



## POLICY COMMITTEE MEETING

Monday, October 30, 2023 9:00 AM

Glastonbury Public Schools, Central Office, Conference Room C  
628 Hebron Avenue  
Glastonbury, CT 06033

1. Review of Board of Education Policy #5111 (Admission to School and Placement)
2. Review of New Board of Education Policy # 4113.12 (Minimum Duty Free Lunch Periods for Teachers)
3. Review of Board of Education Policy #5142.4 Appendix (School Resource Officer)
4. Review of Board of Education Regulation #5125 (Student Records and Confidentiality)
5. Review of Board of Education Policy #9000(c) (Limits of Authority)

District schools shall be open to all children who reach age five on or before the 1<sup>st</sup> of ~~January~~ **September** of any school year, and under twenty-one years of age who is not a graduate of a high school or vocational school, except as provided in Connecticut General Statutes 10-233c and 10-223d. **An exemption has been made for the 2024-2025 school year. Those students who reach age 5 on or before October 31, 2024, will be able to register/attend kindergarten.** Each such child shall have, and shall be so advised by the appropriate school authorities, an equal opportunity to participate in the programs and activities of the school system without discrimination because of race, creed, color, national origin, religion, gender, sexual orientation, gender identity or expression, marital status, disability, or age. Exceptions from routine admission may be made by the school principal on the basis of supporting evidence from physical and psychological examinations.

The parent or guardian of a child five years of age shall have the option of not sending the child to school until the child is six years of age. The person having legal responsibility for a child six years of age shall have the option of not sending the child to school until the child is seven years of age. The exercise of this option requires the person having legal responsibility for the child to appear in person at the Central office and sign an option form. The Central office shall provide this person with information on the educational opportunities available in the school system.

In compliance with Connecticut General Statute 10-76d(b2), special education will be provided for children who have attained the age of three and who have been identified as being in need of special education. If a special education student is being considered for an exception from routine admission, the Planning and Placement Team (PPT) will make a recommendation to the administrator in charge of special education.

Each child entering the district schools for the first time must present a birth certificate (with raised seal) or offer legal evidence of birth date, as well as proof of a recent physical examination and required immunizations. If the person having legal responsibility for any child is unable to pay for such immunizations, the expense of such immunizations shall, on the recommendation of the Board, be paid by the town. Proof of residence in Glastonbury-is required.

The Board of Education does however recognize that families are at times required to move during the school year, especially families which include one or both parents on active military duty. While the Board acknowledges that students should be enrolled in its schools in accordance with district policies, it does not believe that enrollment should be thwarted or delayed. Accordingly, the Board of Education directs the superintendent/designee to ensure that school personnel working with students and parents in their transition to our schools recognize that in some cases in order to achieve this goal, it may be necessary to provide reciprocity within curriculum or graduation requirements from one district to another.

In such cases, the administration will give consideration to waiving discretionary requirements that:

1. Are not mandated by state or federal statute;
2. Are not considered so basic that its absence would seriously undermine a diploma's value;
3. Do not present a realistic health risk to other students or staff;
4. Do not make it likely that, if waived, a child will be unable to succeed at the next grade level.

The parent or guardian of a child seventeen years of age may consent to such child's withdrawal from school. The exercise of this option requires a personal appearance at the school office to sign a withdrawal form. Such withdrawal form shall include an attestation from a guidance counselor, school counselor, or school administrator of the school that the district has provided the person with legal responsibility for the child with information on the educational options available in the school system and in the community. If a child is eighteen years of age or older, he/she is not required to attend school.

Children who have attained the age of seventeen, and who have voluntarily terminated enrollment in the district's schools with parental permission, who subsequently seek readmission may be denied readmission for up to ninety school days from the date of such termination, unless such child seeks readmission to the district not later than ten (10) school days after such termination in which case the Board shall provide school accommodations to such child not later than three (3) school days after such child seeks readmission.

Children who apply for initial admission to the district's schools by transfer from other schools will be placed at the grade they would have reached elsewhere pending observation and evaluation by classroom teachers, guidance personnel, and the school principal. After such observations and evaluations have been completed, the principal will determine the final grade placement of the children.

Children who have attained the age of nineteen or older may be placed in an alternative school program or other suitable educational program if they cannot acquire a sufficient number of credits for graduation by age ~~twenty-one~~ **twenty-two**.

- (cf. 5146 – Nondiscrimination)
- (cf. 5113 – Student Attendance-Unexcused Absence)
- (cf. 6171 – Special Education)
- (cf. 6146 – Graduation Requirements)

Legal Reference: Connecticut General Statutes  
10-15 Towns to maintain schools  
10-15c Discrimination in public schools prohibited. School attendance by five-year olds  
10-76a – 10-76g re special education  
10-184 Duties of parents (re mandatory schooling for children ages five to sixteen, inclusive) – [as amended by PA 98-243, PA 00-157, and PA 09-6 (September Special Session)]  
10-186 Duties of local and regional Boards of Education re school attendance. Hearings. (Amended by PA 96-26, An Act Concerning Graduation Requirements and Readmission and Placement of Older Students and PA 09-6 (September Special Session)  
Appeals to State Board. Establishment of hearing board  
10-233a – 10-233f Inclusive; re: suspend, expel, removal of pupils  
10-233c Suspension of pupils  
10-233d Expulsion of pupils  
10-261 Definitions  
State Board of Education Regulations  
10-76a-1 General definitions (c) (d) (q) (t)  
10-76d-7 Admission of student requiring special education (referral)  
10-204a Required immunizations (as amended by PA98-243)  
P.A. 18-15 An Act Concerning School Counselors  
**P.A. 23-137 An Act Concerning Resources and Support for Persons with an Intellectual or Developmental Disability**  
**P.A. 23-208, Section 1(a) An Act Making Certain Revisions to the Education Statutes**

Adopted: October 1981  
Revised: July 16, 2001  
Revised: January 24, 2005  
Revised: September 26, 2005  
Revised: April 9, 2012  
Revised: August 12, 2013  
Revised: July 14, 2014  
Revised: February 25, 2019  
Revised: January 27, 2020  
**Revised:**

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**Elementary School and Secondary School (K-12)**

School registration shall be handled by the registrar for Glastonbury Public School. Registration information can be found on the district website, [www.glastonburyus.org](http://www.glastonburyus.org).

Parents/guardians of new students to the district are required to start the registration process on line. At the end of the online application process parents/guardians are prompted to make an appointment with the registrar.

In addition, secondary school parents/guardians of children new to the district are asked to make an appointment with the appropriate school for selecting classes after registration documents have been sealed by the registrar (6-12).

Documents needed may include:

1. Original birth certificate (with raised seal).
2. Proof of physical examination within one (1) year of school entry (signed by U.S. Physician).
3. Immunizations records.
4. Previous school records.
5. Two residency confirmation documents.
6. Parent/guardian photo identification

Approved: October, 1981

Revised: July, 2001

Revised: January 24, 2005

Revised: April 9, 2012

Revised: July 14, 2014

Revised: January 27, 2020

Minimum Duty Free Lunch Periods for Teachers

The Board of Education, in compliance with P.A. 22-80, shall provide a minimum 30-minute uninterrupted lunch period for teachers and other certified staff.

Legal Reference: Connecticut General Statutes

PA 22-80 An Act Concerning Childhood Mental and Physical Health Services in School

Policy  
Adopted:

**Safety**

## School Resource Officer

In order to make schools more orderly, safer and secure, the district may employ police officers to deliver security services as school resources officers (SROs).

The utilization of school resource officers in district schools is to accomplish the following goals:

- To provide a safe learning environment and help reduce school violence.
- To improve school/law enforcement collaboration.
- To improve perceptions and relations among students, staff and law enforcement officials.
- To collaborate with designated members of the school and District staff and with local law enforcement, fire service, public safety and emergency management agencies, and parents/guardians in the development of school safety/crisis plans.

Duties include, but are not limited to:

1. The observation and reporting of any unlawful act;
2. The prevention of theft or misappropriation of any item of value;
3. The control of access to premises being protected;
4. The maintenance of order and safety at public activities;
5. Protection of district property, students, staff and persons and property on or about district property or while attending district-sponsored activities.

The Board shall enter into a Memorandum of Understanding (MOU) with the local police department that defines the officer's role and responsibilities. The MOU must address daily interactions among students, school personnel, and police officers, and must include a graduated response model for student discipline.

## Legal References:

PA 15-168 An Act Concerning Collaboration Between Boards of Education and School Resource Officers and the Collection and Reporting of Data on School-Based Arrests.

## Policy

Adopted: November 9, 2015

Memorandum of Agreement  
Glastonbury Public Schools  
and  
Glastonbury Police Department

## **I. Introduction**

Schools and law enforcement share responsibility for school safety and must work together with complimentary policies and procedures to ensure a safe learning environment for students. This document expresses the agreement of the parties for responding to non-emergency school disruptions. It strives to ensure a consistent response to incidents of student misbehavior, clarify the role of law enforcement in school disciplinary matters, and reduce involvement of police and court agencies for misconduct at school and school-related events.

The parties agree to the following principles upon which this agreement is founded.

- A. The vast majority of student misconduct can be best addressed through classroom and in-school strategies and maintaining a positive climate within schools rather than by involvement of the justice community.
- B. The response to school disruptions should be reasonable, consistent and fair with appropriate consideration of relevant factors such as the age of the student and the nature and severity of the incident.
- C. Students should be held accountable for their actions through a graduated response to misconduct that provides a continuum of services and increasingly more severe sanctions for continued misbehavior.
- D. Disruptive students should receive appropriate redirection and support from in-school and community resources prior to the consideration of suspension, expulsion, involvement of the police, or referral to court.
- E. Clarifying the responsibilities of school and police personnel with regard to non-emergency disruptive behavior at school and school-related events promotes the best interests of the student, the school system, law enforcement and the community at large.

## **II. Purpose of Agreement**

The purpose of this agreement is to encourage a more consistent response to school incidents and to reduce the number of referrals of students to court by establishing guidelines for the handling of non-emergency disruptive behavior at school and school-related events by school and police personnel.

## **III. Terms of the Agreement**

### **A. Summary of Key Points**

The parties agree to:

1. Share this agreement with a copy to all school administrators and police personnel;
2. Provide necessary and regular staff training on implementation of the agreement;
3. Put into practice a graduated response to student misbehavior;
4. Monitor implementation of the agreement;
5. Collect data and assess the effectiveness of the agreement; and
6. Modify the agreement as appropriate.

## **B. Key Factors in Making Disciplinary Decisions**

The parties agree that when determining consequences for students' disruptive behavior the following factors shall be considered, if information on the factors is available.

1. Age, health, and disability or special education status of the student.
2. Prior conduct and record of behavior of the student.
3. Previous interventions with the student.
4. Students' willingness to repair the harm.
5. Parents' willingness to address any identified issues.
6. Seriousness of the incident and degree of harm caused.

The parties agree that when determining consequences for student's disruptive behavior the following factors shall not be considered:

1. Race/ethnicity, gender, gender identity, sexual orientation, religion and national origin of the student and family.
2. Economic status of the student and family.

## **C. Graduated Response Model**

**Classroom Intervention**—The classroom teacher plays a prominent role in guiding, developing and reinforcing appropriate student conduct and is acknowledged as the first line in implementing the school discipline code. As such, this model begins with a range of classroom management techniques that must be implemented prior to any other sanctions or interventions. Classroom intervention is managed by the teacher for behaviors that are passive and non-threatening such as dress code violations, and violations of classroom rules. School Resource Officers (SROs) should not be involved at this level. More than three incidents of the same behavior, if not in the same day, could lead to School Administrator Intervention. Classroom intervention options might include redirection, reteaching, school climate initiatives, moving seats, and the teacher should initiate parental contact.

**School Administration Intervention**—Classroom interventions must be supported by school administrators who address more serious or repetitive behaviors and behaviors in school but outside of the classroom. Examples of behaviors at this level include repetitive patterns, defacing school property, truancy, threatening and behaviors in hallways, bathrooms, courtyards and school buses. Administration intervention options might include time in the office, after school detention, loss of privilege, reparation, and/or parent conference.

**Assessment and Service Provision**—When the behavior and needs of the student warrant, an assessment process and intervention with the use of school and community services is appropriate. This intervention is managed by the school administrator or a Student Assistance Team (SAT). Repetitive truancy or defiance of school rules, and behaviors that interfere with others such as vandalism or harassment belong at this level as well as misbehaving students who would benefit from service provision. Assessment and service intervention options should include any classroom or school administration interventions and might include referral to a juvenile review board (JRB) or community service or program, suspension, expulsion or referral to court. Truant behavior should not lead to an out-of-school option. Police can be involved in their role on SATs and JRBs.

**Law Enforcement Intervention**—Involvement of the police does not necessarily mean arrest and referral to court. This intervention is managed by the police. Behaviors at this level must be violations of criminal law, but only after classroom, school administration and assessment and service interventions have been tried. Law enforcement options may include verbal warning; conference with the student, parents, teachers and/or others; referral to a JRB and/or community agencies; and referral to court.

#### **D. — Police Activity at Schools**

The parties agree that police need to follow certain protocols when on school grounds in non-emergency circumstances as follows:

- ~~1. Police will act through school administrators whenever they plan any activity on school grounds.~~
- ~~2. Officers entering school grounds will be aware of the potential disruption of the educational process that police presence may cause.~~
- ~~3. Prior to entering a school to conduct an investigation, arrest or search, officers will consider the necessity of such action based on:
  - ~~a. The potential danger to persons;~~
  - ~~b. The likelihood of destruction of evidence or other property;~~
  - ~~c. The ability to conduct the investigation, arrest or search elsewhere.~~~~
- ~~4. When taking a student into custody:
  - ~~a. Officers should make reasonable efforts to avoid making arrests or taking students into custody on the school premises.~~
  - ~~b. Whenever possible, students should be taken into custody out of sight and sound of other students.~~~~
- ~~5. The SRO will not be responsible for student discipline or enforcement of school rules, although the SRO may provide assistance to school personnel. The SRO will work collaboratively with the school administrator to determine the goals and priorities for the SRO program and the parameters for SRO involvement in school disciplinary matters.~~

#### **IV. Data Collection and Monitoring**

The parties agree that they will provide baseline data for comparison purposes and regularly collect, share, monitor and report data resulting from the implementation of this agreement.

~~**Data Collection**—on a quarterly basis, the following information will be collected.~~

~~**School**—number and types of disciplinary actions, numbers and demographics of students involved, referrals to police.~~

~~**Police**—number and types of school incidents for which police incident reports are written, police actions on incidents.~~

For comparison purposes, the parties agree to retrieve the above data for a year prior to the signing of the agreement and quarterly after the signing of the agreement.

**V. Duration and Modification of Agreement**

This agreement shall become effective September, 2015 and shall remain in full force and effect until such time as the agreement is modified by the consent of the parties. The agreement may be modified at any time by amendment to the agreement.

In witness whereof, the parties hereto, intending to cooperate with one another, have set their signatures to this document on this day.

Superintendent of Schools Alan B. Bokman Date 11-12-15

Printed Name Alan Bokman

Sworn and subscribed before me on this 12 day of November 2015.

Notary Public Karen Bonfiglio Commission Expiration Date



Chief of Police David A. Carr Date 11-13-15

Printed Name David A. Carr

Sworn and subscribed before me on this 13<sup>th</sup> day of November 2015.

Notary Public Jacqueline May Commission Expiration Date 1/31/19

(Source: Juvenile Justice Advisory Committee, Office of Policy and Management, 450 Capitol Avenue, Hartford, CT)

Appendix  
Adopted: November 9, 2015

Memorandum of Understanding  
Glastonbury Police Department and Glastonbury Board of Education  
School Resource Officer

## INTRODUCTION

In accordance with Connecticut General Statute 10-233m, this Memorandum of Understanding (MOU) sets forth an agreement between the Glastonbury Board of Education (BOE) and the Glastonbury Police Department (GPD) (collectively known as the “Parties), specifying the terms and conditions of the services to be performed and provided by the School Resource Officer(s) (SRO). It is the intention of GPD and the BOE to maintain collaborative efforts to provide a safe and healthy school environment for students, staff, faculty, and visitors.

The terms of this MOU shall be reviewed annually and updated if necessary. The MOU shall be renewed automatically for each successive school year unless either party requests termination or modification.

## ASSIGNMENT OF SCHOOL RESOURCE OFFICERS

GPD agrees to provide the BOE a full-time School Resource Officer at the Glastonbury High School and Smith Middle School. All other schools will be supported by members of GPD and the Youth Unit. The Chief of Police reserves full authority to adjust SRO assignments based on GPD staffing needs.

The cost of the SRO program shall be incurred by GPD unless otherwise agreed upon by both parties. The BOE agrees to provide SROs with private offices, telephones, file storage, desks, chairs, and other office supplies.

## SELECTION OF SCHOOL RESOURCE OFFICERS

1. GPD shall have a clearly defined process for selecting SROs. BOE personnel may be involved in the selection process as determined by the Chief of Police (e.g., participation in candidate interviews). The Chief of Police reserves final SRO selection authority.
2. Selection of SROs should consider at a minimum:
  - a. Years of experience as a police officer.
  - b. Willingness to engage with youth as a mentor, teacher, and police officer.
  - c. Excellent verbal and written communication skills.
  - d. Willingness and ability to collaborate with a range of stakeholders.
  - e. Willingness and ability to present as a teacher/guest speaker on a variety of topics.

## TRAINING OF SCHOOL RESOURCE OFFICERS

SRO duties are inherently different from that of other law enforcement specialties. The purpose of a successful SRO program is to bridge the gap between law enforcement and youth. This purpose is best accomplished when the SRO serves as a law enforcement officer, teacher, and mentor.

SROs will receive basic and specialized training in school-based policing (e.g., NASRO SRO course, social media, juvenile and student law, education of special needs children, crime prevention in schools), crisis planning, active threat response, adolescent mental health, etc.

All SROs shall complete any separate training specifically related to social-emotional learning and restorative practices provided to certified employees of the school pursuant to sections 10-148a and 10-220a of the Connecticut General Statutes.

#### EMPLOYMENT OF SCHOOL RESOURCE OFFICERS

1. SRO's are employees of GPD and are subject to the administration, supervision and control of GPD.
2. SRO's are subject to all personnel policies and practices of GPD except as such policies or practices may be modified by the terms and conditions of this agreement.
3. GPD, in its sole discretion, shall have the power and authority to assign, re-assign, hire, discharge, and discipline SROs.
4. Any school Principal who is dissatisfied with an SRO may request the Chief of Police assign a different SRO for that school.
5. SRO work hours are determined by GPD. Whenever possible, it is the intent of both parties that the SRO's duty hours shall conform to the school day. However due to the nature of law enforcement, it is understood by both parties that SROs may be off campus for periods.
6. Each SRO is responsible for communicating their schedule and absences with their respective Principal. GPD will make efforts to provide secondary SRO coverage to a school where the primary SRO is absent.

#### GOALS AND OBJECTIVES

1. Providing and creating an atmosphere of safety and security on school grounds and school-sponsored activities that promotes and enhances school learning.
2. Identifying potential threats and sharing such information in a timely manner.
3. Assisting and supporting school administrators with school emergencies and security issues.
4. Providing educational resources and instruction in programs dealing with law enforcement, health, safety, drug and alcohol education, peer pressure, bullying, cyber safety, healthy and common-sense decision making, and emergency procedures within the school.
5. Providing support and meeting with or presenting ideas regarding youth problems involving the school, parents, police, and other shareholders within the community.
6. Providing support to school administrators in both criminal, non-criminal, and truancy investigations.
7. Serving as a resource and liaison to school counselors, social services agencies, parental organizations, and other private or state agencies that assist students within the school system.
8. Assisting the school safety and security team to assess threats and make recommendations.

## SCHOOL RESOURCE OFFICER DUTIES

1. The responsibility and decision to arrest lies solely with the SRO, respective to state law, local ordinances, and GPD orders and procedures. The SRO is responsible for enforcing federal, state and local criminal laws and ordinances on school property. The SRO will take law enforcement action as necessary, and will notify the school Principal of such actions as soon as practicable and where authorized by law. The SRO's continual collaboration with school personnel and an understanding of each student's needs may affect the decision to arrest, but the responsibility is that of the SRO alone. For violations of criminal law that do not pose an immediate threat to the health and safety of the school, the SRO should work cooperatively with school administration to resolve the incident.
2. SROs shall not enforce the school's Code of Conduct nor administer school discipline. Student discipline is a school responsibility unless it pertains to preventing a potential disruption and/or climate that places students at risk of harm. These actions and decisions are the sole responsibility of school personnel.
3. Patrol the school campus to maintain order and handle situations involving unauthorized persons.
4. Serve as a visible law enforcement presence in areas where problems might occur, such as the parking lot before and after school.
5. Assist school administration with other problems or situations that are not regularly assigned to school personnel.
6. Investigate criminal activity on school campus and surrounding community.
7. Conduct related off-campus investigations as assigned.
8. Maintain a detailed and accurate record of SRO related activities.
9. Report problems and major activities to the SRO supervisor and school Principal.
10. Abide by BOE policies and consult with and coordinate activities through the school Principal, particularly regarding formal interviews, interrogations, and arrests of students on school property.
11. Coordinate SRO activities and police-in-school programs with school administration and campus security officers.
12. Serve as a resource for other officers, juvenile courts, probation officers, and other community/social service agencies in dealing with school community issues, follow-up investigations, etc.
13. Act as a liaison between GPD and stakeholders.
14. Meet regularly with the school Principal or designee regarding safety and security issues.
15. Assist BOE staff in developing, coordinating and evaluating emergency planning, safety drills, and training.
16. Evaluate school security policies, make recommendations for improvements, and assist school administration in developing plans and strategies to prevent/minimize dangerous situations.
17. Attend school events or functions at the request of school administration or when required or necessary.
18. Be a resource for students, parents, and faculty members to assist them with problems or questions.

19. Be familiar with community services available to youth and families and make referrals as needed.
20. Engage in positive interaction with students to improve relationships.
21. Develop and deliver approved classroom presentations on law-related topics in coordination with educational staff.
22. Act as a guest speaker and attend meetings as requested or required.
23. SROs will wear approved department uniforms and equipment except as otherwise authorized and appropriate for a particular assignment.

### GRADUATED RESPONSE MODEL

**Classroom Intervention** - The classroom teacher plays a prominent role in guiding, developing and reinforcing appropriate student conduct and is acknowledged as the first line in implementing the school discipline code. As such, this model begins with a range of classroom management techniques that must be implemented prior to any other sanctions or interventions. Classroom intervention is managed by the teacher for behaviors that are passive and nonthreatening such as dress code violations, and violations of classroom rules. School Resource Officers (SROs) should not be involved at this level. More than three incidents of the same behavior, if not in the same day, could lead to School Administrator Intervention. Classroom intervention options might include redirection, reteaching, school climate initiatives, moving seats, and the teacher should initiate parental contact.

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**Assessment and Service Provision** - When the behavior and needs of the student warrant, an assessment process and intervention with the use of school and community services is appropriate. This intervention is managed by the school administrator or a Student Assistance Team (SAT). Repetitive truancy or defiance of school rules, and behaviors that interfere with others such as vandalism or harassment belong at this level as well as misbehaving students who would benefit from service provision. Assessment and service intervention options should include any classroom or school administration interventions and might include referral to a juvenile review board (JRB) or community service or program, suspension, expulsion or referral to court. Truant behavior should not lead to an out-of-school option. Police can be involved in their role on SATs and JRBs.

**Law Enforcement Intervention** - Involvement of the police does not necessarily mean arrest and referral to court. This intervention is managed by the police. Behaviors at this level must be violations of criminal law, but only after classroom, school administration and assessment and service interventions have been tried. Law enforcement options may include verbal warning; conference with the student, parents, teachers and/or others; referral to a JRB and/or community agencies; and referral to court.

TRANSPORTING STUDENTS

1. SROs shall not transport students in Police Department vehicles except:
  - a. When the students are victims of a crime, under arrest, or some other emergency circumstances exist and
  - b. When students are suspended and/or sent home from school pursuant to school disciplinary actions, if the student's parent or guardian has refused or is unable to pick up the child within a reasonable time period and the student is disruptive/disorderly and his/her continued presence on campus is a threat to the safety and welfare of other students and school personnel.
2. Students shall not be transported to any location unless it is determined that the student's parent, guardian or custodian is at the destination to which the student is being transported. SROs shall not transport students in their personal vehicles.
3. SROs shall notify school personnel upon removing a student from campus.

INFORMATION SHARING

1. The SRO, police department, and school administrators, agree to share information with each other to the extent allowed by law, particularly where appropriate for a well-structured school environment, and to provide for a safer, better student experience.
2. In accordance with FERPA requirements, if some information in a student's record is needed in an emergency to protect the health or safety of the student or other individuals, school officials may disclose to the SRO that information which is needed to respond to the emergency situation based on the seriousness of the threat to someone's health or safety, the need of the information to meet the emergency situation, and the extent to which time is of the essence.
3. Per Connecticut General Statute 10-233h, the personal information of a youth 7-20 years of age who is charged with violation of Connecticut General Statute 53-206c, a class A Misdemeanor, or Felony will be released to the Superintendent orally at the end of the school day and in writing within 72 hours.



Alan Bookman, Superintendent of Schools

10/19/23

Date



Marshall S. Porter, Chief of Police

10/11/2023

Date

Appendix  
Adopted:

The Board of Education shall maintain student records for the purpose of documenting educational progress and shall provide for the filing, protection, confidentiality, classification, review, transfer and when appropriate, destruction of such records. Procedures for maintaining student records shall be developed and implemented by the superintendent/designee in accordance with state and federal regulations regarding confidentiality, access to and amendment of education records.

#### Definition of Student Records

Student records are any records, files, documents, and other materials which contain information directly related to an identifiable student that are maintained by the Glastonbury Public Schools or person acting for the Glastonbury Public Schools.

#### Legal References:

State Law: Conn. Gen. Statutes:  
 10-15b Access of parent or guardians to student's records. (as amended by PA 17-68, Section 4)  
 Federal Law: Family Educational Rights and Privacy Act (FERPA), (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 et seq.  
 USA Patriot Act of 2001, PL 107-56, 115 Stat. 272, Sec 507, 18 U.S.C. §2332b(g)(5)(B) and 2331  
 No Child Left Behind Act of 2001, pub. l. no. 107-110-Sections 5208 and 9528  
 1-19(b)(11) Access to public records. Exempt records.  
 7-109 Destruction of documents.  
 10-154a Professional communications between teacher or nurse & student.  
 10-209 Records not to be public.  
 10-221b Boards of education to establish written uniform policy re: treatment of recruiters.  
 11-8a Retention, destruction and transfer of documents  
 11-8b Transfer or disposal of public records. State Library Board to adopt regulations.  
 46b-56 (e) Access to Records of Minors.  
 Connecticut Public Records Administration Schedule V - Disposition of Education Records (Revised 1983).  
 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, and Final Rule 34 CFR Part 99, December 9, 2008, December 2, 2011)  
*Owasso Independent Sch. Dist. No.1-011 v. Falvo, 534 U.S.426 (2002)*

#### Policy

Adopted: October, 1981

Revised: February 14, 2005

Revised: December 10, 2012

Confidentiality and Access to Student Records

The Board of Education complies with state and federal regulations regarding confidentiality and access to and amendment of student records. The Board shall implement procedures that protect the privacy of parent/guardian and students while providing proper access to records. The procedures for the confidentiality of the students records shall be consistent with federal statutes, including the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, and its implementing and revised regulations, The No Child Left Behind Act of 2001, and the Connecticut General Statutes. Availability of these procedures shall be made known annually to parent/guardian and eligible students currently in attendance.

**I. Definitions****A. Access**

“Access” is defined as the right to inspect, review or obtain copies of a student’s educational records or any part thereof.

**B. Authorized representative**

“Authorized representative” means any entity or individual designated by the Board, a State educational authority, or an agency headed by an official listed in 34 C.F.R. § 99.31(a)(3), to conduct -- with respect to Federal- or State-supported education programs-- any audit or evaluation, or any compliance or enforcement activity in connection with Federal legal requirements that relate to these programs.

**C. Directory information**

“Directory information” includes information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to, the parent/guardians name, address and/or e-mail address, the student’s name, address, telephone number, e-mail address, photographic, computer and/or video images, date and place of birth, major field(s) of study, grade level, enrollment status (full-time; part-time), participation in school-sponsored activities or athletics, weight and height (if the student is a member of an athletic team), dates of attendance, degrees, honors and awards received, the most recent previous educational agency or institution attended and student identification numbers for the limited purposes of displaying a student identification card. The student identification number, however, will not be the only identifier used when obtaining access to educational records or data. Directory information does not include a student’s social security number, student identification number or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems unless the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user’s identity, such as a PIN or password.

## D. Eligible student

An “eligible student” is a student or former student who has reached 18 years of age, is attending an institution of post-secondary education or is an emancipated minor.

## E. Legitimate Educational Interest

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

## F. Parent

“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 child both have the right of access to the academic, medical, hospital, or other health records of the child, 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. A parent who is incarcerated is also entitled to knowledge of and access to all educational, medical or similar records maintained in the cumulative record of any minor student of such incarcerated parent except in situations (1) where such information is considered privileged as defined in C.G.S. 10-154a, (2) such incarcerated parent has been convicted of sexual assault, or aggravated sexual assault, or (3) such incarcerated parent is prohibited pursuant to a court order.

## G. Personally identifiable information

“Personally identifiable information” includes, but is not limited to, the name and address of the student, student’s parent/guardian, or other family member, the student’s personal identifier, such as social security number or student identification number, or a list of characteristics or other information that would make the student’s identity easily traceable.

## H. Student Records

“Student Records” shall include any information directly related to a student that is recorded in any manner (e.g., in handwriting, print, computer media, on film, video or audio tape) and that is maintained by the school system or persons acting for the school system.

## 1. “Student Records” shall not include:

- a. Private, personal, or working notes in the sole possession of the maker thereof, and which are not accessible or revealed to any other individual an assigned substitute teacher.
  - b. Employment records used only in relation to the student’s employment by the school district;
  - c. Alumni records that contain information about the student after he/she is no longer in attendance at the school; and
  - d. Records on an eligible student that are maintained by a physician, psychiatrist, psychologist, professional or paraprofessional made in connection with the treatment of the student and disclosed only to individuals providing such treatment.
-

## II. Procedures

The following procedures shall apply regarding student records:

Parent/guardian and/or eligible students have the right to inspect and review all education records of their child (or, in the case of an eligible student, all education records pertaining to the student). A request to inspect and review records shall be in writing.

For the records of regular education students, the Board will make records available for inspection and review by parent/guardian or eligible students within a reasonable period of time, but in any event, no more than forty-five (45) days from the receipt of a written request. For the records of special education students, the following time frames apply; as required by section 10-76d-18(b) of the regulations of Connecticut state agencies, written requests by parent/guardian of students requiring special education related services will be accommodated within ten (10) school days of the receipt of such requests, within three (3) school days of the receipt of such requests if the requests are made in order to prepare for a meeting regarding an individualized education program or within three (3) calendar days of such a request if the request is made in order to prepare for a meeting related to any due process proceeding. One free copy of a student's records will be provided to parent/guardian of students requiring special education and related services on written request within ten (10) school days of the request.

Notwithstanding the fact that a test instrument or portion of a test instrument may meet the criteria of an "education record" under the Family Educational Rights and Privacy Act, 20 USC 1232g, any test instrument or portion of a test instrument for which the test manufacturer asserts a proprietary or copyright interest in the instrument shall not be copied. The parent or eligible student retains the right to review and inspect such information and the board of education shall respond to reasonable requests from the parent or eligible student for explanations and interpretations of the student's education record, which may include reviewing copyrighted testing instruments.

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

On an annual basis, the school district will notify parent/guardian of students or eligible students currently in attendance of their rights regarding a student's education records. This notice will be published in all student handbooks in the district and will also be published in the school district's guide to pupil personnel services and will be published in any other manner "reasonably likely" to inform such parent/guardian and eligible students of their rights. The school district will take steps to ensure that parent/guardian or eligible students whose primary or home language is not English or who are disabled will also be notified of their rights regarding a student's education records.

**III. Confidentiality of Education Records**

- A. All school staff must understand that personally identifiable information in student records is confidential. Each person who has access to student records is responsible for ensuring personally identifiable information is protected from disclosure at collection, storage, disclosure, and destruction stages. Disclosure of information is permitted only in accordance with Board policy and administrative regulations and in a manner consistent with state and federal law.
- B. Student records are not public records and any disclosure other than to persons authorized to receive the records without prior parent/guardian or eligible student consent violates the law and Board policy, except as provided in federal and state statutes.
- C. The school district shall use reasonable methods, including administrative policies and procedures, as well as physical and technological access controls, to ensure that school officials obtain access to only those education records in which they have a legitimate educational interest.
- D. The district shall use reasonable methods to identify and authenticate the identity of parents, students, school officials and other parties to whom the district discloses personally identifiable information from education records.
- E. The district shall require contractors and other outside agencies with access to education records to certify their compliance with the confidentiality requirements of this policy, as well as applicable state and federal law.
- F. The district is no longer required to request a hearing in the event a parent/guardian refuses or revokes consent for a private placement. The planning and placement team without parent consent may make private placements. The district can send a student's education records to proposed out-of-district placement without parent/guardian consent so long as the district's annual notification of rights includes that the district discloses education records for enrollment purposes or the district makes a reasonable attempt to notify the parent/guardian in advance of such disclosure. The district can send nonconsensual disclosure of education records to schools where the district seeks or intends to enroll the student, even where the parent/guardian does not seek such enrollment.

**IV. Access to student records**

- A. A parent/guardian or eligible student may have access to specific confidential information about the student unless such rights have been waived under SECTION IX, below.
- B. Aside from a parent/guardian or eligible student, only professional staff members who have been determined by the school system to have a legitimate educational need, and the other exemptions as set forth in SECTION VI, may have access to a student's records. The district maintains a record of parties that have access to education records, including information found in computer memory banks.
- C. Parent/guardian rights of inspection and review are restricted to information dealing with their own child. In the case of an eligible student, the right to inspect and review is restricted to information concerning himself/herself. All requests for access to student records must be in writing. A parent/guardian does not lose his or her right to access to records upon divorce. Non-custodial parent/guardian retain their rights to review their child's education records unless otherwise ordered by a court.

1. When requesting inspection or review, a parent/guardian or eligible student must submit a written request that identifies the record or records being sought. The school district will notify the parent/guardian or eligible student of the date, time, and location where the records may be inspected and reviewed. Requests will be accommodated within a reasonable period of time, but in no case more than forty-five (45) calendar days after the receipt of such requests.
  2. The parent/guardian or eligible students may designate in writing a representative to inspect and review the records.
  3. A school professional shall be present at all such inspections and reviews and shall explain and interpret data in the records whenever access is granted.
- D. A fee cannot be charged by the system to search for or to retrieve the educational records of a student. If a student has been identified as requiring special education and related services, the parent/guardians'/guardians' right to inspect and review the child's records shall include the right to receive one free copy of those records. An eligible student who is identified as requiring special education and related services is entitled to one free copy of his/her records. A request for the free copy shall be made in writing. The Board of Education shall comply with such request as stated above. A charge will be levied for additional copies; in no case will the charge exceed 50 cents per page. Notwithstanding the fact that a test instrument or portion of a test instrument may meet the criteria of an "education record" under the Family Educational Rights and Privacy Act, 20 USC 1232g, any test instrument or portion of a test instrument for which the test manufacturer asserts a proprietary or copyright interest in the instrument shall not be copied. The parent or eligible student retains the right to review and inspect such information and the board of education shall respond to reasonable requests from the parent or eligible student for explanations and interpretations of the student's education record, which may include reviewing copyrighted testing instruments.
- E. Except as provided below, a registry will be kept documenting individuals who have obtained access to student records, including information found in computer memory banks.
1. The registry shall indicate the name of any individual, agency, or organization that obtained access to the student's records, the date access was given, and the purpose for which the party was granted access to the records, including the names of additional parties to whom the receiving party may disclose the information on behalf of the school district, and the legitimate educational interest in obtaining the information.

2. The registry does not need to include a record of access if the information was given to parent/guardian, eligible students, teachers, or other school personnel who have a legitimate educational interest in a student's record, a person(s) with written consent from the parent/guardian or eligible student, or if the records are sought under direction of a law enforcement subpoena, where either the existence or contents of the subpoena or the information requested in the subpoena is to remain undisclosed, or if access was to directory information only.
  3. The registry is a permanent part of the record and must be available to the parent/guardian or eligible student upon request.
- F. The following individuals may inspect a student's record: the parent/guardian or eligible student, a student attending an institution of post-secondary education, the school official or other school personnel responsible for maintaining the student's records, school personnel with a legitimate educational interest, and authorized representatives of the comptroller general of the united states, the secretary of education, or state and local educational authorities, the attorney general of the united states or his/her designee, acting in accordance with an ex parte order in connection with the investigation or prosecution of terrorism crimes as specified in sections 232b(g)(5)(b) and 2331 of title 18, U.S. code.

#### **V. The release of records or personal data**

- A. The school system or its designated agent(s) may not permit release of personally identifiable records or files of any student to any outside individual, agency, or organization without the written consent of the parent/guardian or eligible student, except as indicated in SECTION VIII D below. Personally identifiable information contained in the student record, other than directory information, will not be furnished in any form (i.e., written, taped, person-to-person, statement over the telephone, on computer disk, e-mailed, etc.) to any person other than those listed below, unless written consent has been obtained.
- B. To be effective, the written consent must be signed and dated and must specify the records that may be disclosed, note the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made.
- C. The school district shall also provide a copy of the records, disclosed to a parent/guardian, to a student under age 18, if requested by the parent/guardian

- D. Personally identifiable information may be released without consent of the parent/guardian, or the eligible student, only if the disclosure is:
1. To other school officials who have been determined by such agency or institution to have legitimate educational interests in the records. A school official is 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); a person serving on the Board of Education; a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent/guardian or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
  2. To officials of another public school district, or public charter school, in which the student seeks or intends to enroll. Disclosure of personally identifiable information will be made only upon condition that the student's parent/guardian be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record pursuant to SECTION VII.
  3. To authorized representatives of the U.S. Comptroller the U.S. Attorney General, the U.S. Secretary of Education, or State or local education authorities. Disclosures of this nature may be made only in connection with an audit or evaluation of Federal or State supported education programs, and in compliance with state and federal statutes.
  4. In connection with a student's application for, or receipt of, financial aid, if such information is necessary to determine eligibility for, the amount of, or the conditions for financial aid, or to enforce the terms and conditions of financial aid.
  5. To state and local officials or authorities to whom such information is specifically required to be reported or disclosed pursuant to state statute adopted prior to November 19, 1974, if the disclosure concerns the juvenile justice system and its ability effectively to serve the student whose records are released or if the officials and authorities to whom the records are disclosed certify in writing to the school district that the information will not be disclosed to any other party without the prior, written consent of the parent/guardian of the student, except as provided under state law.

6. To organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, so long as the study does not permit personal identification of parents/guardians or students by individuals other than representatives of the organization and the information is destroyed after it is no longer needed for the purposes for which the study was conducted and is in compliance with FERPA requirements.
7. To accrediting organizations in order to carry out their accrediting functions.
8. To parent/guardian of an eligible student who claim that student as a dependent student as defined in SECTION 152 of the Internal Revenue Code of 1986.
9. To comply with a judicial order or lawfully issued subpoena, provided that the educational agency makes a reasonable effort to notify the parent/guardian or the eligible student in advance of compliance, unless such disclosure is in compliance with (a) a federal grand jury subpoena and the court has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed; or (b) any other subpoena issued for a law enforcement purpose and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed.
10. In connection with a health and safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.
11. Between two or more public schools in which the student is enrolled or receiving services.
12. Directory information as identified in SECTION I. The school district will notify parent/guardian or eligible students annually of any categories of information designated as directory information and will provide such individuals with an opportunity to object to such disclosure. An objection to the disclosure of directory information shall be good for only one year. An objection of directory information shall not prevent the school district from disclosing the student's name, identified or institutional e-mail address in a class in which the student is enrolled. Parents and/or eligible students may not use the right to opt out of directory information disclosures to prohibit the school district from requiring students to wear or display a student identification card. School districts are legally obligated to provide military recruiters or institutions of higher education, upon request, with the names, addresses and telephone numbers of secondary school students, unless a parent/guardian or eligible student objects to such disclosure in writing. In all other circumstances, information designated as directory information will not be released when requested by a third party unless the release of such information is determined by the administration to be in the educational interest of the school district and is consistent with the district's obligations under both state and federal law.

13. If the school district initiates legal action against a parent/guardian or student, the school district may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the school district to proceed with the legal action as plaintiff.
14. If a parent/guardian or eligible student initiates legal action against the school district, the school district may disclose to the court, without a court order or subpoena, the student's educational records that are relevant for the school district to defend itself.
15. To the attorney general of the United States or his/her designee in response to an ex parte order in connection with the investigation or prosecution of terrorism crimes specified in sections 2332b(g)(5)(b) and 2331 of title 18, U.S. code. When producing information or permitting access to student records pursuant to this subsection, the school district is not required to record its disclosure on the registry referred to in SECTION V (e).
16. To child welfare agencies and tribal organizations that are legally responsible for the care and protection of students, including the educational stability of children in foster care.

E. Nothing in this policy shall prevent the school district from:

- a. Including in the education records of a student is appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community.
- b. Disclosing appropriate information concerning disciplinary action taken against a student for conduct that posed a significant risk to the safety or well-being of that student, other student, or other members of the school community, to teachers and school officials who have been determined to have legitimate educational interests in the behavior of the student.
- c. Disclosing appropriate information concerning disciplinary action taken against a student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community, to teachers and school officials in other schools who have been determined to have legitimate educational interests in the behavior of the student.
- d. The district will also facilitate the transfer of a student's disciplinary records to officials of any private school in which the student seeks or intends to enroll.

**VI. Amendment of student records**

- A. If a parent/guardian or an eligible student believes that information in the student's records is inaccurate or misleading or in violation the student's right to privacy, either is entitled to:
1. Request in writing that the school district amend the records;
  2. Receive within a reasonable period of time a decision from the school district with respect to its decision on the amendments requested by the parent/guardian or eligible student.
- B. If the school district decides to amend the records, the school district shall promptly take such steps as may be necessary to put the decision into effect with respect to the requested amendments.
- C. If the school district decides that an amendment of the records in accordance with the request is not warranted, it shall so inform the parent/guardian or eligible student and advise him/her of the right to a hearing.

**VII. Hearings Rights and Procedures**

- A. Rights
1. Upon written request of a parent/guardian or eligible student to the superintendent /designee, an opportunity for a hearing shall be provided to challenge the content of a student's education records on the grounds that the information contained in the education records is inaccurate, misleading, or otherwise in violation of the privacy rights of the student
  2. If, as a result of the hearing, the school district decides that information contained in the education records of a student is inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the records shall be amended, and the parent/guardian or eligible student shall be informed in writing.

3. If, as a result of the hearing, the school district decides that information contained in the education records of a student is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the parent/guardian or eligible student shall be informed of the right to place in the student's educational records a statement setting forth the reasons for disagreement with the decision.
  - a. Any explanation placed in the records of the student shall be maintained by the school system as part of the records of the student as long as the record or contested portion is maintained by the school system.
  - b. If the records of the student or the contested portion are disclosed by the school system, the statement of disagreement by the parent/guardians and/or eligible students shall also be disclosed.

#### B. Procedures

1. The hearing shall be held within a reasonable time after the school system has received the request, unless the parent/guardian or eligible student requests a delay.
2. The parent/guardian or eligible student shall be given notice of the date, place, and time of the hearing, within a reasonable time in advance of the hearing.
3. The hearing will be conducted by a person or persons appointed by the superintendent/designee. This person(s) shall be knowledgeable of the policies relating to confidentiality and shall not have a direct interest in the outcome of the hearing.
4. The parent/guardian or eligible student and the school system shall have the right to be represented by person(s) of their choosing at their own expense, to cross-examine witnesses, to present evidence, and to receive a written decision of the hearing.
5. The decision reached through the hearing shall be made in writing within a reasonable period of time after the hearing. The decision will be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

**VIII. Waiver of rights**

- A. A student who is an applicant for admission to an institution of post-secondary education or is in attendance at an institution of post-secondary education, may waive his or her right to inspect and review confidential letters and confidential statements of recommendations with the following limitations:
1. The student is notified, upon request, of the names of all individuals providing the letters or statements.
  2. The letters or statements are used only for the purpose for which they were originally intended.
  3. The waiver is not required by the agency as a condition of admission to or receipt of any other service or benefit from the agency.
  4. The waiver is in writing and executed by the student, regardless of age, rather than by the parent/guardian.
- B. A waiver may be revoked with respect to any actions occurring after the revocation.
- C. Revocation of a waiver must be in writing.
- D. If a parent/guardian of a student executes a waiver, the student may revoke that waiver at any time after he/she reaches the age of 18.

**IX. Special confidentiality procedures for HIV-related information**

a. The following definitions shall apply to SECTION IX of this regulation:

1. Confidential HIV-Related information

“Confidential HIV-related information” means any information pertaining to the protected individual or obtained pursuant to a release of Confidential HIV -related information concerning whether a person has been counseled regarding HIV infection, has been the subject of an HIV-related test, or has HIV infection, HIV-related illness or aids, or information which identifies or reasonably could identify a person as having one or more of such conditions, including information pertaining to such individual’s partners.

2. Health care provider

“Health care provider” means any physician, dentist, nurse, provider of services for the mentally ill or persons with mental retardation, or other person involved in providing medical, nursing, counseling, or other health care, substance abuse or mental health service, including such services associated with, or under contract to, a health maintenance organization or medical services plan.

3. Protected individual

“Protected individual” means a person who has been counseled regarding HIV infection, is the subject of an HIV-related test or who has been diagnosed as having HIV infection, aids or HIV-related illness.

4. Release of confidential HIV-related information

“Release of confidential HIV-related information” means a written authorization for disclosure of confidential HIV-related information which is signed by the protected individual, if an eligible student, or a person authorized to consent to health care for the individual and which is dated and specifies to whom disclosure is authorized, the purpose for such disclosure and the time period during which the release is to be effective. A general authorization for the release of medical or other information is not a release of confidential HIV-related information, unless such authorization specifically indicates its dual purpose as a general authorization and an authorization for the release of confidential HIV-related information.

5. School medical personnel

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

b. Confidentiality of related-related information

1. All school staff must understand that no person who obtains confidential HIV-related information regarding a protected individual may disclose or be compelled to disclose such information. Each person who has access to confidential HIV-related information is responsible for ensuring that confidential HIV-related information is protected from disclosure and/or re-disclosure.
2. Confidential HIV-related information is not public information and any disclosure, other than to persons pursuant to a legally sufficient release or to persons authorized by law to receive such information without a legally sufficient release, violates the law and Board policy.

c. Access of confidential HIV-related information

No school staff member who obtains confidential HIV-related information may disclose or be compelled to disclose such information, except to the following:

- a. The protected individual, his/her legal guardian or a person authorized to consent to health care for such individual
- b. Any person who secures a release of confidential HIV-related information;
- c. A federal, state or local health law officer when such disclosure is mandated or authorized by federal or state law;
- d. A health care provider or health facility when knowledge of the HIV-related information is necessary to provide appropriate care or treatment to the protected individual or when confidential HIV-related information is already recorded in a medical chart or record and a health care provider has access to such record for the purpose of providing medical care to the protected individual;
- e. A medical examiner to assist in determining cause of death;
- f. Any person allowed access to such information by a court order

d. Procedures

1. If a school staff member, other than school medical personnel, is given confidential HIV-related information regarding a protected individual who is also a student from the student's legal guardian or the student, the school staff member shall attempt to secure a release of confidential HIV-related information for the sole purpose of disclosing such information to school medical personnel.
2. If a school medical personnel member is given confidential HIV-related information regarding a protected individual, who is also a student, the school medical personnel member shall inform the legal guardian or the student, if an eligible student, that a release of confidential HIV-related information is necessary before such information may be disclosed to other educational personnel capable of assessing the need for and implementing appropriate accommodations to the student's program.

3. Any school staff member, who obtains confidential HIV-related information from a source other than the protected individual or his/her legal guardian, shall keep such information confidential and shall not disclose such information.
4. No school staff member may disclose confidential HIV-related information to other school staff members without first obtaining a release of confidential HIV-related information.
5. Any record containing confidential HIV-related information shall be maintained in a separate file, and shall not be subject to the provisions of this policy regarding accessibility of general student records.
6. If school medical personnel determine that the health and safety of the student and/or others would be threatened if a release of confidential HIV-related information is not obtained, the school medical personnel may seek a court order authorizing disclosure. In such cases such confidential HIV-related information may be disclosed as set forth in and subject to any limitation of such court order.

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
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.

F. 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 #5141.4

**X. Availability of records for research**

All instructional material, including teacher's manuals, films, tapes, or other supplementary instructional material which will be used in connection with any research or experimentation program or project shall be available for inspection by the parent/guardian of the children engaged in such program or project. For the purpose of this section "research or experimentation program or project" means any program or project in any applicable program designed to explore or develop new or unproved teaching methods or technique.

Data accumulated in or from records may be approved for research purposes only if the anonymity of the students is maintained.

Once the research has been completed and it is assessed that no further use is to be made of the collected data, the researcher shall destroy any information he/she has which would identify the participating students.

***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 District to comply with the requirements of FERPA. The name and address of the agency that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, DC 20202-4605

## Legal References:

State Law:     Comm. Gen. Statutes. § 1-210 et seq.  
                  Comm. Gen. Statutes. § 10-15b  
                  Comm. Gen. Statutes. § 19a-581 et seq.  
                  Comm. Gen. Stat. § 1-220h  
                  Comm. Gen. Stat. § 17-16a  
                  Comm. Gen. Stat. § 17a-28  
                  Comm. Gen. Stat. § 17a-101k  
                  Comm. Gen. Stat. § 46b-134  
                  Regs. Conn. State Agencies § 10-76d-18  
                  Office of the Public Records Administrator, Retention Schedule M8-Education  
                  Records

Federal Law: Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §§  
                  1232g et seq.  
                  USA patriot act of 2001, pub. l. 107-56  
                  No Child Left Behind Act of 2001, pub. l. no. 107-110  
                  34 cfr 99.1 – 99.67  
                  34 cfr 300.560-300.576  
                  34 cfr 99.31(a)(2)  
                  Balancing Student Privacy and School Safety: A Guide to the Family  
                  Educational Rights and Privacy Act for Elementary and Secondary Schools, US  
                  Department of Education (October 2007)  
                  Public Law 112-278 “The Uninterrupted Scholars Act”

Approved: October, 1981

Revised: February 14, 2005

Revised: December 10, 2012

Revised: March 26, 2015

Revised: September 19, 2017

Revised:

**Limits of Authority**

Board members have no authority except at Board meetings or when discharging an assignment approved by the Board.

Individual Board members may not commit the district to any policy, act or expenditure unless so authorized by the Board of Education.

No individual member of the Board, by virtue of holding office, shall exercise any administrative authority with respect to the schools, nor as an individual command the service of any school employee. Board members who desire specific information in order to assist them in their deliberations should request this information from the superintendent of schools through the chair of the Board of Education or their designees, whenever possible.

Policy

Adopted: October, 1981

Revised: May 24, 2004