

Board of Education Regular Meeting

Tuesday, December 12, 2023 7:30 PM

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

I. Call to Order / Attendance

I.A. Pledge of Allegiance

II. School / Community Session

II.A. Public Participation

III. Board of Education Student Representatives' Report

Speaker (s): Eli Ackerman and Brooke Anderson

IV. Superintendent's Report

Speaker (s): Craig A. Cooke, Ph.D.

- Reading Waiver Update
- 2024-2025 Budget
- Choice Program

V. Board Members' Comments

VI. Audience Response to Information Presented (Ref. Bylaw #9540.10)

VII. Consent Agenda (Ref. Bylaw #9540.2)

VII.A. Line Item Transfers as of December 8, 2023

VII.B. Budget Expenditures as of December 8, 2023

VII.C. November Personnel Report

VIII. Action Item: Motion to approve the Consent Agenda

IX. Board Committees / Liaison Updates (Ref. Bylaw #9450)

IX.A. Curriculum and Student Development

Speaker (s): Members: Steve Pynn, Chair; Catherine Miller, Mary Ann Connelly

IX.B. Facilities Committee

Speaker (s): Members: Emily Rosenthal, Chair, Steven Pynn, Diane Infantine-Vyce

IX.C. Finance Committee

Speaker (s): Members: Galen Cawley, Chair, Christine Maisano, Emily Rosenthal

IX.D. Personnel Committee

Speaker (s): Members: Maureen Lewis, Chair; Catherine Miller, Mary Ann Connelly

IX.E. Policy Committee

Policy for Rescission, First Reading:

- 9540.11 News Media Service at Meetings
- 9900 School Board Legislative Program

Speaker (s): Members: Diane Infantine-Vyce, Chair; Maureen Lewis, Galen Cawley

- 9910 State Legislative Program
- 5120.9.4 Bicycle and Rollerblade Use
- 5120.4.2.3 Substance Abuse Counseling

IX.F. Policy for Rescission, Second Reading:

- 5100.9.1 Student Recruitment
- 9740 Board-Community Relations

IX.G. Policy for Review, First Reading

- 9510 Time, Place and Notice of Meetings

IX.H. Repeal and Replace

IX.I.

- 9510 Regular Board Meetings
- 9520 Special Board Meetings
- 9540.1 Notification of Board Meetings
- 5090.8.1 Search and Seizure
- 5090.3.1 Student Dress
- 5144.4 Physical Activity, Undirected Play and Student Discipline

IX.J. Policy for Review, Second Reading:

- 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

IX.K. Repeal and Replace:

IX.L.

- 5180.1 Records / Confidentiality
- 5180.1.1 Directory Information
- 5180.1.2 Relations with Non-Custodial Parents
- 5125.1 Health/Medical Records
- 9450 Committees

IX.M. Repeal and Replace:

IX.N.

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

IX.O.

IX.P. LEARN Liaison

Speaker (s) : Mary Ann Connelly

X. **Action Item: Discuss and take action on outsourcing the full food services operation, as per the provisions of Article XVI, Section 9 of the NAGE bargaining agreement, effective at the end of the 2023-2024 school year.**

XI. **Action Item: Motion to rescind the following policies: 5100.9.1 Student Recruitment, 9740 Board-Community Relations.**

XII. **Action Item: Motion to approve the following policies: 5110.4 Student Discipline, 5040**

Admission to the Public Schools at or Before Age Five, 9450.2 Construction and Posting of Agenda, 5180.1 Confidentiality and Access to Educational Records, 9450 Committees

XIII. Action Item: Motion to approve a donation to the DHHS Fencing team in the amount of \$1750 from the DHHS Fencing Boosters to supply needed uniforms.

XIV. Action Item: Motion to approve the minutes of the November 28, 2023 Board of Education Meeting (Ref. Bylaw #9540.9)

XV. Future Agenda Items

XVI. Meetings / Dates of Importance (see attached)

XVII. Adjournment

XVIII. 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 at least five (5) business days prior to the meeting.

MADISON PUBLIC SCHOOLS LINE ITEM TRANSFERS 12.12.23

JOURNAL	LINE	SOURCE	EFF DATE	ORG	OBJECT	ACCOUNT NAME	COMMENT	INCR/DECR	AMOUNT
100	1	BUA	11/06/2023	BF55110K	51116	1000-9103-2600-551-10-00000-51116	Director of Facilities Hire	INCR	56,466
100	2	BUA	11/06/2023	BF55110K	51122	1000-9103-2600-551-10-00000-51122	Director of Facilities Hire	DECR	56,466

2023-2024 MADISON PUBLIC SCHOOLS EXPENDITURE REPORT 12.12.23

OBJECT	ACCOUNT DESCRIPTION	ORIGINAL APPROP	TRNFRS/ADJSMT	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
51000	51000 NEW STAFF AREA I	(295,766)	295,766					0.00
51060	51060 REDUCTION/BUDGET	(63,800)	25,000	(38,800)	(38,800)			100.00
51108	51108 AP TESTING	15,000		15,000			15,000	0.00
51109	51109 11TH COURSE STIPENDS	8,000		8,000		4,000	4,000	50.00
51110	51110 TEACHERS	24,295,083	(319,536)	23,975,547	6,808,269	17,124,003	43,275	99.80
51111	51111 ADMINISTRATORS	2,217,361	13,911	2,231,272	961,596	1,262,576	7,100	99.70
51112	51112 EPED	285,782		285,782		280,495	5,287	98.10
51113	51113 CO CURRICULAR	537,368	4,305	541,673	131,123	116,054	294,497	45.60
51114	51114 EARLY RETIREMENT	0	6,104	6,104		6,104		100.00
51116	51116 DIRECTORS / MANAGERS	394,326	61,616	455,942	333,484	65,991	56,466	87.60
51120	51120 OFFICE STAFF	1,578,248	(42,273)	1,535,975	538,320	926,459	71,196	95.40
51121	51121 INSTRUCTIONAL PARAPROFES	1,937,762	(94,539)	1,843,223	514,004	1,168,703	160,516	91.30
51122	51122 CUSTODIANS	1,791,618	(56,466)	1,735,152	504,668	1,106,759	123,725	92.90
51123	51123 MEDIA / TECH PARAPROFESS	302,580		302,580	103,046	199,155	378	99.90
51124	51124 SECURITY / SUSPENSION	582,578	74,679	657,257	373,826	280,133	3,298	99.50
51126	51126 SCHOOL HEALTH SERVICES	383,593	(7,447)	376,147	116,116	252,172	7,859	97.90
51127	51127 EVENT STAFF							100.00
51128	51128 ATHLETIC TRAINER	43,971	12,679	56,650	18,883	37,767		100.00
51129	51129 ATTENDANCE INCENTIVE	14,500		14,500			14,500	0.00
51130	51130 THERAPISTS / OCCUP & PHY	437,792	(14,944)	422,848	102,465	320,383		100.00
51210	51210 SUBSTITUTE TEACHERS	580,000	50,999	630,999	239,610	207,487	183,903	70.90
51212	51212 SUBS / SCHOOL HEALTH SER	16,320	7,447	23,767	6,705		17,061	28.20
51221	51221 CLASSIFIED SUBS	14,000		14,000	7,143		6,857	51.00
51320	51320 OVERTIME	70,644		70,644	38,102		32,541	53.90
51321	51321 CUSTODIAL/CASUAL LABOR	93,806		93,806	41,747		52,059	44.50
52130	52130 LIFE INSURANCE	48,700		48,700	22,913	23,641	2,147	95.60
52200	52200 SOCIAL SECURITY	627,012		627,012	341,374		285,638	54.40
52201	52201 MEDICARE	537,089		537,089			537,089	0.00
52202	52202 FSA ADMINISTRATION	1,750		1,750	868	636	247	85.90
52300	52300 PENSION-DEF BENEFIT	1,090,566		1,090,566	785,706		304,860	72.00
52301	52301 PENSION-DEF CONTRIBUTION	55,500		55,500	20,488		35,012	36.90
52500	52500 UNEMPLOYMENT	25,000		25,000	12,861		12,139	51.40
52600	52600 WORKER'S COMP	243,523		243,523	243,037		487	99.80
52700	52700 DISABILITY INSURANCE	77,850		77,850	36,115	36,858	4,877	93.70
53000	53000 UNBUDGETED EXPENSE	75,000		75,000	75,000			100.20
53101	53101 LABOR & LEGAL SVCES	110,000		110,000	36,546		73,454	33.20
53222	53222 EVALUATION SERVICES	142,125		142,125	15,673	26,653	99,800	29.80
53224	53224 STAFF DEVELOPMENT	253,315	121	253,436	85,688	27,611	140,137	44.70
53225	53225 NEASC ACCREDITATION SERV	4,816		4,816	4,470		346	92.80

2023-2024 MADISON PUBLIC SCHOOLS EXPENDITURE REPORT 12.12.23

OBJECT	ACCOUNT DESCRIPTION	ORIGINAL APPROP	TRNFRS/ADJSMT	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
53230	53230 STUDENT SUPPORT SERVICES	54,000		54,000	396	8,000	45,604	15.50
53231	53231 ADULT EDUCATION	46,000		46,000	42,000		4,000	91.30
53300	53300 PROF / TECH SVCES	1,327,612	20,283	1,347,896	411,667	501,552	434,677	67.80
53305	53305 PROF TECH MEDICAL	29,670		29,670	26,849	1,937	884	97.00
54210	54210 DISPOSAL / RECYCLING	113,200		113,200	37,990	52,276	22,934	79.70
54220	54220 SNOW REMOVAL	64,946		64,946		9,500	55,446	14.60
54300	54300 REPAIRS & MAINT	573,767		573,767	406,315	77,209	90,244	84.30
54307	54307 TECH / INFRASTRUCTURE	42,000		42,000			42,000	0.00
54309	54309 EMERGENCY MAINTENANCE	50,000		50,000			50,000	0.00
54310	54310 KITCHEN MAINTENANCE	13,401		13,401	6,305	3,025	4,072	69.60
54313	54313 TREATMENT PLANT REPAIRS	29,000		29,000	3,902	3,303	21,795	24.80
54320	54320 REPAIR / CONTRACTS	36,500		36,500	2,600	1,600	32,300	11.50
54330	54330 ALARM SERVICES	12,372		12,372	6,767		5,605	54.70
54340	54340 TELEPHONE MAINTENANCE	14,024		14,024	155		13,869	1.10
54420	54420 RENTAL AGREEMENTS	35,621	(16,035)	19,586	2,596	12,769	4,221	78.40
54600	54600 TREE SERVICES	8,828		8,828	1,900		6,928	21.50
54900	54900 PURCHASE SVCES	155		155			155	0.00
55110	55110 STUDENT ACTIV TRANS	14,697	(388)	14,308	92		14,216	0.60
55111	55111 REGULAR TRANSPORTATION	2,075,000		2,075,000	492,985		1,582,015	23.80
55113	55113 FUEL / TRANSPORTATION	335,000		335,000	68,699	21,301	245,000	26.90
55114	55114 SCHOOL CHOICE TRANSPORT	71,750		71,750	8,392		63,358	11.70
55120	55120 SPED TRANSPORTATION	1,477,556	(19,000)	1,458,556	484,381	673,703	300,472	79.40
55201	55201 GENERAL INSURANCE	330,156		330,156	325,542		4,615	98.60
55203	55203 STUDENT INSURANCE	14,806		14,806	14,806			100.00
55301	55301 TELECOMMUNICATIONS	152,084		152,084	57,225	75,865	18,994	87.50
55302	55302 POSTAGE	20,159		20,159	10,635	4,458	5,066	74.90
55303	55303 REPORTS/PUBLIC RELATIONS	4,650		4,650	280		4,370	6.00
55500	55500 PRINTING & BINDING	47,069		47,069	16,466	18,364	12,239	74.00
55501	55501 PRINTING / INSTRU SUPPLI	32,276	901	33,177	6,166	6,028	20,983	36.80
55608	55608 TUITION / TYPICALS	(70,000)		(70,000)	(13,836)		(56,165)	19.80
55610	55610 EXT PLACEMENTS / PUBLIC	581,752	(30,000)	551,752	282,432	519,520	(250,201)	145.30
55630	55630 EXT PLACEMENTS / PRIVATE	1,784,041		1,784,041	991,633	1,278,163	(485,756)	127.20
55640	55640 SCHOOL CHOICE TUITION	76,000		76,000		(55,818)	131,818	-73.40
55641	55641 EXTENDED YEAR SERVICES /	130,529		130,529	122,144		8,385	93.60
55643	55643 EXT PLACEMENT/ GENERAL E	10,000		10,000			10,000	0.00
55801	55801 TRAVEL (STAFF)	26,730		26,730	5,938	3,839	16,953	36.60
55802	55802 TRAVEL (BOE)	320		320			320	0.00
55900	55900 MISC PURCH SERVICES	10,850		10,850	3,120	7,280	450	95.90
56101	56101 OFFICE SUPPLIES	40,222		40,222	17,029	439	22,755	43.40

2023-2024 MADISON PUBLIC SCHOOLS EXPENDITURE REPORT 12.12.23

OBJECT	ACCOUNT DESCRIPTION	ORIGINAL APPROP	TRNFRS/ADJSMT	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
56110	56110 INSTRUCTIONAL SUPPLIES	412,050	15,617	427,667	264,953	22,913	139,801	67.30
56111	56111 FAB LAB INSTRUCTIONAL SU	20,000		20,000	2,303	9,184	8,513	57.40
56120	56120 INSTRUCTIONAL SOFTWARE	54,366	10,964	65,330	45,757	7,887	11,686	82.10
56130	56130 CUSTODIAL SUPPLIES	112,132		112,132	71,950	4,783	35,399	68.40
56131	56131 MAINTENANCE SUPPLIES	78,000		78,000	35,758	15,683	26,560	65.90
56140	56140 FIELDS MAINTENANCE	112,900		112,900	60,792	50	52,059	53.90
56206	56206 GAS SERVICES	328,814		328,814	46,287	4,795	277,732	15.50
56207	56207 HEATING FUEL	10,944		10,944			10,944	0.00
56210	56210 WATER	44,374		44,374	9,507		34,867	21.40
56220	56220 ELECTRICITY	793,250		793,250	319,523		473,727	40.30
56260	56260 EQUIPMENT MAINTENANCE	21,672		21,672	651		21,021	3.00
56410	56410 TEXTBOOKS & REPLACEMENT	35,434	(1,500)	33,934	12,636	2,159	19,140	43.60
56411	56411 TEXTBOOKS / NEW	36,500	7,221	43,721	12,845		30,876	29.40
56420	56420 AWARDS	5,000		5,000	90		4,910	1.80
56421	56421 MEDIA SUPPLIES	33,666		33,666	13,251	4,960	15,455	54.10
56422	56422 PERIODICALS	24,813		24,813	8,691	8,933	7,188	71.00
56423	56423 PRINT COLLECTION	68,651	(23,651)	45,000	2,439		42,561	5.40
56550	56550 STAFF UNIFORMS	5,258		5,258	5,154		104	98.00
56551	56551 UNIFORMS / STUDENT GROUP	27,500		27,500	4,548	14,627	8,325	69.70
56900	56900 SUPPLIES	88,149	(5,131)	83,018	19,386	29,237	34,395	58.60
56902	56902 PROGRAM SUPPLIES		25,000	25,000	5,602		19,398	22.40
57301	57301 EQUIPMENT	174,567	(1,704)	172,864	39,707	21,334	111,823	35.30
57302	57302 OS SOFTWARE	322,740		322,740	201,041		121,699	62.30
57303	57303 EQUIP - LEASE/PURCHASE	39,120		39,120	32,967		6,153	84.30
57304	57304 COMPUTER HARDWARE	549,550		549,550	405,731	990	142,829	74.00
57400	57400 PUBLIC SAFETY	6,623		6,623		3,885	2,738	58.70
58100	58100 DUES, FEES & MEMBSHPS	84,501		84,501	66,800	6,447	11,254	86.70
Grand Total		51,640,329		51,640,329	18,012,985	26,855,819	6,771,525	86.90

Madison Board of Education			
BOE Meeting Date:	12/12/23	Reporting Period:	11/7-11/30/23
New Hires / Reappointments			
First Name	Last Name	Position	Location
Katelyn	Cummings	Special Assignment	Jeffrey
Reassignments / Transfers			
First Name	Last Name	Position	Location
Joseph	lasparra	Day Custodian	Facilities
Retirements / Resignations / Separations			
First Name	Last Name	Position	Location
Christopher	Raymond	Day Custodian	Facilities
John	Lopes	Custodian	Facilities
Ava	Altschuler	Building Substitute	Polson
Lynda	Chaib	RBT Para	Brown



Policy Committee

Exhibits

Policy for Rescission, First Reading:

- 9540.11 News Media Service at Meetings
- 9900 School Board Legislative Program
- 9910 State Legislative Program
- 5120.9.4 Bicycle and Rollerblade Use
- 5120.4.2.3 Substance Abuse Counseling

Policy for Rescission, Second Reading:

- 5100.9.1 Student Recruitment
- 9740 Board-Community Relations

Policy for Review, First Reading

- 9510 Time, Place and Notice of Meetings
 - Repeal and Replace*
 - 9510 Regular Board Meetings
 - 9520 Special Board Meetings
 - 9540.1 Notification of Board Meetings
- 5090.8.1 Search and Seizure
- 5090.3.1 Student Dress
- 5144.4 Physical Activity, Undirected Play and Student Discipline

Policy for Review, Second Reading:

- 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
- 9450 Committees
 - Repeal and Replace:*
 - 9450 Board Committees
 - 9450.1 Committee of the Whole
 - 9460 Advisory Committees

Policy Summary

December 12, 2023

Policy for Rescission, First Reading:

9540.11 News Media Service at Meetings

This bylaw is not required and we recommend repeal. If the Board wishes to retain this policy, we recommend further legal review to ensure compliance with the FOIA. Further, if the Board wishes to develop rules about the recording of meetings by the news media and others, such rules must be prescribed by Board rule in advance of the meeting and can be done through this bylaw.

9900 School Board Legislative Program

This bylaw is not required and we recommend repeal. The Board is legally bound to comply with federal and state law (and changes in the law), but it does not need a policy so reflecting. If the Board wishes to designate a member to stay abreast of legislative changes, it may do so without this bylaw in place.

9910 State Legislative Program

This bylaw is not required and we recommend repeal.

5120.9.4 Bicycle and Rollerblade Use

This policy is not mandatory and we recommend repeal. The use of rollerblades is outdated and likely inapplicable. Further, bicycle riding concerns the day-to-day operation of the school, and is thus more appropriately included in a regulation or school procedure. Recommend the Board consider making this a regulation and combining it with 5120.9.5. *** *It is included in student handbooks and varies from building to building – examples will be included in packet****

5120.4.2.3 Substance Abuse Counseling

We recommend repealing this policy and replacing it with the Model Policy Drug and Alcohol Use By Students, which includes language concerning counseling and support for students with substance abuse problems. *** The model policy was adopted in April 2022

Policy for Rescission, Second Reading:

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)

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.

Policy for Review, First Reading

9510 Time, Place and Notice of Meetings

- *Repeal and Replace*
 - 9510 Regular Board Meetings
We recommend repeal and replacement with our model bylaw, Time, Place and Notice of Meetings, for consistency and legal compliance.
 - 9520 Special Board Meetings
We recommend repeal and replacement with our model bylaw, Time, Place and Notice of Meetings, for consistency and legal compliance.
 - 9540.1 Notification of Board Meetings
We recommend repeal and replacement with our model bylaw, Time, Place and Notice of Meetings, for consistency and legal compliance.

5090.8.1 Search and Seizure

We recommend this policy be repealed and replaced with S&G's model Search and Seizure policy, for legal compliance and consistency. The policy contains accompanying administrative regulations regarding search and seizure, as well as optional regulations regarding the use of dogs and breathalyzers on school property).

5090.3.1 Student Dress

It appears that the Board uses a version of the model policy. We recommend revision based on the CROWN Act, which was passed by the legislature in the spring of 2021, and prohibits discrimination based on protective hairstyles. The current model policy, available in the client portal, includes the recent updates.

5144.4 Physical Activity, Undirected Play and Student Discipline

Public Act No. 23-159 and Public Act No. 23-101 add new play-based learning requirements for pre-school through fifth grade. Beginning with the 2024-2025 school year, each board of education must provide for play-based learning during the instructional time of each regular school day for students in preschool and kindergarten. Teachers who instruct students in grades one to five must be permitted to utilize play-based learning during the instructional time of a regular school day. We revised this policy to include these upcoming play-based learning requirements. The new law also includes a definition of “recess,” which has been incorporated throughout the policy. Finally, we have made minor technical revisions for clarity.

Policy for Review, Second Reading:

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.

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.

#9540.11**News Media Services at Meetings**

The Board believes that one of the paramount responsibilities of a Board of Education is to keep the public informed of its actions. Consequently, the local news media representatives will be welcome to attend all regular, special, and annual meetings of the Board.

A copy of the agenda of all official Board meetings will be made available to members of the working press who request it. In the event that representatives of the news media are unable to attend a meeting, upon request, they will be provided a summary of important Board actions.

All reports approved by the Board will be a matter of official record and, upon request, will be made available to the press or other members of the public. No report-in-progress, including all of those on which the Board has taken no final action, will be released by any Board or staff member unless the Board specifically authorizes its release as a "tentative report."

In situations where individual Board members receive requests from news media representatives for information about Board meetings, members may speak only for themselves and not as spokesperson for the Board unless this responsibility has been specifically delegated to a Board member.

Date of Adoption: 3/7/95

#9900**School Board Legislative Program**

The Board, as an agent of the State, must operate within the bounds of state and federal laws affecting public education. If the Board is to meet its responsibilities to the residents and students of this community, it must work vigorously for the passage of new laws designed to advance the cause of good schools and for the repeal or modification of existing laws that impede this cause. To this end, the Board ...

- Will keep itself informed of pending legislation and actively communicate its concerns and make its position known to elected representatives at both the state and national level.
- May work with its legislative representatives (both state and federal), with the state school boards association, the National School Boards Association, and other concerned groups in developing an annual, as well as long-range, legislative program. One of the major objectives of the Board's legislative program will be to seek full funding for all state and federally mandated programs.
- May annually designate a person—who may or may not be a member of the Board—to serve as its legislative representative. This person will be authorized to speak on the Board's behalf with respect to legislation being considered by the state legislature or the United States Congress or their respective committees. In all dealings with individual elected representatives, the legislature, or Congress, the Board's representative will be guided by the official positions taken by the Board.

Board's Legislative Representative

A legislative representative may serve as the Board's liaison with the state school board association legislative assembly. The legislative representative may attend state school boards' association assemblies, conveying local views and concerns to that body and participating in the formulation of state legislative programs. The legislative representative will monitor proposed school legislation and inform the Board of the issues.

Date of Adoption: 3/7/95

**#9910
State Legislative Program**

The Board recognizes the importance of sound and constructive state legislation in establishing the framework and support for public education. It is therefore directly concerned with legislative proposals affecting education.

If the Board has appointed a designated legislative liaison member, that member will report to the Board on legislative proposals, and the Board will make its position known both to the state school boards association and to appropriate state representatives and senators.

The legislative liaison member will also keep the Board informed of pertinent federal legislative proposals and communicate the Board's position to representatives and senators at the national level.

Date of Adoption: 3/7/95

#5120.9.4**Bicycle and Rollerblade Use**

The principal of each building will set specific rules for students for the use of bicycles and rollerblades to and from the school. The privileges of riding a bicycle or using rollerblades may be withdrawn if a student fails to observe the rules for bicycle or rollerblade use set by the school or by Connecticut state law.

In general, students who ride bicycles to school are requested to park them in an orderly fashion and at the location requested by the building principal. To discourage theft, the use of bicycle locks is highly recommended. Students are required to park bicycles upon arrival at school and leave them until ready to return home. Similarly, students who rollerblade to school are requested to remove rollerblades upon arrival at school and store them as designated by the principal until ready to return home. For safety reasons, riding bicycles or rollerblading on school grounds during school hours will not be permitted. Bicycle riders and rollerbladers are expected to know the rules of the road and to follow them.

Additionally, the Board strongly urges compliance with state law requiring the use of bicycle helmets for children and charges parents with monitoring their own child's use of appropriate headgear and other safety gear for both bicycling and rollerblading.

Date of Adoption: April 2, 1996

**5120.4.2.3
Substance Abuse Counseling**

Health problems of youth are primarily the responsibility of the home and community, but schools share in that responsibility because substance abuse problems often interfere with school behavior, student learning, and the fullest possible development of each student.

The Board recognizes that substance abuse is a treatable health problem which does not respect any group or age. Under no circumstances does the district condone the use or abuse of chemical substances and the district discipline policy governing such abuse, will continue to be strictly observed.

The Board recognizes that substance abuse affects not only the individual but the total family. Therefore, when a student is involved in substance abuse, services will be offered to assist the student and/or his/her family. These services may include education and awareness, identification, assessment, referral, and follow-up with student support services.

Principals will be responsible for monitoring the implementation of the substance abuse prevention program at their school site. The parents and community are responsible for learning about the school's substance abuse program and cooperating in its implementation.

A curriculum that stresses preventive substance abuse education will be conducted throughout the K - 12 program. The curriculum will be regularly reviewed and updated to assure accurate and comprehensive programming

(cf: 5090.7 Drugs, Alcohol, Tobacco, Inhalants, and Performance Enhancing Substances)

(cf: 5110.4 Suspension / Expulsion / Exclusion from School / School Activities)

(cf: 6080.14.1 Drugs, Alcohol, and Tobacco Education)

Date of Adoption: June 4, 1996

Technical Revision: August 22, 2006

#5100.9.1

Student Recruitment

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 as an eligible student 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.
10-220d Student recruitment by a regional and interdistrict specialized schools and programs. Recruitment of athletes prohibited (as amended by P.A. 12-116, An Act Concerning Educational Reform
10-221b Board of education to establish written uniform policy re: treatment of recruiters.

#5100.9.1 (cont.)

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[P.L. 106-398, 2000 H.R. 4205: The National Defense Authorization Act for Fiscal Year 2001](#)

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41 Date of Adoption: October 20, 1998

42 Date of Revision: June 20, 2002

43 Date of Revision: February 8, 2006

44 Technical Revision: August 22, 2006

#9740**Board - Community Relations**

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

Time, Place, and Notice of Meetings

1. Regular Meetings

- A. The Madison Board of Education (the “Board”) shall set a calendar of regular meetings for the ensuing year at the first regular meeting in ~~November~~December.
- B. In compliance with the Connecticut General Statutes, the Chairperson ~~for Secretary~~or Chairperson’s designee shall file this calendar with the Town Clerk, and post this calendar on the Board’s Internet web site, ~~if available, by November 30~~ [or other date falling on or before January 31].
- C. Normally the Board shall schedule regular meetings on the first and third Tuesday of each month of the year except during school holidays, when the Board shall schedule no regular meetings.
- D. If at any point in the meeting the Board should not maintain a quorum, then the Chairperson of the Board will adjourn the meeting and declare the time and place of the resumption of the meeting, which shall be reflected in a written order of adjournment. A copy of the written order of adjournment will be posted on or near the door of the place where the meeting was held within twenty-four hours after the time of adjournment.
- E. If, in accordance with applicable law, the Board conducts a regular meeting by means of electronic equipment, the Board shall provide, at least forty-eight (48) hours before the meeting, direct notification in writing or by electronic transmission to each member of the Board and post a notice that the Board intends to conduct the meeting solely or in part by means of electronic equipment in the Administrative Offices of the Board, in the office of the Town Clerk, and on the Board’s Internet web site. Such notice shall include instructions for the public to attend and provide comment or otherwise participate in the meeting, by means of electronic equipment or in person, as applicable and permitted by law.

2. Special Meetings

- A. Special meetings may be held when determined by the Board, when so called by the Chairperson, or within fourteen (14) days upon written request of three members of the Board.
- B. No special meeting shall be held unless a notice stating the time, place and purpose of the meeting has been given to each member and to the Town

Clerk, and has been posted on the Board’s Internet web site, if available, twenty-four (24) hours before the time stated for the meeting to convene.

1. If, in accordance with applicable law, the Board holds a special meeting conducted solely or in part by means of electronic equipment, notice of such meeting shall include whether the meeting will be conducted solely or in part by means of electronic equipment. If such meeting is to be conducted by means of electronic equipment, such notice shall include instructions for the public, by means of electronic equipment or in person, to attend and provide comment or otherwise participate in the meeting, as applicable and permitted by law.

C. When a majority of the members agree that an emergency exists which has made a regular notice impossible, such a meeting may be called at a time or place which may be most convenient. In case of such emergency meeting, a copy of the minutes setting forth the nature of the emergency and the proceedings occurring at such meeting shall be filed with the Town Clerk ~~[Regional School District Option: with the Town Clerk of each municipal member of the school district]~~ no later than seventy-two (72) hours following the holding of such a meeting.

3. Meeting Time and Place

A. All regular meetings of the Board shall begin at 7:30 p.m. or as soon thereafter as a quorum is present, ~~and shall adjourn no later than unless extended to a time certain by a two-thirds vote of the Board members present.~~ All regular meetings of the Board shall be held in Central Office, unless otherwise ordered by the Board.

B. Special Meetings (non-emergency) of the Board shall be held at a time and place to be determined and announced in advance of meeting.

Legal References:

Connecticut General Statutes

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

- 1-225 Meetings of government agencies to be public. Recording of votes. Schedule and agenda of certain meetings to be filed and posted on web sites. Notice of special meetings. Executive sessions
- 1-228 Adjournment of meetings. Notice
- 1-229 Continued hearings. Notice
- 1-230 Regular meetings to be held pursuant to regulation, ordinance or resolution

93 7-3 Warning of town and other meetings
94 7-4 Record of warning
95 10-218 Officers. Meetings

96

97 First Reading: December 12, 2023

98

#9510
Regular Board Meetings

Scheduling Board Meetings

Regular meetings of the Board shall be held the first and third Tuesday of each month at a consistent time to be determined by the members of the Board. A schedule of meetings shall be made at a regular meeting of the Board. A calendar of such regularly scheduled meetings shall be made known to the Town Clerk of Madison by the Superintendent at least thirty (30) days prior to the first regularly scheduled meeting of the calendar year. Any change in the location, date and / or time of a regular meeting, due to a legal holiday or some other circumstance, shall be determined at a public meeting of the Board. Notice of such change shall be given to the Town Clerk and the public no less than forty-eight (48) hours prior to the revised meeting. If a regularly scheduled meeting of the Board would otherwise fall on the November Election Day, the meeting shall be rescheduled to such other date as determined by the Board.

Adjourning Board Meetings

A regular meeting of the Board of Education may be adjourned in the absence of a quorum or due to incomplete business. A majority vote of those members present is required when a meeting is adjourned due to incomplete business. Within twenty-four hours of the adjournment, notice must be given to all Board members, the office of the Town Clerk, and clearly posted at the meeting site. Such notice shall include the site and time for the rescheduled adjourned meeting. If the hour for the rescheduled adjourned meeting is not stated, it shall be held at the hour specified for regular meetings.

Canceling Board Meetings

A regular meeting of the Board may be canceled by agreement of the majority of the entire Board and notice given to the Town Clerk at least 24 hours in advance of the scheduled meeting. Emergency cancellation of a regular or special Board meeting may be made by

9510 (continued)

the Board Chairperson and the Superintendent when such a condition exists. Board members will be notified as soon as possible and public notice given by local radio stations or cable channel.

Legal Reference: Connecticut General Statutes
10-218 Offices Meeting; 1-21 Meetings of Public Agencies

Date of Adoption: 2/7/72
1st Revision: 3/21/89
2nd Revision: 4/7/92
3rd Revision: 1/3/95
4th Revision: 12/15/98

**#9520
Special Board Meetings**

Special meetings of the Board of Education shall be called by the Chairperson when he / she deems it necessary or upon the written request of one-third (1/3) of the members of the Board. No business shall be transacted at any special meeting which does not come within the purpose set forth in the call for the meeting unless all members are present and agree to the consideration of the additional items.

Notice of the time and location of each special meeting shall be given to the Office of the Town Clerk not less than 24 hours prior to the time of such meeting. Notice of any special meeting shall be given to all Board members not less than 24 hours prior to the time of such meeting.

Emergency Special Meetings:

In the case of an emergency, a special meeting may be held without complying with the requirement set forth above regarding notification to the Office of the Town Clerk. However, a copy of the minutes of such emergency meeting which adequately sets forth the nature of the emergency and the proceedings which occurred at the meeting shall be filed with the Office of the Town Clerk not later than 72 hours following the meeting. No other business shall be considered at emergency meetings than that for which the meeting is called.

Legal Reference: Connecticut General Statutes
Sec. 1-21

Date of Adoption: 1/17/72
1st Revision: 6/19/90
2nd Revision: 1/3/95

#9540.1**Notification of Board Meetings**

The Board must file a schedule of all regular meetings with the town clerk no later than January 31 of each year, and no such meeting may be held less than 30 days after the schedule is filed. In order to ensure timely compliance, the Superintendent will present to the Board before December 1 a calendar of proposed regular meetings which, when approved, will be transmitted to the town clerk.

Notification of special meetings must be given by posting a notice of time, place, and purpose of the meeting in the town clerk's office at least 24 hours prior to the meeting.

Where practical, the Board must give notice by mail of each regular and special meeting to any person who has filed a written request for such notice. The Board may make a reasonable charge for this service.

State law requires that notices of special meetings be delivered to the home of each member of the Board, but this requirement may be waived by individual members as permitted by law.

Wherever possible the Board will announce in advance through the media the date, time, place, and agenda for all regular, special, and rescheduled meetings. The Secretary will supervise this notification.

Legal Reference: Connecticut State Statutes
Sec. 1-21

Cross Reference: Bylaw #9540.2

Additional Reference: *Robert's Rules of Order, Rev.*, 75th Edition: Article XI, Sec. 65 Order of Business

Date of Adoption: 3/20/72
1st Revision: 6/19/90
2nd Revision: 1/3/95

- 1
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3
4 1. Search of a Student and the Student's Effects
5
6 A. Fourth Amendment rights to be free from unreasonable searches and
7 seizures apply to searches conducted by public school officials. A student
8 and their effects may be searched if there are reasonable grounds for
9 suspecting that the search will turn up evidence that the student has
10 violated or is violating either the law or the rules of the school. The way
11 the search is conducted should be reasonably related to the objectives of
12 the search and not excessively intrusive in light of the protected
13 characteristics of the student - including but not limited to age and sex -
14 and the nature of the infraction.
15
16 2. Search of a Locker, Desk and Other Storage Area
17
18 A. Lockers, desks and other storage areas provided by the school system for
19 use by students are the property of the school system. Such storage areas
20 are provided for the temporary convenience of students only. The Board
21 of Education (the "Board") authorizes the administration and/or law
22 enforcement officials to search lockers and other school property available
23 for use by students for the presence of weapons, contraband or the fruits of
24 a crime if there are reasonable grounds at the inception of the search for
25 suspecting that the search will reveal evidence that the student has violated
26 or is violating either the law, Board policy or the rules of the school.
27 Moreover, the scope of the search shall be reasonably related to the
28 objectives of the search and shall not be excessively intrusive in light of
29 the protected characteristics of the student - including but not limited to
30 age and sex - and the nature of the infraction.
31
32 B. If the school administration reasonably suspects that a student is not
33 maintaining a locker or other storage area assigned to them in a sanitary
34 condition, or that the storage area contains items the possession of which
35 is illegal or in violation of school regulations or that endangers the health,
36 safety or welfare of the student or others, the school administration has
37 the right to open and examine the storage area and to seize any such items
38 that are found.
39
40 C. When required by law and otherwise at the option of the building
41 principal, items that have been seized shall be submitted to the police
42 department for proper disposition. Items not submitted to the police
43 department shall be disposed of as directed by the building principal.
44
45 3. The decision to search shall be made by the principal or the principal's designee.
46 The search shall be made in the presence of at least one witness. Discovery of

47 illegal or dangerous materials shall be reported to the Office of the
48 Superintendent.

49
50 4. Use of drug-detection dogs and metal detectors, similar detective devices; and/or
51 breathalyzers and other passive alcohol screening devices may be used only on the
52 express authorization of the Superintendent, in accordance with such procedures as
53 the Superintendent may devise.

54
55 Legal References:

56
57 Conn. Gen. Stat. § 10-221, Board of education to prescribes rules, policies and
58 procedures

59
60 Conn. Gen. Stat. § 54-33n, Search of school locker and property

61
62 New Jersey v. T.L.O., 469 U.S. 325 (1985)

63
64
65

66 First Reading: December 12, 2023

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68

**#5090.8.1
Search and Seizure**

Desks and School Lockers

Desks and school lockers are the property of the schools. The right to inspect desks and lockers assigned to students may be exercised by school officials to safeguard students, their property and school property, giving recognition to the Fourth Amendment rights of students.

The exercise of the right to inspect also requires protection of each student's personal privacy and protection from coercion. An authorized school administrator may search a student's locker or desk and seize contraband under the following conditions:

1. There is a reasonable belief that the student's desk or locker contains contraband material, or that the student has violated or is violating either the law or the rules of the school.
2. The probable presence of contraband material poses a serious threat to the maintenance of discipline, order, safety and health in the school. Contraband is defined as any object that is illegal or in violation of any Board policy.
3. The student has been informed in advance that school board policy allows desks and lockers to be inspected if the administration has a reasonable belief that materials injurious to the best interests of students and the school are contained therein.

District officials may seize any item which is evidence of a violation of law, Board policy, administrative regulation, school rule, or which the possession or use of is prohibited by such law, policy, regulation or rule.

Student Search

A student may be searched if there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school. The scope of the search must be reasonably related to the objectives of the

#5090.8.1 (cont.)

search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

(c.f. 1350 Relations with Law Enforcement Agencies)
(c.f. 5090.8.1.2 Vehicle Searches on School Grounds)
(c.f. 5110.3.1 Police in Schools)
(c.f. 5142.4 School Resource Officer)

Legal Reference: Connecticut General Statutes
10-221 - Boards of Education to prescribe rules.
New Jersey v. T.L.O., 469 U.S. 325; 105 S.Ct.733
PA 94-115 An Act Concerning School Searches
Safford Unified School District #1 v. Redding (U.S. Sup. CT 08-479)

Date of Adoption: September 19, 1995
Date of Revision: March 18, 2014

#5090.3.1
Student Dress

In order to maintain an environment conducive to the educational process, the Madison Board of Education (the “Board”) prohibits the following from wear during the academic school day, deemed disruptive to the educational environment:

- a. Coats, jackets, or other attire normally worn as outerwear.
- b. Head coverings. Head coverings shall not be worn, carried, hung on belts or around the neck, or kept in the classroom during regular school hours. Approved coverings worn as part of a student's religious practice or belief, or as required or permitted in conjunction with school district health and safety protocols, shall not be prohibited under this policy. Nothing in this policy shall be construed to prohibit protective hairstyles. “Protective hairstyles” includes, but is not limited to, wigs, headwraps and hairstyles such as individual braids, cornrows, locs, twists, Bantu knots, afros and afro puffs.
- c. Sunglasses unless required pursuant to a documented medical issue.
- d. Attire or accessories that may present a safety hazard to the student, other students, or staff.
- e. Attire or accessories that contain vulgarity or that contain overly offensive or disruptive writing or pictures.
- f. Attire or accessories depicting or suggesting violence so as to disrupt the educational environment or that provokes others to act violently or causes others to be intimidated by fear of violence or that constitute "fighting words," including but not limited to attire or accessories depicting the Confederate flag and/or the Nazi swastika.
- g. Attire or accessories that depict logo or emblems that encourage the use of drugs, tobacco products, or alcoholic beverages.
- h. Shirts and/or blouses that reveal the abdomen, ~~or~~ chest, or undergarments.

- 35 [i. See-through clothing.](#)
- 36 [j. Shorts, miniskirts, or pants that reveal undergarments.](#)
- 37 [k. Backpacks and/or book bags are permitted to be carried between classes, but shall not](#)
- 38 [obstruct safe passage in the classroom or in the corridors.](#)

39

40 Students who fail to comply with Board policy and regulations concerning student dress
41 will be subject to school discipline up to and including expulsion in accordance with the
42 Board's policy on student discipline.

43

44 [Legal Reference:](#)

45

46 [Connecticut General Statutes § 46a-51 \(definition of protective hairstyles\)](#)

47

48

49 Date of Adoption: October 6, 2020

[First Reading: December 12, 2023](#)

#5144.4

~~Physical Activity, Undirected Play and Student Discipline~~ Recess and Play-Based Learning

It is the policy of the Madison Board of Education (the “Board”) to promote the health and well-being of district students by encouraging healthy lifestyles and mental health wellness, including promoting physical exercise, ~~and~~ activity and play as part of the school day within the Madison Public Schools (“District”).

For the purposes of this policy, a “school employee” is defined as (1) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, school counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by the Board or working in the district schools, or (2) any other individual who, in the performance of their duties, has regular contact with students and who provides services to or on behalf of students enrolled in the district schools pursuant to a contract with the Board.

For purposes of this policy, “recess” means the time during the regular school day for each student enrolled in elementary school that is devoted to physical exercise of not less than twenty minutes in total pursuant to Conn. Gen. Stat. § 10-221o.

I. Deprivation of ~~Physical Exercise Period~~ Recess or Undirected Play Period as a Form of Discipline:

For elementary school students, the Board includes a time of not less than twenty (20) minutes in total, during the regular school day, ~~to be devoted to physical exercise~~ for recess, except that a planning and placement team (“PPT”) may develop a different schedule for students requiring special education and related services.

The administration may include additional time, beyond the twenty minutes required for ~~physical exercise~~ recess, devoted to undirected play during the regular school day for elementary school students.

33 In an effort to promote physical exercise and undirected play, the Board prohibits school
34 employees from disciplining elementary school students by preventing them from participating in
35 the full 20 minutes of ~~time devoted to physical exercise~~ or additional time devoted to
36 undirected play during the regular school day, except in accordance with this policy or as
37 determined by a student's Section 504 team or PPT.

38

39 A. *Physical ~~Exercise~~ Recess Period*
40

41 School employees may prevent or otherwise restrict a student from participating in the entire
42 time devoted to ~~physical exercise in the regular school day~~ as a form of discipline, only
43 under the following circumstances:
44

45 1) When a student poses a danger to the health or safety of other students or school
46 personnel; or
47

48 2) If there are two or more periods devoted to ~~physical exercise~~ in a school day,
49 then when the prevention or restriction of ~~physical exercise~~ is limited to the
50 period ~~devoted to physical exercise~~ of recess that is the shortest in duration,
51 provided that the student still participates in at least twenty minutes of ~~physical~~
52 ~~exercise~~ in a school day.
53

54 School employees may prevent or restrict a student from participating in the entire ~~time~~
55 ~~devoted time~~ ~~to~~ ~~physical exercise in the regular school day~~ as a form of discipline, in
56 accordance with this policy, only one time during a school week, unless the student is a danger
57 to the health or safety of other students or school personnel.
58

59 School employees may not prevent or restrict a student from participating in the entire time
60 devoted to ~~physical exercise in the regular school day~~ if such prevention or restriction is
61 related to the student's failure to complete school work on time or to the student's academic
62 performance.
63

64 This policy distinguishes between a) discipline that is imposed before ~~the time devoted to physical~~
65 ~~exercise~~ begins and b) discipline imposed during ~~such time devoted to physical~~
66 ~~exercise~~ or methods used to redirect a student's behavior during ~~such time~~. School

67 personnel may impose discipline during ~~time devoted to physical exercise~~ recess as a result of
68 student’s behavior during ~~such time~~ recess, if such discipline is in accordance with Board policies
69 and procedures. School personnel may also use methods to redirect a student’s behavior, in the
70 event such behavior warrants redirection, during ~~the time devoted to physical exercise~~ recess. For
71 clarity, the prohibition against preventing or restricting a student’s participation in the time
72 devoted to ~~physical exercise~~ recess shall apply to student conduct that occurs prior to the ~~physical~~
73 ~~exercise~~ recess time, rather than during the ~~physical exercise~~ recess time.
74

75 B. *Undirected Play Period*
76

77 School employees may not discipline elementary school students by preventing them from
78 participating in the full time devoted to undirected play, if any, during the regular schoolday,
79 except when a student poses a danger to the health or safety of other students or school personnel,
80 or as determined by a student’s Section 504 team or PPT.

81 **II. Play-Based Learning Requirements for Pre-Kindergarten to Grade Five**
82

83 Effective July 1, 2024, the Board directs the District administration to 1) provide for play-based
84 learning during the instructional time of each regular school day for all students in kindergarten
85 and any preschool program operated by the Board; and 2) permit a teacher to utilize play-based
86 learning during the instructional time of the regular school day for all students in grades one to
87 five, inclusive.

88
89 A. Definitions for Section II
90

- 91 1) “Free play” means unstructured, voluntary, child-initiated activities that are performed by
92 a child for self-amusement and have behavioral, social and psychomotor rewards, except
93 free play may be structured to promote activities that are child-directed, joyful and
94 spontaneous.
- 95
96 2) “Guided play” means learning experiences that combine the child-directed nature of free
97 play with a focus on learning outcomes and adult guidance.
- 98
99 3) “Play-based learning” means a pedagogical approach that emphasizes play in promoting
100 learning and includes developmentally appropriate strategies that can be integrated with
101 existing learning standards. Play-based learning does not mean time spent in recess or as
102 part of a physical education course or instruction.
- 103
104 4) “Mobile electronic device” means any hand-held or other portable electronic equipment
105 capable of providing data communication between two or more individuals, including,
106 but not limited to, a text messaging device, a paging device, a personal digital assistant, a

107 laptop computer, equipment that is capable of playing a video game or a digital video
108 disk, or equipment on which digital images are taken or transmitted.

109
110 5) “Instructional time” means the time of actual school work during a regular school day.
111

112 B. Play-Based Learning Requirements for Pre-Kindergarten and Kindergarten
113

114 Play-based learning shall be provided during the instructional time of each regular school day for
115 all students in kindergarten and any preschool program operated by the Board. Such play-based
116 learning shall:

117
118 1) be incorporated and integrated into daily practice;

119
120 2) allow for the needs of such students to be met through free play, guided play and games;
121 and

122
123 3) be predominantly free from the use of mobile electronic devices.
124

125 C. Play-Based Learning Requirements for Grades One to Five, Inclusive
126

127 The Board permits teachers to utilize play-based learning during the instructional time of a
128 regular school day for all students in grades one to five, inclusive. Such play-based learning:

129
130 1) may be incorporated and integrated into daily practice;

131
132 2) shall allow for the needs of such students to be met through free play, guided play and
133 games; and

134
135 3) shall be predominantly free from the use of mobile electronic devices.
136

137 D. Play-Based Learning for Students with IEPs or Section 504 Plans
138

139 Any play-based learning utilized shall comply with a student’s individualized education program
140 (“IEP”) or Section 504 plan.

141
142 E. Deprivation of Play-Based Learning as a Form of Discipline
143

144 School employees may not discipline elementary school students by preventing them from
145 participating in the full time devoted to play-based learning, if any, during the regular school
146 day, except when a student poses a danger to the health or safety of other students or school
147 personnel, or as determined by a student’s Section 504 team or PPT.
148

149 **H.III. Prohibition on Compulsion of Physical Activity as a Form of Discipline:**
150

151 For all students, the Board prohibits school employees from disciplining students by requiring
152 students to engage in physical activity as a form of discipline during the regular school day.

153
154

155 **III.IV. Disciplinary Action for Failure to Follow Policy:**

156

157 Any employee who fails to comply with the requirements of this policy may be subject to
158 discipline, up to and including termination of employment. Any contracted individual who
159 provides services to or on behalf of students enrolled in the district and who fails to comply with
160 the requirements of this policy may be subject to having the individual’s contract for services
161 suspended by the district.

162

163 **Legal References:**

164

165 **Connecticut General Statutes:**

166

167

168

169 § 10-221o Lunch periods. Recess. Boards to adopt policies addressing the
170 limitations of physical exercise

171

172 § 10-221u Boards to adopt policies addressing the use of physical activity as
173 discipline

174

175 [Public Act No. 22-81 “An Act Expanding Preschool and Mental and Behavioral](#)

176

[Services for Children”](#)

177

[Public Act No. 23-159, “An Act Concerning Teachers and Paraeducators”](#)

178

[Public Act No. 23-101, “An Act Concerning the Mental, Physical and Emotional](#)

179

[Wellness of Children”](#)

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188

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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 educational

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

B. Conduct off School Grounds:

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

C. Seriously Disruptive of the Educational Process

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

~~D. On and after January 1, 2022, Aa~~ student shall not have greater discipline, punishment, or sanction for the use, sale, or possession of cannabis on school property than a student would face for the use, sale, or possession of alcohol on school property, except as otherwise required by applicable law.

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

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

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

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

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

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

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

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

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

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

- 285 39. Engaging in teen dating violence, defined as any act of physical, emotional or sexual
286 abuse, including stalking, harassing and threatening, which occurs between two
287 students who are currently in or who have recently been in a dating relationship.
- 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. ~~A principal~~An administrator responsible for a school program (“responsible
294 administrator”) may consider recommendation of expulsion of a student in grades three
295 to twelve, inclusive, in a case where the ~~principal-responsible administrator~~ has reason
296 to believe the student has engaged in conduct described at Sections II.A. or II.B., above.
- 297 B. A ~~principal-responsible administrator~~ must recommend expulsion proceedings in all
298 cases 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 weapon,
302 or firearm as defined in 18 U.S.C. § 921 as amended from time to time; or
 - 303 2. off school grounds, possessed a firearm as defined in 18 U.S.C. § 921, in violation
304 of Conn. Gen. Stat. § 29-35, or possessed and used a firearm as defined in 18 U.S.C.
305 § 921, a deadly weapon, a dangerous instrument or a martial arts weapon in the
306 commission of a crime under chapter 952 of the Connecticut General Statutes; or
 - 307 3. was engaged on or off school grounds or school transportation in offering for sale
308 or distribution a controlled substance (as defined in Conn. Gen. Stat. § 21a-240(9)),
309 whose manufacturing, distribution, sale, prescription, dispensing, transporting, or
310 possessing with intent to sell or dispense, offering or administering is subject to
311 criminal penalties under Conn. Gen. Stat. §§21a-277 and 21a-278. Sale or

Distribution of less than one (1) kilogram of cannabis is not subject to mandatory expulsion.

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

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

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

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

V. Procedures Governing Removal from Class

A. A student may be removed from class by a teacher or administrator if the student deliberately causes a serious disruption of the educational process. When a student is removed by a teacher, the teacher must send the student to a designated area and notify

340 the ~~principal or principal's~~responsible administrator or administrator's designee at
341 once.

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

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

351 **VI. Procedures Governing Suspension**

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

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

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

365 a. in grades three to twelve, inclusive, if, during the informal hearing, (i) the
366 ~~principal or~~responsible administrator or administrator's designee determines
367 that the student poses such a danger to persons or property or such a disruption
368 of the educational process that student should be excluded from school during

369 the period of suspension; or (ii) the ~~principal or responsible administrator or~~
370 ~~administrator's~~ designee determines that an out-of-school suspension is
371 appropriate based on evidence of (A) the student's previous disciplinary
372 problems that have led to suspensions or expulsion of such student, and
373 (B) previous efforts by the Administration to address the student's disciplinary
374 problems through means other than out-of-school suspension or expulsion,
375 including positive behavioral support strategies, or

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

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

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

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

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

- 398 7. Not later than twenty-four (24) hours after the commencement of the suspension,
399 the ~~principal or~~ responsible administrator or administrator's designee shall also
400 notify the Superintendent or designee of the name of the student being suspended
401 and the reason for the suspension.
- 402 8. The student shall be allowed to complete any classwork, including examinations,
403 without penalty, which the student missed while under suspension.
- 404 9. The school Administration may, in its discretion, shorten or waive the suspension
405 period for a student who has not previously been suspended or expelled, if the
406 student completes an Administration-specified program and meets any other
407 conditions required by the Administration. Such Administration-specified program
408 shall not require the student and/or the student's parents to pay for participation in
409 the program.
- 410 10. Notice of the suspension shall be recorded in the student's cumulative educational
411 record. Such notice shall be expunged from the cumulative educational record if
412 the student graduates from high school. In cases where the student's period of
413 suspension is shortened or waived in accordance with Section VI.A(9), above, the
414 Administration may choose to expunge the suspension notice from the cumulative
415 record at the time the student completes the Administration-specified program and
416 meets any other conditions required by the Administration.
- 417 11. If the student has not previously been suspended or expelled, and the
418 Administration chooses to expunge the suspension notice from the student's
419 cumulative record prior to graduation, the Administration may refer to the existence
420 of the expunged disciplinary notice, notwithstanding the fact that such notice may
421 have been expunged from the student's cumulative file, for the limited purpose of
422 determining whether any subsequent suspensions or expulsions by the student
423 would constitute the student's first such offense.
- 424 12. The decision of the ~~principal or~~ responsible administrator or administrator's
425 designee with regard to disciplinary actions up to and including suspensions shall
426 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 participate
429 in any school-sponsored activities, unless the ~~principal~~ responsible administrator or
430 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.

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 granted
436 a formal hearing before the Board of Education. The ~~principal or 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, such
439 hearing shall be held as soon after the suspension as possible.

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

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

447 C. In-school suspension may be served in the school or program that the student regularly
448 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.
460 § 10-233l, 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 student,
477 and if the student is a minor, to student's parent(s) or guardian(s), at the time the
478 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 a.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 b.c. A short, plain description of the conduct alleged by the Administration.
- 486 e.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 opportunity
489 to present such evidence.
- 490 d.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 provided
495 by the Board of Education, whenever the student or student’s parent(s) or
496 guardian(s) requires the services of an interpreter because student(s) do(es) not
497 speak the English language or is(are) disabled.
- 498 h. The conditions under which the Board is not legally required to give the student
499 an alternative educational opportunity (if applicable).
- 500 i. Information concerning the parent’s(s’) or guardian’s(s’) and the student’s legal
501 rights and about free or reduced-rate legal services and how to access such
502 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 ~~counsel~~others participating in
511 the 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 more
513 than one person has been appointed, the impartial board shall appoint a Presiding
514 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 relevant
525 or material to its determination. The Presiding Officer will rule on testimony or
526 evidence as to it being immaterial, ~~or~~ irrelevant, and/or any other objections to its
527 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 party
535 or his/her legal counsel, by the Presiding Officer and by Board members (or the
536 impartial board).

537 8. The student shall not be compelled to testify at the hearing.

538 ~~8.9.~~ 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 board).
542 The student may also choose to make a statement at this time. If the student chooses
543 to make a statement, they will be sworn and subject to cross examination and
544 questioning by the Presiding Officer and/or by the Board (or the impartial board).
545 Concluding statements will be made by the Administration and then by the student
546 and/or the student’s representative.

547 ~~9.10.~~ In cases where the student has denied the allegation, the Board (or the
548 impartial board) must determine whether the student committed the offense(s) as
549 charged by the Superintendent or Superintendent’s designee.

550 ~~10.11.~~ If the Board (or the impartial board) determines that the student has
551 committed the conduct as alleged, then the Board (or the impartial board) shall
552 proceed with the second portion of the hearing, during which the Board (or the
553 impartial board) will receive and consider relevant evidence regarding the length
554 and conditions of expulsion.

555 ~~11.12.~~ 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 of
558 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 Superintendent’s designee for a recommendation as to the discipline to be
562 imposed.

563 ~~12.13.~~ Evidence of past disciplinary problems that have led to removal from a
564 classroom, suspension or expulsion of a student being considered for expulsion may
565 be considered only during the second portion of the hearing, during which the

566 Board (or the impartial board) is considering length of expulsion and nature of
567 alternative educational opportunity to be offered.

568 14. Where administrators presented the case in support of the charges against the
569 student, neither such administrative staff nor the Superintendent or
570 Superintendent's designee shall not be present during the deliberations of the Board
571 (or the impartial board) either on questions of evidence or on the final discipline to
572 be imposed. The Superintendent or Superintendent's designee may, after reviewing
573 the incident with administrators, and reviewing the student's records, make a
574 recommendation to the Board (or the impartial board) as to the appropriate
575 discipline to be applied.

576 ~~13.~~15. The Board (or the impartial board) shall make findings as to the truth of the
577 charges, if the student has denied them; and, in all cases, the disciplinary action, if
578 any, to be imposed. While the hearing itself is conducted in executive session, the
579 vote regarding expulsion must be made in open session and in a manner that
580 preserves the confidentiality of the student's name and other personally identifiable
581 information.

582 14.16. Except for a student who has been expelled based on possession of a firearm
583 or deadly weapon as described in subsection IV.B(1) and (2) above, the Board (or
584 the impartial board) may, in its discretion, shorten or waive the expulsion period
585 for a student who has not previously been suspended or expelled, if the student
586 completes a Board-specified program and meets any other conditions required by
587 the Board (or the impartial board). The Board-specified program shall not require
588 the student and/or the student's parents to pay for participation in the program.

589 ~~15.~~17. The Board (or the impartial board) shall report its final decision in writing
590 to the student, or if such student is a minor, also to the parent(s) or guardian(s),
591 stating the reasons on which the decision is based, and the disciplinary action to be
592 imposed. Said decision shall be based solely on evidence presented at the hearing.
593 The parents or guardian or any minor student who has been expelled shall be given
594 notice of such disciplinary action within twenty-four (24) hours of the time of the
595 institution of the period of the expulsion.

596 18. The hearing may be conducted virtually, via video conference, at the direction of
597 the Board (or the impartial board), in the event school buildings are closed to
598 students or individuals are provided limited access to school buildings ~~as a result~~
599 ~~of the COVID-19 pandemic~~ due to a serious health or other emergency. Any virtual
600 hearing must provide the student the due process rights identified in this Subsection
601 D.

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

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

611 F. Stipulated Agreements:

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

624 If the parties agree on the facts, but not on the disciplinary recommendation, the
625 Administration and the parents (or legal guardians) of a student facing expulsion may

626 also choose to enter into a Joint Stipulation of the Facts and submit only the Stipulation
627 of the Facts to the Board (or the impartial board) in lieu of holding the first part of the
628 hearing, as described above. Such Joint Stipulation shall include language indicating
629 that the parents and/or student over the age of 18 understand their right to have a hearing
630 to determine whether the student engaged in the alleged misconduct and that the Board,
631 in its discretion, has the right to accept or reject the Joint Stipulation of Facts. If the
632 Board (or the impartial board) rejects the Joint Stipulation of Facts, a full expulsion
633 hearing shall be held pursuant to the procedures outlined herein.

634 **IX. Alternative Educational Opportunities for Expelled Students**

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

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

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

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

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

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

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

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

658 D. Content of Alternative Educational Opportunity

659 1. For the purposes of Section IX, and subject to Subsection IX.E, below, any
660 alternative educational opportunity to which an expelled student is statutorily
661 entitled shall be (1) alternative education, as defined by Conn. Gen. Stat. § 10-74j
662 and in accordance with the *Standards for Educational Opportunities for Students*
663 *Who Have Been Expelled*, adopted by the State Board of Education, with an
664 individualized learning plan, if the Board provides such alternative education, or
665 (2) in accordance with the *Standards for Educational Opportunities for Students*
666 *Who Have Been Expelled*, adopted by the State Board of Education.

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

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

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

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

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

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

690 Notice of expulsion and the conduct for which the student was expelled shall be included
691 on the student’s cumulative educational record. Such notice, except for notice of an
692 expulsion of a student in grades nine through twelve, inclusive, based upon possession of
693 a firearm or deadly weapon, shall be expunged from the cumulative educational record by
694 the Board if the student graduates from high school.

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

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

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

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

714 A. Student moving into the ~~school-D~~district:

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

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

730 B. Student moving out of the ~~school-D~~district:

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

737 **XII. Procedures Governing Suspension and Expulsion of Students Identified as Eligible**
738 **for Services under the Individuals with Disabilities Education Act ("IDEA")**

739 A. Suspension of IDEA students:

740 Notwithstanding the foregoing, if the Administration suspends a student identified as
741 eligible for services under the IDEA (an "IDEA student") who has violated any rule or

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code of conduct of the ~~school-district~~District that applies to all students, the following procedures shall apply:

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1. The Administration shall make reasonable attempts to immediately notify the parents of the student of the decision to suspend on the date on which the decision to suspend was made, and a copy of the special education procedural safeguards must either be hand-delivered or sent by mail to the parents on the date that the decision to suspend was made.

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2. During the period of suspension, the ~~school-district~~District is not required to provide any educational services to the IDEA student beyond that which is provided to all students suspended by the ~~school-district~~District.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

803 a. **Dangerous weapon** means a weapon, device, instrument, material, or
804 substance, animate or inanimate, that is used for, or is readily capable of,
805 causing death or serious bodily injury, except that such term does not include a
806 pocket knife with a blade of less than 2.5 inches in length.

807 b. **Controlled substance** means a drug or other substance identified under
808 schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act,
809 21 U.S.C. 812(c).

810 c. **Illegal drug** means a controlled substance but does not include a substance that
811 is legally possessed or used under the supervision of a licensed health-care
812 professional or that is legally possessed or used under any other authority under
813 the Controlled Substances Act or under any other provision of federal law.

814 d. **Serious bodily injury** means a bodily injury which involves: (A) a substantial
815 risk of death; (B) extreme physical pain; (C) protracted and obvious
816 disfigurement; or (D) protracted loss or impairment of the function of a bodily
817 member, organ, or mental faculty.

818 **XIII. Procedures Governing Expulsions for Students Identified as Eligible under Section**
819 **504 of the Rehabilitation Act of 1973 (“Section 504”)**

820 A. Except as provided in subsection B below, notwithstanding any provision to the
821 contrary, if the Administration recommends for expulsion a student identified as
822 eligible for educational accommodations under Section 504 who has violated any rule
823 or code of conduct of the ~~school-D~~district that applies to all students, the following
824 procedures shall apply:

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- 826 1. The parents of the student must be notified of the decision to recommend the
827 student for expulsion.
- 828 2. The District shall immediately convene the student’s Section 504 team (“504
829 team”) for the purpose of reviewing the relationship between the student’s disability
830 and the behavior that led to the recommendation for expulsion. The 504 team will
831 determine whether the student’s behavior was a manifestation of the student’s
832 disability.
- 833 3. If the 504 team finds that the behavior was a manifestation of the student’s
834 disability, the Administration shall not proceed with the recommended expulsion.
- 835 4. If the 504 team finds that the behavior was not a manifestation of the student’s
836 disability, the Administration may proceed with the recommended expulsion.
- 837 B. The Board may take disciplinary action for violations pertaining to the use or
838 possession of illegal drugs or alcohol against any student with a disability who currently
839 is engaging in the illegal use of drugs or alcohol to the same extent that such
840 disciplinary action is taken against nondisabled students. Thus, when a student with a
841 disability is recommended for expulsion based solely on the illegal use or possession
842 of drugs or alcohol, the 504 team *shall not be required to meet* to review the relationship
843 between the student’s disability and the behavior that led to the recommendation for
844 expulsion.

845 **XIV. Procedures Governing Expulsions for Students Placed in a Juvenile Detention**
846 **Center**

- 847 A. Any student who commits an expellable offense and is subsequently placed in a
848 juvenile detention center or any other residential placement for such offense may be
849 expelled by the Board in accordance with the provisions of this section. The period of
850 expulsion shall run concurrently with the period of placement in a juvenile detention
851 center or other residential placement.
- 852 B. If a student who committed an expellable offense seeks to return to a the District after
853 participating in a diversionary program or having been placed in a juvenile

854 detention center or any other residential placement and such student has not been
855 expelled by the board of education for such offense under subdivision (A) of this
856 subsection, the Board shall allow such student to return and may not expel the student for
857 additional time for such offense.

858 **XV. Early Readmission to School**

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

864 **XVI. Dissemination of Policy**

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

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

869 A. The ~~Board of Education~~District shall include on all disciplinary reports the individual
870 student's state-assigned student identifier (SASID).

871 B. The ~~Board of Education~~District shall report all suspensions and expulsions to the State
872 Department of Education.

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

880

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

885 **Legal References:**

886 Connecticut General Statutes:

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

- 926 § 53a-3 Definitions
- 927
- 928 § 53-206 Carrying of dangerous weapons prohibited
- 929
- 930 § 53-344 Sale or delivery of cigarettes or tobacco products to persons under
- 931 twenty-one.
- 932
- 933 § 53-344b Sale and delivery of electronic nicotine delivery system or vapor
- 934 products to persons under twenty-one years or age
- 935

936 Public Act No. 21-46, “An Act Concerning Social Equity and the Health, Safety

937 and Education of Children.”

938

939 *Packer v. Board of Educ. of the Town of Thomaston*, 717 A.2d 117 (Conn. 1998).

940 *State v. Hardy*, 896 A.2d 755 (Conn. 2006).

941 *State v. Guzman*, 955 A.2d 72 (Conn. App. Ct. 2008).

942

943 Connecticut State Department of Education, *Standards for Educational*

944 *Opportunities for Students Who Have Been Expelled*, adopted January 3, 2018.

945

946 Federal law:

947

948 Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, as amended

949 by the Individuals with Disabilities Education Improvement Act of 2004, Pub. L.

950 108-446.

951

952 Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794(a).

953 18 U.S.C. § 921 (definition of “firearm”)

954 18 U.S.C. § 930(g)(2) (definition of “dangerous weapon”)

955 18 U.S.C. § 1365(h)(3) (identifying “serious bodily injury”)

956 21 U.S.C. § 812(c) (identifying “controlled substances”)

957 34 C.F.R. § 300.530 (defining “illegal drugs”)

958 Gun-Free Schools Act, 20 U.S.C. § 7961

959 *Honig v. Doe*, 484 U.S. 305 (1988)

960

961

962 Date of Adoption: October 6, 2020

963 Date of Revision: January 4, 2022

964

965 First Reading: November 28, 2023

Second Reading: December 12, 2023

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 Superintendent’s 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.”

First Reading: November 28, 2023
Second Reading: December 12, 2023

**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
77

78 First Reading: November 28, 2023

79 Second Reading: December 12, 2023

Confidentiality and Access to Education Records

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.

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*

~~students and provided that such fee does not effectively prohibit the parent/student from exercising their rights to access records.~~

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

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

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

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

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

VI. RECORD KEEPING REQUIREMENTS/DOCUMENTATION OF ACCESS TO EDUCATION RECORDS

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

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

1. the name of any individual, agency, or organization that requested or obtained access to the student’s records;
2. the date of the request for access;
3. whether access was given;

- 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

- 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:
684

- 685 1. Including in the education records of a student appropriate information
686 concerning disciplinary action taken against the student for conduct that
687 posed a significant risk to the safety or well-being of that student, other
688 students, or other members of the school community.
689
- 690 2. Disclosing appropriate information concerning disciplinary action taken
691 against a student for conduct that posed a significant risk to the safety or
692 well-being of that student, other students, or other members of the school
693 community, to teachers and school officials who have been determined to
694 have legitimate educational interests in the behavior of the student.
695
- 696 G. In accordance with state and federal law, the district will facilitate the transfer of
697 records of suspension and expulsion of a student to officials of any private elementary
698 or secondary school in which the student is subsequently enrolled or seeks, intends or
699 is instructed to enroll.
700
- 701 H. **Records of the Department of Children and Families (“DCF”)**
702
- 703 1. Documents related to any DCF child abuse and/or neglect investigations
704 that are maintained by the Board are considered education records under
705 the FERPA. As such, they are subject to the confidentiality and disclosure
706 requirements set forth in this policy and in corresponding provisions of
707 state and federal law. Such records, including records of allegations,
708 investigations and reports made to DCF, should be kept in a confidential
709 and central location, with restricted access and shall be disclosed only as
710 authorized by law. In addition to meeting the requirements under FERPA,
711 should the Board receive a request to disclose confidential DCF records to
712 an outside third party, the Board shall redact the name or other personally
713 identifiable information concerning the individual suspected of being
714 responsible for the alleged abuse and/or neglect unless the requested
715 records are being released to the individual named in the DCF records.
716
- 717 2. In addition, the district shall redact the name or any personally identifiable
718 information related to the identity of any individual responsible for making
719 a report of alleged child abuse and/or neglect before releasing or
720 transferring any DCF records containing such reports.
721
- 722 I. Except as set forth in Subsection I.5, below, the Board shall enter into a written
723 contract with a consultant or operator any time the Board shares or provides access to
724 student information, student records, or student-generated content with such consultant
725 or operator.
726
- 727 1. The provisions of said contract shall comply with the requirements of Conn.
728 Gen. Stat. §§ 10-234aa to 10-234dd.
729

- 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 1st 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*~~ *the Superintendent of Schools.*
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

- 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.

IX. AMENDMENT OF EDUCATION RECORDS

- 913
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

X. HEARING RIGHTS AND PROCEDURES

- 934
935 A. Rights
936
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
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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
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1210	Office of the Public Records Administrator, Retention Schedule M8-Education
1211	Records, Revised 2/2005, available at http://ctstatelibrary.org/wp-
1212	content/uploads/2015/07/M8.pdf
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1215	Federal Law:
1216	Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g
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1218	USA Patriot Act of 2001, Pub. L. No. 107-56
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1220	Every Student Succeeds Act, Pub. L. No. 114-95
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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

1232 of Education (October 2007), available at
1233 <http://www.ed.gov/policy/gen/guid/fpco/ferpa/safeschools/>.

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1236 First Reading: November 28, 2023

Second Reading: December 12, 2023

#5180.1**Records / Confidentiality**

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**

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**

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

#5125.1 – Health / Medical Records

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

1. The Madison Board of Education (the “Board”) shall act as a committee of the whole on all matters coming before it except that special/advisory committees for the consideration or investigation of certain problems, or for the performance of certain Board functions, may be created by vote of the Board.
 - A. Such special/advisory committees shall submit their reports at such regular meetings of the Board as may be determined, and when such reports have been submitted and accepted by the Board, shall be discharged.
 - B. All special/advisory committee reports affecting Board policy shall be submitted in writing.
 - C. A special/advisory committee’s only authority is to make recommendations to the Board regarding matters that that have been referred to it, unless the Board specifically authorizes otherwise, and such action conforms to the Connecticut General Statutes.
2. Meetings of committees shall be posted in accordance with the Freedom of Information Act. A record shall be maintained by the chairperson of each committee of each meeting, which shall include the names of committee members in attendance, listing of topics discussed and committee recommendations.
3. The Superintendent shall notify all Board members of committee meetings.
4. An Executive Committee consisting of the Chairperson, the Vice Chairperson and the Secretary shall be a standing committee of the Board.
 - A. The Executive Committee shall meet with the Superintendent as requested by the Superintendent or as directed by the Chairperson to review matters related to administrative, personnel, pupil personnel, issues and general matters not requiring action of the Board as a whole.
 - B. Other responsibilities of the Executive Committee include:
 - (1) Long-range agenda planning
 - (2) Facilitating communication between the Superintendent and Board members.

5. Standing Committees

In addition to the Executive Committee, 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.

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.
3. The Board Chairperson shall designate standing committee members, subject to Board action. Board members interested in serving on a particular standing committee shall notify the chairperson.

Duties of Standing Committees

Standing committees are assigned regular duties as described below.

Curriculum and Student Development Committee

- Recommend to the Board curriculum revisions, additions, and deletions submitted by the superintendent.
- Monitor the effectiveness of the curriculum in achieving Board goals and objectives.
- Monitor progress and report regularly to the full Board regarding District curriculum and programmatic 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.
- Receive periodic reports from the Superintendent and the District Facilities Director regarding maintenance projects, facilities project progress and other 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 projects for the Capital Improvement Program.
- Serve as an advocate for the budget adopted by the Board during the town budget adoption process.
- Oversee the ongoing financial status of the district budget during each school year.
- Recommend action to the entire Board that the committee deems appropriate

91 concerning the fiscal affairs of the district.

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93 **Personnel Committee**

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

102 **Policy Committee**

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

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110 **Legal Reference**

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112 Conn. Gen. Stat. § 10-218 Officers. Meetings

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115 First Reading: November 28, 2023

116 Second Reading: December 12, 2023

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#9450**Board Committees**

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

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#9450.1

Committees of the Whole

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**

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

Section 6 - Compliance with Discrimination Laws

The Board and the Union will comply with all State and Federal laws concerning various kinds of discrimination.

Section 7 - Qualified Food Handlers Certification

All Cook Managers are required to hold a valid Food Protection Manager Certification. In addition, if a General Worker is covering for a Cook Manager for a period of greater than two (2) weeks, then they must also have a valid Food Protection Manager certification.

Employees who attain certification as a Food Protection Manager or a Qualified Food Handler and have met all the requirements thereof shall receive an annual stipend of one hundred dollars (\$100.00) payable at the last pay date of the year. These employees must provide proof of current Certification issued within the last three years.

Section 8 - Continuing Education

The Board of Education will reimburse employees for State and Federal job-related courses with a maximum cap of \$125.00. Employees will attend these courses (approved on a case-by case basis) on a rotating basis. Employees will attend workshops as presented by the Workers' Compensation carrier.

Section 9 – Subcontracting

The Board of Education shall have the right to subcontract off-site food production of any food not prepared in the kitchen as of October 1, 1994.

The Board of Education has the right to establish contracts or subcontracts for any of the Board's operations covered by this collective bargaining agreement effective no earlier than June 30, 2024. If the Board chooses to establish contracts or subcontracts, it will give members of the bargaining unit no less than six (6) months' notice, prior to the effective date. After giving the foregoing six (6) months' notice, the Board of Education can fill vacant positions with non-bargaining unit members.

Members of the bargaining unit shall be given right of first refusal to positions with the contractor or subcontractor, subject to the terms and conditions of employment offered by the contractor or subcontractor. Said contractor shall not be subject to the terms and conditions set forth in this Agreement.

If the Board of Education establishes contracts or subcontracts that result in the layoff of bargaining unit members, the Board will pay laid off members for accrued sick leave based on the following formula on or about the time of the layoff:

Employees with 20 or more years of service:	40% of accrued sick leave
Employees with 10 to 19 years of service:	30% of accrued sick leave
Employees with 5 to 9 years of service:	15% of accrued sick leave

Employees with less than 5 years of service:

10% of accrued sick leave

In order to receive the foregoing payment, the bargaining unit member must be employed as of the state of layoff. In addition, those bargaining unit members who participate in the Board health insurance plan at the time of layoff shall have their insurance continue through the month of August of that same

Section 10 - Cashiering Stipend

The Board of Education will provide an annual stipend of \$200.00, pro-rated over the ten-month school year, for each employee who successfully completes the training program for cashiering and demonstrates proficiency as assessed by the Director of Food Services. Said stipend shall be one payment, in June, of each school year.

Section 11 – Breaks

Employees who work at least a four (4) hour shift will be allowed a ten (10) minute paid break.

ARTICLE XVII

CATERING

Catering – as used herein shall mean any work performed outside the scope of the regular food service program for students and staff. If additional work generated as a result of a catered event cannot be completed during an employee’s regularly scheduled hours, the additional time worked shall be paid at the catering rate of 1½ times the employee’s regular hourly rate for work performed Monday – Saturday. The catering rate will be 2 times the employee’s regular hourly rate of Sunday. The Food Service Director shall determine whether or not an event falls outside the scope of the regular food service program and whether the catering rate will be paid.

At the beginning of each school year, the Food Services Director will compile a list of all employees that wish to be considered for catering events. This list will be maintained in the food service office. Employees will be chosen for events based on seniority and qualifications for each individual event. Once an employee has worked an event, the employees name will drop to the bottom of the list until all qualified employees have been given an opportunity to work a catered event.

ARTICLE XVIII

UNIFORMS

Employees are required to wear uniforms per the following guidelines. The uniform shall include a solid blue shirt that will be provided by the Board of Education. The Board shall provide five shirts for each employee per year at the beginning of each school year. The



Donation (Cash / Property) to the Madison Public Schools

Completion of this form is required prior to the district's consideration of a proposed donation to the Madison Public Schools. This form is to be completed in its entirety and submitted to the building principal / assistant principal, Athletic Director, or Superintendent prior to receipt of any donated goods, services, or funds. The school principal may approve gifts to a school that are valued at \$500 to \$3,000 and meet criteria established by the administrative regulations established in accordance with their policy. Donations valued in excess of \$1,000 must be approved by the Board of Education. (Reference Policy #3281)

Date Form Completed: 12/4/2023

Organization / Individual Making Donation: DHHS Fencing Boosters

Address: 35 Colonial Rd Madison, CT 06443
(Street, city, zip)

Phone #: 203-2855958

Description of Donation / Gift and intended use: Funds to supply needed uniform (fencing whites,

lames, masks) to outfit team for season due to sizing of this year's athletes
Approximate Value: \$1750.00

Recipient(s) name: Daniel Hand Fencing Team

Acknowledgements: (optional)

In honor/memory of: _____

Acknowledgement Contact: _____

Acknowledgement Address: _____

This request cannot be acted up on before the building Principal / Assistant Principal, Athletic Director, or Superintendent has been consulted concerning this gift. Please provide the name/signature of the person who was consulted.

Signature of Person Consulted: [Signature] 12/6/23 Chris Farrell
Director of Athletics

Are there conditions of use attached to the gift/donation? Yes No

If yes, please explain conditions: _____

Are there installation, site preparation, labor, or equipment costs needed for installation, etc? Yes No
If yes, who is responsible for the costs? _____

What is the annual maintenance cost of the donation, if any? Yes No

Are there any other additional costs to the District? Yes No

[Signature]
(Signature of Donor)

Accepted by Superintendent: [Signature]
Signature

12/6/23
Date

Accepted by Board of Education on: _____
Date

Revised August 2021

Subject to Approval

Meeting Minutes

Video documentation of these proceedings can be found in the Meetings/Minutes section of the website.

I. Call to Order / Attendance

The regular meeting of the Madison Board of Education was called to order by Chairman Seth Klaskin at 7:37 p.m. Mr. Klaskin led the Pledge of Allegiance

Present: Galen Cawley, Diane Infantine-Vyce, Seth Klaskin, Christine Maisano (on Zoom), Cathy Miller, Steven Pynn, Emily Rosenthal (on Zoom)

Also present: Craig Cooke, Ph.D., Superintendent; Gail Dahling-Hench, Assistant Superintendent; Heather Dobson, Director of Human Resources; Arthur Sickle, Director of Administrative Services; Kathryn Hart, Polson Middle School Principal; Martha Curran, Polson Middle School Assistant Principal; Frank Henderson, Brown Intermediate School Principal; Becky Frost, Jeffrey Elementary School Principal; Kelly Spooner, Ryerson Elementary School Principal

II. School / Community Session

Selectman Scott Murphy gave an update on town projects.

III. Board of Education Student Representatives' Report

Eli Ackerman and Brooke Anderson

Eli reported on the close of the fall sports season, a recent NHS induction, and the arrival of new furniture for the DHHS bridge area. Brooke reported that Trimester 2 has begun, the fall play performances begin this week, Band and Orchestra is taking a trip to California soon, and the winter sports season has started.

IV. Superintendent's Report

Craig A. Cooke, Ph.D.

- 2022-2023 Accountability Index – Dr. Cooke and Assistant Superintendent Gail Dahling-Hench presented the 2022-2023 Accountability Index results, which are very positive. According to the index, Madison is ranked No. 1 in the state and all schools were named Schools of Distinction. The presentation can be viewed in full on the Meetings/Minutes section of the District website.
- 2024-2025, 2025-2026 School Calendars – Dr. Cooke presented the two calendars. He noted that there are additional PD days in June 2025 and in September 2025 to give staff time to move into the new and renovated PreK-5 buildings.
- HVAC Grant Update – Dr. Cooke shared that the District is going to postpone submitting a grant application until 2025 when more money becomes available and all cost estimates and construction bids are in.
- MYFS Survey Data – Dr. Cooke noted that representatives from Madison Youth and Family Services will attend the March 5 board meeting to present the biennial student survey data.

V. Board Members' Comments

Mr. Klaskin shared that the Board received the Board of Distinction Award and the recent CABE convention and encouraged Board members to participate in upcoming CABE events.

VI. Audience Response to Information Presented (Ref. Bylaw #9540.10)

No members of the public spoke.

VII. Board Committees / Liaison Updates (Ref. Bylaw #9450)

Curriculum and Student Development

Members: Steve Pynn, Chair; Catherine Miller, Mary Ann Connelly

Mr. Pynn gave a report on the Nov. 14 committee meeting. He shared that the committee heard three presentations: DHHS Chemical Hygiene Plan, DHHS Program of Studies, and an international trip proposal to the Galapagos Islands. He gave a brief summary of each presentation.

Facilities Committee

Members: Emily Rosenthal, Chair, Steven Pynn, Diane Infantine-Vyce

No Report.

Finance Committee

Members: Galen Cawley, Chair, Christine Maisano, Emily Rosenthal

Mr. Cawley gave a report on the committee meeting that took place earlier in the evening. He said the committee, along with Dr. Cooke and Finance Director Stacy Nobitz, discussed some of the larger budget items that will be included in the proposed 2024-2025 budget including contractual increases, health insurance, etc.

Personnel Committee

Members: Maureen Lewis, Chair; Catherine Miller, Mary Ann Connelly

No Report.

Policy Committee

Members: Diane Infantine-Vyce, Chair; Maureen Lewis, Galen Cawley

Dr. Infantine-Vyce reported on the following policies on the agenda for a first read or action.

Policy for Rescission, First Reading:

- 5100.9.1 Student Recruitment
- 9740 Board-Community Relations

Policy for Rescission, Waive Second Reading:

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

Policy for Review, First Reading:

- 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

- 9450 Committees

Repeal and Replace:

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

Policy for Review, Waive Second Reading:

- 4040 Plan for Minority Educator Recruitment

LEARN Liaison

Mary Ann Connelly

No report.

VIII. Action Item: Motion to waive the second reading and rescind the following policies: 5120.8 Missing School without Parental Consent/Unaccounted for, 5120.9.1 Supervision of Students, 5120.9.2 Student Dismissal Precautions

MOTION: by Infantine-Vyce, seconded by Cawley to waive the second reading and rescind the following policies: 5120.8 Missing School without Parental Consent/Unaccounted for, 5120.9.1 Supervision of Students, 5120.9.2 Student Dismissal Precautions

AYES: Cawley, Infantine-Vyce, Klaskin, Maisano, Miller, Pynn, Rosenthal

NAYS:

ABSTAIN:

MOTION CARRIED: 7 – 0

IX. Action Item: Motion to waive the second reading and approve policy #4040 Plan for Minority Educator Recruitment

MOTION: by Infantine-Vyce, seconded by Cawley to waive the second reading and approve policy #4040 Plan for Minority Educator Recruitment

AYES: Cawley, Infantine-Vyce, Klaskin, Maisano, Miller, Pynn, Rosenthal

NAYS:

ABSTAIN:

MOTION CARRIED: 7 – 0

X. Action Item: Motion to approve the 2024-2025 and 2025-2026 School Year Calendars.

MOTION: by Pynn, seconded by Miller to approve the 2024-2025 and 2025-2026 School Year Calendars.

AYES: Cawley, Infantine-Vyce, Klaskin, Maisano, Miller, Pynn, Rosenthal

NAYS:

ABSTAIN:

MOTION CARRIED: 7 – 0

XI. Action Item: Motion to approve the disposal of used books and equipment.

MOTION: by Miller, seconded by Infantine-Vyce to approve the disposal of used books and equipment.

AYES: Cawley, Infantine-Vyce, Klaskin, Maisano, Miller, Pynn, Rosenthal

NAYS:

ABSTAIN:

MOTION CARRIED: 7 – 0

XII. Action Item: Motion to approve the 2023-2024 Chemical Hygiene Plan.

MOTION: by Pynn, seconded by Miller to approve the 2023-2024 Chemical Hygiene Plan.

AYES: Cawley, Klaskin, Maisano, Miller, Pynn, Rosenthal

NAYS:

ABSTAIN: Infantine-Vyce

MOTION CARRIED: 6 – 0 – 1

XIII. Action Item: Motion to approve an international field trip to the Galapagos Islands, Ecuador in April 2025.

MOTION: by Miller, seconded by Infantine-Vyce to approve an international field trip to the Galapagos Islands, Ecuador in April 2025.

AYES: Cawley, Infantine-Vyce, Klaskin, Miller, Pynn, Rosenthal

NAYS: Maisano

ABSTAIN:

MOTION CARRIED: 6 – 1 – 0

XIV. Action Item: Motion to approve the minutes of the October 17 Board of Education Meeting (Ref. Bylaw #9540.9)

MOTION: by Infantine-Vyce, seconded by Cawley to approve the minutes of the October 17 Board of Education Meeting.

AYES: Cawley, Infantine-Vyce, Klaskin, Maisano, Miller, Pynn, Rosenthal

NAYS:

ABSTAIN:

MOTION CARRIED: 7 – 0

XV. Action Item: Motion to approve the minutes of the November 14 Board of Education Organizational, Regular, and Retreat Meetings (Ref. Bylaw #9540.9)

MOTION: by Infantine-Vyce, seconded by Cawley to approve the minutes of the November 14 Board of Education Organizational, Regular, and Retreat meetings.

AYES: Cawley, Infantine-Vyce, Klaskin, Lewis, Maisano, Miller, Pynn, Rosenthal

NAYS:

ABSTAIN:

MOTION CARRIED: 7 – 0

XVI. Action Item: Motion to enter into Executive Session to discuss NAGE Contract.

MOTION: by Infantine-Vyce, seconded by Pynn to enter into Executive Session to discuss NAGE Contract.

AYES: Cawley, Infantine-Vyce, Klaskin, Maisano, Miller, Pynn, Rosenthal

NAYS:

ABSTAIN:

MOTION CARRIED: 7 – 0

Emily Rosenthal left the meeting at 9:22 p.m.

Christine Maisano left the meeting at 10:00 p.m.

MOTION: by Infantine-Vyce, seconded by Miller to return to regular session.

AYES: Cawley, Infantine-Vyce, Klaskin, Miller, Pynn,

NAYS:

ABSTAIN:

MOTION CARRIED: 5 – 0

XVII. Future Agenda Items

XVIII. Meetings / Dates of Importance (see attached)

XIX. Adjournment

MOTION: by Infantine-Vyce, seconded by Miller to adjourn at 10:14 p.m.

AYES: Cawley, Infantine-Vyce, Klaskin, Miller, Pynn

NAYS:

ABSTAIN:

MOTION CARRIED: 5 – 0

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 at least five (5) business days prior to the meeting.