachers, supervisors,  
227 administrators, other employees and/or law enforcement authorities.
- 228 23. Throwing snowballs, rocks, sticks and/or similar objects, except as specifically  
229 authorized by school employees responsible for student supervision .
- 230 24. Unauthorized and/or reckless and/or improper operation of a motor vehicle on  
231 school grounds or at any school-sponsored activity.



- 232 25. Leaving school grounds, school transportation or a school-sponsored activity  
233 without authorization.
- 234 26. Use of or copying of the academic work of another individual and presenting it as  
235 the student's own work, without proper attribution; or any other form of academic  
236 dishonesty, cheating or plagiarism.
- 237 27. Possession and/or use of a cellular telephone, radio, portable audio player, CD  
238 player, blackberry, personal data assistant, walkie talkie, Smartphone, mobile or  
239 handheld device, or similar electronic device, on school grounds, on school  
240 transportation, or at a school-sponsored activity in violation of Board policy and/or  
241 administrative regulations regulating the use of such devices.
- 242 28. Possession and/or use of a beeper or paging device on school grounds, on school  
243 transportation, or at a school-sponsored activity without the written permission of  
244 the principal or designee.
- 245 29. Unauthorized use of or tampering with any school computer, computer system,  
246 computer software, Internet connection or similar school property or system, or the  
247 use of such property or system for inappropriate purposes.
- 248 30. Possession and/or use of a laser pointer, unless the student possesses the laser  
249 pointer temporarily for an educational purpose while under the direct supervision of  
250 a responsible adult.
- 251 31. Hazing.
- 252 32. Bullying, defined as an act that is direct or indirect and severe, persistent or  
253 pervasive, which:
- 254 a. causes physical or emotional harm to an individual;
- 255 b. places an individual in reasonable fear of physical or emotional harm; or
- 256 d. infringes on the rights or opportunities of an individual at school.
- 257 Bullying shall include, but need not limited be to, a written, oral or electronic  
258 communication or physical act or gesture based on any actual or perceived

259 differentiating characteristics, such as race, color, religion, ancestry, national origin,  
260 gender, sexual orientation, gender identity or expression, socioeconomic status,  
261 academic status, physical appearance, or mental, physical, developmental or sensory  
262 disability, or by association with an individual or group who has or is perceived to  
263 have one or more of such characteristics.

264 33. Cyberbullying, defined as any act of bullying through the use of the Internet,  
265 interactive and digital technologies, cellular mobile telephone or other mobile  
266 electronic devices or any electronic communications.

267 34. Acting in any manner that creates a health and/or safety hazard for employees,  
268 students, third parties on school property or the public, regardless of whether the  
269 conduct is intended as a joke, including but not limited to violating school or district  
270 health and safety protocols developed in connection with the COVID-19 pandemic,  
271 such as, but not limited to, physical distancing and mask-wearing requirements.

272 35. Engaging in a plan to stage or create a violent situation for the purposes of recording  
273 it by electronic means; or recording by electronic means acts of violence for  
274 purposes of later publication (other than to school officials).

275 36. Engaging in a plan to stage sexual activity for the purposes of recording it by  
276 electronic means; or recording by electronic means sexual acts for purposes of later  
277 publication.

278 37. Using computer systems, including email, remote learning platforms, instant  
279 messaging, text messaging, blogging, or the use of social networking websites, or  
280 other forms of electronic communications, to engage in any conduct prohibited by  
281 this policy.

282 38. Use of a privately owned electronic or technological device in violation of school  
283 rules, including the unauthorized recording (photographic or audio) of another  
284 individual without permission of the individual or a school employee.

285 39. Engaging in teen dating violence, defined as any act of physical, emotional or  
286 sexual abuse, including stalking, harassing and threatening, which occurs between  
287 two students who are currently in or who have recently been in a dating relationship.

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- 288 40. Any action prohibited by any Federal or State law.
- 289 41. Any other violation of school rules or regulations or a series of violations which
- 290 makes the presence of the student in school seriously disruptive of the educational
- 291 process and/or a danger to persons or property.

292 **IV. Discretionary and Mandatory Expulsions**

293 A. An administrator responsible for a school program (“responsible administrator”) may

294 consider recommendation of expulsion of a student in grades three to twelve,

295 inclusive, in a case where the responsible administrator has reason to believe the

296 student has engaged in conduct described at Sections II.A. or II.B., above.

297 B. A responsible administrator must recommend expulsion proceedings in all cases

298 against any student in grades kindergarten to twelve, inclusive, whom the

299 Administration has reason to believe:

300 1. was in possession on school grounds, on school transportation, or at a school-

301 sponsored activity of a deadly weapon, dangerous instrument, martial arts

302 weapon, or firearm as defined in 18 U.S.C. § 921 as amended from time to time;

303 or

304 2. off school grounds, possessed a firearm as defined in 18 U.S.C. § 921, in violation

305 of Conn. Gen. Stat. § 29-35, or possessed and used a firearm as defined in 18

306 U.S.C. § 921, a deadly weapon, a dangerous instrument or a martial arts weapon

307 in the commission of a crime under chapter 952 of the Connecticut General

308 Statutes; or

309 3. was engaged on or off school grounds or school transportation in offering for sale

310 or distribution a controlled substance (as defined in Conn. Gen. Stat. § 21a-

311 240(9)), whose manufacturing, distribution, sale, prescription, dispensing,

312 transporting, or possessing with intent to sell or dispense, offering or

313 administering is subject to criminal penalties under Conn. Gen. Stat. §§21a-277

314 and 21a-278. Sale or Distribution of less than one (1) kilogram of cannabis is not

315 subject to mandatory expulsion.

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316 The terms “dangerous instrument,” “deadly weapon,” “electronic defense weapon,”  
317 “firearm,” and “martial arts weapon,” are defined above in Section I.

318 C. In any preschool program provided by the Board of Education or provided by a  
319 regional educational service center or a state or local charter school pursuant to an  
320 agreement with the Board of Education, no student enrolled in such a preschool  
321 program shall be expelled from such preschool program, except an expulsion hearing  
322 shall be conducted by the Board of Education in accordance with Section VIII of this  
323 policy whenever the Administration has reason to believe that a student enrolled in  
324 such preschool program was in possession of a firearm as defined in 18 U.S.C. § 921,  
325 as amended from time to time, on or off school grounds, on school transportation, or  
326 at a preschool program-sponsored event. The term “firearm” is defined above in  
327 Section I.

328 D. Upon receipt of an expulsion recommendation, the Superintendent may conduct an  
329 inquiry concerning the expulsion recommendation. If the Superintendent or designee  
330 determines that a student should or must be expelled, student shall forward such  
331 recommendation to the Board of Education so that the Board can consider and act  
332 upon this recommendation.

333 E. In keeping with Conn. Gen. Stat. § 10-233d and the Gun-Free Schools Act, it shall be  
334 the policy of the Board to expel a student in grades kindergarten to twelve, inclusive,  
335 for one (1) full calendar year for the conduct described in Section IV.B(1), (2) and (3)  
336 of this policy and to expel a student enrolled in a preschool program for one (1)  
337 calendar year for the conduct described in Section IV.C. For any mandatory  
338 expulsion offense, the Board may modify the term of expulsion on a case-by-case  
339 basis.

340 **V. Procedures Governing Removal from Class**

341 A. A student may be removed from class by a teacher or administrator if the student  
342 deliberately causes a serious disruption of the educational process. When a student is  
343 removed by a teacher, the teacher must send the student to a designated area and  
344 notify the responsible administrator or responsible administrator’s designee at once.

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345 A student may not be removed from class more than six (6) times in one school  
346 year nor more than twice in one week unless the student is referred to the  
347 responsible administrator or responsible administrator’s designee and granted an  
348 informal hearing at which the student should be informed of the reasons for the  
349 disciplinary action and given an opportunity to explain the situation.

350 B. The parents or guardian of any minor student removed from class shall be given  
351 notice of such disciplinary action within twenty-four (24) hours of the time of the  
352 institution of such removal from class.

353 **VI. Procedures Governing Suspension**

354 A. The responsible administrator or administrator’s designee, shall have the right to  
355 suspend a student for breach of conduct as noted in Section II of this policy for not  
356 more than ten (10) consecutive school days. In cases where suspension is  
357 contemplated, the following procedures shall be followed.

358 1. Unless an emergency situation exists, no student shall be suspended prior to  
359 having an informal hearing before the responsible administrator or administrator’s  
360 designee at which the student is informed of the charges and given an opportunity  
361 to respond. In the event of an emergency, the informal hearing shall be held as  
362 soon after the suspension as possible.

363 2. If suspended, such suspension shall be an in-school suspension, except the  
364 responsible administrator or administrator’s designee may impose an out-of-  
365 school suspension on any pupil:

366 a. in grades three to twelve, inclusive, if, during the informal hearing, (i) the  
367 responsible administrator or administrator’s designee determines that the  
368 student poses such a danger to persons or property or such a disruption of the  
369 educational process that student should be excluded from school during the  
370 period of suspension; or (ii) the responsible administrator or administrator’s  
371 designee determines that an out-of-school suspension is appropriate based on  
372 evidence of (A) the student’s previous disciplinary problems that have led to  
373 suspensions or expulsion of such student, and (B) previous efforts by the  
374 Administration to address the student’s disciplinary problems through means

375 other than out-of-school suspension or expulsion, including positive  
376 behavioral support strategies, or

377 b. in grades preschool to two, inclusive, if the responsible administrator or  
378 administrator's designee determines that an out-of-school suspension is  
379 appropriate for such student based on evidence that such student's conduct on  
380 school grounds or on school transportation is of a violent or sexual nature that  
381 endangers persons.

382 3. Evidence of past disciplinary problems that have led to removal from a classroom,  
383 suspension, or expulsion of a student who is the subject of an informal hearing  
384 may be received by the responsible administrator or the administrator's designee,  
385 but only considered in the determination of the length of suspensions.

386 4. By telephone, the responsible administrator or the administrator's designee shall  
387 make reasonable attempts to immediately notify the parent or guardian of a minor  
388 student following the suspension and to state the cause(s) leading to the  
389 suspension.

390 5. Whether or not telephone contact is made with the parent or guardian of such  
391 minor student, the responsible administrator or administrator's designee shall  
392 forward a letter promptly to such parent or guardian to the last address reported on  
393 school records (or to a newer address if known by the responsible administrator or  
394 administrator's designee), offering the parent or guardian an opportunity for a  
395 conference to discuss same.

396 6. In all cases, the parent or guardian of any minor student who has been suspended  
397 shall be given notice of such suspension within twenty-four (24) hours of the time  
398 of the institution of the suspension.

399 7. Not later than twenty-four (24) hours after the commencement of the suspension,  
400 the responsible administrator or administrator's designee shall also notify the  
401 Superintendent or designee of the name of the student being suspended and the  
402 reason for the suspension.

- 403 8. The student shall be allowed to complete any classwork, including examinations,  
404 without penalty, which the student missed while under suspension.
- 405 9. The school Administration may, in its discretion, shorten or waive the suspension  
406 period for a student who has not previously been suspended or expelled, if the  
407 student completes an Administration-specified program and meets any other  
408 conditions required by the Administration. Such Administration-specified  
409 program shall not require the student and/or the student's parents to pay for  
410 participation in the program.
- 411 10. Notice of the suspension shall be recorded in the student's cumulative educational  
412 record. Such notice shall be expunged from the cumulative educational record if  
413 the student graduates from high school. In cases where the student's period of  
414 suspension is shortened or waived in accordance with Section VI.A(9), above, the  
415 Administration may choose to expunge the suspension notice from the cumulative  
416 record at the time the student completes the Administration-specified program and  
417 meets any other conditions required by the Administration.
- 418 11. If the student has not previously been suspended or expelled, and the  
419 Administration chooses to expunge the suspension notice from the student's  
420 cumulative record prior to graduation, the Administration may refer to the  
421 existence of the expunged disciplinary notice, notwithstanding the fact that such  
422 notice may have been expunged from the student's cumulative file, for the limited  
423 purpose of determining whether any subsequent suspensions or expulsions by the  
424 student would constitute the student's first such offense.
- 425 12. The decision of the responsible administrator or administrator's designee with  
426 regard to disciplinary actions up to and including suspensions shall be final.
- 427 13. During any period of suspension served out of school, the student shall not be  
428 permitted to be on school property and shall not be permitted to attend or  
429 participate in any school-sponsored activities, unless the responsible administrator  
430 or the administrator's designee specifically authorizes the student to enter school  
431 property for a specified purpose or to participate in a particular school-sponsored  
432 activity.

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433 B. In cases where a student’s suspension will result in the student being suspended more  
434 than ten (10) times or for a total of fifty (50) days in a school year, whichever results  
435 in fewer days of exclusion, the student shall, prior to the pending suspension, be  
436 granted a formal hearing before the Board of Education. The responsible  
437 administrator or administrator’s designee shall report the student to the Superintendent  
438 or designee and request a formal Board hearing. If an emergency situation exists,  
439 such hearing shall be held as soon after the suspension as possible.

440 **VII. Procedures Governing In-School Suspension**

441 A. The responsible administrator or administrator’s designee may impose in-school  
442 suspension in cases where a student's conduct endangers persons or property, violates  
443 school policy or seriously disrupts the educational process as determined by the  
444 responsible administrator or administrator’s designee.

445 B. In-school suspension may not be imposed on a student without an informal hearing by  
446 the responsible administrator or administrator’s designee.

447 C. In-school suspension may be served in the school or program that the student  
448 regularly attends or in any other school building within the jurisdiction of the Board.

449 D. No student shall be placed on in-school suspension more than fifteen (15) times or for  
450 a total of fifty (50) days in one school year, whichever results in fewer days of  
451 exclusion.

452 E. The parents or guardian of any minor student placed on in-school suspension shall be  
453 given notice of such suspension within twenty-four (24) hours of the time of the  
454 institution of the period of the in-school suspension.

455 **VIII. Procedures Governing Expulsion Hearing**

456 A. Emergency Exception

457 Except in an emergency situation, the Board of Education shall, prior to expelling any  
458 student, conduct a hearing to be governed by the procedures outlined herein and  
459 consistent with the requirements of Conn. Gen. Stat. § 10-233d or Conn. Gen. Stat.



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460 § 10-233I, if applicable, as well as the applicable provisions of the Uniform  
461 Administrative Procedures Act, Conn. Gen. Stat. §§ 4-176e to 4-180a, and § 4-

462 181a. Whenever an emergency exists, the hearing provided for herein shall be held as  
463 soon as possible after the expulsion.

464 B. Hearing Panel:

465 Expulsion hearings conducted by the Board will be heard by any three or more Board  
466 members. A decision to expel a student must be supported by a majority of the Board  
467 members present, provided that no less than three (3) affirmative votes to expel are  
468 cast.

- 469 1. Alternatively, the Board may appoint an impartial hearing board composed of one  
470 (1) or more persons to hear and decide the expulsion matter, provided that no  
471 member of the Board may serve on such panel.

472 C. Hearing Notice and Rights of the Student and Parent(s)/Guardian(s):

- 473 1. Written notice of the expulsion hearing must be given to the student, and, if the  
474 student is a minor, to student's parent(s) or guardian(s) at least five (5) business  
475 days before such hearing.

- 476 2. A copy of this Board policy on student discipline shall also be given to the  
477 student, and if the student is a minor, to student's parent(s) or guardian(s), at the  
478 time the notice is sent that an expulsion hearing will be convened.

- 479 3. The written notice of the expulsion hearing shall inform the student of the  
480 following:

- 481 a. The date, time, place and nature of the hearing, including if the hearing will be  
482 held virtually, via video conference.

- 483 b. The legal authority and jurisdiction under which the hearing is to be held,  
484 including a reference to the particular sections of the legal statutes involved.

- 485 c. A short, plain description of the conduct alleged by the Administration.

- 486 d. The student may present as evidence relevant testimony and documents  
487 concerning the conduct alleged and the appropriate length and conditions of  
488 expulsion; and that the expulsion hearing may be the student's sole  
489 opportunity to present such evidence.
- 490 e. The student may cross-examine witnesses called by the Administration.
- 491 f. The student may be represented by an attorney or other advocate of student's  
492 choice at the student's expense or at the expense of student's parent(s) or  
493 guardian(s).
- 494 g. A student is entitled to the services of a translator or interpreter, to be  
495 provided by the Board of Education, whenever the student or student's  
496 parent(s) or guardian(s) requires the services of an interpreter because  
497 student(s) do(es) not speak the English language or is(are) disabled.
- 498 h. The conditions under which the Board is not legally required to give the  
499 student an alternative educational opportunity (if applicable).
- 500 i. Information concerning the parent's(s') or guardian's(s') and the student's  
501 legal rights and about free or reduced-rate legal services and how to access  
502 such services.
- 503 j. The parent(s) or guardian(s) of the student have the right to have the expulsion  
504 hearing postponed for up to one week to allow time to obtain representation,  
505 except that if an emergency exists, such hearing shall be held as soon after the  
506 expulsion as possible.

507

508 D. Hearing Procedures:

- 509 1. The hearing will be conducted by the Presiding Officer, who will call the meeting  
510 to order, introduce the parties, Board members and others participating in the  
511 hearing (if applicable), briefly explain the hearing procedures, and swear in any  
512 witnesses called by the Administration or the student. If an impartial board or

- 513 more than one person has been appointed, the impartial board shall appoint a  
514 Presiding Officer.
- 515 2. The hearing will be conducted in executive session. A verbatim record of the  
516 hearing will be made, either by tape or digital recording or by a stenographer. A  
517 record of the hearing will be maintained, including the verbatim record, all written  
518 notices and documents relating to the case and all evidence received or considered  
519 at hearing.
- 520 3. The Administration shall bear the burden of production to come forward with  
521 evidence to support its case and shall bear the burden of persuasion. The standard  
522 of proof shall be a preponderance of the evidence.
- 523 4. Formal rules of evidence will not be followed. The Board (or the impartial board)  
524 has the right to accept hearsay and other evidence if it deems that evidence  
525 relevant or material to its determination. The Presiding Officer will rule on  
526 testimony or evidence as to it being immaterial, irrelevant, and/or any other  
527 objections to its submission.
- 528 5. The hearing will be conducted in two (2) parts. In the first part of the hearing, the  
529 Board (or the impartial board) will receive and consider evidence regarding the  
530 conduct alleged by the Administration.
- 531 6. In the first part of the hearing, the charges will be introduced into the record by the  
532 Superintendent or designee.
- 533 7. Each witness for the Administration will be called and sworn. After a witness has  
534 finished testifying, he/she will be subject to cross-examination by the opposite  
535 party or his/her legal counsel, by the Presiding Officer and by Board members (or  
536 the impartial board).
- 537 8. The student shall not be compelled to testify at the hearing.
- 538 9. After the Administration has presented its case, the student will be asked if they  
539 have any witnesses or evidence to present concerning the charges. If so, the  
540 witnesses will be sworn, will testify, and will be subject to cross examination and  
541 to questioning by the Presiding Officer and/or by the Board (or the impartial  
542 board). The student may also choose to make a statement at this time. If the

543 student chooses to make a statement, they will be sworn and subject to cross  
544 examination and questioning by the Presiding Officer and/or by the Board(or the  
545 impartial board). Concluding statements will be made by the Administration and  
546 then by the student and/or the student’s representative.

547 10. In cases where the student has denied the allegation, the Board (or the impartial  
548 board) must determine whether the student committed the offense(s) as charged  
549 by the Superintendent or designee.

550 11. If the Board (or the impartial board) determines that the student has committed the  
551 conduct as alleged, then the Board (or the impartial board) shall proceed with the  
552 second portion of the hearing, during which the Board (or the impartial board)  
553 will receive and consider relevant evidence regarding the length and conditions of  
554 expulsion.

555 12. When considering the length and conditions of expulsion, the Board (or the  
556 impartial board) may review the student’s attendance, academic and past  
557 disciplinary records. The Board (or the impartial board) may not review notices  
558 of prior expulsions or suspensions which have been expunged from the student’s  
559 cumulative record, except as provided in Section VI.A (9), (10), (11), above, and  
560 Section X, below. The Board (or the impartial board) may ask the Superintendent  
561 or designee for a recommendation as to the discipline to be imposed.

562 13. Evidence of past disciplinary problems that have led to removal from a classroom,  
563 suspension or expulsion of a student being considered for expulsion may be  
564 considered only during the second portion of the hearing, during which the Board  
565 (or the impartial board) is considering length of expulsion and nature of  
566 alternative educational opportunity to be offered.

567 14. Where administrators presented the case in support of the charges against the  
568 student, neither such administrative staff nor the Superintendent or designee shall  
569 not be present during the deliberations of the Board (or the impartial board) either  
570 on questions of evidence or on the final discipline to be imposed. The  
571 Superintendent or designee may, after reviewing the incident with administrators,

572 and reviewing the student's records, make a recommendation to the Board (or the  
573 impartial board) as to the appropriate discipline to be applied.

574 15. The Board (or the impartial board) shall make findings as to the truth of the  
575 charges, if the student has denied them; and, in all cases, the disciplinary action, if  
576 any, to be imposed. While the hearing itself is conducted in executive session, the  
577 vote regarding expulsion must be made in open session and in a manner that  
578 preserves the confidentiality of the student's name and other personally  
579 identifiable information.

580 16. Except for a student who has been expelled based on possession of a firearm or  
581 deadly weapon as described in subsection IV.B(1) and (2) above, the Board (or the  
582 impartial board) may, in its discretion, shorten or waive the expulsion period for a  
583 student who has not previously been suspended or expelled, if the student  
584 completes a Board-specified program and meets any other conditions required by  
585 the Board (or the impartial board). The Board-specified program shall not require  
586 the student and/or the student's parents to pay for participation in the program.

587 17. The Board (or the impartial board) shall report its final decision in writing to the  
588 student, or if such student is a minor, also to the parent(s) or guardian(s), stating  
589 the reasons on which the decision is based, and the disciplinary action to be  
590 imposed. Said decision shall be based solely on evidence presented at the hearing.  
591 The parents or guardian or any minor student who has been expelled shall be  
592 given notice of such disciplinary action within twenty-four (24) hours of the time  
593 of the institution of the period of the expulsion.

594 18. The hearing may be conducted virtually, via video conference, at the direction of  
595 the Board (or the impartial board), in the event school buildings are closed to  
596 students or individuals are provided limited access to school buildings due to a  
597 serious health or other emergency. Any virtual hearing must provide the student  
598 the due process rights identified in this Subsection D.

599 E. Presence on School Grounds, on School Transportation, and Participation in School-  
600 Sponsored Activities During Expulsion:

601 During the period of expulsion, the student shall not be permitted to be on school  
602 property or on school transportation and shall not be permitted to attend or participate  
603 in any school-sponsored activities, except for the student's participation in any  
604 alternative educational opportunity provided by the district in accordance with this  
605 policy, unless the Superintendent specifically provides written permission for the  
606 student to enter school property or school transportation for a specified purpose or to  
607 participate in a particular school-sponsored activity.

608 F. Stipulated Agreements:

609 In lieu of the procedures used in this Section, the Administration and the parent(s) or  
610 legal guardian(s) of a student facing expulsion may choose to enter into a Joint  
611 Stipulation of the Facts and a Joint Recommendation to the Board concerning the  
612 length and conditions of expulsion. Such Joint Stipulation and Recommendation  
613 shall include language indicating that the parent(s) or legal guardian(s) understand  
614 their right to have an expulsion hearing held pursuant to these procedures, and  
615 language indicating that the Board, in its discretion, has the right to accept or reject  
616 the Joint Stipulation of Facts and Recommendation. If the Board (or the impartial  
617 board) rejects either the Joint Stipulation of Facts or the Recommendation, an  
618 expulsion hearing shall be held pursuant to the procedures outlined herein. If the  
619 Student is eighteen years of age or older, the student shall have the authority to enter  
620 into a Joint Stipulation on the student's own behalf.

621 If the parties agree on the facts, but not on the disciplinary recommendation, the  
622 Administration and the parents (or legal guardians) of a student facing expulsion may  
623 also choose to enter into a Joint Stipulation of the Facts and submit only the  
624 Stipulation of the Facts to the Board (or the impartial board) in lieu of holding the  
625 first part of the hearing, as described above. Such Joint Stipulation shall include  
626 language indicating that the parents and/or student over the age of 18 understand their  
627 right to have a hearing to determine whether the student engaged in the alleged  
628 misconduct and that the Board, in its discretion, has the right to accept or reject the  
629 Joint Stipulation of Facts. If the Board (or the impartial board) rejects the Joint  
630 Stipulation of Facts, a full expulsion hearing shall be held pursuant to the procedures  
631 outlined herein.

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632 IX. Alternative Educational Opportunities for Expelled Students

633 A. Students under sixteen (16) years of age:

634 Whenever the Board of Education expels a student under sixteen (16) years of age, it  
635 shall offer any such student an alternative educational opportunity.

636 B. Students sixteen (16) to eighteen (18) years of age:

637 1. The Board of Education shall provide an alternative educational opportunity to a  
638 sixteen (16) to eighteen (18) year-old student expelled for the first time if the  
639 student requests it and if the student agrees to the conditions set by the Board (or  
640 the impartial board). Such alternative educational opportunity may include, but  
641 shall not be limited to, the placement of a student who is at least seventeen years  
642 of age in an adult education program. Any student participating in an adult  
643 education program during a period of expulsion shall not be required to withdraw  
644 from school as a condition to participation in the adult education program.

645 2. The Board of Education is not required to offer an alternative educational  
646 opportunity to any student between the ages of sixteen (16) and eighteen (18) who  
647 is expelled for a second, or subsequent, time.

648 3. The Board of Education shall count the expulsion of a student when the student  
649 was under sixteen (16) years of age for purposes of determining whether an  
650 alternative educational opportunity is required for such student when the student  
651 is between the ages of sixteen and eighteen.

652 C. Students eighteen (18) years of age or older:

653 The Board of Education is not required to offer an alternative educational opportunity  
654 to expelled students eighteen (18) years of age or older.

655 D. Content of Alternative Educational Opportunity

656 1. For the purposes of Section IX, and subject to Subsection IX.E, below, any  
657 alternative educational opportunity to which an expelled student is statutorily  
658 entitled shall be (1) alternative education, as defined by Conn. Gen. Stat. § 10-74j  
659 and in accordance with the *Standards for Educational Opportunities for Students*

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660 *Who Have Been Expelled*, adopted by the State Board of Education, with an  
661 individualized learning plan, if the Board provides such alternative education, or  
662 (2) in accordance with the *Standards for Educational Opportunities for Students*  
663 *Who Have Been Expelled*, adopted by the State Board of Education.

664 . The Superintendent, or designee, shall develop administrative regulations  
665 concerning alternative educational opportunities, which administrative regulations  
666 shall be in compliance with the standards adopted by the State Board of  
667 Education. Such administrative regulations shall include, but not limited to,  
668 provisions to address student placement in alternative education; individualized  
669 learning plans; monitoring of student(s) placements and performance; and a  
670 process for transition planning.

671 E. Students identified as eligible for services under the Individuals with Disabilities  
672 Education Act (“IDEA”):

673 Notwithstanding Subsections IX.A. through D. above, if the Board of Education  
674 expels a student who has been identified as eligible for services under the Individuals  
675 with Disabilities Education Act (“IDEA”), it shall offer an alternative educational  
676 opportunity to such student in accordance with the requirements of IDEA, as it may  
677 be amended from time to time, and in accordance with the *Standards for Educational*  
678 *Opportunities for Students Who Have Been Expelled*, adopted by the State Board of  
679 Education.

680 F. Students for whom an alternative educational opportunity is not required:

681 The Board of Education may offer an alternative educational opportunity to a student  
682 for whom such alternative educational opportunity is not required by law or as  
683 described in this policy. In such cases, the Board, or if delegated by the Board, the  
684 Administration, shall determine the components, including nature, frequency and  
685 duration of such services, of any such alternative educational opportunity.

686 **X. Notice of Student Expulsion on Cumulative Record**

687 Notice of expulsion and the conduct for which the student was expelled shall be included  
688 on the student’s cumulative educational record. Such notice, except for notice of an



689 expulsion of a student in grades nine through twelve, inclusive, based upon possession of  
690 a firearm or deadly weapon, shall be expunged from the cumulative educational record by  
691 the Board if the student graduates from high school.

692 In cases where the student's period of expulsion is shortened or waived in accordance  
693 with Section VIII.D(14), above, the Board may choose to expunge the expulsion notice  
694 from the cumulative record at the time the student completes the Board-specified program  
695 and meets any other conditions required by the Board.

696 If a student's period of expulsion was not shortened or waived, the Board may choose to  
697 expunge the expulsion notice from the student's cumulative record prior to graduation if  
698 such student has demonstrated to the Board that the student's conduct and behavior in the  
699 years following such expulsion warrants an expungement. In deciding whether to  
700 expunge the expulsion notice, the Board may receive and consider evidence of any  
701 subsequent disciplinary problems that have led to removal from a classroom, suspension  
702 or expulsion of the student.

703 If the student has not previously been suspended or expelled, and the Administration  
704 chooses to expunge the expulsion notice from the student's cumulative record prior to  
705 graduation, the Administration may refer to the existence of the expunged notice,  
706 notwithstanding the fact that such notice may have been expunged from the student's  
707 cumulative file, for the limited purpose of determining whether any subsequent  
708 suspension or expulsion by the student would constitute the student's first such offense.

709

710 **XI. Change of Residence During Expulsion Proceedings**

711 A. Student moving into the District:

- 712 1. If a student enrolls in the District while an expulsion hearing is pending in another  
713 public school district, such student shall not be excluded from school pending  
714 completion of the expulsion hearing unless an emergency exists, as defined above.  
715 The Board shall retain the authority to suspend the student or to conduct its own  
716 expulsion hearing.

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717 2. Where a student enrolls in the district during the period of expulsion from another  
718 public school district, the Board may adopt the decision of the student expulsion  
719 hearing conducted by such other school district. The student shall be excluded  
720 from school pending such hearing. The excluded student shall be offered an  
721 alternative educational opportunity in accordance with statutory requirements.  
722 The Board (or the impartial board) shall make its determination pertaining to  
723 expulsion based upon a hearing held by the Board (or the impartial board), which  
724 hearing shall be limited to a determination of whether the conduct which was the  
725 basis of the previous public school district’s expulsion would also warrant  
726 expulsion by the Board.

727 B. Student moving out of the District:

728 Where a student withdraws from school after having been notified that an expulsion  
729 hearing is pending, but before a decision has been rendered by the Board, the notice of  
730 the pending expulsion hearing shall be included on the student’s cumulative record  
731 and the Board shall complete the expulsion hearing and render a decision. If the  
732 Board subsequently renders a decision to expel the student, a notice of the expulsion  
733 shall be included on the student’s cumulative record.

734 **XII. Procedures Governing Suspension and Expulsion of Students Identified as Eligible**  
735 **for Services under the Individuals with Disabilities Education Act (“IDEA”)**

736 A. Suspension of IDEA students:

737 Notwithstanding the foregoing, if the Administration suspends a student identified as  
738 eligible for services under the IDEA (an “IDEA student”) who has violated any rule or

739  
740 code of conduct of the District that applies to all students, the following procedures  
741 shall apply:

742 1. The Administration shall make reasonable attempts to immediately notify the  
743 parents of the student of the decision to suspend on the date on which the decision  
744 to suspend was made, and a copy of the special education procedural safeguards

745 must either be hand-delivered or sent by mail to the parents on the date that the  
746 decision to suspend was made.

747 2. During the period of suspension, the District is not required to provide any  
748 educational services to the IDEA student beyond that which is provided to all  
749 students suspended by the District.

750 B. Expulsion and Suspensions that Constitute Changes in Placement for IDEA students:

751 Notwithstanding any provision to the contrary, if the Administration recommends for  
752 expulsion an IDEA student who has violated any rule or code of conduct of the  
753 District that applies to all students, the procedures described in this section shall  
754 apply. The procedures described in this section shall also apply for students whom  
755 the Administration has suspended in a manner that is considered under the IDEA, as it  
756 may be amended from time to time, to be a change in educational placement:

757 1. Upon the decision by the Administration to recommend expulsion or impose a  
758 suspension that would constitute a change in educational placement, the  
759 Administration shall promptly notify the parent(s)/guardian(s) of the student of  
760 the recommendation of expulsion or the suspension that would constitute a change  
761 in educational placement, and provide the parents(s)/guardian(s) a copy of the  
762 special education procedural safeguards either by hand-delivery or by mail (unless  
763 other means of transmission have been arranged).

764 2. The District shall immediately convene the student's planning and placement  
765 team ("PPT"), but in no case later than ten (10) school days after the  
766 recommendation for expulsion or the suspension that constitutes a change in  
767 placement was made. The student's PPT shall consider the relationship between

768  
769 the student's disability and the behavior that led to the recommendation for  
770 expulsion or the suspension which constitutes a change in placement, in order to  
771 determine whether the student's behavior was a manifestation of the student's  
772 disability.

773 3. If the student's PPT finds that the behavior was a manifestation of the student's  
774 disability, the Administration shall not proceed with the recommendation for  
775 expulsion or the suspension that constitutes a change in placement.

776 4. If the student's PPT finds that the behavior was not a manifestation of the  
777 student's disability, the Administration may proceed with the recommended  
778 expulsion or suspension that constitutes a change in placement.

779 5. During any period of expulsion, or suspension of greater than ten (10) days per  
780 school year, the Administration shall provide the student with an alternative  
781 education program in accordance with the provisions of the IDEA.

782 6. When determining whether to recommend an expulsion or a suspension that  
783 constitutes a change in placement, the responsible administrator (or designee)  
784 should consider the nature of the misconduct and any relevant educational records  
785 of the student.

786 C. Removal of Special Education Students for Certain Offenses:

787 1. A responsible administrator may remove a student eligible for special education  
788 under the IDEA to an appropriate interim alternative educational setting for not  
789 more than forty-five (45) school days if the student:

790 a. Was in possession of a dangerous weapon, as defined in 18 U.S.C. 930(g)(2),  
791 as amended from time to time, on school grounds, on school transportation or  
792 at a school-sponsored activity, or

793 b. Knowingly possessed or used illegal drugs or sold or solicited the sale of a  
794 controlled substance while at school, on school transportation or at a school-  
795 sponsored activity; or

796  
797 c. Has inflicted serious bodily injury upon another person while at school, on  
798 school premises, on school transportation or at a school function.

799 2. The following definitions shall be used for this subsection XII.C.:

- 800 a. **Dangerous weapon** means a weapon, device, instrument, material, or  
801 substance, animate or inanimate, that is used for, or is readily capable of,  
802 causing death or serious bodily injury, except that such term does not include  
803 a pocket knife with a blade of less than 2.5 inches in length.
- 804 b. **Controlled substance** means a drug or other substance identified under  
805 schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act,  
806 21 U.S.C. 812(c).
- 807 c. **Illegal drug** means a controlled substance but does not include a substance  
808 that is legally possessed or used under the supervision of a licensed health-  
809 care professional or that is legally possessed or used under any other authority  
810 under the Controlled Substances Act or under any other provision of federal  
811 law.
- 812 d. **Serious bodily injury** means a bodily injury which involves: (A) a substantial  
813 risk of death; (B) extreme physical pain; (C) protracted and obvious  
814 disfigurement; or (D) protracted loss or impairment of the function of a bodily  
815 member, organ, or mental faculty.

816 **XIII. Procedures Governing Expulsions for Students Identified as Eligible under Section**  
817 **504 of the Rehabilitation Act of 1973 (“Section 504”)**

- 818 A. Except as provided in subsection B below, notwithstanding any provision to the  
819 contrary, if the Administration recommends for expulsion a student identified as  
820 eligible for educational accommodations under Section 504 who has violated any rule  
821 or code of conduct of the District that applies to all students, the following procedures  
822 shall apply:
- 823
- 824 1. The parents of the student must be notified of the decision to recommend the  
825 student for expulsion.
- 826 2. The District shall immediately convene the student’s Section 504 team (“504  
827 team”) for the purpose of reviewing the relationship between the student’s  
828 disability and the behavior that led to the recommendation for expulsion. The 504

829 team will determine whether the student's behavior was a manifestation of the  
830 student's disability.

831 3. If the 504 team finds that the behavior was a manifestation of the student's  
832 disability, the Administration shall not proceed with the recommended expulsion.

833 4. If the 504 team finds that the behavior was not a manifestation of the student's  
834 disability, the Administration may proceed with the recommended expulsion.

835 B. The Board may take disciplinary action for violations pertaining to the use or  
836 possession of illegal drugs or alcohol against any student with a disability who  
837 currently is engaging in the illegal use of drugs or alcohol to the same extent that such  
838 disciplinary action is taken against nondisabled students. Thus, when a student with a  
839 disability is recommended for expulsion based solely on the illegal use or possession  
840 of drugs or alcohol, the 504 team *shall not be required to meet* to review the  
841 relationship between the student's disability and the behavior that led to the  
842 recommendation for expulsion.

843 **XIV. Procedures Governing Expulsions for Students Placed in a Juvenile Detention**  
844 **Center**

845 A. Any student who commits an expellable offense and is subsequently placed in a  
846 juvenile detention center or any other residential placement for such offense may be  
847 expelled by the Board in accordance with the provisions of this section. The period of  
848 expulsion shall run concurrently with the period of placement in a juvenile detention  
849 center or other residential placement.

850 B. If a student who committed an expellable offense seeks to return to the District after  
851 participating in a diversionary program or having been placed in a juvenile  
852 detention center or any other residential placement and such student has not been expelled  
853 by the board of education for such offense under subdivision (A) of this subsection, the  
854 Board shall allow such student to return and may not expel the student for additional time  
855 for such offense.

---

856 **XV. Early Readmission to School**

857 An expelled student may apply for early readmission to school. The Board delegates the  
858 authority to make decisions on readmission requests to the Superintendent. Students  
859 desiring readmission to school shall direct such readmission requests to the  
860 Superintendent. The Superintendent has the discretion to approve or deny such  
861 readmission requests, and may condition readmission on specified criteria.

862 **XVI. Dissemination of Policy**

863 The District shall, at the beginning of each school year and at such other times as it may  
864 deem appropriate, provide for an effective means of informing all students, parent(s)  
865 and/or guardian(s) of this policy.

866 **XVII. Compliance with Documentation and Reporting Requirements**

867 A. The District shall include on all disciplinary reports the individual student’s state-  
868 assigned student identifier (SASID).

869 B. The District shall report all suspensions and expulsions to the State Department of  
870 Education.

871 C. If the Board of Education expels a student for sale or distribution of a controlled  
872 substance, as defined in Conn. Gen. Stat. § 21a-240(9), whose manufacture,  
873 distribution, sale, prescription, dispensing, transporting or possessing with the intent  
874 to sell or dispense, offering, or administration is the subject to criminal penalties  
875 under Conn. Gen. Stat. §§ 21a-277 and 21a-278, the District shall refer such student  
876 to an appropriate state or local agency for rehabilitation, intervention or job training  
877 and inform the agency of its action.

878

879 D. If the Board of Education expels a student for possession of a firearm, as defined in  
880 18 U.S.C. § 921, or deadly weapon, dangerous instrument or martial arts weapon, as  
881 defined in Conn. Gen. Stat. § 53a-3, the District shall report the violation to the local  
882 police.

883 **Legal References:**

884	Connecticut General Statutes:	
885		
886	§ 10-16	Length of school year
887		
888	§ 10-74j	Alternative education
889		
890	§§ 4-176e through 4-180a and § 4-181a	Uniform Administrative Procedures
891	Act	
892		
893	§ 10-222d	Safe school climate plans. Definitions. Safe school climate
894		assessments
895		
896	§§ 10-233a through 10-233f	Suspension and expulsion of students
897		
898	§ 10-233l	Expulsion and suspension of children in preschool programs
899		
900	§ 10-253	School privileges for children in certain placements,
901		nonresident children, children in temporary shelters,
902		homeless children and children in juvenile detention
903		facilities. Liaison to facilitate transitions between school
904		districts and juvenile and criminal justice systems.
905		
906	§ 19a-342a	Use of electronic nicotine delivery system or vapor product
907		prohibited. Exceptions. Signage required. Penalties
908		
909	§ 21a-240	Definitions
910		
911	§ 21a-277	Penalty for illegal manufacture, distribution, sale, prescription,
912		dispensing
913		
914	§ 21a-278	Penalty for illegal manufacture, distribution, sale, prescription, or
915		administration by non-drug-dependent person
916		
917	§§ 21a-408a through 408p	Palliative Use of Marijuana
918		
919	§ 29-35	Carrying of pistol or revolver without permit prohibited.
920		Exceptions
921		
922	§ 29-38	Weapons in vehicles
923		
924	§ 53a-3	Definitions
925		
926	§ 53-206	Carrying of dangerous weapons prohibited
927		
928	§ 53-344	Sale or delivery of cigarettes or tobacco products to persons under
929		twenty-one.
930		
931	§ 53-344b	Sale and delivery of electronic nicotine delivery system or vapor
932		products to persons under twenty-one years or age



933  
934 Public Act No. 21-46, “An Act Concerning Social Equity and the Health, Safety  
935 and Education of Children.”  
936  
937 *Packer v. Board of Educ. of the Town of Thomaston*, 717 A.2d 117 (Conn. 1998).  
938 *State v. Hardy*, 896 A.2d 755 (Conn. 2006).  
939 *State v. Guzman*, 955 A.2d 72 (Conn. App. Ct. 2008).  
940  
941 Connecticut State Department of Education, *Standards for Educational*  
942 *Opportunities for Students Who Have Been Expelled*, adopted January 3, 2018.  
943  
944 Federal law:  
945  
946 Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, as amended  
947 by the Individuals with Disabilities Education Improvement Act of 2004, Pub. L.  
948 108-446.  
949  
950 Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794(a).  
951 18 U.S.C. § 921 (definition of “firearm”)  
952 18 U.S.C. § 930(g)(2) (definition of “dangerous weapon”)  
953 18 U.S.C. § 1365(h)(3) (identifying “serious bodily injury”)  
954 21 U.S.C. § 812(c) (identifying “controlled substances”)  
955 34 C.F.R. § 300.530 (defining “illegal drugs”)  
956 Gun-Free Schools Act, 20 U.S.C. § 7961  
957 *Honig v. Doe*, 484 U.S. 305 (1988)  
958  
959  
960 Date of Adoption: October 6, 2020  
961 Date of Revision: January 4, 2022

**Admission to the Public Schools at or Before Age Five**

The Madison Board of Education (the “Board”) complies with its legal obligation to cause each child five years of age and over and under eighteen years of age who is not a high school graduate and is residing within the Board’s jurisdiction to attend school in accordance with Connecticut General Statutes § 10-184.

Effective July 1, 2024, the Madison Public Schools (the “District”) shall be open to resident children five years of age and over who reach age five on or before the first day of September of any school year. For children who will not reach the age of five on or before the first day of September of the school year, the child’s parent or guardian may submit a written request to the principal of the school seeking early admission to the District. Upon receipt of such written request, the principal and an appropriate certified staff member shall assess such child to determine whether admitting the child is developmentally appropriate. For decisions relating to early admission to the District, the decision of the principal and appropriate certified staff shall be final.

The Superintendent or designee shall be responsible for developing administrative regulations in furtherance of this policy. Such regulations shall identify procedures for the receipt and processing of requests for early admission to the District and for assessing whether early admission of a child is developmentally appropriate.

Legal Reference:

Connecticut General Statutes

- 10-15c            Discrimination by public schools prohibited. School attendance for five-year-olds
- 10-220           Duties of boards of education
- 10-221           Board of education to prescribe rules, policies, and procedures
- 10-184           Duties of parents. School attendance age requirements

Public Act 23-208, “An Act Making Certain Revisions to the Education Statutes.”

**Construction and Posting of Agenda  
(formerly Agenda)**

I. Construction of Agenda

- A. The Superintendent in cooperation with the Chairperson of the Board of Education (the “Board”) shall prepare an agenda for each meeting of the Madison Board.
- B. In addition to those items listed by the Chairperson of the Board, any member of the Board may contact the Chairperson or the Superintendent and request that an item be placed on the agenda
- C. If at least three Board members request in writing that an additional agenda item be placed on the Board’s agenda, it will either be placed on the agenda or a special meeting of the Board will be scheduled within fourteen (14) days of the written request.
- D. Town residents and/or taxpayers may request that the Board place an item on the agenda of a regular meeting. To do so they must:
  - 1) Make their request in writing to the Secretary of the Board, with a copy of the request to the Superintendent of Schools.
  - 2) The Secretary of the Board will present the written request to the Executive Committee at its next meeting.
  - 3) The Executive Committee will consider whether the requested item will be placed on a future meeting agenda.

II. Posting of Agenda

- A. At least twenty-four (24) hours prior to the time of the regular or special meeting, an agenda will be constructed and posted by the Superintendent of Schools for the Board.
- B. An agenda will be posted at Town Hall, the Board’s Administrative Offices, and on the Board’s Internet web site. [Any associated documents that may be reviewed by members of the Board at such meeting shall be posted on the Board’s Internet web site, provided such documents are not exempt from disclosure under the Freedom of Information Act.](#)
- C. The Board may add items to the agenda of any regular meeting by a two-thirds vote of those Board Members present and voting.

46 D. If, in accordance with applicable law, the Board holds a public meeting that is  
47 accessible to the public by means of electronic equipment or by means of electronic  
48 equipment in conjunction with an in-person meeting, the agenda shall include  
49 instructions for the public to attend and provide comment or otherwise participate  
50 in the meeting by means of electronic equipment or in person, as applicable and  
51 permitted by law. Any such agenda shall be posted in accordance with the  
52 provisions of Connecticut General Statutes Section 1-225.  
53

54 Legal Reference:

55  
56 Connecticut General Statutes

57  
58 Public Act 22-3, “An Act Concerning Remote Meetings Under the  
59 Freedom of Information Act.”

60  
61 1-225 Meetings of government agencies to be public. Recording  
62 of votes. Schedule and agenda of certain meetings to be  
63 filed and posted on web sites. Notice of special meetings.  
64 Executive sessions

65  
66 10-218 Officers. Meetings

67  
68 [Public Act 23-160, “An Act Concerning Education Mandate Relief  
69 and Other Technical and Assorted Revisions and Additions to the  
70 Education and Early Childhood Education Statutes.”](#)

71  
72 [10-220 Duties of boards of education.](#)  
73

74  
75  
76 Date of Adoption: August 22, 2023

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**Confidentiality and Access to Education Records**

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1  
2  
3  
4 **I. POLICY**  
5

6 The Board of Education (“Board”) complies with the state and federal laws and regulations  
7 regarding confidentiality, access to and amendment of education records. The Board shall  
8 implement procedures that protect the privacy of parents and students while providing proper  
9 access to records. Availability of these procedures shall be made known annually to parents of  
10 students currently in attendance and eligible students currently in attendance.  
11

12 **II. DEFINITIONS**  
13

- 14 A. Access is defined as the right to inspect or review a student’s education records or any  
15 part thereof. Access may include the right to receive copies of records under limited  
16 circumstances.  
17
- 18 B. Authorized representative means any entity or individual designated by the Board, a  
19 State educational authority, or an agency headed by an official listed in 34 C.F.R. §  
20 99.31(a)(3), to conduct -- with respect to Federal- or State-supported education  
21 programs -- any audit or evaluation, or any compliance or enforcement activity in  
22 connection with Federal legal requirements that relate to these programs.  
23
- 24 C. Biometric record, as used in the definition of personally identifiable information, means  
25 a record of one or more measurable biological or behavioral characteristics that can be  
26 used for automated recognition of an individual, such as fingerprints, retina and iris  
27 patterns, voiceprints, DNA sequence; facial characteristics and handwriting.  
28
- 29 D. De-identified education records means education records or information from education  
30 records from which all personally identifiable information has been removed, and for  
31 which the district has made a reasonable determination that a student’s identity is not  
32 personally identifiable, whether through single or multiple releases, taking into account  
33 other reasonably available information.  
34
- 35 E. Directory Information includes information contained in an education record of a  
36 student that would not generally be considered harmful or an invasion of privacy if  
37 disclosed. Directory information includes, but is not limited to, the parent’s name,  
38 address and/or e-mail address; the student’s name, address, telephone number, e-mail  
39 address, photographic, computer and/or video images, date and place of birth, major  
40 field(s) of study, grade level, enrollment status (full-time; part-time), participation in  
41 school-sponsored activities or athletics, weight and height (if the student is a member of  
42 an athletic team), dates of attendance, degrees, honors and awards received, the most  
43 recent previous school(s) attended, and student identification numbers for the limited  
44 purposes of displaying a student identification card. The student identification number,  
45 however, will not be the only identifier used when obtaining access to education records  
46 or data. Directory information does not include a student’s social security number,

47 student identification number or other unique personal identifier used by the student for  
48 purposes of accessing or communicating in electronic systems unless the identifier  
49 cannot be used to gain access to education records except when used in conjunction  
50 with one or more factors that authenticate the user’s identity, such as a PIN or  
51 password.  
52

53 F. Disciplinary action or proceeding means the investigation, adjudication or imposition of  
54 sanctions by an educational agency or institution with respect to an infraction or  
55 violation of internal rules of conduct applicable to students.  
56

57 G. Disclosure means to permit access to or to release, transfer, or other communication of  
58 personally identifiable information as contained in education records by any means,  
59 including oral, written or electronic means, to any party except the party identified as  
60 the party that provided or created the record.  
61

62 H. Education Records

63  
64 1. Education records means any information directly related to a student that  
65 is recorded in any manner (e.g., handwriting, print, computer media, video  
66 or audio tape, film, microfilm, and microfiche) and that is maintained by  
67 the school system or persons acting for the school system.  
68

69 2. Education records do not include:

70  
71 a) private, personal, or working notes in the sole possession of the  
72 maker thereof, and which are not accessible or revealed to any  
73 other individual except a “substitute”;  
74

75 b) records maintained by a law enforcement unit of the school district  
76 that were created by that unit for the purpose of law enforcement;  
77

78 c) employment records used only in relation to the student’s  
79 employment by the school district that are 1) made and maintained  
80 in the normal course of business, 2) relate exclusively to the  
81 student’s capacity as an employee, and 3) are not made available  
82 for any other purpose;  
83

84 d) records on an eligible student (i.e. over 18 or attending a  
85 postsecondary educational institution) that are considered  
86 “treatment records” as they meet the following criteria: 1) the  
87 records are maintained by a physician, psychiatrist, psychologist, or  
88 other recognized professional or paraprofessional acting in his or  
89 her professional capacity or assisting in a paraprofessional  
90 capacity, 2) the records are made in connection with the treatment  
91 of the student and 3) the records are disclosed only to individuals  
92 providing such treatment (treatment does not include remedial

93 educational activities or activities that are part of the program or  
94 instruction of the school district); however, the school district must,  
95 upon request, permit an eligible student to have a physician or  
96 other appropriate professional of the student's choice review  
97 his/her treatment records;  
98

99 e) records created or received by the school district after an individual  
100 is no longer a student in attendance and that are not directly related  
101 to the individual's attendance as a student; and  
102

103 f) grades on peer-graded papers before they are collected and  
104 recorded by a teacher.  
105

106 I. Eligible Student is a student or former student who has reached 18 years of age or is  
107 attending an institution of post-secondary education or is an emancipated minor.  
108

109 **[J. *If the district maintains a law enforcement unit, the district should include this***  
110 ***definition within the policy.***  
111

112 ***Law Enforcement Unit is an individual, office, department, division, or other***  
113 ***component of an educational agency or institution, that is officially authorized or***  
114 ***designated by that agency or institution to 1) enforce laws or refer matters of law***  
115 ***enforcement to appropriate authorities or 2) maintain the physical security and safety***  
116 ***of the agency or institution.]***  
117

118 K. Legitimate Educational Interest means the need for a school official to review an  
119 education record in order to fulfill his or her professional responsibilities.  
120

121 L. Parent is defined as a parent or parents of a student, including a natural parent, a  
122 guardian, or surrogate parent, or an individual acting as a parent in the absence of a  
123 parent or guardian. The rights of a parent shall transfer to an eligible student; however,  
124 a parent of a student who claims that student as a dependent under Section 152 of the  
125 Internal Revenue Code of 1986 is entitled to access to the student's education records  
126 without the eligible student's consent.  
127

128 M. Personally Identifiable Information includes, but is not limited to, the student's name;  
129 the name of the student's parent or other family members; the address of the student or  
130 his/her family; a personal identifier, such as the student's social security number,  
131 student number or biometric record; other indirect identifiers, such as the student's date  
132 of birth, place of birth, and mother's maiden name; other information that, alone or in  
133 combination, is linked or linkable to a specific student that would allow a reasonable  
134 person in the school community, who does not have personal knowledge of the relevant  
135 circumstances, to identify the student with reasonable certainty; or information  
136 requested by a person who the school district reasonably believes knows the identity of  
137 the student to whom the education record relates.  
138

139 N. School Official is a person employed by the District as an administrator, supervisor,  
140 instructor or support staff member (including health or medical staff and law  
141 enforcement unit personnel); a person serving on the Board of Education; a volunteer,  
142 contractor or consultant or other party who performs an institutional service or function  
143 for the District (such as an attorney, auditor, medical consultant, therapist, or school  
144 resource officer); or a parent or student serving on an official committee, such as a  
145 disciplinary or grievance committee; or a parent, student or other volunteer assisting  
146 another school official in performing his or her tasks.  
147

148 O. Signed and Dated Written Consent to disclose personally identifiable student  
149 information from a student’s education records must specify the records to be disclosed,  
150 the purpose of disclosure and the party to whom such records should be provided.  
151 Consent may include a record and signature in electronic form provided that the consent  
152 identifies and authenticates a particular person as the source of electronic consent.  
153

154 **III. ANNUAL NOTIFICATION OF RIGHTS / RELEASE OF DIRECTORY**  
155 **INFORMATION**  
156

157 A. On an annual basis, the school district will notify parents and/or eligible students  
158 currently in attendance of their rights regarding a student’s education records. This  
159 notice will be published in all student handbooks in the school district and will also be  
160 published in the school district’s guide to Pupil Personnel **[or Special Education]**  
161 Services and will be published in any other manner “reasonably likely” to inform such  
162 parents and eligible students of their rights. The school district will take steps to ensure  
163 that parents or eligible students whose primary or home language is not English or who  
164 are disabled will also be notified of their rights regarding a student’s education records.  
165

166 B. On an annual basis, the school district will also notify parents and/or eligible students  
167 currently in attendance of any categories of information designated as **directory**  
168 **information**. This notice will provide such individuals with an opportunity to object to  
169 such disclosure. An objection to the disclosure of directory information shall be good  
170 for only one school year. Parents and/or eligible students may not use the right to opt  
171 out of directory information disclosures to prohibit the school district from requiring  
172 students to wear or display a student identification card.  
173

174 C. In the annual notification, the school district will also provide notice to parents and/or  
175 eligible students that the district is legally obligated to provide military recruiters,  
176 institutions of higher education, or school choice programs, upon request, with the  
177 names, addresses and telephone numbers of secondary school students, unless the  
178 secondary student or the parent of the student objects to such disclosure in writing.  
179 Such objection must be in writing and shall be effective for one school year.  
180

181 **IV. CONFIDENTIALITY OF EDUCATION RECORDS**  
182

183 A. All school officials are directed to maintain the confidentiality of personally identifiable  
184 information contained in a student’s education records. Each person who has access to



185 education records is responsible for ensuring personally identifiable information is  
186 protected from disclosure at collection, storage, disclosure, and destruction stages.  
187 Disclosure of information is permitted only in accordance with Board policy and  
188 administrative regulations and in a manner consistent with state and federal law.  
189

- 190 B. Education records are not public records and any disclosure other than to persons  
191 authorized to receive the records without prior consent of a parent or an eligible student  
192 violates the law and Board policy, except as provided in federal and state statutes.  
193
- 194 C. The school district shall use reasonable methods, including administrative policies and  
195 procedures, as well as physical and technological access controls, to ensure that school  
196 officials obtain access to only those education records in which they have a legitimate  
197 educational interest.  
198
- 199 D. The district shall use reasonable methods to identify and authenticate the identity of  
200 parents, students, school officials and other parties to whom the district discloses  
201 personally identifiable information from education records.  
202
- 203 E. The district shall require contractors and other outside agencies with access to education  
204 records to certify their compliance with the confidentiality requirements of this policy,  
205 as well as applicable state and federal law.  
206

207 **V. ACCESS TO EDUCATION RECORDS**  
208

- 209 A. Parents and/or an eligible student have the right to inspect and review all education  
210 records of the student unless such rights have been waived under Article XI, below.  
211 Parents' rights of inspection and review are restricted to information dealing with their  
212 own child. In the case of an eligible student, the right to inspect and review is restricted  
213 to information concerning the student. All requests for access to education records must  
214 be in writing.  
215
- 216 B. When submitting a written request to inspect or review education records, the request  
217 must identify the record or records being sought. The school district will notify the  
218 parent or eligible student of the date, time, and location where the records may be  
219 inspected and reviewed.  
220
- 221 C. The parents or eligible students may designate in writing a representative to inspect and  
222 review the records. Consent for disclosure of education records to a designated  
223 representative must be signed and dated by the parent or eligible student.  
224
- 225 D. A school professional shall be present at all such inspections and reviews and shall  
226 respond to reasonable requests for explanations and interpretations of the records.  
227
- 228 E. For the records of **regular education students**, the Board will make education records  
229 available for inspection and review by parents or eligible students within a reasonable

- 230 period of time, but in any event, no more than forty-five (45) calendar days from the  
231 receipt of a written request.  
232
- 233 F. For **students requiring special education**, the Board will comply with a request to  
234 review and inspect the child’s education records without unnecessary delay and before  
235 any meeting regarding an IEP or any due process hearing or resolution session held in  
236 accordance with the IDEA; otherwise, the Board will comply with such request not later  
237 than ten (10) school days of such request.  
238
- 239 G. Parents of students eligible to receive special education and related services (or the  
240 eligible student) have the right to receive **one free copy** of their child’s (his/her)  
241 education records. The request for the free copy must be in writing and the Board will  
242 comply with the written request within ten (10) school days of the request.  
243 Notwithstanding the fact that a test instrument or portion of a test instrument may meet  
244 the criteria of an “education record” under the Family Educational Rights and Privacy  
245 Act, 20 U.S.C. § 1232g, any test instrument or portion of a test instrument for which the  
246 test manufacturer asserts a proprietary or copyright interest in the instrument shall not  
247 be copied. The parent or eligible student retains the right to review and inspect such  
248 information and the Board shall respond to reasonable requests from the parent or  
249 eligible student for explanations and interpretations of the student’s education record,  
250 which may include reviewing copyrighted testing instruments.  
251
- 252 H. Aside from a parent or eligible student, staff members, school employees and other  
253 school officials may access a student’s education records **only if** they have been  
254 determined by the school system to have a legitimate educational interest in accessing  
255 the information contained in such records. Disclosures to any other parties may only be  
256 made in accordance with the exemptions and provisions set forth in Article VII, below.  
257
- 258 I. Pursuant to the procedures set forth in Article VI, below, the district maintains a record  
259 of all parties that have requested access to education records, including access to  
260 education records found in computer memory banks.  
261  
262
- 263 J. Non-custodial Parents:  
264
- 265 1. Divorced Parents  
266
- 267 A parent does not lose his or her right to access to education records upon  
268 divorce. Non-custodial parents retain their rights to review their child’s  
269 education records unless the school district has been provided with  
270 evidence that there is a court order, state statute, or legally binding  
271 document relating to such matters as divorce, separation, or custody that  
272 specifically revokes the non-custodial parent’s rights. School notices shall  
273 be mailed to the non-custodial parent/guardian requesting the notices at the  
274 same time that they are provided to the custodial parent/guardian. Any  
275 requests by the non-custodial parent/guardian to receive school notices

276 shall be effective for as long as the child remains in the school the student  
277 is attending at the time of the request.

278  
279 2. Incarcerated Parents

280  
281 Nothing in this policy shall be construed to limit a parent who is  
282 incarcerated from being entitled to knowledge of and access to all  
283 educational, medical, or similar records maintained in the cumulative  
284 record of any minor student of such incarcerated parent, except that such  
285 incarcerated parent shall not be entitled to such records if:

- 286  
287 (a) such information is considered privileged under Conn. Gen. Stat.  
288 § 10-154a, regarding a communication made privately and in  
289 confidence by a student to a professional employee in the course of  
290 the professional employee’s employment concerning alcohol or  
291 drug abuse or any alcoholic or drug problem of such student;  
292  
293 (b) such incarcerated parent has been convicted in Connecticut or any  
294 other state of sexual assault in violation of Conn. Gen. Stat. §§ 53a-  
295 70, 53a-70a, 53a-71, 53a-72a, 53a-72b, or 53a-73a; or  
296  
297 (c) such incarcerated parent is prohibited from knowledge of or access  
298 to such student’s cumulative record pursuant to a court order.  
299

300 K. Unaccompanied Youth:

301  
302 Notwithstanding anything in this policy to the contrary, an unaccompanied youth shall  
303 be entitled to knowledge of and have access to all educational, medical or similar  
304 records in the cumulative record of such unaccompanied youth maintained by the  
305 school district. For the purposes of this provision, the term “unaccompanied youth”  
306 shall mean a homeless child or youth not in the physical custody of a parent or  
307 guardian.  
308

309 L. Copies of Education Records/Fees:

- 310  
311 1. The school district cannot charge a fee to search for or to retrieve the  
312 education records of a student. As noted above, if a student has been  
313 identified as requiring special education and related services, the parents’  
314 (or eligible student’s) right to inspect and review the child’s records shall  
315 include the right to receive **one free copy** of those records. The request for  
316 the free copy shall be made in writing. The Board shall comply with such  
317 request as stated above. A charge will be levied for additional copies; in  
318 no case will the charge exceed **[50¢]** per page. ***[Please note that the***  
319 ***district may or may not charge for copies, provided such fee is consistent***  
320 ***with its policy for charging for copies of records for regular education***

321 *students and provided that such fee does not effectively prohibit the*  
322 *parent/student from exercising their rights to access records].*  
323

324 2. In addition to the provision above regarding special education students, if  
325 circumstances effectively prevent the parent or eligible student from  
326 exercising the right to inspect and review the student’s education records,  
327 the district shall:

328  
329 a. provide the parent or eligible student with a copy of the  
330 records requested, or

331  
332 b. make other arrangements for the parent or eligible student  
333 to inspect and review the requested records.  
334

335 *[As noted above, a school district may charge a fee for all other copies of education*  
336 *records, provided that the imposition of a fee does not effectively prevent a parent*  
337 *and/or eligible student from exercising their rights to access records. If the district*  
338 *elects to charge a fee for copies beyond the one free copy of special education*  
339 *records, we suggest the following provision:*  
340

341 3. *The Board reserves the right to charge for copies of a student’s*  
342 *education records. Such charge will not exceed 50¢ per page.]*  
343

344 **VI. RECORD KEEPING REQUIREMENTS/DOCUMENTATION OF ACCESS TO**  
345 **EDUCATION RECORDS**  
346

347 A. The school district will appoint an individual to be responsible for the care and  
348 upkeep of all education records. Education records are kept by categories, each of  
349 which encompasses a specific type of data collected during a student’s educational  
350 career. These categories also determine how long the school district must  
351 maintain the records. The school district will provide to parents, on request, a list  
352 of the categories and locations of education records collected, maintained, or used  
353 by the school district.  
354

355 B. Except as provided below, a record (log) will be kept documenting each request  
356 for, and disclosure of, personally identifiable information from the education  
357 records of each student, including information found in computer memory banks.  
358 The record log shall contain:

359  
360 1. the name of any individual, agency, or organization that requested or  
361 obtained access to the student’s records;

362 2. the date of the request for access;

363 3. whether access was given;  
364  
365  
366

- 367 4. the purpose for which the party was granted access to the records;
- 368
- 369 5. the names of additional parties to whom the receiving party may disclose
- 370 the information on behalf of the school district; and
- 371
- 372 6. the legitimate educational interest in obtaining the information.
- 373
- 374 C. The record (log) requirement does not apply to requests from, or disclosure to:
- 375
- 376 1. a parent or eligible student;
- 377
- 378 2. a party seeking directory information;
- 379
- 380 3. a party who has a signed and dated written consent from the parent and/or
- 381 eligible student;
- 382
- 383 4. school officials from the school district in which the student is currently
- 384 enrolled who have a legitimate educational interest in the information
- 385 contained in the student's record; or
- 386
- 387 5. persons seeking or receiving the information as directed by a Federal grand
- 388 jury, other law enforcement subpoena, or ex parte order of the Attorney
- 389 General of the United States (provided that the information requested is
- 390 not to be redisclosed).
- 391
- 392 D. The record (log) is a permanent part of the student's education records and must
- 393 be available to the parent or eligible student upon request.
- 394
- 395 E. If the district makes a release of education records without consent in **a health**
- 396 **and safety emergency**, the district must record:
- 397
- 398 1. the articulable and significant threat to the health and safety of a student or
- 399 other individuals that formed the basis for disclosure; and
- 400
- 401 2. the parties to whom the district disclosed the information.
- 402

403 **VII. THE RELEASE OF RECORDS OR PERSONALLY IDENTIFIABLE**

404 **INFORMATION**

405

- 406 A. The school system or its designated agent(s) may not permit release of education
- 407 records or any information from such records that contain personally identifiable
- 408 student information to any outside individual, agency, or organization without the
- 409 signed and dated written consent of the parents or eligible student, except as indicated
- 410 in Article VII.C below. Personally identifiable information contained in the education
- 411 record, other than directory information, will not be furnished in any form (i.e.,
- 412 written, taped, video or audio recorded, person-to-person, statement over the

- 413 telephone, on computer disk, e-mailed or electronic message, etc.) to any person other  
414 than those listed below, unless prior written consent has been obtained.  
415
- 416 B. To be effective, the written consent must be signed and dated and must specify the  
417 records that may be disclosed, state the purpose of the disclosure, and identify the  
418 party or class of parties to whom the disclosure may be made.  
419
- 420 C. Personally identifiable information may be released **without consent** of the parents, or  
421 the eligible student, only if the disclosure meets one of the criteria set forth below:  
422
- 423 1. School Officials:  
424
- 425 a) The disclosure is to other school officials within the district,  
426 including teachers, who have been determined by the school  
427 district to have legitimate educational interests in the education  
428 records.  
429
- 430 b) A contractor, consultant, volunteer, or other party to whom the  
431 district has outsourced institutional services or functions, provided  
432 that the party:  
433
- 434 1) performs an institutional service or function for which the  
435 district would otherwise use employees;  
436
- 437 2) is under the direct control of the district with respect to the  
438 use and maintenance of education records; and  
439
- 440 3) is subject to the requirements of FERPA with respect to the  
441 use and redisclosure of personally identifiable information  
442 from education records.  
443
- 444 c) The Board shall comply with the below Section I of this Article VII  
445 prior to the provision of student records, student information or  
446 student-generated content to any school official who is a consultant  
447 or operator, as those terms are defined in Section I.  
448
- 449 3. Transfer Students:  
450
- 451 a) The disclosure is to officials of another school, including other  
452 public schools, charter schools, and post-secondary institutions, in  
453 which the student seeks or intends to enroll, or where the student is  
454 already enrolled so long as the disclosure is for purposes related to  
455 the student's enrollment or transfer. Disclosure of personally  
456 identifiable information will be made only upon condition that the  
457 student's parents be notified of the transfer, receive a copy of the

- 458 record if desired, and have an opportunity for a hearing to  
459 challenge the content of the record pursuant to Article X.  
460
- 461 b) When a student enrolls in a new public school district (including a  
462 public charter school), the receiving school district must send  
463 written notice of such enrollment to the school the student  
464 previously attended not later than two (2) business days after the  
465 student enrolls. Not later than ten (10) days after receipt of such  
466 notice, the sending school shall transfer the student’s records to the  
467 new school district.  
468
- 469 c) Upon notification by the Department of Children and Families  
470 (“DCF”) of a decision to change the school placement for a student  
471 attending district schools who is placed in out-of-home care by  
472 DCF pursuant to an order of temporary custody or an order of  
473 commitment, in accordance with Section 46b-129 of the  
474 Connecticut General Statutes, the Board shall transmit to the  
475 receiving school, not later than one (1) business day after receipt of  
476 such notification from DCF, all essential education records for the  
477 student, including, but not limited to, the student’s individualized  
478 education program (“IEP”) and behavioral intervention plan, if  
479 any, and all documents necessary for the receiving school to  
480 determine appropriate class placement and to provide educational  
481 services. The Board shall transfer nonessential records to the  
482 receiving school in accordance with subsection b above.  
483
- 484 4. The disclosure is to authorized representatives of the U.S. Comptroller, the  
485 U.S. Attorney General, the U.S. Secretary of Education, or State or local  
486 educational authorities. Disclosures of this nature may be made only in  
487 connection with an audit or evaluation of Federal or State supported  
488 education programs, or for the enforcement of or compliance with the  
489 Federal legal requirements that related to these programs. These entities  
490 may make further disclosures of personally identifiable information that  
491 are designated by them as their authorized representatives to conduct any  
492 audit, evaluation, or enforcement or compliance activity on their behalf, if  
493 applicable requirements are met.  
494
- 495 5. The disclosure is made in connection with a student’s application for, or  
496 receipt of, financial aid, if such information is necessary to determine  
497 eligibility for, the amount of, or the conditions for financial aid, or to  
498 enforce the terms and conditions of financial aid.  
499
- 500 6. The disclosure is to state and local officials or authorities within the  
501 juvenile justice system as long as the officials and authorities to whom the  
502 records are disclosed certify in writing to the school district that (a) the  
503 information is required by the court, and (b) will not be disclosed to any

- 504 other party without the prior, written consent of the parent of the student,  
505 except as provided under state law. Disclosure shall be permitted for  
506 information relating to the student's school attendance, adjustment and  
507 behavior, as well as the student's IEP and related documents if the student  
508 receives special education services. If a student is placed on probation by  
509 the juvenile court, school officials may issue their own recommendation  
510 concerning the conditions of the student's probation.  
511
- 512 7. The disclosure is to organizations conducting studies for, or on behalf of,  
513 educational agencies or institutions for the purpose of developing,  
514 validating, or administering predictive tests, administering student aid  
515 programs, or improving instruction, so long as:  
516
- 517 a) the study does not permit personal identification of parents or  
518 students by individuals other than representatives of the  
519 organization,  
520
- 521 b) the information is destroyed after it is no longer needed for the  
522 purposes for which the study was conducted, and  
523
- 524 c) the Board enters into a written agreement with the organization  
525 conducting the study that satisfies the requirements of 34 C.F.R.  
526 § 99.31(a)(6).  
527
- 528 8. The disclosure is to accrediting organizations in order to carry out their  
529 accrediting functions.  
530
- 531 9. The disclosure is to parents of an eligible student who claim that student as  
532 a dependent student as defined in Section 152 of the Internal Revenue  
533 Code of 1986.  
534
- 535 10. The disclosure is to comply with a judicial order or lawfully issued  
536 subpoena, provided that the educational agency makes a reasonable effort  
537 to notify the parent or the eligible student in advance of compliance, unless  
538 such disclosure is in compliance with  
539
- 540 a) a federal grand jury subpoena and the court has ordered that the  
541 existence or the contents of the subpoena or the information  
542 furnished in response to the subpoena not be disclosed;  
543
- 544 b) any other subpoena issued for a law enforcement purpose and the  
545 court or other issuing agency has ordered that the existence or the  
546 contents of the subpoena or the information furnished in response  
547 to the subpoena not be disclosed; or  
548



549 c) an ex parte order obtained by the United States Attorney General  
550 (or designee not lower than an Assistant Attorney General)  
551 concerning the investigation or prosecution of terrorism crimes  
552 specified in 18 U.S.C. §§ 2331 and 2332b(g)(5)(B).  
553

554 11. If the school district initiates legal action against a parent or student, the  
555 school district may disclose to the court, without a court order or  
556 subpoena, the education records of the student that are relevant for the  
557 school district to proceed with the legal action as plaintiff.  
558

559 12. If a parent or eligible student initiates legal action against the school  
560 district, the school district may disclose to the court, without a court order  
561 or subpoena, the student’s education records that are relevant for the  
562 school district to defend itself.  
563

564 13. The disclosure is to appropriate parties, including parents of an eligible  
565 student, in connection with a health and safety emergency if knowledge of  
566 the information is necessary to protect the health or safety of the student or  
567 other individuals. In making a determination regarding the disclosure of  
568 education records without consent in a health and safety emergency, the  
569 district may take into account the totality of the circumstances pertaining  
570 to the threat to the health or safety of a student or other individuals. If the  
571 district reasonably determines that there is an articulable and significant  
572 threat to the health or safety of a student or other individuals, it may  
573 disclose information from education records to any person whose  
574 knowledge of the information is necessary to protect the health or safety of  
575 the student or other individuals, provided, however, that the district record  
576 such disclosure in accordance with Article VI.D, above.  
577

578 14. The disclosure is to the parent of a student who is under 18 years of age or  
579 to the student.  
580

581 15. The disclosure concerns sex offenders and other individuals required to  
582 register under Section 170101 of the Violent Crime Control and Law  
583 Enforcement Act of 1994, 42 U.S.C. § 14071, and the information was  
584 provided to the district under 42 U.S.C. § 14071 and applicable federal  
585 guidelines.  
586

587 16. The disclosure is to the Secretary of Agriculture or an authorized  
588 representative from the Food and Nutrition Service, or contractors acting  
589 on its behalf, for the purposes of conducting program monitoring,  
590 evaluations, and performance measurements of state and local educational  
591 and other agencies and institutions receiving funding or providing benefits  
592 of one or more federal meal or nutrition programs in order to report  
593 aggregate results that do not identify any individual. Such disclosures may  
594 only be made if:

- 595  
596 a) the data collected will be protected to prevent the personal  
597 identification of students and their parents by other than the  
598 authorized representatives of the Secretary of Agriculture, and  
599  
600 b) any personally identifiable data will be destroyed when they are no  
601 longer needed for program monitoring, evaluations, and  
602 performance measurements.  
603  
604 17. The disclosure is to an agency caseworker or other representative of the  
605 DCF or other child welfare agency or tribal organization who has the right  
606 to access a student's case plan when the agency or organization is legally  
607 responsible for the care and protection of the student. The agency or  
608 organization may not disclose the education records or personally  
609 identifiable information contained in such records, except to an individual  
610 or entity engaged in addressing the student's educational needs and  
611 authorized by the agency or organization to receive such disclosure. Any  
612 disclosures made by the agency or organization must comply with  
613 applicable confidentiality laws for student education records.  
614

615 **D. Directory Information**  
616

617 The school district will notify parents (of students currently enrolled within the  
618 district) or eligible students (currently enrolled in the district) annually of any  
619 categories of information designated as directory information. This notice will  
620 provide such individuals with an opportunity to object to such disclosure. An  
621 objection to the disclosure of directory information shall be good for only one  
622 school year.  
623

- 624 1. School districts are legally obligated to provide military recruiters or  
625 institutions of higher education, upon request, with the names, addresses  
626 and telephone numbers of secondary school students, unless the secondary  
627 student or the parent of the student objects to such disclosure in writing.  
628 Such objection must be in writing and shall be effective for one school  
629 year.  
630  
631 2. In all other circumstances, information designated as directory information  
632 will not be released when requested by a third party unless the release of  
633 such information is determined by the administration to be in the  
634 educational interest of the school district and is consistent with the  
635 district's obligations under both state and federal law.  
636  
637 3. The school district may disclose directory information about students after  
638 they are no longer in enrollment in the school district. Notwithstanding the  
639 foregoing, the district will continue to honor any valid objection to the

640 disclosure of directory information made while a student was in attendance  
641 unless the student rescinds the objection.

642  
643 4. An objection to the disclosure of directory information shall not prevent  
644 the school district from disclosing or requiring a student to disclose the  
645 student's name, identified or institutional email address in a class in which  
646 the student is enrolled. Parents and/or eligible students may not use the  
647 right to opt out of directory information disclosures to prohibit the school  
648 district from requiring students to wear or display a student identification  
649 card.

650  
651 5. The school district will not use the student's social security number or  
652 other non-directory information alone or combined with other elements to  
653 identify or help identify the student or the student's records.

654  
655 **E. De-identified Records and Information**

656  
657 1. The school district may release education records or information from  
658 education records without the consent of a parent or eligible student after  
659 the removal of all personally identifiable information, provided that the  
660 district has made a reasonable determination that a student's identity is not  
661 personally identifiable, whether through single or multiple releases, taking  
662 into account other reasonably available information.

663  
664 2. The school district may release de-identified education records including  
665 student level data from education records for the purpose of education  
666 research by attaching a code to each record that may allow the recipient to  
667 match information received from the same source, provided that:

668  
669 a) the district does not disclose any information about how it  
670 generates and assigns a record code, or that would allow a recipient  
671 of the information to identify a student based on the record code;

672  
673 b) the record code is used for no purpose other than identifying a de-  
674 identified record for the purposes of education research and cannot  
675 be used to ascertain personally identifiable information about a  
676 student; and

677  
678 c) the record code is not based on a student's social security number  
679 or other personal information.

680  
681 **F. Disciplinary Records:**

682  
683 Nothing in this policy shall prevent the school district from:  
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- 685  
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729
1. Including in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community.
  2. Disclosing appropriate information concerning disciplinary action taken against a student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community, to teachers and school officials who have been determined to have legitimate educational interests in the behavior of the student.
- G. In accordance with state and federal law, the district will facilitate the transfer of records of suspension and expulsion of a student to officials of any private elementary or secondary school in which the student is subsequently enrolled or seeks, intends or is instructed to enroll.
- H. **Records of the Department of Children and Families (“DCF”)**
1. Documents related to any DCF child abuse and/or neglect investigations that are maintained by the Board are considered education records under the FERPA. As such, they are subject to the confidentiality and disclosure requirements set forth in this policy and in corresponding provisions of state and federal law. Such records, including records of allegations, investigations and reports made to DCF, should be kept in a confidential and central location, with restricted access and shall be disclosed only as authorized by law. In addition to meeting the requirements under FERPA, should the Board receive a request to disclose confidential DCF records to an outside third party, the Board shall redact the name or other personally identifiable information concerning the individual suspected of being responsible for the alleged abuse and/or neglect unless the requested records are being released to the individual named in the DCF records.
  2. In addition, the district shall redact the name or any personally identifiable information related to the identity of any individual responsible for making a report of alleged child abuse and/or neglect before releasing or transferring any DCF records containing such reports.
- I. Except as set forth in Subsection I.5, below, the Board shall enter into a written contract with a consultant or operator any time the Board shares or provides access to student information, student records, or student-generated content with such consultant or operator.
1. The provisions of said contract shall comply with the requirements of Conn. Gen. Stat. §§ 10-234aa to 10-234dd.

- 730           2.       The district shall maintain and update an Internet web site with information  
731 relating to all contracts entered into pursuant to Subsection I, above. On or  
732 before September 1<sup>st</sup> of each school year, the Board shall electronically notify  
733 students and the parents or legal guardians of students of the address of such  
734 Internet website. Not later than five (5) business days after executing a  
735 contract pursuant to this subsection, the Board shall post notice of such  
736 contract on the Board’s website. The notice shall:  
737  
738           a.       State that the contract has been executed and the date that such contract  
739 was executed;  
740  
741           b.       Provide a brief description of the contract and the purpose of the  
742 contract; and  
743  
744           c.       State what student information, student records or student-generated  
745 content may be collected as a result of the contract.  
746  
747       3.       For purposes of this subsection, upon receipt of notice of a breach of security  
748 that results in the unauthorized release, disclosure or acquisition of directory  
749 information, student information, student records or student-generated content,  
750 the Board shall electronically notify, not later than two business days after  
751 receipt of such notice, the student and the parents or guardians of the student  
752 whose information is involved in such breach. The Board shall thereafter post  
753 notice of such breach on the Board’s Internet web site. The Internet posting  
754 shall comply with the requirements of FERPA. All questions and concerns  
755 relative to breach of security shall be referred to ***[Insert Name and Contact***  
756 ***Information]***.  
757  
758       4.       For purposes of this subsection, the following definitions are applicable:  
759  
760           a.       Consultant means a professional who provides noninstructional  
761 services, including but not limited to, administrative, planning,  
762 analysis, statistical or research services, to the Board pursuant to a  
763 contract with the Board.  
764  
765           b.       Operator means any person who (a) operates an Internet web site,  
766 online service or mobile application with actual knowledge that such  
767 Internet web site, online service or mobile application is used for  
768 school purposes and was designed and marketed for school purposes, to  
769 the extent it is engaged in the operation of such Internet web site,  
770 online service or mobile application, and (b) collects, maintains or uses  
771 student information.  
772  
773           c.       School Purposes means purposes that customarily take place at the  
774 direction of a teacher or the Board, or aid in the administration of  
775 school activities, including but not limited to instruction in the

- 776 classroom, administrative activities and collaboration among students,  
777 school personnel or parents or legal guardians of students.  
778
- 779 d. Student means a person who is a resident of the state and (a) enrolled in  
780 a preschool program participating in the state-wide public school  
781 information system, pursuant to Conn. Gen. Stat. § 10-10a; (b) enrolled  
782 in grades kindergarten to twelve, inclusive, in a school under the  
783 jurisdiction of the Board; (c) receiving special education and related  
784 services under an individualized education program; or (d) otherwise  
785 the responsibility of the Board.  
786
- 787 e. Student Information means personally identifiable information or  
788 material of a student in any media or format that is not publicly  
789 available and is any of the following:  
790
- 791 1) Created or provided by a student or the parent or legal guardian  
792 of a student, to the operator in the course of the student, parent  
793 or legal guardian using the operator’s Internet web site, online  
794 service or mobile application for school purposes;  
795
  - 796 2) Created or provided by an employee or agent of the Board to an  
797 operator for school purposes;  
798
  - 799 3) Gathered by an operator through the operation of the operator’s  
800 Internet web site, online service or mobile application and  
801 identifies a student, including but not limited to, information in  
802 the student’s records or electronic mail account, first or last  
803 name, home address, telephone number, date of birth, electronic  
804 mail address, discipline records, test results, grades, evaluations,  
805 criminal records, medical records, health records, Social  
806 Security number, biometric information, disabilities,  
807 socioeconomic information, food purchases, political  
808 affiliations, religious affiliations, text messages, documents,  
809 student identifiers, search activity, photographs, voice  
810 recordings, survey responses or behavioral assessments.  
811
- 812 f. Student Record means any information directly related to a student that  
813 is maintained by the Board or any information acquired from a student  
814 through the use of educational software assigned to the student by a  
815 teacher or employee of the Board, except student record does not  
816 include de-identified student information allowed under the contract to  
817 be used by the consultant or operator to:  
818
- 819 1) Improve educational products for adaptive learning purposes  
820 and customize student learning;  
821

- 822                           2)       Demonstrate the effectiveness of the contractor’s products in  
823   the marketing of such products; and  
824
- 825                           3)       Develop and improve the consultant’s or operator’s products  
826   and services.  
827
- 828           5.       Notwithstanding anything in this Subsection to the contrary, the Board may  
829                           use an operator’s or consultant’s services without entering into a contract as  
830                           described above, if the use of an Internet web site, online service or mobile  
831                           application operated by a consultant or an operator is unique and necessary to  
832                           implement a child’s individualized education program or plan pursuant to  
833                           Section 504 of the Rehabilitation Act of 1973 and such Internet website, online  
834                           service or mobile application is unable to comply with the provisions of Conn.  
835                           Gen. Stat. § 10-234bb, provided:  
836
- 837                           a.       Such Internet web site, online service or mobile application complies  
838   with FERPA and the Health Insurance Portability and Accountability  
839   Act of 1996, P.L. 104-191, as amended from time to time;  
840
- 841                           b.       The Board can provide evidence that it has made a reasonable effort to:  
842
- 843   1)       enter into a contract with such consultant or operator to use such  
844   Internet web site, online service or mobile application, in  
845   accordance with the provisions of Conn. Gen. Stat. § 10-234bb;  
846   and  
847
- 848   2)       find an equivalent Internet web site, online service or mobile  
849   application operated by a consultant or an operator that  
850   complies with the provisions of Conn. Gen. Stat. § 10-234bb;  
851
- 852                           c.       The consultant or operator complies with the provisions of Conn. Gen.  
853   Stat. § 10-234cc for such use; and  
854
- 855                           d.       The parent or legal guardian of such child, and, in the case of a child  
856   with an individualized education program, a member of the planning  
857   and placement team, signs an agreement that:  
858
- 859   1)       acknowledges such parent or legal guardian is aware that such  
860   Internet web site, online service or mobile application is unable  
861   to comply with the provisions of Conn. Gen. Stat. § 10-234bb;  
862   and  
863
- 864   2)       authorizes the use of such Internet web site, online service or  
865   mobile application.  
866

- e. The Board shall, upon the request of a parent or legal guardian of a child, provide the evidence described in Subsection 5.b, above.

**VIII. REDISCLOSURE OF EDUCATION RECORDS**

- A. The school district may disclose personally identifiable information from an education record only on the conditions that:
  - 1. the party to whom the information is disclosed will not subsequently redisclose the information to any other party without the proper consent of the parent or eligible student, and
  - 2. the officers, employees, and agents of a party that receives such information may only use the information for the purposes for which disclosure was made.
- B. Notwithstanding the provisions of Section A above, the school district may disclose personally identifiable information from an education record with the understanding that the information may be redisclosed by the recipient of the information as long as prior written consent for disclosure is not required, for one of the reasons listed in Article VII, Section C above, and at least one of the following conditions is met.
  - 1. The record of the original disclosure includes the names of the parties to whom redisclosure is being made and the legitimate interests each such party has in requesting or obtaining the information.
  - 2. The original disclosure was to a state or local educational authority or federal official or agency as set forth in Article VII, Section C, and such state or local educational authority or federal official or agency has complied with the requirements of 34 C.F.R. § 99.32(b)(2).
  - 3. In the case of disclosures made pursuant to a court order or lawfully issued subpoena, the district has made a reasonable effort to notify the parent or eligible student in advance of compliance with the subpoena (except if such subpoena meets the criteria set forth above in Article VII, Section C (10)).
  - 4. Disclosure is made to a parent, an eligible student, or the parent of an eligible student.
  - 5. The information is considered directory information.
- C. In the event that the Student Privacy Policy Office determines that a third party outside of the school district has improperly redisclosed personally identifiable information from education records in violation of FERPA, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years.



913 **IX. AMENDMENT OF EDUCATION RECORDS**

- 914
- 915 A. If a parent or an eligible student believes that information in the student’s education
- 916 records is inaccurate, misleading or in violation of the student’s right to privacy,
- 917 he/she is entitled to:
- 918
- 919 1. Request in writing that the school district amend the records;
- 920
- 921 2. Receive within a reasonable period of time a decision from the school district
- 922 with respect to its decision on the amendment(s) requested by the parent or
- 923 eligible student.
- 924
- 925 B. If the school district decides to amend the records, the school district shall promptly
- 926 take such steps as may be necessary to put the decision into effect with respect to the
- 927 requested amendments, and shall inform the parent or eligible student of the
- 928 amendment.
- 929
- 930 C. If the school district decides that an amendment of the records in accordance with the
- 931 request is not warranted, it shall so inform the parent or eligible student and advise
- 932 him/her of the right to a hearing pursuant to this policy.
- 933

934 **X. HEARING RIGHTS AND PROCEDURES**

- 935
- 936 A. Rights
- 937
- 938 1. Upon written request of a parent or eligible student to the Superintendent of
- 939 Schools, an opportunity for a hearing shall be provided to challenge the content
- 940 of a student’s education records on the grounds that the information contained
- 941 in the education records is inaccurate, misleading, or otherwise in violation of
- 942 the privacy rights of the student.
- 943
- 944 2. If, as a result of the hearing, the school district decides that information
- 945 contained in the education records of a student is inaccurate, misleading, or
- 946 otherwise in violation of the privacy rights of the student, the records shall be
- 947 amended, and the parent or eligible student shall be informed in writing.
- 948
- 949 3. If, as a result of the hearing, the school district decides that information
- 950 contained in the education records of a student is not inaccurate, misleading, or
- 951 otherwise in violation of the privacy rights of the student, the parent or eligible
- 952 student shall be informed of the right to place in the student’s education
- 953 records a statement commenting on the contested information or stating why
- 954 he or she disagrees with the district’s decision, or both.
- 955
- 956 a. Any statement placed in the records of the student shall be
- 957 maintained by the school system as part of the records of the

958 student as long as the record or contested portion is maintained by  
959 the school system.

960  
961 b. If the contested portion of the education record is disclosed by the  
962 school system, the statement of disagreement by the parents and/or  
963 eligible student shall also be disclosed.

964  
965 B. Procedures

- 966  
967 1. The hearing shall be held within a reasonable time after the school system has  
968 received the request, unless the parent or eligible student requests a delay.  
969  
970 2. The parent or eligible student shall be given notice of the date, place, and time  
971 of the hearing, within a reasonable time in advance of the hearing.  
972  
973 3. The hearing will be conducted by a person or persons appointed by the  
974 Superintendent of Schools. This person(s) shall be knowledgeable of the  
975 policies relating to confidentiality and shall not have a direct interest in the  
976 outcome of the hearing.  
977  
978 4. The parent or eligible student and the school system shall have the right to be  
979 represented by person(s) of their choosing at their own expense, to cross-  
980 examine witnesses, to present evidence, and to receive a written decision of the  
981 hearing.  
982  
983 5. The decision reached through the hearing shall be made in writing within a  
984 reasonable period of time after the hearing. The decision will be based solely  
985 upon the evidence presented at the hearing and shall include a summary of the  
986 evidence and the reasons for the decision.  
987

988 **XI. WAIVER OF RIGHTS**

989  
990 A. A student who is an applicant for admission to an institution of post-secondary  
991 education, or is in attendance at an institution of post-secondary education, may  
992 waive his or her right to inspect and review confidential letters and confidential  
993 statements of recommendations with the following limitations:

- 994  
995 1. The student is notified, upon request, of the names of all individuals providing  
996 the letters or statements.  
997  
998 2. The letters or statements are used only for the purpose for which they were  
999 originally intended.  
1000  
1001 3. The waiver is not required by the district as a condition of admission to or  
1002 receipt of any other service or benefit from the district.  
1003

- 1004 4. The waiver is in writing and executed by the student, regardless of age, rather
- 1005 than by the parent.
- 1006
- 1007 B. A waiver may be revoked with respect to any actions occurring after the
- 1008 revocation.
- 1009
- 1010 C. Revocation of a waiver must be in writing.
- 1011

1012 **XII. SPECIAL CONFIDENTIALITY PROCEDURES FOR HIV-RELATED**

1013 **INFORMATION**

1014

- 1015 A. The following definitions shall apply to Article XII of this policy:
- 1016
- 1017 1. Confidential HIV-Related Information
- 1018
- 1019 “Confidential HIV-related information” means any information pertaining
- 1020 to the protected individual or obtained pursuant to a release of confidential
- 1021 HIV-related information, concerning whether a person has been counseled
- 1022 regarding HIV infection, has been the subject of an HIV-related test, or has
- 1023 HIV infection, HIV-related illness or AIDS, or information which
- 1024 identifies or reasonably could identify a person as having one or more of
- 1025 such conditions, including information pertaining to such individual’s
- 1026 partners.
- 1027
- 1028 2. Health Care Provider
- 1029
- 1030 “Health Care Provider” means any physician, dentist, nurse, provider of
- 1031 services for the mentally ill or persons with intellectual disabilities, or
- 1032 other person involved in providing medical, nursing, counseling, or other
- 1033 health care, substance abuse or mental health service, including such
- 1034 services associated with, or under contract to, a health maintenance
- 1035 organization or medical services plan.
- 1036
- 1037 3. Protected Individual
- 1038
- 1039 “Protected individual” means a person who has been counseled regarding
- 1040 HIV infection, is the subject of an HIV-related test or who has been
- 1041 diagnosed as having HIV infection, AIDS or HIV-related illness.
- 1042
- 1043 4. Release of confidential HIV-related information
- 1044
- 1045 “Release of confidential HIV-related information” means a written
- 1046 authorization for disclosure of confidential HIV-related information which
- 1047 is signed by the protected individual, if an eligible student, or a person
- 1048 authorized to consent to health care for the individual and which is dated
- 1049 and specifies to whom disclosure is authorized, the purpose for such

1050 disclosure and the time period during which the release is to be effective.  
1051 A general authorization for the release of medical or other information is  
1052 not a release of confidential HIV-related information, unless such  
1053 authorization specifically indicates its dual purpose as a general  
1054 authorization and an authorization for the release of confidential HIV-  
1055 related information.

1056  
1057 5. School Medical Personnel

1058  
1059 “School medical personnel” means an employee of the Board who is a  
1060 school nurse or the school district medical adviser.

1061  
1062 B. Confidentiality of HIV-related Information

1063  
1064 1. All school staff must understand that no person who obtains confidential  
1065 HIV-related information regarding a protected individual may disclose or  
1066 be compelled to disclose such information. Each person who has access to  
1067 confidential HIV-related information is responsible for ensuring that  
1068 confidential HIV-related information is protected from disclosure and/or  
1069 redisclosure.

1070  
1071 2. Confidential HIV-related information is not public information and any  
1072 disclosure, other than to persons pursuant to a legally sufficient release or  
1073 to persons authorized by law to receive such information without a legally  
1074 sufficient release, violates the law and Board policy.

1075  
1076 C. Accessibility of Confidential HIV-related Information

1077  
1078 1. No school staff member who obtains confidential HIV-related information  
1079 may disclose or be compelled to disclose such information, except to the  
1080 following:

1081  
1082 a) the protected individual, his/her legal guardian or a person  
1083 authorized to consent to health care for such individual;

1084  
1085 b) any person who secures a release of confidential HIV-related  
1086 information;

1087  
1088 c) a federal, state or local health law officer when such disclosure is  
1089 mandated or authorized by federal or state law;

1090  
1091 d) a health care provider or health facility when knowledge of the  
1092 HIV-related information is necessary to provide appropriate care or  
1093 treatment to the protected individual or when confidential HIV-  
1094 related information is already recorded in a medical chart or record

1095 and a health care provider has access to such record for the purpose  
1096 of providing medical care to the protected individual;

1097  
1098 e) a medical examiner to assist in determining cause of death; or

1099  
1100 f) any person allowed access to such information by a court order.

1101  
1102 D. Procedures

1103  
1104 1. If a school staff member, other than school medical personnel, is given  
1105 confidential HIV-related information regarding a protected individual, who  
1106 is also a student, from the student's legal guardian or the student, the  
1107 school staff member shall attempt to secure a release of confidential HIV-  
1108 related information for the sole purpose of disclosing such information to  
1109 school medical personnel.

1110  
1111 2. If a school medical personnel member is given confidential HIV-related  
1112 information regarding a protected individual, who is also a student, by a  
1113 student's legal guardian, or by the student, and the legal guardian or the  
1114 student requests accommodations to the student's program for reasons  
1115 related thereto, the school medical personnel member shall inform the  
1116 legal guardian or the student, if an eligible student, that a release of  
1117 confidential HIV-related information is necessary before such information  
1118 may be disclosed to other educational personnel capable of assessing the  
1119 need for and implementing appropriate accommodations to the student's  
1120 program.

1121  
1122 3. Any school staff member who obtains confidential HIV-related  
1123 information from a source other than the protected individual or his/her  
1124 legal guardian, shall keep such information confidential and shall not  
1125 disclose such information.

1126  
1127 4. No school staff member may disclose confidential HIV-related  
1128 information to other school staff members without first obtaining a release  
1129 of confidential HIV-related information.

1130  
1131 5. Any record containing confidential HIV-related information shall be  
1132 maintained in a separate file, and shall not be subject to the provisions of  
1133 this policy regarding accessibility of general student records.

1134  
1135 6. If school medical personnel determine that the health and safety of the  
1136 student and/or others would be threatened if a release of confidential HIV-  
1137 related information is not obtained, the school medical personnel may seek  
1138 a court order authorizing disclosure. In such cases, such confidential HIV-  
1139 related information may be disclosed as set forth in and subject to any  
1140 limitation of such court order.

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E. Disclosures Pursuant to a Release

1. Any disclosure pursuant to a release shall be accompanied by a notice in writing stating, “This information has been disclosed to you from records whose confidentiality is protected by state law. State law prohibits you from making any further disclosure of it without the specific written consent of the person to whom it pertains, or as otherwise permitted by said law. A general authorization for the release of medical or other information is NOT sufficient for this purpose.”
2. Oral disclosures must be accompanied or followed by the above notice within ten (10) days.
3. Except for disclosures made to a federal, state or local health officer when such disclosure is mandated or authorized by federal or state law, a notation of all disclosures shall be placed in the medical record or with any HIV-related test result of a protected individual, who shall be informed of such disclosures on request.

**XIII. CHILD ABUSE REPORTING**

Nothing in this policy shall limit a mandated reporter’s responsibility to report suspected child abuse or neglect under the Board’s Child Abuse and Neglect Reporting Policy #4119 & #4120.

**XIV. RIGHT TO FILE A COMPLAINT**

FERPA affords parents and eligible students the right to file a complaint with the U.S. Department of Education concerning alleged failures by the school district to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Student Privacy Policy Office  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, DC 20202-8520

Legal References:

State Law:

- Conn. Gen. Stat. § 1-210 *et seq.*
- Conn. Gen. Stat. § 10-220h
- Conn. Gen. Stat. § 10-15b
- Conn. Gen. Stat. § 10-233d
- Conn. Gen. Stat. § 10-234aa
- Conn. Gen. Stat. § 10-234bb

1187	Conn. Gen. Stat. § 10-234cc
1188	Conn. Gen. Stat. § 10-234dd
1189	Conn. Gen. Stat. § 10-234ff
1190	Conn. Gen. Stat. § 10-234gg
1191	Conn. Gen. Stat. § 10-220d
1192	Conn. Gen. Stat. § 10-253
1193	Conn. Gen. Stat. § 17-16a
1194	Conn. Gen. Stat. § 17a-28
1195	Conn. Gen. Stat. § 17a-101k
1196	Conn. Gen. Stat. § 19a-581 <i>et seq.</i>
1197	Conn. Gen. Stat. § 46b-134
1198	
1199	Regs. Conn. State Agencies § 10-76d-18
1200	
1201	State Department of Education, Guidance on Civil Rights Protections and
1202	Supports for Transgender Students, June 2017
1203	
1204	State Department of Education, Guidance on Civil Rights Protections and
1205	Supports for Transgender Students: Frequently Asked Questions, June 2017
1206	
1207	State Department of Education memorandum dated December 21, 2010, on
1208	school choice recruitment
1209	
1210	Office of the Public Records Administrator, Retention Schedule M8-Education
1211	Records, Revised 2/2005, available at <a href="http://ctstatelibrary.org/wp-content/uploads/2015/07/M8.pdf">http://ctstatelibrary.org/wp-</a>
1212	<a href="http://ctstatelibrary.org/wp-content/uploads/2015/07/M8.pdf">content/uploads/2015/07/M8.pdf</a>
1213	
1214	
1215	Federal Law:
1216	Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g
1217	
1218	USA Patriot Act of 2001, Pub. L. No. 107-56
1219	
1220	Every Student Succeeds Act, Pub. L. No. 114-95
1221	
1222	Healthy, Hunger-Free Kids Act of 2010, Pub. L. No. 111-296
1223	
1224	The McKinney-Vento Homeless Education Assistance Act, 42 U.S.C. §§ 11431 <i>et</i>
1225	<i>seq.</i> , as amended by Every Student Succeeds Act, Pub. L. No. 114-95.
1226	
1227	34 C.F.R. §§ 99.1 - 99.67
1228	34 C.F.R. § 106.45
1229	34 C.F.R. §§ 300.560 - 300.576
1230	Balancing Student Privacy and School Safety: A Guide to the Family Educational
1231	Rights and Privacy Act for Elementary and Secondary Schools, U.S. Department

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of Education (October 2007), available at  
<http://www.ed.gov/policy/gen/guid/fpco/ferpa/safeschools/>.



**#5180.1****Records / Confidentiality**

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Educational records will be kept for each student reflecting the physical, social, and cognitive aspects of a student's development in the educational process. However, safeguards shall be practiced by the school administration to protect the student and the student's family from invasion of privacy in the collection, maintenance, and dissemination of information in student records, and to provide accessibility to information by those legally entitled thereto.

**Definition of Terms**

- *Parent* means a natural parent, an adopted, or a legal guardian or an individual acting as a parent in the absence of a parent or guardian. If parents are divorced or legally separated, the parent granted custody and the parent not granted custody of a minor student both have the right of access to the academic, medical, hospital, or other health records of the student, unless a court order prohibits access. Whenever a student has attained the age of 18 years or is attending an institution of post-secondary education, the permission or consent required of, and the rights accorded to, the parents or guardians of the student shall thereafter only be required of, and accorded to, the student.
- *Student record* means any item of information directly related to an identifiable student, other than directory information, which is maintained by a school district or required to be maintained by an employee in the performance of his / her duties whether recorded in handwriting, print, computer media, video or audio tape, film, microfilm, microfiche, or other means. Student records include information relative to an individual student gathered within or without the school system and maintained within the school system, regardless of the physical form in which it is maintained. Any information which is maintained for the purpose of second party review is considered a student record.

**#5180.1 (continued)**

- *Student record* shall not include informal notes related to a student compiled by a school officer or employee which remain in the sole possession of the maker and are not

accessible or revealed to any other person except a substitute. For purposes of this policy, "substitute" means a person who performs the duties of the individual who made the notes on a temporary basis, and does not refer to a person who permanently succeeds the maker of the notes in his or her position.

- *School official* means a person employed by the District as an administrator, supervisor, instructor, or support staff member, including health or medical staff and law enforcement unit personnel.

The Superintendent shall be responsible for ensuring that all requirements under federal and state statutes shall be carried out by the District. He / She will develop procedures providing for the following:

- informing parents of their rights annually;
- permitting parents to inspect and review educational records, including at least a statement of the procedure to be followed by a parent or an eligible student who requests to inspect and review the educational records, with an understanding that it may not deny access to educational records; a description of the circumstances in which the district feels it has a legitimate cause to deny a request for a copy of such records; a schedule of fees for copies; and a listing of the types and locations of education records maintained by the school and the titles and addresses of school officials responsible for those records;
- not disclosing personally identifiable information from a student's education records without the prior written consent of the student's parent, except as otherwise permitted by administrative regulations; including at least a statement of whether the school will disclose personally identifiable information from the records to other school officials within the school who have been determined by the school to have legitimate educational interests, and, if so, a specification of the criteria for determining which parties are "school officials" and what the school

**#5180.1 (continued)**

considers to be a "legitimate educational interest;" and a specification of the personally identifiable information to be designated as directory information;

- maintaining the record of disclosures of personally identifiable information from a student's education records and permitting a parent to inspect that record;
- providing a parent with an opportunity to seek the correction of the student's education records through a request to amend the records or a hearing, and permitting the parent or an eligible student to place a statement in the education records of the student;
- guaranteeing access to student records to authorized persons within five days following the date of the request;
- assuring security of student records; and
- enumerating and describing the student records maintained by the district.

(cf. 5180.1.1 Directory Information)

Legal Reference: Connecticut General Statutes

10-15b Access of parent or guardians to student's records. Inspection and subpoena of school or student records.

10-154a Professional communications between teacher or nurse and student.  
Surrender of physical evidence obtained from students.

10-209 Records not to be public.

Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C. 1232g.

Regulations of the U.S. Dept. of Health, Education and Welfare, published in 45 C.F.R. 99 (June 17, 1976).

Date of Adoption: March 5, 1996

Date of Revision: May 7, 2002

Date of Revision: February 8, 2006

**#5180.1.1  
Directory Information**

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Directory information or class lists of student names and / or addresses shall not be distributed without the knowledge of the parent or legal guardian of the student or by the student who has attained majority status.

“Directory information” means one or more of the following items: student’s name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, photograph, grade levels, electronic mail address, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous public or private school attended by the students.

Any person or organization denied the rights accorded under this policy shall have the right to request a review of the decision by the Board of Education by filing a written request with the Superintendent of Schools.

(cf. 5180.1: Records / Confidentiality)

Legal Reference: Connecticut General Statutes

1-19(b)(11) Access to public records. Exempt records.

10-221b Boards of education to establish written uniform policy re treatment of recruiters

Date of Adoption: February 6, 2001

**#5180.1.2**

**Relations with Noncustodial Parents**

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The Board of Education, unless informed otherwise in writing, assumes that there are no restrictions regarding the noncustodial parent's right to be kept informed of the student's school progress and activities. If restrictions are made relative to these rights, the custodial parent will be required to submit a copy of the court order to the superintendent, which curtails these specific rights.

Unless there are specific court-imposed restrictions, such as a final divorce decree which includes specific denial of visitation rights or a restraining order denying such rights, the noncustodial parent, upon written request and in accordance with Board of Education records policies 5124 and 5125 (a-c) may view the student's educational, medical or similar records maintained in such student's cumulative record, receive school progress reports, visit the child briefly at school and have an opportunity to confer with the student's teacher(s).

In addition, upon written request to the child's school principal, the school will subsequently and routinely mail to the parent making the request copies of all school information which is normally sent home with the child. This will include mailings of copies of report cards and class and school newsletters during the school year in which the request is made. Noncustodial parents and parents with shared custody not normally receiving materials from the school may annually request this service.

The custodial parent has the responsibility to keep the school office informed as to the address of residence, in a manner determined by the school, and how he / she may be contacted at all times. Any legal documents which restrict the rights of the noncustodial parent must be provided by the custodial parent. Unless otherwise indicated by a verified note from the parent or by a legal document provided by a parent, only the custodial parent has the right to remove the student from school property. If school personnel

**#5180.1.2 (continued)**

anticipate possible student abduction, law enforcement personnel are to be notified immediately.

(cf. 5060.1.2 Nonresidents)

(cf. 5080 Student Absences)

(cf. 5080.3 Request for Late Arrival, Early Dismissal, or Release of Student for Part of the School Day)

(cf. 5090.1.2 Age of Majority / Emancipated Minors)

(cf. 5120 Student Welfare / Safety)

(cf. 5120.9.2 Student Dismissal Precautions)

(cf. 5180.1 Records / Confidentiality)

(cf. 5180.1.1 Directory Information)

Date of Adoption: March 19, 2002

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**#5125.1 – Health / Medical Records**

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When applicable, District schools will comply with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) to maintain the privacy of protected health information that it receives, obtains, transmits or sends. The Board of Education designates the Director of Special Education as its HIPAA Privacy Officer.

Student education records, including personally identifiable health information, maintained by the District is subject to and protected by the Family Educational Rights and Privacy Act (FERPA). Both the United States Department of Health and Human Services and the United States Department of Education Family Policy Compliance Office have stated that student records under FERPA are not subject to HIPAA. Therefore, District schools will comply with FERPA's confidentiality provisions rather than HIPAA's.

The District will seek Medicaid eligibility information to determine if services to a student may be billed. Bills will be processed electronically for Medicaid reimbursement for qualified services to eligible special education students. The District will comply with HIPAA's electronic transactions requirements. Procedures and safeguards will be developed to protect the privacy of health information and prevent wrongful user and disclosure. At a minimum, the policy and procedure for student records will comply with the Family Educational Rights and Privacy Act of 1974 (FERPA) with assurances that the District has obtained authorization from the parent or adult student prior to the release of protected health information for the purpose of Medicaid billing. Individuals involved in the Medicaid billing process for the District shall be trained on the privacy procedures. Discipline shall be imposed, up to and including discharge, for staff that wrongfully uses or discloses protected health information.

(cf. [3150](#) - Medical Reimbursement for Special Education Students)  
(cf. [5180.1](#) - Student Records; Confidentiality)

**#5125.1 (cont'd.)**

Legal Reference: Connecticut General Statutes

[1-19\(b\)\(11\)](#) Access to public records. Exempt records.

[10-15b](#) Access of parent or guardians to student's records.

[10-154a](#) Professional communications between teacher or nurse & student.

[10-209](#) Records not to be public

[46b-56 \(e\)](#) Access to Records of Minors.

Connecticut Public Records Administration Schedule V - Disposition of Education Records (Revised 1983).

Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C.1232g.).

Dept. of Educ. [34 C.F.R. Part 99](#) (May 9, 1980 45 FR 30802) regs. implementing FERPA enacted as part of 438 of General Educ. provisions act (20 U.S.C. 1232g)- parent and student privacy and other rights with respect to educational records, as amended 11/21/96.

USA Patriot Act of 2001, PL 107-56, 115 Stat. 272, Sec 507, 18 U.S.C. §2332b(g)(5)(B) and 2331

PL 107-110 "No Child Left Behind Act of 2001" Sections 5208 and

42 U.S.C. 1320d-1320d-8, P.L. 104-191, Health Insurance Portability and Accountability Act of 1996 (HIPAA)

65 Fed. Reg. 50312-50372

65 Fed. Reg. 92462-82829

63 Fed. Reg. 43242-43280

67 Fed. Reg. 53182-53273

Policy adopted: August 28, 2018



**#5100.9.1  
Student Recruitment**

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The Board shall provide full access for the recruitment of students by regional vocational technical schools, regional vocational agricultural centers, inter-district magnet schools, trade schools, charter schools and inter-district student attendance programs. Additionally, the high school shall provide the same on-campus recruiting opportunities to representatives of the armed forces of the United States of America and state armed services as are offered to nonmilitary recruiters, recruiters for commercial concerns and recruiters representing institutions of higher education.

Student names, addresses and telephone numbers, when requested for recruitment purposes, shall be released unless the parent, legal guardian, or student who has attained majority status notifies the school in writing that they choose to exercise their option to withhold consent to the release of such information. The Board of Education shall notify parents / guardians of the option to make such request and shall comply with any request received.

The school administrator may make the determination of when the recruitment meetings are to take place and reserves the right to deny such meeting where the holding of such meeting will materially and substantially interfere with the proper and orderly operation of the school.

Any person or organization denied the rights accorded under this policy shall have the right to request a review of the decision by the Board of Education by filing a written request with the Superintendent of Schools.

(cf. 5180.1 Records / Confidentiality)

(cf. 5180.1.1 Directory Information)

Legal Reference: PL 107-110 (No Child Left Behind Act) sec. 9528.  
Connecticut General Statutes  
1-210(11) Access to public records. Exempt records.  
10-221b Board of education to establish written uniform policy re: treatment of recruiters.

Date of Adoption: October 20, 1998

Date of Revision: June 20, 2002

Date of Revision: February 8, 2006

Technical Revision: August 22, 2006

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5 1. The Madison Board of Education (the “Board”) shall act as a committee of the whole on  
6 all matters coming before it except that special/advisory committees for the consideration  
7 or investigation of certain problems, or for the performance of certain Board functions,  
8 may be created by vote of the Board.  
9  
10 A. Such special/advisory committees shall submit their reports at such regular  
11 meetings of the Board as may be determined, and when such reports have been  
12 submitted and accepted by the Board, shall be discharged.  
13  
14 B. All special/advisory committee reports affecting Board policy shall be submitted  
15 in writing.  
16  
17 C. A special/advisory committee’s only authority is to make recommendations to the  
18 Board regarding matters that that have been referred to it, unless the Board  
19 specifically authorizes otherwise, and such action conforms to the Connecticut  
20 General Statutes.  
21
  - 22 2. Meetings of committees shall be posted in accordance with the Freedom of Information  
23 Act. A record shall be maintained by the chairperson of each committee of each meeting,  
24 which shall include the names of committee members in attendance, listing of topics  
25 discussed and committee recommendations.  
26
  - 27 3. The Superintendent shall notify all Board members of committee meetings.  
28
  - 29 4. An Executive Committee consisting of the Chairperson, the Vice Chairperson and the  
30 Secretary shall be a standing committee of the Board.  
31  
32 A. The Executive Committee shall meet with the Superintendent as requested by the  
33 Superintendent or as directed by the Chairperson to review matters related to  
34 administrative, personnel, pupil personnel, issues and general matters not  
35 requiring action of the Board as a whole.  
36  
37 B. Other responsibilities of the Executive Committee include:  
38  
39 (1) Long-range agenda planning  
40  
41 (2) Facilitating communication between the Superintendent and Board  
42 members.  
43
  - 44 5. Standing Committees  
45

46 In addition to the Executive Committee, the Board of Education shall have five (5) standing  
47 committees as follows: Curriculum and Student Development Committee, Facilities Committee,  
48 Finance Committee, Personnel Committee and Policy Committee.

49  
50 The following rules apply specifically to standing committees:

- 51 1. Standing committee chairpersons and members on standing committees shall serve for  
52 the same term as the Board Chairperson.
- 53 2. No board member may chair more than one standing committee.

54  
55 **Duties of Standing Committees**

56 Standing committees are assigned regular duties as described below.

57  
58 **Curriculum and Student Development Committee**

- 59 • Recommend to the Board curriculum revisions, additions, and deletions submitted by the  
60 superintendent.
- 61 • Monitor the effectiveness of the curriculum in achieving Board goals and  
62 objectives.
- 63 • Monitor progress and report regularly to the full Board regarding District curriculum and  
64 programmatic initiatives.
- 65 • Review instructional technology plans to provide for district programmatic and curriculum  
66 needs.

67  
68 **Facilities Committee**

- 69 • Develop Planned and Cycled Maintenance 10-year plan for operational improvements and  
70 oversee implementation.
- 71 • Make recommendations to the Board on the effective utilization of all buildings and  
72 grounds to address educational programming, school safety and school security.
- 73 • Receive periodic reports from the Superintendent and the District Facilities Director  
74 regarding maintenance projects, facilities project progress and other facilities-related  
75 matters.

76  
77 **Finance Committee**

- 78 • Review, deliberate, and adjust the budget, proposed by the administration, for the  
79 operation of the district for the upcoming school year.
- 80 • Recommend to the entire Board a budget which in the committee's view supports the goals  
81 and objectives of the district for the upcoming school year.
- 82 • Recommend projects for the Capital Improvement Program.
- 83 • Serve as an advocate for the budget adopted by the Board during the town budget  
84 adoption process.
- 85 • Oversee the ongoing financial status of the district budget during each school year.
- 86 • Recommend action to the entire Board that the committee deems appropriate  
87 concerning the fiscal affairs of the district.

88  
89 **Personnel Committee**

- 90 • Negotiate contracts with administration, professional staff, and non-certified personnel
- 91 toward the goal of reaching a fair and equitable agreement.
- 92 • Maintain confidentiality while negotiations are ongoing.
- 93 • Research the Board’s position referring to current and local data to substantiate
- 94 proposals.
- 95 • Work with the Board to set parameters within which to negotiate.
- 96 • Keep the Board apprised of the negotiations process.
- 97 • Present a package of negotiated items for the Board’s approval.

98 **Policy Committee**

- 99 • Formulate policies to be presented to entire Board for action.
- 100 • Suggest amendments to / revisions of existing policies.
- 101 • Serve as a resource to provide policy reference to other board members.
- 102 • Regularly review Board policies.
- 103 • Review legislative updates to ensure district policy compliance.

104  
105

106 **Legal Reference**

107  
108 Conn. Gen. Stat. § 10-218 Officers. Meetings

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**#9450****Board Committees**

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**Standing Committees**

The Board of Education shall have five (5) standing committees as follows: Curriculum and Student Development Committee, Facilities Committee, Finance Committee, Personnel Committee and Policy Committee. Temporary and liaison assignments are not considered to be standing committees.

**Standing Committee Membership**

The Board Chairperson shall designate standing committee members, subject to Board action. Therefore, any member of the Board who is interested in serving on a particular standing committee shall notify the Chairperson.

The following rules apply specifically to standing committees:

1. Standing committee chairpersons and members on standing committees shall serve for the same term as the Board Chairperson.
2. No board member may chair more than one standing committee.

**Duties of Standing Committees**

Standing committees are assigned regular duties as described below. The Board Chairperson may assign additional tasks or responsibilities to a standing committee as needed. If the tasks or responsibilities become a recurring and substantial part of the standing committee's work, the Board of Education may consider revising the duties of that standing committee in the bylaws.

Standing committees discuss and vote on matters to be presented with the committee's approval to the Board when such matters are within the purview of the Board and subject to Board vote. They also regularly report to the Board on committee matters.

**Communications Committee**

The Communications Committee has been sunset by the Board of Education effective November 9, 2021.

**Curriculum and Student Development Committee**

- Recommend to the Board curriculum revisions, additions, and deletions submitted by the superintendent.
- Participate as appropriate in all phases of curriculum review.
- Monitor the effectiveness of the curriculum in achieving Board goals and objectives.
- Monitor progress and report regularly to the full Board regarding District programmatic initiatives.
- Monitor progress and report regularly to the full Board regarding District curriculum initiatives.
- Receive regular updates and projections regarding enrollment.
- Recommend to the entire Board, in cooperation with administrators and staff, program development needs in the area of student development, including health, safety, and student growth needs outside the curriculum, including recommendations for staff, related to new or revised programs and initiatives.
- Review instructional technology plans to provide for district programmatic and curriculum needs.

**Facilities Committee**

- Develop Planned and Cycled Maintenance 10-year plan for operational improvements and oversee implementation.
- Make recommendations to the Board on the effective utilization of all buildings and grounds to address educational programming, school safety and school security.
- Develop and maintain a telecommunications plan to provide for district needs, including but not limited to school community safety and security.
- Receive periodic reports from the Superintendent and the District Facilities Director regarding maintenance projects, facilities project progress and other facilities-related matters.
- Invite District and Town employees and officials as appropriate to committee and Board meetings to report on or discuss facilities-related matters.

**Finance Committee**

- Review, deliberate, and adjust the budget, proposed by the administration, for the operation of the district for the upcoming school year.
- Recommend to the entire Board a budget which in the committee's view supports the goals and objectives of the district for the upcoming school year.
- Recommend the format and procedures for budget presentations and hearings.
- Serve as an advocate for the budget adopted by the Board during the town budget adoption process, including:
  - Board of Education hearings
  - Presentations to the Board of Selectmen and the Board of Finance Town meetings
  - Budget referenda
- Oversee the ongoing financial status of the district budget during each school year.
- Recommend action to the entire Board that the committee deems appropriate concerning the fiscal affairs of the district.
- Provide and maintain services related to operations, such as transportation, fuel, food services, and telecommunications.
- Using enrollment data provided by the Curriculum and Student Development Committee, make recommendations for future staffing.

**Personnel Committee**

- Act as an agent for the Board while deferring decision making to the full Board.
- Negotiate contracts with administration, professional staff, and non-certified personnel toward the goal of reaching a fair and equitable agreement.
- Maintain confidentiality while negotiations are ongoing.
- Research the Board's position referring to current and local data to substantiate proposals.
- Work with the Board to set parameters within which to negotiate.
- Keep the Board apprised of the negotiations process.
- Present a package of negotiated items for the Board's approval.

**Policy Committee**

- Formulate policies to be presented to entire Board for action.
- Suggest amendments to / revisions of existing policies.
- Serve as a resource to provide policy reference to other board members.
- Conduct annual reviews of policies.
- Review legislative updates to ensure district policy compliance.
- Review bylaws on an annual basis.

**Ad Hoc Committees**

The Chairperson of the Board may establish an ad hoc committee at any regular meeting of the Board. The committee purpose, membership, and term shall be determined at the time of creation. An ad hoc committee is considered dissolved when its final report has been accepted by the Board of Education.

**Committee Objectives**

- Responsible for oversight/development of Master Facilities Plan.
- Develop Capital Improvement Program (CIP) 5-year plan, 10-year plan and Planned and Cycled Maintenance 10-year plan for operational improvements and oversee implementation.
- Review CIP ten-year plan for approval and recommendation to the Board.
- Monitor and oversee implementation of ten-year plan.
- Create an overall 10 year planned and cycled maintenance plan for operational improvements.
- Determine what, if any, steps are necessary to address the needs of students within our buildings.
- Investigate and examine the state of repair of the school buildings and make recommendations for a holistic approach over a specific timespan to the Board as may be deemed necessary for alterations or repairs of said buildings.
- Make recommendations to the Board on the effective utilization of all buildings and grounds to address the needs of students, including policies on rentals, etc.



#9540(e)

- Liaise with other Board Committees to ensure smooth management of facilities and facilities projects and to ensure clear communication with community.
- Review non-instructional technology plans to provide for district needs.

**Rules Governing Appointment and Functions of Standing and Ad Hoc Committees:**

1. A committee may be established or dissolved by the Board Chairperson at any regular Board of Education meeting through action of the Board.
2. The committee members shall be appointed by the Board, as designated by the Board Chairperson.
3. The Board Chairperson shall be an *ex-officio* member of all Board committees.
4. The Board Chairperson shall select a committee chairperson from among the members of a committee, subject to Board approval.
5. Advisory members, community, staff, or student representatives may be appointed by the Board to serve as advisory members to a Board committee for a specific length of time or purpose. Staff and student advisory members will be named by the Board only upon the Superintendent's recommendation.
6. The status of *ex-officio* members and advisory members of Board committees shall be as follows:
  - a. These members may not be included in considering whether a quorum of the committee is present.
  - b. These members may not vote on recommendations to be made by the committee to the Board.
  - c. *Ex-officio* and / or advisory members may present in writing a minority report to the Board whenever they disagree with recommendations made by the committee to the Board.
7. Board of Education committees have no authority independent of the entire Board of Education.
8. All reports of Board committees will be made directly to the Board. Board committees will not release reports to the public without prior Board approval.

**#9540(f)**

Legal Reference:

Connecticut General Statutes  
1-18a Definitions  
1-21 Meetings of Government Agencies to be Public

Date of Adoption: June 4, 1973 (as #8130)  
Date of Revision: September 10, 2019  
Date of Revision: January 4, 2022

**#9450.1  
Committees of the Whole**

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The Board of Education shall act as a committee of the whole in final consideration of all matters.

Legal Reference: Connecticut General Statutes  
1-18a Definition  
1-21 Meetings of Government Agencies to be Public

Date of Adoption: 3/21/89  
1st Revision: 1/3/95

**#9460****Advisory Committees**

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The Madison Board of Education (the “Board”) shall establish an Advisory Committee (“Committee”) by Board vote when the Board determines and after consultation with the Superintendent, that the establishment of a Committee is necessary or desirable. The establishment and functioning of the Committee will be subject to the following requirements:

- The Board will appoint the members of the Committee and establish the scope and general schedule or expected timeframe of the Committee’s work, which will be clearly communicated to the Committee when it is appointed. Persons appointed will be residents concerned with public education who are able to dedicate the effort, time, and talents needed for the Committee’s assignment. At the discretion of the Board, one or more Board members may be appointed to serve on the Committee in an advisory role.
- All Committees will be temporary. Committees generally will serve only during the fiscal year of appointment or until completion of the assignment, whichever is shorter. At the end of the fiscal year or the completion of the assignment, the Board will determine, by Board vote, whether to dissolve the Committee. Continuing the Committee for all or part of the subsequent fiscal year is at the discretion of the Board.
- The Board may appoint the chairperson of the Committee, or it may appoint a Committee member to serve as chairperson until the Committee selects a chairperson from its membership. The Committee will appoint a member as secretary.
- Vacancies will be filled by the Board upon the advice of the Committee.
- The Committee shall follow the provisions of the Freedom of Information Act (“FOIA”) as required by state law. As such, unless an exemption applies, the Committee will follow the FOIA’s requirements, including but not limited to those related to the conduct of meetings and the posting and construction of notices and agenda.

**#9460(b)**

- Minutes of meetings will be posted to the public, in accordance with the FOIA.

- Joint meetings of the Board and the Committee will be held at the request of the Board or of the chairperson of the Committee.
- To ensure smooth and orderly procedures, the chairperson of the Committee will maintain liaison with the Board through the Superintendent's office.
- At the conclusion of its assignment, the Committee will submit a written report of its findings and/or recommendations to the Board. At such time, a joint meeting may be called to discuss the report and the Committee's recommendations.
- The Board retains the right to determine whether to adopt such recommendations and/or take further action, or no action, in light of the report.

Date of Adoption: March 7, 1995  
Date Revised: October 11, 2022

**#9740****Board - Community Relations**

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Within the bounds of legal and ethical responsibilities to pupils, the Board will endeavor to inform the community about the operations of the school system to establish two-way communications with the community, and to involve citizens in the work of the schools. The Board of Education and the school district operate most successfully with the support of the community. The quality of education in the district is highly dependent upon what the community believes is a good school program and the extent to which the community is able and willing to support such a program. The Chairperson of the Board of Education and / or a Board member designated by the Chairperson will be responsible for the Board's procedures in the area of Board-Community Relations.

- Members of the Board of Education must recognize their individual community relations responsibility.
- At news conferences and similar public functions, the Chairperson of the Board of Education will speak for the Board. The Chairperson may designate another member to speak in his / her behalf
- The Board may form a citizens' consulting committee to assume assigned responsibilities for specific projects of school district. The committee will serve in an advisory capacity. It will cease to function upon the completion of appointed responsibilities and the presentation of a final written report, unless called upon by the Board for additional duties.
- Citizen consulting committees appointed by the Board of Education will conduct their meetings in open public session, unless the topic under discussion would fall within the permissible "executive session" justifications specified in Bylaw 9530.

**9740 (Continued)**

- In conjunction with the administration, the Board will maintain two-way communications with the many publics of the school district by (1) providing an information program to aid public understanding of the schools and (2) continuously attempting to assess public opinion as a means of assisting the Board of Education in determining policy and of assisting the professional staff operating the schools.
- An annual evaluation of the policies and procedures regarding the relationship between the Board and the community will be made so that the results may be appraised and necessary changes made to improve the program.

Date of Adoption: 3/7/95

**#97101200**

**School District Logo**

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6 The Madison Board of Education (“the Board”) recognizes the importance of a logo  
7 and/or mascot as an identifier of the Madison Public Schools (“the District”). The Board  
8 shall adopt an official logo and/or mascot for the District. The Board shall retain final  
9 approval for all changes to the MPS District and Athletics logos and/or mascots and shall  
10 be approved with a 2/3 vote of all Board Members.

11  
12 ~~The logo shall appear on all documents intended for public circulation and all official~~  
13 ~~forms of communication.~~ All uses of the District, school-specific, or athletic logos shall  
14 comply with the parameters set forth by the administration.

15  
16 Should the Board determine a need to significantly alter and/or select a new logo and/or  
17 mascot, a formal committee shall be formed, consistent with Policy #9450, to guide the  
18 process.

19  
20 Any modifications or request for changes that would not fundamentally alter the  
21 character of the existing logo and/or mascot shall be addressed by the process set forth in  
22 the accompanying administrative regulation.

23 ~~The Superintendent is authorized to develop regulations as required to support this~~  
24 ~~policy.~~



**REGULATION #1200  
School District Logo**

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Modifications that would not fundamentally alter the character of the existing logo and/or mascot shall be address by an informal committee of relevant stakeholders. The Superintendent or the Superintendent’s designee shall chair the committee. If the requested modification pertains to the athletic logo and/or mascot, the Athletic Director shall chair the committee.

The committee shall bring the requested modifications to the Board for approval by a 2/3 vote of all Board Members.

**#9710****School District Logo And / Or Motto**

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The school district logo will be given prominence in identifying the schools, departments and services of the Madison Public Schools. Specifically, it will appear on all documents generated in schools and administrative offices which are intended for public circulation, and on all official forms of communications.

These will include, but not be limited to, the following:

Letterheads	Numbered forms
Pamphlets	Purchase Orders
Newsletters	Invoices
Public Notices	Checks
Advertisements	Curriculum Documents or other
Calendars	Copyrighted Publications
Video Presentations	Student Report Cards
Certificates and Diplomas	Board-owned Vehicles

Individual schools or departments who wish to use local identifying symbols in their own publications, letterheads, etc., may do so provided the official Board Logo is also used. In such cases, the Board Logo will appear on the first or cover page of any multi-page document.

The Superintendent is authorized to issue procedures as may be necessary to support this policy.

Date of Adoption: 3/7/95

**#9720****Guidelines for Use of District Logo / Board Members' Names**

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Guidelines are necessary to establish uniform use of the District Logo, Board of Education members' names, and use of the approved Equal Employment Opportunity statement that is printed on appropriate district publications. Therefore, it shall be the responsibility of the Superintendent to assure that all individuals responsible for the development and printing of district publications adhere to application of the following guidelines:

- Indication of the date of all publications shall be included on the publication;
- On any publications produced for general distribution, and at least once a year on all regular publications, the District's Equal Employment Opportunity statement should appear as follows:

*The Madison Public Schools is committed to affirmative action and equal opportunity for employment. No student will, on the basis of race, color, creed, sex, handicap, national origin, or sexual orientation, be denied access to any appropriate educational program or activity provided by the District. The Title IX compliance coordinator and the Section 504 compliance coordinator is the Director of Special Educational and Regional Services.*

- On any publications produced for employment purposes, the District's Affirmative Action statement should appear as follows:

*The personnel policies, procedures, and practices of the Madison Public Schools will be administered to best assure equal employment opportunities for all applicants and employees. The District has identified and eliminated any personnel policies, procedures, or practices which discriminate on the basis of race, color, ancestry, national origin, gender, age, religion, handicap, political affiliation, sexual orientation, or status as a veteran and will continue to do so,*

**9720 (Continued)**

*remaining vigilant against development of unlawful employment discrimination. The District will comply with all applicable state and federal laws and regulations prohibiting employment discrimination, and all contractors and vendors will be requested to do likewise.*

- Names of Board of Education members serving at the time of a publication should appear in the following publications annually: Board Policies and Administrative Regulations manuals, student handbooks, school / faculty handbooks, Board meeting agendas, the district annual report, all district council and committee publications, professional publications for dissemination both within and without the district, and other such publications considered to be representative of the district.
- The District Logo should appear on district-printed publications prepared for distribution to the public;
- Names of Board of Education members serving at the time of publication should be published annually in at least the first issue of the parent / community newsletter and commencement programs; use of the logo on invitations is encouraged but not required; and
- Publications currently in print must be modified to conform with this regulation at the time they are reprinted.

Date of Adoption: 4/4/95

**#5030.2**

**Interdistrict School Attendance Areas**

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4 The Board of Education recognizes that students may benefit from having a choice of  
5 schools to attend within the Connecticut public school system that is not limited by  
6 school and/or Madison’s district boundaries. Public school choice will (1) provide parents  
7 and students with greater opportunities to choose the school and / or program that best  
8 meets the academic needs of the student; (2) influence positively the level of parent  
9 involvement and student motivation; (3) improve academic achievement; (4) reduce  
10 racial, ethnic and economic imbalance; and (5) provide a choice of educational programs  
11 for students.

12  
13 The Madison Public Schools will cooperate with the appropriate regional educational  
14 service center in the planning and implementation of the state-wide interdistrict public  
15 school attendance program in accordance with the timelines and provisions contained  
16 within C.G.S. 10-4a as amended by PA 97-290, "An Act Enhancing Educational Choices  
17 and Opportunities," and C.G.S. 10-266aa as amended by P.A. 99-289, "An Act  
18 Concerning School Choice and Interdistrict Programs."

19  
20 Nonresident students from the New London district who apply pursuant to the regulations  
21 approved by the Board, may enroll in particular programs or schools in districts in the  
22 surrounding areas on a space available basis, without payment of tuition except that the  
23 Madison Public Schools shall receive an amount, within available appropriations, from  
24 the Department of Education, for each out-of-district student attending a school within  
25 the Madison Public Schools. It is recognized that the Regional Service Centers shall  
26 determine which school districts in its area are located close enough to a priority school  
27 district to make transportation feasible.

28  
29 In providing for admission of nonresident students, the Madison Public Schools shall  
30 consider:

1. Issues pertaining to the availability of space within a requested school to accommodate the enrollment request. The Madison Public Schools will notify its RESC by March 31 of each year of the space it will have available for students from the surrounding area for the new school year.
2. Programs available and the possible establishment of new programs.
3. Eligibility criteria for participating in a particular program, including age requirements, course prerequisites and required levels of performance.
4. Dates of enrollment of nonresident students in a school or program.
5. The requirement that participants attending school in the Madison Public Schools may do so until they graduate from high school.

It is the policy of the Madison Public Schools to receive nonresident students as part of the state-wide interdistrict public school attendance program in accordance with plan developed with the Regional Educational Service Center. Such planning, the Board believes, should consider, but not be limited to, the issues of definition and determination of space availability, choice of students, transportation to and from school and for after-school activities. Further, planning should consider issues related to special education, prior disciplinary behavior, and acceptance of prior academic work. The Madison Public Schools will not recruit students under this program for athletic or extracurricular purposes. Records of students involved in the interdistrict program will be promptly forwarded to the receiving district.

The Board directs the Superintendent and staff not to make any distinction based on race, sex, ethnic group, religion or disability of any student who is in attendance or who seeks admission to any school within the Madison Public Schools in the determination or recommendation of action under this policy.

#5030.2 (cont.)

(cf. 5020.1 - Nondiscrimination)  
(cf. 5030 – Assignment of Students to School)  
(cf. 5030.1 – Intra-District / School Attendance Areas)  
(cf. 5060.1.2 - Nonresident Attendance)  
(cf. 5100.9.1 Student Recruitment)

Legal Reference: Connecticut General Statutes

10-4a Education interests of state defined, as amended by PA 97-290 -An Act Enhancing Education Choices and Opportunities  
10-226a Pupils or racial minorities  
10-226b Existence or racial intolerance  
10-226c Plan to correct imbalance  
10-226d Approval of Plan by State Board  
10-266aa Statewide interdistrict public school attendance program, as amended by P.A. 99-289, An Act Concerning School Choice and Interdistrict Programs.

Date of Adoption: December 7, 1999  
Technical Revision: August 22, 2006

**Regulation #5030.2  
Interdistrict School Attendance Areas**

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No regulations required for Policy #5030.2