

Policy Committee Meeting  
Tuesday, February 15, 2022 5:30 PM

Zoom  
10 Campus Drive  
Madison, CT 06443

## **Agenda**

- I. Policies to Revise
  - I.A. #1150 - Prohibition Against Smoking
  - I.B. #4116 - Alcohol, Tobacco & Drug Free Workplace  
(formerly Alcohol, Drugs & Tobacco)
  - I.C. #5090.7 - Drugs and Alcohol Use by Students  
( formerly Drugs, Alcohol, Tobacco, Inhalants and Performance-Enhancing Substances)
  - I.D. #5113 - Student Attendance, Truancy and Chronic Absenteeism  
(formerly Student Attendance)
- II. New Policies for Adoption
  - II.A. #5121 - Chemical Health for Student Athletes
  - II.B. #5125R - Immunizations
- III. *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 Paula Carabetta at 203-245-5644 or by email at [carabettap@madisonct.org](mailto:carabettap@madisonct.org) at least five (5) business days prior to the meeting.*

Prohibition Against Smoking

The Madison Board of Education (“Board”) prohibits smoking, including smoking using an electronic nicotine delivery system (e.g., e-cigarettes), electronic cannabis delivery system, or vapor product, within any of its schools, including in any area of a school building, including but not limited to any indoor facility owned or leased or contracted for, and utilized by the Board for the provision of routine or regular kindergarten, elementary, or secondary education or library services to children, or on the grounds of such school, or at any school-sponsored activity.

The following definitions shall apply to this policy~~For purposes of this policy, the term~~

Any area shall mean the interior of a school building and the outside area within twenty-five feet of any doorway, operable window or air intake vent of a school building.

Cannabis shall mean marijuana, as defined in Conn. Gen. Stat. § 21a-240.

Electronic cannabis delivery system shall mean an electronic device that may be used to simulate smoking in the delivery of cannabis to a person inhaling the device and includes, but is not limited to, a vaporizer, electronic pipe, electronic hookah and any related device and any cartridge or other component of such device.

Electronic nicotine delivery system shall mean an electronic device used in the delivery of nicotine or other substances to a person inhaling from the device and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device, including, but not limited to, electronic cigarette liquid or synthetic nicotine.

School-sponsored activity shall mean any activity sponsored, recognized or authorized by the Board and includes activities conducted on or off school property.

~~The term “v~~Vapor product<sup>22</sup> shall mean any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to

## Community/School Relations

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36 produce a vapor that may or may not include nicotine or cannabis and is inhaled by the user of such  
37 product. ~~The term “school sponsored activity” shall mean any activity sponsored, recognized or~~  
38 ~~authorized by the Board and includes activities conducted on or off school property.~~

39  
40 The Board further prohibits smoking including smoking using an electronic nicotine delivery system  
41 (e.g., e-cigarettes) electronic cannabis delivery system, or vapor product on the real property of any  
42 administrative office building. Real property means the land and all temporary and permanent structures  
43 comprising the district’s administrative office building(s) and includes, but is not limited to storage  
44 facilities and parking lots.

### 45 Legal References:

46  
47 ~~Public Act 19-13~~  
48 Conn. Gen. Stat. § 10-233a(h)  
49 Conn. Gen. Stat. § 19a-342  
50 Conn. Gen. Stat. § 19a-342a  
51 Conn. Gen. Stat. § 53-344b  
52 June Special Session, Public Act No. 21-1

53  
54 Pro-Children Act of 2001, Pub. L. 107-110, 115 Stat. 1174, 20 U.S.C. § 7183

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57  
58 Date of Adoption: December 15, 2020

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**Alcohol, Tobacco & Drug Free Workplace**  
**(formerly Alcohol, Drugs & Tobacco)**

**Purpose**

The purpose of this policy is to establish a workplace that is free of the effects of alcohol and second-hand smoke, and free from drug abuse. By accomplishing this purpose, the Board of Education (the “Board”) also seeks to promote a safe, healthy working environment for all employees and to reduce absenteeism, tardiness, and other job performance problems that may be caused by alcohol and/or drug abuse. This policy is adopted in accordance with state law and the Drug Free Workplace Act.

**Statement of Policy**

Employees shall not be involved with the unlawful manufacture, distribution, possession, or use of an illegal drug, a controlled substance, or alcohol, and shall not be under the influence of such substances while on school property or while conducting Board business on or off school property. Any employee who discovers illegal drugs, a controlled substance, or alcohol on school property shall notify the Superintendent or the Superintendent’s designee who shall investigate the matter.

An employee must report any conviction under a criminal drug statute for violations occurring on or off school property while on Board business to the Superintendent or his/her designee within five (5) days after the conviction. The Board will notify any agency awarding a grant to the Board of such conviction within ten (10) days thereafter.

Employees shall only use prescription drugs on school property, or during the conduct of Board business, that have been prescribed to them by a licensed medical practitioner, and such drugs shall be used only as prescribed. However, in accordance with Conn. Gen. Stat. § 21a-408a through 408q, the Board specifically prohibits the palliative use of marijuana on school property, at a school-sponsored activity, or during the conduct of Board business, and specifically prohibits employees from being under the influence of intoxicating substances, including marijuana used for palliative purposes, during work hours.

36 The Board prohibits smoking, including smoking using an electronic nicotine delivery system  
37 (e.g., e-cigarettes), electronic cannabis delivery system, or vapor product, and the use of tobacco  
38 products in any area of a school building, on school property, including property owned, leased,  
39 contracted for, or utilized by the Board, or at any school-sponsored activity.

40

41 While Connecticut law allows for the legal use of marijuana under certain circumstances,  
42 because marijuana use is still prohibited under federal law, the use of marijuana at work, or  
43 outside of work if it impairs an employee’s ability to perform their job, constitutes a violation of  
44 this policy.

45

46 Violations of this policy may result in disciplinary action, up to and including possible  
47 termination of employment.

48

### 49 **Definitions**

50

51 “Any area” means the interior of a school building and the outside area within twenty-five feet of  
52 any doorway, operable window or air intake vent of a school building.

53

54 “Cannabis” means marijuana, as defined in Conn. Gen. Stat. § 21a-240.

55

56 “Controlled substance” means a controlled substance in schedules I through V of section 202 of  
57 the Comprehensive Drug Abuse Prevention and Control Act of 1970 ([21 U.S.C. 812](#)), including  
58 marijuana.

59

60 “Electronic cannabis delivery system” means an electronic device that may be used to simulate  
61 smoking in the delivery of cannabis to a person inhaling the device and includes, but is not  
62 limited to, a vaporizer, electronic pipe, electronic hookah and any related device and any  
63 cartridge or other component of such device.

64

65 “Electronic nicotine delivery system” means an electronic device used in the delivery of nicotine  
66 to a person inhaling from the device, and includes, but is not limited to, an electronic cigarette,  
67 electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device  
68 and any cartridge or other component of such device, including, but not limited to, electronic  
69 cigarette liquid or synthetic nicotine.

70 “School property” means any land and all temporary and permanent structures comprising the  
71 district’s school and administrative office buildings and includes, but is not limited to,  
72 classrooms, hallways, storage facilities, theatres, gymnasiums, fields, and parking lots.

73  
74 “School-sponsored activity” means any activity sponsored, recognized, or authorized by a board  
75 of education and includes activities conducted on or off school property.

76  
77 “Smoke” or “smoking” means the burning of a lighted cigar, cigarette, pipe or any other similar  
78 device, whether containing, wholly or in part, tobacco, cannabis or hemp.

79  
80 “Vapor product” means any product that employs a heating element, power source, electronic  
81 circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce  
82 a vapor that may or may not include nicotine or cannabis and is inhaled by the user of such  
83 product.

84  
85 **Employee Assistance**

86  
87 In appropriate circumstances, the Board shall provide an employee with an opportunity for  
88 rehabilitation in overcoming addiction to, dependence upon or other problem with alcohol or  
89 drugs.

90  
91 Employees who feel they have developed an addiction to, dependence upon, or other problem  
92 with alcohol or drugs are encouraged to seek assistance. Certain benefits for alcoholism or drug  
93 addiction are provided under the Board's group medical insurance plan. An employee may be  
94 given an opportunity to participate in a rehabilitation program that requires absence from work  
95 for bona fide treatment. Such absence may be charged to the employee's accrued and unused  
96 sick leave, subject to the provisions of the employee's collective bargaining agreement and/or any  
97 applicable Board policies and regulations.

98  
99 Any request for assistance with a drug or alcohol problem will be treated as confidential and only  
100 those persons "needing to know" will be made aware of such request.

102 Legal References:

103

104 Connecticut General Statutes:

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106 Conn. Gen. Stat. § 10-233a(h) (definition of school-sponsored activity)

107

108 Conn. Gen. Stat. § 19a-342

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110 Conn. Gen. Stat. § 19a-342a

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112 Conn. Gen. Stat. § 21a-408a through 408q (palliative use of marijuana)

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114 June Special Session, Public Act No. 21-1

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116 United States Code:

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118 Pro-Children Act of 2001, 20 U.S.C. § 7973, as amended by the Every Student Succeeds  
119 Act, Public Law 114-95, § 4001

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121 Drug Free Workplace Act, 41 U.S.C. § 8101 et seq.

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124 First Reading:

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**#5090.7**

**Drug & Alcohol Use by Students**

**(formerly Drugs, Alcohol, Tobacco, Inhalants, and Performance-Enhancing Substances)**

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The Madison Board of Education (the “Board”) is required by Connecticut law to prescribe rules for the management and discipline of its schools. In keeping with this mandate, the unlawful use, sale, distribution or possession of controlled drugs, controlled substances, drug paraphernalia, as defined in Connecticut General Statutes Section 21a-240, or alcohol on or off school property or during any school-sponsored activity is prohibited. It shall be the policy of the Board to take positive action through education, counseling, discipline, parental involvement, medical referral, and law enforcement referral, as appropriate, in the handling of incidents in the schools involving the unlawful possession, distribution, sale or use of substances that affect behavior.

**Definitions**

1. **Controlled Drugs**: means those drugs which contain any quantity of a substance which has been designated as subject to the federal Controlled Substances Act, or which has been designated as a depressant or stimulant drug pursuant to federal food and drug laws, or which has been designated by the Commissioner of Consumer Protection pursuant to C.G.S. Section 21a-243, as having a stimulant, depressant or hallucinogenic effect upon the higher functions of the central nervous system and as having a tendency to promote abuse or psychological or physiological dependence, or both. Such controlled drugs are classifiable as amphetamine-type, barbiturate-type, cannabis-type, cocaine-type, hallucinogenic, morphine-type and other stimulant and depressant drugs. C.G.S. Section 21a-240(8).
2. **Controlled Substances**: means a drug, substance or immediate precursor in schedules I to V, inclusive, of the Connecticut controlled substance scheduling regulations adopted pursuant to C.G.S. Section 21a-243. C.G.S. Section 21a-240(9).

- 34 3. Professional Communication: any communication made privately and in confidence  
35 by a student to a professional employee of such student's school in the course of the  
36 professional employee's employment. C.G.S. Section 10-154a(a)(4).  
37
- 38 4. Professional Employee: means a person employed by a school who "(A) holds a  
39 certificate from the State Board of Education, (B) is a member of a faculty where  
40 certification is not required, (C) is an administration officer of a school, or (D) is a  
41 registered nurse employed by or assigned to a school." C.G.S. Section 10-154a(a)(2).  
42
- 43 5. Drug Paraphernalia: means any equipment, products and materials of any kind which  
44 are used, intended for use or designed for use in planting, propagating, cultivating,  
45 growing, harvesting, manufacturing, compounding, converting, producing,  
46 processing, preparing, testing, analyzing, packaging, repackaging, storing, containing  
47 or concealing, or injecting, ingesting, inhaling or otherwise introducing any controlled  
48 substance into the human body, including but not limited to all items specified in  
49 C.G.S. Section 21a-240(20)(A), such as "bongs," pipes, "roach clips," miniature  
50 cocaine spoons, cocaine vials and any object or container used, intended or designed  
51 for use in storing, concealing, possessing, distributing or selling controlled  
52 substances. C.G.S. Section 21a-240(20)(A).  
53

54 **Procedures**

- 55
- 56 1. Emergencies.
- 57
- 58 If an emergency situation results from drug or alcohol use, the student shall be sent to  
59 the school nurse or medical advisor immediately. The parent or designated  
60 responsible person will be notified.  
61
- 62 2. Prescribed Medications.
- 63

64 Students may possess and/or self-administer medications in school in accordance with  
65 the Board’s policy concerning the administration of medication in school.

66  
67 Students taking improper amounts of a prescribed medication, or otherwise taking  
68 medication contrary to the provisions of the Board’s policy on the administration of  
69 medication, will be subject to the procedures for improper drug or alcohol use  
70 outlined in this policy.

71

72 3. Voluntary Disclosure of Drug/Alcohol Problem (Self-Referral).

73

74 The following procedures will be followed when a student privately, and in  
75 confidence, discloses to a professional employee in a professional communication  
76 information concerning the student's use, possession, distribution or sale of a  
77 controlled drug, controlled substance or alcohol.

78

79 (a) Professional employees are permitted, in their professional judgment, to disclose  
80 any information acquired through a professional communication with a student,  
81 when such information concerns alcohol or drug abuse or any alcohol or drug  
82 problem of such student. In no event, however, will they be required to do so.  
83 C.G.S. Section 10-154a(b).

84

85 (b) Any physical evidence obtained from such student through a professional  
86 communication indicating that a crime has been or is being committed by the  
87 student **must** be turned over to school administrators or law enforcement officials  
88 as soon as possible, but no later than two calendar days after receipt of such  
89 physical evidence, excluding Saturdays, Sundays and holidays. Employees are  
90 encouraged to contact the school administrator immediately upon obtaining  
91 physical evidence. In no case, however, will such employee be required to  
92 disclose the name of the student from whom the evidence was obtained. C.G.S.  
93 Section 10-154a(b).

94

95 (c) Any professional employee who has received a professional communication from  
96 a student may obtain advice and information concerning appropriate resources and  
97 refer the student accordingly, subject to the rights of the professional employee as  
98 described in paragraph (a) above.

99  
100 (d) If a student consents to disclosure of a professional communication concerning the  
101 student's alcohol or drug problem, or if the professional employee deems  
102 disclosure to be appropriate, the professional employee should report the student's  
103 name and problem to the school's building administrator or designee who shall  
104 refer the student to appropriate school staff members for intervention and  
105 counseling.

106  
107 4. Involuntary Disclosure or Discovery of Drug/Alcohol Problems.

108  
109 When a professional employee obtains information related to a student *from a source*  
110 *other than the student's confidential disclosure*, that the student, on or off school  
111 grounds or at a school sponsored activity, is under the influence of, or possesses, uses,  
112 dispenses, distributes, administers, sells or aids in the procurement of a controlled  
113 drug, controlled substance, drug paraphernalia or alcohol, that information is  
114 considered to be involuntarily disclosed. In this event, the following procedures will  
115 apply.

116  
117 (a) The professional employee will immediately report the information to the building  
118 administrator or designee. The building administrator or designee will then refer  
119 the student to appropriate school staff members for intervention and counseling.

120  
121 (b) Any physical evidence (for example, alcohol, drugs or drug paraphernalia)  
122 obtained from a student indicating that a crime has been or is being committed by  
123 the student must be turned over to the building administrator or designee or to law  
124 enforcement officials as soon as possible, but no later than within two calendar  
125 days after receipt of such physical evidence, excluding Saturdays, Sundays and

126 holidays. C.G.S. Section 10-154a(b). Because such evidence was **not** obtained  
127 through a professional communication, the name of the student must be disclosed  
128 to the building administrator or designee.

129

130 (c) Search and Seizure of Students and/or Possessions: A professional employee who  
131 reasonably suspects that a student is violating a state/federal law or a school  
132 substance abuse policy must **immediately** report such suspicion to the building  
133 administrator or designee. The building administrator or designee may then  
134 search a student's person or possessions connected to that person, in accordance  
135 with the Board's policies and regulations if the administrator or designee has  
136 reasonable suspicion from the inception of the search that the student has violated  
137 or is violating either the law or a school substance abuse policy.

138

139 Any physical evidence obtained in the search of a student, or a student's  
140 possessions, indicating that the student is violating or has violated a state or  
141 federal law **must** be turned over to law enforcement officials as soon as possible,  
142 but not later than within three calendar days after receipt of such physical  
143 evidence, excluding Saturdays, Sundays and holidays. C.G.S. Section 10-154a(c).  
144 All school employees are encouraged to contact the school administration  
145 immediately upon obtaining physical evidence.

146

147 5. Consequences for the Use, Sale, Distribution or Possession of Controlled Drugs,  
148 Controlled Substances, Drug Paraphernalia or Alcohol.

149

150 (a) Any student in the Madison Public Schools using, consuming, possessing, being  
151 under the influence of, manufacturing, distributing, selling or aiding in the  
152 procurement of controlled drugs, controlled substances, drug paraphernalia or  
153 alcohol either on or off school property, or at a school-sponsored activity, except  
154 as such use or possession is in accordance with Connecticut General Statutes §  
155 21a-408a through 408q, is subject to discipline up to and including expulsion  
156 pursuant to the Board's student discipline policy. On and after January 1, 2022, a

157 student shall not face greater discipline or sanction for the use, sale, or possession  
158 of cannabis on school property than a student would face for the use, sale, or  
159 possession of alcohol on school property, except as otherwise required by  
160 applicable law.

161

162 (b) In conformity with the Board's student discipline policy, students may be  
163 suspended or expelled for drug or alcohol use off school grounds if such drug or  
164 alcohol use is considered seriously disruptive of the educational process. In  
165 determining whether the conduct is seriously disruptive of the educational  
166 process, the Administration and the Board may consider, among other factors: 1)  
167 whether the drug or alcohol use occurred within close proximity of a school; 2)  
168 whether other students from the school were involved; and 3) whether any injuries  
169 occurred.

170

171 (c) If a school administrator has reason to believe that any student was engaged, on or  
172 off school grounds, in offering for sale or distribution a controlled substance (as  
173 defined by Conn. Gen. Stat. § 21a-240(9)), whose manufacturing, distribution,  
174 sale, prescription, dispensing, transporting, or possessing with intent to sell or  
175 dispense, offering or administering is subject to criminal penalties under Conn.  
176 Gen. Stat. §§ 21a-277 and 21a-278, the administrator will recommend such  
177 student for expulsion, in accordance with Conn. Gen. Stat. § 10-233d(a)(2) and  
178 the Board's student discipline policy.

179

180 (d) Students found to be in violation of this policy may be referred by the building  
181 administrator to an appropriate agency licensed to assess and treat drug and  
182 alcohol involved individuals. In such event, assessment and treatment costs will  
183 be the responsibility of the parent or guardian.

184

185 (e) A meeting may be scheduled with appropriate school staff members for the  
186 purpose of discussing the school's drug and alcohol policy with the student and  
187 parent or guardian.

188

189 (f) Law enforcement officials may be contacted by the building administrator in the  
190 case of suspected involvement in the use, sale or distribution of controlled drugs,  
191 controlled substances, drug paraphernalia or alcohol.

192

193 Legal References:

194

195 Connecticut General Statutes:

196

197 June Special Session, Public Act No. 21-1, An Act Concerning Responsible and  
198 Equitable Regulation of Adult-Use Cannabis

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201 Section 10-154a

202 Section 10-212a

203 Section 10-221

204 Sections 10-233a through 10-233f

205 Section 21a-240

206 Section 21a-243

207 Section 21a-408a through 408q

208

209 Date of Adoption: April 2, 1996

210 Date of Revision: October 21, 1997

211 Date of Revision: August 16, 2005

212 Date of Revision: January 5, 2006

213 Date of Revision: June 16, 2009 - Replaces Policies #5090.6 Tobacco Use by Students,  
214 #5090.7.1 Inhalant Abuse and #5090.7.2 Performance-Enhancing Drugs

215 Date of Revision: April 1, 2014

216 Date of Revision: October 7, 2014

217 Date of Revision: March 22, 2016

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#5113

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

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. 21-46](#)

[June Special Session, Public Act No. 21-2](#)

[Public Act No. 21-199](#)

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

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

#5113(b)

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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, *Adapt, Advance, Achieve: Connecticut's Plan to Learn and Grow Together* (June 29, 2020), available at <https://portal.ct.gov/-/media/SDE/COVID-19/CTReopeningSchools.pdf>~~

Date of Adoption: October 6, 2020

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

**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~~ the student’s 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-~~ student 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; or

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), inclusive, 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

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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~~ the student’s return to school.

“Excused absence” excludes a student’s engagement in (1) virtual classes, (2) virtual meetings, (3) activities on time-logged electronic systems, and (4) the completion and submission of assignments, if such engagement accounts for not less than one-half of the school day during remote learning.

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.

6. “Mental health wellness day” - a school day during which a student attends to such student’s emotional and psychological well-being in lieu of attending school.

7. “Remote learning” means instruction by means of one or more Internet-based software platforms as part of a remote learning model as may be authorized by the Madison Board of Education (the “Board”) in accordance with applicable law.

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.

101 “Unexcused absence” excludes a student’s engagement in (1) virtual  
102 classes, (2) virtual meetings, (3) activities on time-logged  
103 electronic systems, and (4) the completion and submission of  
104 assignments, if such engagement accounts for not less than one-  
105 half of the school day during remote learning.  
106

107  
108 The determination of whether an absence is excused will be made by the building  
109 principal or ~~his/her~~ designee. Parents or other persons having control of the child  
110 may appeal that decision to the Superintendent or ~~his/her~~ designee, whose  
111 decision shall be final.

112 B. Mental Health Wellness Days  
113

114 Any student enrolled in grades kindergarten to twelve, inclusive, shall be  
115 permitted to take two mental health wellness days during the school year,  
116 during which day such student shall not be required to attend school. No  
117 student shall take mental health wellness days during consecutive school  
118 days.  
119  
120

121 B. Written Documentation Requirements for Absences  
122

- 123 1. Written documentation must be submitted for each incidence of absence within  
124 ten (10) school days of the student’s return to school. Consecutive days of  
125 absence are considered one incidence of absence.  
126
- 127 2. The first nine (9) days of absence will be excused upon receipt of a signed note  
128 from the student’s parent/guardian, a signed note from a school official that spoke  
129 in person with the parent/guardian regarding the absence, or a note confirming the  
130 absence by the school nurse or by a licensed medical professional, as appropriate.  
131 For any absence due to student illness, the signed note must include the specific  
132 symptom(s) exhibited by the student so that the District can monitor trends that  
133 would suggest the spread of COVID-19.  
134
- 135 3. For the student’s tenth (10<sup>th</sup>) absence, and all absences thereafter, documentation  
136 of the absence must be submitted in accordance with paragraphs 1 and 2 above,

137 and must also include the reason for the absence and the following additional  
138 information:

139

140 a. student illness:

141

142 i. a signed note from a medical professional, who may be the school nurse,  
143 who has evaluated the student confirming the absence and giving an  
144 expected return date and including the specific symptom(s) exhibited by  
145 the student so that the District can monitor trends that would suggest the  
146 spread of COVID-19; or

147

148 ii. a signed note from school nurse who has spoken with the student's  
149 medical professional and confirmed the absence, including the date and  
150 location of the consultation and including the specific symptom(s)  
151 exhibited by the student so that the District can monitor trends that would  
152 suggest the spread of COVID-19.

153

154 b. religious holidays: none.

155

156 c. mandated court appearances:

157

158 i. a police summons;

159

160 ii. a subpoena;

161

162 iii. a notice to appear;

163

164 iv. a signed note from a court official; or

165

166 v. any other official, written documentation of the legal  
167 requirement to appear in court.

168

169 d. funeral or death in the family, or other emergency beyond the control  
170 of the student’s family: a written document explaining the nature of the  
171 emergency.

172

173 e. extraordinary educational opportunity pre-approved by the district  
174 administrators and in accordance with Connecticut State Department  
175 of Education guidance and this policy: written pre-approval from the  
176 administration, in accordance with this regulation.

177

178 f. lack of transportation that is normally provided by a district other than  
179 the one the student attends: none.

180

181 4. Neither e-mail nor text message shall serve to satisfy the requirement of written  
182 documentation. In rare and extraordinary circumstances, a building administrator  
183 may, in ~~his/her~~ the administrator’s own discretion, accept the delivery of written  
184 documentation through a scanned copy sent by e-mail.

185

186 5. The District reserves the right to randomly audit written documentation received,  
187 through telephone and other methods of communication, to determine its  
188 authenticity.

189

190 6. Any absence that is not documented in accordance with this regulation within ten  
191 (10) school days after the incidence of absence will be recorded as unexcused. If  
192 documentation is provided within ten (10) school days, but is incomplete, the  
193 building principal may, at ~~his/her~~ the principal’s own discretion, grant up to a five  
194 (5) school day extension for provision of the completed documentation.

195

196 C. Extraordinary Educational Opportunities

197

198 1. To qualify as an extraordinary educational opportunity, the opportunity must:

199

200 a. be educational in nature and must have a learning objective related to the  
201 student's course work or plan of study;

202

203 b. be an opportunity not ordinarily available to the student;

204

205 c. be grade and developmentally appropriate; and

206

207 d. include content that is highly relevant to the student; while some opportunities  
208 will be relevant to all students, others will contain very specific content that  
209 would limit their relevance to a smaller group of students.

210

211 2. Family vacations do not qualify as extraordinary educational opportunities.

212

213 3. All requests for approval of extraordinary educational opportunities must:

214

215 a. be submitted to the building principal in writing prior to the opportunity, but  
216 no later than ten (10) school days prior to the opportunity except in  
217 exceptional circumstances at the discretion of the building administrator;

218

219 b. contain the signatures of both the parent/guardian and the student;

220

221 c. include an outline of the learning objective of the opportunity and include  
222 detail as to how the objective is linked to the student's coursework or plan of  
223 study; and

224

225 d. include additional documentation, where available, about the opportunity.

226

227 4. The building principal shall provide a response in writing and include the  
228 following:

229

- 230 a. either approval or denial of the request;  
231  
232 b. brief reason for any denial;  
233  
234 c. any requirements placed upon the student as a condition of approval;  
235  
236 d. the specific days approved as excused absences for the opportunity;  
237  
238 e. the understanding that the building administrator may withdraw its approval if  
239 the opportunity is canceled or the student fails to meet the agreed-upon  
240 requirements of the approval.  
241
- 242 5. All decisions of the building principal relating to extraordinary educational  
243 opportunities shall be final.  
244
- 245 6. Students who are granted excusal from school to participate in extraordinary  
246 educational opportunities are expected to share their experiences with other  
247 students and/or school staff when they return.  
248
- 249 7. Approval for an extraordinary educational opportunity is determined on a case-by-  
250 case basis and the analysis of individualized factors. An opportunity approved for  
251 one student may not be approved for another.  
252
- 253 D. Truancy Exceptions:  
254
- 255 1. A student five (5) or six (6) years of age shall not be considered truant if the  
256 parent or person having control over such student has appeared personally at the  
257 school district office and exercised the option of not sending the child to school at  
258 five (5) or six (6) years of age.  
259

260 2. ~~A–~~ Until June 20, 2023, a student seventeen (17) years of age shall not be  
261 considered truant if the parent or person having control over such student consents  
262 to such student’s withdrawal from school. Such parent or person shall personally  
263 appear at the school district office and sign a withdrawal form indicating such  
264 consent. Such withdrawal form must include an attestation from a guidance  
265 counselor or school administrator from the school that the district provided the  
266 parent (or person having control of the child) with information on the educational  
267 options available in the school system and community.

268  
269 3. Beginning July 1, 2023, a student who is eighteen (18) years of age  
270 or older may withdraw from school. Such student shall personally  
271 appear in person at the school District office and sign a withdrawal  
272 form. Such withdrawal form must include an attestation from a  
273 guidance counselor or school administrator from the school that the  
274 District provided such student with information on the educational  
275 options available in the school system and community.

276  
277 4. Beginning July 1, 2023, a student seventeen (17) years of age shall  
278 not be considered truant if the parent or person having control over  
279 such child withdraws such child from school and enrolls such child  
280 in an adult education program pursuant to Conn. Gen. Stat. § 10-  
281 69. Such parent or person shall personally appear at the school  
282 District office and sign an adult education withdrawal and  
283 enrollment form. Such adult education withdrawal and enrollment  
284 form shall include an attestation (1) from a school counselor or  
285 school administrator of the school that the District has provided  
286 such parent or person with information on the educational options  
287 available in the school system and in the community, and (2) from  
288 such parent or person that such child will be enrolled in an adult  
289 education program upon such child's withdrawal from school.

290  
291  
292 3. If a parent or guardian of an expelled student chooses not to enroll the student in  
293 an alternative program, the student shall not be considered to be “truant.”

294  
295 E. Readmission to School Following Voluntary Withdrawal

296  
297 1. Except as noted in paragraph 2 below, if a student voluntarily withdraws from  
298 school (in accordance with Section ~~D.2,~~ E.2 or E.4. above) and subsequently

299 seeks readmission, the Board may deny school accommodations to the student for  
300 up to ninety (90) school days from the date of the student’s withdrawal from  
301 school.

302  
303 2. If a student who has voluntarily withdrawn from school (in accordance with  
304 Section ~~D.2.~~ E.2. or E.4. above) seeks readmission within ten (10) school days of  
305 ~~his/her~~ the student’s withdrawal, the Board shall provide school accommodations  
306 to the student not later than three (3) school days after the student requests  
307 readmission.

308

309 F. Determinations of Whether a Student is “In Attendance”:

310

311 1. A student serving an out of school suspension or expulsion shall be reported as  
312 absent unless ~~he or she~~ the student receives an alternative educational program  
313 for at least one half of the regular school day. In any event, the absence is  
314 considered a disciplinary absence, and will not be designated as excused or  
315 unexcused.

316

317 2. On early dismissal days and days shortened due to inclement weather, the regular  
318 school day for attendance purposes is considered to be the amount of instructional  
319 time offered to students on that day. For example, if school is open for four hours  
320 on a shortened day scheduled, a student must be present for a minimum of two  
321 hours in order to be considered “in attendance.”

322

323 3. Students placed on homebound instruction due to illness or injury in accordance  
324 with applicable regulations and requirements are counted as being “in attendance”  
325 for every day that they receive instruction from an appropriately certified teacher  
326 for an amount of time deemed adequate in accordance with applicable law.

327

328 G. Procedures for students in grades K-8\*

329

1. Notification

330  
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360

- 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 principal [or ~~his/her~~ 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.

361 [\*Note: State law mandates notification and monitoring only with regard to  
362 students in grades K-8. Boards of Education are free, however, to extend the  
363 application of monitoring and intervention procedures to students at all grade  
364 levels.]

365

366 H. Procedures applicable to students ages five (5) to eighteen (18)

367 1. Intervention

368

369 a. When a student is truant, the building principal or ~~his/her~~ designee shall  
370 schedule a meeting with the parent (or other person having control of such  
371 student) and appropriate school personnel to review and evaluate the reasons  
372 for the student's truancy. This meeting shall be held no later than ten (10) days  
373 after the student becomes truant. The district shall document the meeting, and  
374 if parent or other person declines to attend the meeting, or is otherwise is non-  
375 responsive, that fact shall also be documented and the meeting shall proceed  
376 with school personnel in attendance.

377

378 b. When a student is truant, the Superintendent or his/her designee shall  
379 coordinate services with and referrals of students to community agencies  
380 providing child and family services, as appropriate. The district shall  
381 document efforts to contact and include families and to provide early  
382 intervention in truancy matters.

383

384 c. If the Commissioner of Education determines that any school under the  
385 jurisdiction of Madison Board of Education (the "Board") has a  
386 disproportionately high rate of truancy, the district shall implement in that  
387 school a truancy intervention model identified by the Department of Education  
388 pursuant to Conn. Gen. Stat. § 10-198e.

389

390 d. In addition to the procedures specified in subsections (a) through (c) above, a  
391 regular education student who is experiencing attendance problems should be

392 referred to the building Child Study Team [or other appropriate school-based  
393 team] to consider the need for additional interventions and/or assistance. The  
394 Team will also consider whether the student should be  
395 referred to a planning and placement team (“PPT”) meeting to review the  
396 student’s need and eligibility for special education. A special education  
397 student who is experiencing attendance problems should be referred to a PPT  
398 meeting for program review.

399  
400 e. Where the documented implementation of the procedures specified in  
401 subsections (a) through (d) above does not result in improved outcomes  
402 despite collaboration with the parent/guardian, the Superintendent or ~~his/her~~  
403 designee may, with written parental consent, refer a student who is truant to a  
404 Youth Service Bureau.

405

406 I. Attendance Records

407  
408 All attendance records developed by the Board shall include the individual  
409 student’s state-assigned student identifier (SASID).

410

411 II. **Chronic Absenteeism**

412 A. Definitions for Section II

413 1. “Chronically absent child” - a child who is enrolled in a school under the  
414 jurisdiction of the Board and whose total number of absences at any time  
415 during a school year is equal to or greater than ten percent (10%) of the  
416 total number of days that such student has been enrolled at such school  
417 during such school year;

418 2. “Absence” - an excused absence, unexcused absence or disciplinary  
419 absence, as those terms are defined by the State Board of Education  
420 pursuant to section 10-198b of the general statutes and these  
421 administrative regulations;

422 3. “District chronic absenteeism rate” - the total number of chronically absent  
423 children under the jurisdiction of the Board in the previous school year  
424 divided by the total number of ~~children~~ students under the jurisdiction of  
425 the Board for such school year; and

426 4. “School chronic absenteeism rate” - the total number of chronically absent  
427 ~~children~~ students for a school in the previous school year divided by the  
428 total number of ~~children~~ students enrolled in such school for such school  
429 year.

430 B. Establishment of Attendance Review Teams

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

433

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

437

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

441

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

446

447 C. Composition and Role of Attendance Review Teams

448

449 Any attendance review team established under these regulations may include  
450 school administrators, guidance counselors, school social workers, teachers,  
451 representatives from community-based programs who address issues related to  
452 student attendance by providing programs and services to truants, as defined  
453 under I.A.79, and chronically absent ~~children- students~~ and their parents or  
454 guardians.

455 #5113R(o)

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

462  
463 D. State Chronic Absenteeism Prevention and Intervention Plan

464  
465 The Board and its attendance review teams, if any, will consider any chronic  
466 absenteeism prevention and intervention plan developed by the State  
467 Department of Education.

468  
469 **III. Reports to the State Regarding Truancy Data**

470  
471 Annually, each local and regional board of education shall include information  
472 regarding the number of truants and chronically absent children in the strategic  
473 school profile report for each school under its jurisdiction and for the school  
474 district as a whole submitted to the Commissioner of Education. Measures of  
475 truancy include the type of data that is required to be collected by the Department  
476 of Education regarding attendance and unexcused absences in order for the  
477 department to comply with federal reporting requirements and the actions taken  
478 by the board of education to reduce truancy in the school district.

---

480 IV. Evolving State Department of Education and State Board of Education  
481 Guidance

482  
483 The Board will comply with any and all guidance issued by the State Department  
484 of Education and/or State Board of Education regarding attendance requirements,  
485 including during periods of remote learning. ~~blended learning, and regarding~~  
486 ~~attendance requirements of students who choose not to participate.~~  
487

488 Legal References:

489 Public Act No. 21-46

490 June Special Session, Public Act No. 21-2

491 Public Act No. 21-199

492 Connecticut General Statutes § 10-220

493 Connecticut General Statutes § 10-184

494 Connecticut General Statutes § 10-186

495 Connecticut General Statutes § 10-198a

496 Connecticut General Statutes § 10-198b

497 Connecticut General Statutes § 10-198c

498 Connecticut General Statutes § 10-198d

499 Connecticut General Statutes § 10-198e

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

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

504 Connecticut State Department of Education, *Guidelines for Implementation of the*  
505 *Definitions of Excused and Unexcused Absences and Best Practices for Absence*  
506 *Prevention and Intervention* (April 2013)  
507  
508  
509  
510  
511

- 522 Connecticut State Department of Education, *Reducing Chronic Absence in*  
523 *Connecticut's Schools: A Prevention and Intervention Guide for Schools and*  
524 *Districts* (April 2017)  
525  
526 Connecticut State Department of Education Memorandum, *Youth Service Bureau*  
527 *Referral for Truancy and Defiance of School Rules* (February 22, 2018)  
528  
529 Connecticut State Department of Education, *Youth Service Bureau Referral Guide*  
530 (February 2018)  
531  
532 ~~Connecticut State Department of Education, *Adapt, Advance, Achieve:*~~  
533 ~~*Connecticut's Plan to Learn and Grow Together* (June 29, 2020), available at~~  
534 ~~<https://portal.ct.gov/-/media/SDE/COVID-19/CTReopeningSchools.pdf>~~  
535

**Chemical Health for Student Athletes**

The Madison Board of Education (the “Board”) participates in the Connecticut Interscholastic Athletic Conference (“CIAC”). In accordance with CIAC participation rules and the Board’s obligation under state and federal law, the Board prohibits the unauthorized use, sale, distribution or possession of controlled drugs, controlled substances, drug paraphernalia, performance enhancing substances or alcohol during any school-sponsored athletic activity, whether occurring on or off school property. It shall be the policy of the Board to take positive action through education, counseling, discipline, parental involvement, medical referral, and law enforcement referral, as appropriate, in the handling of incidents by student athletes involving the possession, distribution, sale or use of substances that affect behavior, including performance-enhancing substances. This policy applies to all student athletes participating in school-sponsored athletics, whether or not such athletes are participating in CIAC controlled activities.

Definitions

(1) Controlled Drugs: means those drugs which contain any quantity of a substance which has been designated as subject to the federal Controlled Substances Act, 21 U.S.C. § 801 *et seq.*, or which has been designated as a depressant or stimulant drug pursuant to federal food and drug laws, or which has been designated by the Commissioner of Consumer Protection pursuant to Connecticut General Statutes Section 21a-243, as having a stimulant, depressant or hallucinogenic effect upon the higher functions of the central nervous system and as having a tendency to promote abuse or psychological or physiological dependence, or both. Such controlled drugs are classifiable as amphetamine-type, barbiturate-type, cannabis-type, cocaine-type, hallucinogenic, morphine-type and other stimulant and depressant drugs. Connecticut General Statutes Section 21a-240(8).

- 32 (2) Controlled Substances: means a drug, substance or immediate precursor in schedules  
33 I to V, inclusive, of the Connecticut controlled substance scheduling regulations  
34 adopted pursuant to Connecticut General Statutes Sections 21a-243 and 21a-240(9).  
35
- 36 (3) Drug Paraphernalia: means any equipment, products and materials of any kind which  
37 are used, intended for use or designed for use in planting, propagating, cultivating,  
38 growing, harvesting, manufacturing, compounding, converting, producing,  
39 processing, preparing, testing, analyzing, packaging, repackaging, storing, containing  
40 or concealing, or injecting, ingesting, inhaling or otherwise introducing any controlled  
41 substance into the human body, including but not limited to all items specified in  
42 Connecticut General Statutes Section 21a-240(20)(A), such as "bongs," pipes, "roach  
43 clips," miniature cocaine spoons, cocaine vials, and any object or container used,  
44 intended or designed for use in storing, concealing, possessing, distributing or selling  
45 controlled substances. Connecticut General Statutes Section 21a-240(20)(A).  
46
- 47 (4) Performance Enhancing Substances: means any anabolic steroid, hormone or  
48 analogue, diuretic or other substance designed to enhance a student's performance  
49 in athletic competition, except when used under the care and direction of a licensed  
50 medical professional and only then in the manner prescribed by the medical  
51 professional and manufacturer's recommendations.  
52
- 53 (5) Professional Communication: means any communication made privately and in  
54 confidence by a student to a professional employee of such student's school in the  
55 course of the professional employee's employment. Connecticut General Statutes  
56 Section 10-154a(a)(4).  
57
- 58 (6) Professional Employee: means a person employed by a school who (A) holds a  
59 certificate from the State Board of Education, (B) is a member of a faculty where  
60 certification is not required, (C) is an administration officer of a school, or (D) is a  
61 registered nurse employed by or assigned to a school. Connecticut General Statutes  
62 Section 10-154a(a)(2).

63

64 (7) Student Athlete: means any student participating in an extracurricular school-  
65 sponsored athletic activity, whether interscholastic or intramural, including but not  
66 limited to student athletes who are participating in CIAC controlled activities.

67

68 Procedures

69

70 (1) Discretionary Nature of Student Athletics

71

72 The Board sponsors athletic programs as part of its extracurricular program. The  
73 opportunity to participate in extracurricular activities such as student athletics is a  
74 privilege, not a right. The Board may remove students from participation in athletics  
75 activities in its discretion.

76

77 (2) Emergencies.

78

79 If an emergency situation results from the use of drugs, performance enhancing  
80 substances or alcohol, the student athlete shall be sent to the school nurse or medical  
81 advisor immediately, or emergency medical personnel will be notified. The parent or  
82 designated responsible person will also be notified as soon as possible.

83

84 (3) Prescribed Medications.

85

86 The parent or guardian of any student athlete who is required to take any prescribed  
87 medication during student athletic activities shall so inform the school nurse or the  
88 person designated to act in the absence of a nurse. Such prescribed medication will  
89 then be administered to the student athlete under the supervision of the school nurse  
90 or designee in accordance with Connecticut General Statutes Section 10-212a and the  
91 applicable regulations and in accordance with any Board policies and regulations  
92 concerning medication administration, except as provided below.

93

94 Student athletes taking improper amounts of a prescribed medication, or taking a  
95 prescribed medication without proper notification and supervision of the school nurse  
96 or designee, will be subject to the procedures for improper drug or alcohol use  
97 outlined in this policy.

98  
99 Student athletes with a documented medical history demonstrating the need for  
100 regular use of performance enhancing substances for therapeutic purposes shall not be  
101 considered to be in violation of this policy when such substances are properly  
102 prescribed and taken by the student athlete in accordance with Connecticut General  
103 Statutes Section 10-212a and the applicable regulations and in accordance with any  
104 Board policies and regulations concerning medication administration.

105  
106 Student athletes with a documented medical history demonstrating the need for  
107 regular, palliative use of marijuana shall not be considered to be in violation of this  
108 policy when such substance is properly prescribed and taken by the student athlete in  
109 accordance with Connecticut General Statutes Sections 21a-408a through 408q.  
110 Under no circumstances shall the school nurse or designee administer to the student,  
111 or permit the palliative use of marijuana by the student, on a school bus, school  
112 grounds or property, in public places or in the presence of persons under the age of  
113 eighteen.

114  
115  
116 (4) Voluntary Disclosure of Drug/Alcohol Problem (Self-Referral).

117  
118 The following procedures will be followed when a student athlete privately, and in  
119 confidence, discloses to a professional employee in a professional communication  
120 information concerning the student's use, possession, distribution or sale of a  
121 controlled drug, controlled substance or alcohol.

122  
123 (a) Professional employees are permitted, in their professional judgment, to disclose  
124 any information acquired through a professional communication with a student,

125 when such information concerns alcohol or drug abuse or any alcohol or drug  
126 problem of such student athlete. In no event, however, will they be required to do  
127 so. Connecticut General Statutes Section 10-154a(b).

128

129 (b) Any physical evidence obtained from such student athlete through a professional  
130 communication indicating that a crime has been or is being committed by the  
131 student athlete **must** be turned over to school administrators or law enforcement  
132 officials as soon as possible, but no later than two calendar days after receipt of  
133 such physical evidence, excluding Saturdays, Sundays and holidays. Employees  
134 are encouraged to contact the school administrator immediately upon obtaining  
135 physical evidence. In no case, however, will such employee be required to  
136 disclose the name of the student athlete from whom the evidence was obtained.  
137 Connecticut General Statutes Section 10-154a(b).

138

139 (c) Any professional employee who has received a professional communication from  
140 a student athlete may obtain advice and information concerning appropriate  
141 resources and refer the student athlete accordingly, subject to the rights of the  
142 professional employee as described in paragraph (a) above.

143

144 (d) If a student athlete consents to disclosure of a professional communication  
145 concerning the student athlete's alcohol or drug problem, or if the professional  
146 employee deems disclosure to be appropriate, the professional employee should  
147 report the student athlete's name and problem to the school's building  
148 administrator or designee who shall refer the student athlete to appropriate school  
149 staff members for intervention and counseling.

150

151 (5) Involuntary Disclosure or Discovery of Drug/Alcohol Problems.

152

153 When any school staff member, or a coach or volunteer responsible for or involved in  
154 student athletic programs, obtains information related to a student athlete *from a*  
155 *source other than the student athlete's confidential disclosure*, that the student

156 athlete, on or off school grounds or at a school-sponsored activity, is unlawfully under  
157 the influence of, or unlawfully possesses, uses, dispenses, distributes, administers,  
158 sells or aids in the procurement of a controlled drug, controlled substance, drug  
159 paraphernalia, performance enhancing substances or alcohol, that information is  
160 considered to be involuntarily disclosed. In this event, the following procedures will  
161 apply.

162  
163 (a) The staff member, coach or volunteer will immediately report the information to  
164 the building administrator or designee. The building administrator or designee  
165 will then refer the student athlete to appropriate school staff members for  
166 intervention and counseling.

167  
168 (b) Any physical evidence (for example, alcohol, drugs, drug paraphernalia or  
169 performance enhancing substances) obtained from a student athlete indicating that  
170 a crime has been or is being committed by the student athlete must be turned over  
171 to the building administrator or designee or to law enforcement officials as soon  
172 as possible, but no later than within two calendar days after receipt of such  
173 physical evidence, excluding Saturdays, Sundays and holidays. Connecticut  
174 General Statutes Section 10-154a(b). The name of the student athlete must be  
175 disclosed to the building administrator or designee.

176  
177 (c) Search and Seizure of Students and/or Possessions: A staff member, coach or  
178 volunteer who reasonably suspects that a student athlete is violating a state/federal  
179 law, school substance abuse policy or this chemical health policy must  
180 **immediately** report such suspicion to the building administrator or designee. The  
181 building administrator or designee may then search a student athlete's person or  
182 possessions connected to that person, in accordance with the Board's policies and  
183 regulations if such employee has reasonable suspicion from the inception of the  
184 search that the student athlete has violated or is violating either the law, a school  
185 substance abuse policy, or this chemical health policy.

187 Any physical evidence obtained in the search of a student athlete, or a student  
188 athlete's possessions, indicating that the student athlete is violating or has violated  
189 a state or federal law **must** be turned over to law enforcement officials as soon as  
190 possible, but not later than within three calendar days after receipt of such  
191 physical evidence, excluding Saturdays, Sundays and holidays. Connecticut  
192 General Statutes Section 10-154a(c). All school employees are encouraged to  
193 contact the school administration immediately upon obtaining physical evidence.  
194

195 (6) Consequences for the Use, Sale, Distribution or Possession of Controlled Drugs,  
196 Controlled Substances, Drug Paraphernalia, Performance Enhancing Substances or  
197 Alcohol.  
198

199 (a) Any student athlete in the Madison Public Schools using, consuming, possessing,  
200 being under the influence of, manufacturing, distributing, selling or aiding in the  
201 procurement of controlled drugs, controlled substances, drug paraphernalia,  
202 performance enhancing substances or alcohol, either on or off school property, or  
203 at a school-sponsored activity, except as such use or possession is in accordance  
204 with Connecticut General Statutes Sections 21a-408a through 408q, is subject to  
205 discipline up to and including expulsion pursuant to the Board's student discipline  
206 policy. On and after January 1, 2022, a student shall not face greater discipline,  
207 punishment or sanction for the use, sale, or possession of cannabis on school  
208 property than a student would face for the use, sale, or possession of alcohol on  
209 school property, except as otherwise required by applicable law.  
210

211 (b) Student athletes found to be in violation this policy may be referred by the  
212 building administrator to an appropriate agency licensed to assess and treat drug  
213 and alcohol involved individuals. In such event, assessment and treatment costs  
214 will be the responsibility of the parent or guardian.  
215

216 (c) A meeting may be scheduled with appropriate school staff members for the  
217 purpose of discussing the school's drug and alcohol policy and this chemical  
218 health policy with the student athlete and parent or guardian.

219

220 (d) Law enforcement officials may be contacted by the building administrator in the  
221 case of suspected involvement in the use, sale or distribution of controlled drugs,  
222 controlled substances, drug paraphernalia, performance enhancing substances or  
223 alcohol.

224

225 (e) A student athlete found by the administration to have violated this policy may, in  
226 the discretion of school administrators, be suspended from play for short or long  
227 term periods, or may have student athletic participation privileges revoked.

228

229 (f) A student athlete found by the administration to have used performance enhancing  
230 substances shall receive a minimum penalty of revocation of athletic participation  
231 privileges for one hundred eighty (180) days. The Board shall report the violation  
232 to the CIAC.

233

234 (g) The Board recognizes that the CIAC may impose additional sanctions on student  
235 athletes participating in CIAC controlled activities who are found to have violated  
236 this policy.

237

238 (7) Prohibition on the Promotion or Dispensing of Performance Enhancing Substances by  
239 School Staff Members, Coaches or Volunteers.

240

241 (a) No school staff member, coach or volunteer responsible for or involved in student  
242 athletic programs shall dispense any drug, medication (prescription or non-  
243 prescription), or food supplement to any student athlete except under the  
244 supervision of the school nurse or designee in accordance with Connecticut  
245 General Statutes Section 10-212a and the applicable regulations, and in

246 accordance with any Board policies and regulations concerning medication  
247 administration.

248

249 (b) No school staff member, coach or volunteer responsible for or involved in student  
250 athletic programs shall encourage the use of any drug, medication (prescription or  
251 non-prescription), or food supplement in a manner not described by the  
252 manufacturer.

253

254 (c) No school staff member, coach or volunteer responsible for or involved in student  
255 athletic programs shall supply, recommend, or knowingly permit student athletes  
256 to use any drug, medication (prescription or non-prescription), or food supplement  
257 for the specific purpose of enhancing their athletic performance.

258

259 (d) A school staff member, or coach responsible for or involved in student athletic  
260 programs, who violates the terms of this policy shall be subject to discipline, up to  
261 and including termination of employment. The Board may also report violations  
262 of this policy by employees to parents of student athletes and/or state and local  
263 authorities.

264

265 (e) The Board shall immediately terminate a volunteer responsible for or involved in  
266 student athletic programs who violates the terms of this policy. The Board may  
267 also report violations of this policy by volunteers to parents of student athletes  
268 and/or state and local authorities.

269

270 (8) Publication of Chemical Health Policy to School Staff Members, Coaches, Volunteers  
271 and Student Athletes.

272

273 (a) The Board shall publish this chemical health policy to all school staff members,  
274 coaches and volunteers responsible for or involved in student athletic programs.

275

276 (b) The Board shall publish this chemical health policy to all student athletes and  
277 their parents/guardians.

278

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281

282 Legal References:

283 Connecticut General Statutes:

284

285 June Special Session, Public Act No. 21-1, An Act Concerning  
286 Responsible and Equitable Regulation of Adult-Use Cannabis

287

288 Section 10-154a

289 Section 10-212a

290 Section 10-221

291 Section 21a-240

292 Section 21a-243

293 Sections 21a-408a through 408q

294

295 2021-2022 CIAC Handbook, Section 4.12.E (Chemical Health Policy and  
296 Regulations), available at [https://www.casciac.org/pdfs/ciachandbook\\_2122.pdf](https://www.casciac.org/pdfs/ciachandbook_2122.pdf)

297

298 ADOPTED: \_\_\_\_\_

299

**I. Immunization Requirements**

In accordance with state law and accompanying regulations, the Madison Public Schools (the “District”) requires each child to be protected by adequate immunization against diphtheria, pertussis, tetanus, poliomyelitis, measles, mumps, rubella, haemophilus influenzae type B, hepatitis A, hepatitis B, varicella, pneumococcal diseases, meningococcal disease and any other vaccine required by the schedule for active immunization as determined by the Commissioner of Public Health pursuant to Conn. Gen. Stat. § 19a-7f, before being permitted to enroll in any program or school under its jurisdiction.

Among other requirements, before being permitted to enter seventh grade, the District requires each child to be vaccinated against meningococcal disease. The District further requires each child to receive a second immunization against measles and tetanus, diphtheria and pertussis (Tdap) before being permitted to enter seventh grade.

Further, each child must have received two doses of immunization against varicella before being permitted to enter kindergarten and seventh grade, and each child must have received two doses of immunization against rubella and mumps before being permitted to enter grades kindergarten through twelve.

By January 1 of each year, children aged 24-59 months enrolled in the District’s preschool program must show proof of receipt of at least one dose of influenza vaccine between August 1 and December 31 of the preceding year. All children aged 24-59 months who have not received vaccination against influenza previously must show proof of receipt of two doses of the vaccine the first influenza season that they are vaccinated. Children seeking to enroll in the District’s preschool program between January 1 and March 31 are required to receive the influenza vaccine prior to being

32 permitted to enter the program. Children who enroll in the preschool program after  
33 March 31 of any given year are not required to meet the influenza vaccine requirement  
34 until the following January.]

35 Exemption from the applicable requirements of these administrative regulations shall  
36 be granted to any child who, before being permitted to enroll:

37  
38 (1) presents a certificate from a physician, physician assistant, advanced practice  
39 registered nurse or local health agency stating that initial immunizations have been  
40 given to such child and additional immunizations are in process

41

42 (A) under guidelines and schedules specified by the Commissioner of Public  
43 Health; or

44

45 (B) in the case of a child enrolled in a preschool program or other  
46 prekindergarten program who, prior to April 28, 2021, was exempt from  
47 the applicable immunization requirements upon presentation of a statement  
48 that such immunizations would be contrary to the religious beliefs of such  
49 child or the parents or guardian of such child, as such additional  
50 immunizations are recommended, in a written declaration, in a form  
51 prescribed by the Commissioner of Public Health, for such child by a  
52 physician, a physician assistant or an advanced practice registered nurse.  
53 Such statement of religious beliefs shall be acknowledged by a judge of a  
54 court of record or a family support magistrate, a clerk or deputy clerk of a  
55 court having a seal, a town clerk, a notary public, a justice of the peace, an  
56 attorney admitted to the bar of this state, or a school nurse; or

57

58 (2) presents a certificate, in a form prescribed by the Commissioner of Public Health  
59 pursuant to Section 7 of Public Act No. 21-6, from a physician, physician assistant,

60 or advanced practice registered nurse stating that in the opinion of a such  
61 physician, physician assistant, or advanced practice registered nurse such  
62 immunization is medically contraindicated because of the physical condition of  
63 such child; or

64

65 (3) in the case of measles, mumps or rubella, presents a certificate from a physician,  
66 physician assistant or advanced practice registered nurse or from the Director of  
67 Health in such child's present or previous town of residence, stating that the child  
68 has had a confirmed case of such disease; or

69

70 (4) in the case of haemophilus influenzae type B, has passed such child's fifth  
71 birthday; or

72

73 (5) in the case of pertussis, has passed such child's sixth birthday.

74 **II. Exemptions Based on Religious Beliefs**

75

76 A. Children Enrolled in Kindergarten Through Twelfth Grade On or Before April 28,  
77 2021

78

79 The immunization requirements set forth in Section I of these administrative  
80 regulations **shall not apply** to any child who is enrolled in kindergarten through  
81 twelfth grade on or before April 28, 2021 if:

82

83 1. such child presented a statement, prior to April 28, 2021, from the parents or  
84 guardians of such child that such immunization is contrary to the religious  
85 beliefs of such child or the parents or guardians of such child, and

86

87 2. such statement was acknowledged by a judge of a court of record or a family  
88 support magistrate, a clerk or deputy clerk of a court having a seal, a town  
89 clerk, a notary public, a justice of the peace, an attorney admitted to the bar of  
90 the State of Connecticut, or a school nurse.

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B. Students Who Transfer from Another Public or Private School in Connecticut

The immunization requirements set forth in Section I of this policy **shall not apply** to any student who:

1. transfers to the District from another public or private school in Connecticut, and
2. was enrolled in kindergarten through twelfth grade in the other public or private school on or before April 28, 2021, and
3. presented a statement, prior to April 28, 2021, from the parents or guardians of such child that such immunization is contrary to the religious beliefs of such child or the parents or guardians of such child, and such statement was acknowledged by a judge of a court of record or a family support magistrate, a clerk or deputy clerk of a court having a seal, a town clerk, a notary public, a justice of the peace, an attorney admitted to the bar of the State of Connecticut, or a school nurse.

C. Children Enrolled in Preschool or Prekindergarten Prior to April 28, 2021

Any child who is enrolled in a preschool program or other prekindergarten program prior to April 28, 2021 who:

1. presented a statement, prior to April 28, 2021, from the parents or guardians of such child that such immunization is contrary to the religious beliefs of such child or the parents or guardians of such child, and
2. such statement was acknowledged by a judge of a court of record or a family support magistrate, a clerk or deputy clerk of a court having a seal, a

122 town clerk, a notary public, a justice of the peace, an attorney admitted to  
123 the bar of the State of Connecticut, or a school nurse, but

124

125 3. did not present a written declaration from a physician, a physician assistant  
126 or an advanced practice registered nurse stating that additional  
127 immunizations are in process as recommended by such physician, physician  
128 assistant or advanced practice registered nurse, rather than as recommended  
129 under guidelines and schedules specified by the Commissioner of Public  
130 Health

131

132 **shall comply** with the immunization requirements provided for in Section I of  
133 these administrative regulations on or before September 1, 2022, or not later  
134 than fourteen (14) days after transferring to a program operated by a school  
135 under the jurisdiction of the District, whichever is later.

136

137 In accordance with state law, the Madison Board of Education (“Board”) and the  
138 District shall not be liable for civil damages resulting from an adverse reaction to a  
139 non-defective vaccine required to be administered by state law.

140

141 If the parents or guardians of any child are unable to pay for any required  
142 immunization, the expense of such immunization shall, upon the recommendation of  
143 the Board, be paid by the town of the child’s residence.

144

145 The District designates [**insert name of responsible staff member**] as the  
146 representative for receipt of reports from health care providers concerning student  
147 immunizations.

148

149 The current required immunizations for elementary (including preschool), middle and  
150 high school students can be found at: [https://portal.ct.gov/-/media/SDE/School-  
151 Nursing/Forms/Immunization\\_Requirements.pdf](https://portal.ct.gov/-/media/SDE/School-Nursing/Forms/Immunization_Requirements.pdf).

152

153 In implementing these regulations, the District shall consider state guidance and  
154 supporting documents and comply with applicable law.

155  
156 Legal Reference:

157  
158 Connecticut General Statutes

159  
160 § 10-204a Required immunizations  
161 § 10-204c Immunity from liability  
162 Public Act No. 21-6, “An Act Concerning Immunizations”

163  
164 Regulations of Connecticut State Agencies  
165 § 10-204a-2a Adequate Immunization

166  
167 Letter to Superintendents of Schools et al. from Connecticut State Departments of Public  
168 Health and Education, *Reinstatement of Prekindergarten and Kindergarten School*  
169 *Immunization Entry Requirement for Haemophilus Influenza Type B (Hib) Vaccine*, June  
170 25, 2010.

171  
172 Letter to Superintendents of Schools et al. from Connecticut State Departments of Public  
173 Health and Education, *Changes in the Immunization Requirements for School Entry*,  
174 March 15, 2011.

175  
176 State Department of Education, Guidance Regarding Public Act 21-6, “An Act  
177 Concerning Immunizations,” May 25, 2021.

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181 ADOPTED \_\_\_\_\_  
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