

Policy Subcommittee

Wednesday, September 22, 2021 7:00 PM

Meeting Access: Policy Subcommittee (9/22/21 at 7 p.m.) Web:

<https://zoom.us/j/94545724143> Dial In: (929) 205-6099 Meeting ID: 945 4572 4143, 3 Brush Hill Road, New Fairfield, CT 06812

I. CALL TO ORDER

II. APPROVAL OF THE MINUTES

A. May 26, 2021 - Regular

B. July 27, 2021 - Special

C. September 1, 2021 - Special

III. ACTION ITEMS

A. Policy 1120 – Public Participation at Board of Education Meetings

B. Policy 0200 – Goals for the Public Schools

C. Policy 3542.43 – Charging Policy

D. Policy 4118.11/4218.11 – Nondiscrimination

E. Policy 5113 – Attendance/Excuses/Dismissal

F. Policy 5113.2 – Truancy

G. Policy 5131.911 – Hazing – Bullying

H. Policy 5141.3 – Health Assessments and Immunizations

I. Policy 6159 – Individualized Education Program/Special Education Program

IV. INFORMATION ITEMS

V. ADJOURNMENT

BOARD OF EDUCATION, NEW FAIRFIELD, CT
Policy Subcommittee Meeting

Name of Subcommittee: Policy Meeting type: Regular
Date of Meeting: 5/26/21
Members present: Samantha Mannion, Rick Regan, Stephanie Strazza, Kathy Baker (*arrived at 7:04 p.m.*)
Members absent:
Other attendees: Dr. Pat Cosentino, James D'Amico, Peggy Katkocin (*left at 7:04 p.m.*)
Minutes submitted by: Gail DeFeo
Place of Meeting: **Meeting Access: Policy Subcommittee (5/26/21 at 7:00 p.m.)**
Web: <https://zoom.us/j/95265838766> **Dial In: (929) 205-6099 Meeting ID: 952 6583 8766**

The meeting was called to order at 7:01 p.m.

II. APPROVAL OF MINUTES

- A. February 17, 2021 – Special - approved by consensus
- B. April 28, 2021 – Regular - approved by consensus
- C. May 3, 2021 – Special - approved by consensus

III. ACTION ITEMS

- A. Policy 4118.112/4218.112 – Sex Discrimination and Sexual Harassment in the Workplace - Shipman & Goodwin prepared this more comprehensive policy based on updated legislation and CABE put it into policy format.
- B. Policy 5145.5 – Prohibition of Sex Discrimination and Sexual Harassment – Shipman & Goodwin prepared and recommended this policy and CABE put it into policy format.
- C. Bylaw 9160 – Student Representation on Board of Education - This Bylaw was reviewed and revised to add bullet 5 and revise bullets 6, 15, 16, & 17.

Motion: To move Policy 4118.112 and Policy 5145.5 as presented and Bylaw 9160 as revised forward to the full Board for approval

Made by: Samantha Mannion

Seconded by: Rick Regan

Recording of Vote: All in favor.

IV. INFORMATION ITEMS - None

V. OTHER – Members discussed the following topics for future consideration: visitation to the schools, equity, and remote learning.

VI. ADJOURNMENT

Motion to adjourn: Made by: Samantha Mannion

Seconded by: Kathy Baker

Recording of vote: All in favor

Meeting adjourned at: 7:35 p.m.

BOARD OF EDUCATION, NEW FAIRFIELD, CT
Policy Subcommittee Meeting

Name of Subcommittee: Policy Meeting type: Special
Date of Meeting: 7/27/21
Members present: Samantha Mannion, Rick Regan, Stephanie Strazza
Members absent: Kathy Baker
Other attendees: Dr. Pat Cosentino, Kimberly LaTourette, Ed Sbordone
Minutes submitted by: Kimberly LaTourette
Place of Meeting: Policy Subcommittee (7/27/21 at 6 p.m.) Web: <https://zoom.us/j/96306619616>
Dial In: (929) 205-6099 Meeting ID: 963 0661 9616

The meeting was called to order at 6:01 p.m.

II. ACTION ITEMS

A. Policy C-19-1250 – Visitors, Volunteers and Observations in Schools

Dr. Cosentino expressed concerns about visitors in the school regarding COVID last year and this coming year. Now we will also have extended construction going on. We would like to update policy to encompass both for a good amount of time. This policy was prepared as a draft, and it will replace/suspend the others until December 31, 2023. We are not saying that there will not ever be visitors, but they will have to go through the principal's office. PPTs, special meetings, and such may be allowed. There is also very limited parking. A discussion about mask mandates took place as well, and it was recommended that the following be added as a bullet: *All visitors must adhere to all health and safety guidelines, including masks.*

Policy 3517.3 – The last paragraph restricts access to track and field during special events. Dr. Cosentino said that everything is closed during school hours. This policy is more for sporting events. There was discussion about importing this language into the new policy. It would make sense because it is not anywhere else, but it doesn't make sense because of the title. Change to "Visitors, Volunteers, and Access to Campus" - add restricted access piece (track and field during athletic events).

Motion: To move Policy C-19-1250 – Visitors, Volunteers and Observations in Schools, as amended by the subcommittee, forward to the full Board for approval

Made by: Rick Regan Seconded by: Samantha Mannion

Recording of Vote: All in favor

Motion: To suspend Policies 1250, 1250.1, 3517.3 and 6162.4 and bring to the full board

Made by: Rick Regan Seconded by: Stephanie Strazza

Recording of Vote: All in favor

III. INFORMATION ITEMS - None

IV. OTHER - Stephanie asked if we needed to put anything in place based on CDC guidelines. Today, the CDC is recommending all students and staff, K-12, wear masks at the start of school. Dr. Cosentino will send out staff letter Monday and a parent letter and video shortly after that. Most of our students are not vaccinated and the Delta virus is spreading. We have to know which staff members have been vaccinated or not. Parents do not have to tell us, but Dr. Cosentino is hoping they will for quarantining purposes. Teachers will be encouraged to take their kids out and offer mask breaks, and we are also encouraging 3 feet distancing whenever possible. We are working on the reopening plans with more details.

V. ADJOURNMENT

Motion to adjourn: Made by: Samantha Mannion

Seconded by: Rick Regan

Recording of vote: All in favor

Meeting adjourned at: 6:31 p.m.

BOARD OF EDUCATION, NEW FAIRFIELD, CT
Policy Subcommittee Meeting

Name of Subcommittee: Policy Meeting type: Special
Date of Meeting: 9/1//21
Members present: Kathy Baker, Samantha Mannion, Rick Regan, Stephanie Strazza
Members absent:
Other attendees: Dr. Pat Cosentino, Greg Flanagan, Peggy Katkocin
Minutes submitted by: Stephanie Strazza
Place of Meeting: Meeting Access: Policy Subcommittee (9/1/21)
Web: <https://zoom.us/j/91393562585> Dial In: (929) 205-6099 Meeting ID: 913 9356 2585

The meeting was called to order at 6:04 p.m.

III. ACTION ITEMS

A. Policy 1120 – Public Participation at Board of Education Meetings

The committee discussed potential revisions to Policy 1120. There have been ongoing concerns about unrestricted public comment derailing the business of regular BOE meetings. The committee identified several items that could potentially be added/revised in the policy, such as statements that were not related to topics on the agenda and the redundancy of multiple speakers commenting on the same topic. There was also discussion surrounding the lack of enforcement of the existing policy, specifically time limits, the speaker identification requirement, and back and forth dialogue between board members and the public.

Samantha shared that in comparison to the policies of 22 surrounding school districts, New Fairfield's policy is far less stringent. The CABA attorney confirmed with her that it is within the legal authority of school boards to regulate public comment. Members of the committee were concerned that the new policy would not be received well by the public, and the policy itself could become an issue. The committee agreed that redirecting the public to speak at subcommittee meetings could be an appropriate solution. Kathy spoke about the importance of reinstating the Community Outreach Subcommittee before the policy is amended. Stephanie asked about needing an additional policy to prevent subcommittee meetings from being derailed. Greg was concerned about the timing of adopting a stricter policy. Peggy and Greg agreed that the policy changes should consider the expectations of the New Fairfield community, and that the meeting operations in other districts should not be the reason for the revisions. Rick expressed concern that strict time limits would prevent many residents from having a turn to speak. He raised concerns about restricting public comment to agenda items only, citing times when off topic comments were relevant and effective.

The committee agreed to table the action item to further review the proposed amendments.

Motion: To table the proposed amendments to Policy 1120 – Public Participation at Board of Education Meetings

Made by: Samantha Mannion

Second: Kathy Baker

Record of Vote: All in favor

IV. INFORMATION ITEMS - No information items were discussed.

V. OTHER - No other items were discussed

VI. ADJOURNMENT

Motion to adjourn: Made by: Samantha Mannion

Seconded by: Kathy Baker

Recording of vote: All in favor

Meeting adjourned at: 8:20 p.m.

Community Relations

Public Participation at Board of Education Meetings

~~The Board encourages public participation during the public comment portion of the meeting. The Chairperson reserves the right to limit public comment. Furthermore, the public is encouraged to attend the Board of Education subcommittee meetings where public discussion of issues is welcomed.~~

~~Each speaker, Board of Education and public, should try to speak directly to the point in as concise a manner as possible and should not repeat a previous comment. Pursuant to our Board Policy, public participation is limited to no more than three (3) minutes per speaker and a total of no more than fifteen (15) minutes. Individuals who wish to speak longer are encouraged to attend any and all related subcommittee meetings where most of the Board's groundwork is done. Persons wishing to address the Board should give their names.~~

Board meetings are meetings held in public and are not open hearings. Participation by the general public in debate at regular meetings of matters before the Board of Education shall be permitted. Furthermore, the public is encouraged to attend the Board of Education subcommittee meetings where public discussion of issues is welcomed.

Public participation at regular meetings shall be subject to the provisions enumerated below. On issues where there is strong public interest is evident, the Board should, whenever possible, schedule a special meeting or hold a hearing limited to that subject. The Board Chairperson reserves the right to limit public discussion and/or comment at any time. However, in order to limit or close debate discussion on any subject, a majority vote of those Board members in attendance will be required.

1. Everyone is required to address the Chair for recognition.
2. Each speaker must state his/her full and complete name and address.
3. All speakers must observe rules of common etiquette. Personal attacks on Board members and employees shall not be permitted, and it is expected that all speakers will conduct themselves appropriately, and with decorum. Anyone violating the rules of etiquette will be denied the floor, unless waived by either the Chairperson, or a majority vote of the Board.
4. Each speaker is limited to a maximum of five three (3) minutes, and the total amount of meeting time dedicated to public comment shall not exceed fifteen (15) minutes. A speaker will not be recognized for a second time unless time remains after all have been heard. Speakers are requested to avoid redundancy, and not repeat a previous comment. The Board may modify these limitations at the beginning of the meeting if the number of persons wishing to speak makes it advisable to do so.
5. Each speaker should must limit their comments to items on the agenda, and/or items under discussion at the meeting. The Chair reserves the right to limit public comment that is untimely or off-topic, and rule the speaker out of order.
6. Following each vote on a motion, the Chairperson will announce the decision of the Board and announce its import.

Community Relations

Public Participation at Board of Education Meetings

7. Lengthy written statements should not be read during public comment. Written statements and any supporting materials should be made available in advance for distribution to Board members.
8. Speakers shall clearly state their positions on the subject being discussed. Those who have questions shall, whenever possible, submit them in writing in advance of the meeting.
9. Speakers are asked to express themselves in a civil manner, with due respect for the dignity and privacy of others who may be affected by their comments. While it is not the Board's intent to stifle public comment, speakers should be aware that if their statements violate the rights of others under the law of defamation or invasion of privacy, the speaker may be held legally responsible. Speakers unsure of the legal ramification of what they are about to say are urged to consult first with their legal advisor.

(cf. 1312 Public Complaints)

Legal Reference: Connecticut General Statutes

1-225 Meetings of government agents to be public. Recording of votes. Schedule and agenda of meetings to be filed. Notice of special meetings. Executive sessions.

1-226 Broadcasting or photographing meetings.

19a-342 Smoking in public meetings in rooms of public building prohibited.

1-227 Mailing of notice of meetings to persons filing written request. Fees.

1-230 Regular meetings to be held pursuant to regulation, ordinance or resolution.

1-232 Conduct of meeting.

1-206 Denial of access to public records or meetings.

10-238 Petition for hearing by board of education.

Policy adopted: June 21, 2007
Policy revised: June 18, 2015
Policy revised: January 7, 2016
Policy revised:

NEW FAIRFIELD PUBLIC SCHOOLS
New Fairfield, Connecticut

Existing policy with required modification due to P.A. 21-46.

Purposes-Goals-Objectives

Goals for the Public Schools

Introduction: The terms “goal”, “objective”, and “performance objective” parallel those given in an American Association of School Administrators Handbook¹.

Goal: “A goal statement is one step more precise than a mission statement. Many goal statements may come out of a mission declaration. Each describes a desired terminal point to be reached sometime in the future to fulfill the mission, and general directions to pursue the mission. A goal statement, likewise, remains too broad to be useful in identifying specific operational activities. A goal is seen by some as a “broad objective”. It must be broken down further if its declarations and outcomes are to serve as guides to action.”

Objective: “An objective is an outcome statement that is consistent with and grows out of a related goal statement. It is a more specific expression of a position, behavior, process, or product to be achieved by a major operational division of an organization over a shorter time period. It is a desired outcome that is capable of being measured with specificity.”

Performance Objective: “Performance objectives are more sharply focused on specific objectives. Usually they describe outcomes that are measurable and achievable relatively quickly. They are likely to be set primarily for categories, departments, or units within an organization for specific administrators.”

These goals are presented with the full realization that the school is only one of several social institutions or influences affecting the child. Its contribution is modified by the intellectual, social, emotional, and affective potentialities that each child brings to the school environment. Our intent is that the school should contribute as fully as possible to the development of each child in the directions indicated by the goals stated.

It is the responsibility of the School Administration and Staff to delineate and update those educational objectives and performance objectives which at each school level will best achieve the goals as stated, together with the means to evaluate periodically the attainment of such objectives. Only then will these goals have full meaning.

To implement the Philosophy of the New Fairfield Public Schools, we accept this charge:

1. to enable students to grow academically, socially, and emotionally by encouraging them to accept responsibility and to understand the consequences of their decisions;

¹ Management by Objectives and Results - a guidebook for today's school executive, American Association of School Administrators, Arlington, VA., 1973: pp. 36-37.

Purposes-Goals-Objectives

Goals for the Public Schools (continued)

2. to provide students with opportunities to master basic skills essential to competent functioning in society, including the ability to read, write, listen, and speak and view proficiently; to understand basic mathematical concepts; and to acquire a general knowledge of the sciences;
3. to enable students to apply knowledge, problem-solving techniques, creativity, and current technology from the various disciplines to the challenges presented by our changing society and physical environment;
4. to enable students to pursue independent thought and research through both assigned and self-initiated projects;
5. to enable students to explore the world's cultural heritage through experiences which help to broaden social awareness;
6. to provide curricular and co-curricular activities which will give students the opportunity to grow aesthetically, emotionally, intellectually, physically, and socially through interaction with others;
7. to provide appropriate programs and services for students with special intellectual, physical, and emotional needs;
8. to enable students to develop aesthetic appreciation through integral experiences in art, music, science, literature, and languages;
9. to enable students to develop as healthy individuals by providing life skills through health and physical education programs and health services;
10. to enable students to develop personal and vocational skills through appropriate grade level experiences in foreign language, practical, and technical arts;
11. to enable students to meet their academic, personal, social, emotional, and vocational needs through guidance, counseling, and special services;
12. to enable students to learn the responsibilities of citizenship in a democracy, emphasizing participation in global, national, and community affairs through practical curricula and co-curricular activities in the social sciences;
13. to enhance the capabilities of the staff by setting expectations and by providing opportunities for growth through professional development and other experiences;

Purposes-Goals-Objectives

Goals for the Public Schools (continued)

14. to foster greater community understanding and support by encouraging citizen involvement in school activities and programs;
15. to provide a safe and orderly environment conducive to the learning process.
16. to equip students with the knowledge and skills necessary to pursue the future of their choice and to prepare students to function effectively in various life roles.
17. to provide support and opportunities necessary to ensure that all students are college and/or career ready.
18. to provide a well-balanced and appropriate curriculum to all students through which students will be prepared to succeed in a variety of postsecondary activities, including employment and/or enrollment in an institution of higher education.
19. to integrate the principles and practices of social-emotional learning into the District's required professional development program pursuant to C.G.S. 10-148a.

(cf. 0100 - Philosophy of the Public Schools)

Legal References: Connecticut General Statutes

10-4(c) Duties of boards. Reports. Comprehensive plan for elementary, secondary, vocational, career and adult education.

10-220(b) Duties of boards of education (as amended by P.A. 19-58 and P.A. 21-46, Section 13)

P.A. 21-46 An Act Concerning Social Equity and the Health, Safety, and Education of Children.

Policy adopted: June 7, 2007
Policy revised: March 5, 2020
Policy revised:

NEW FAIRFIELD PUBLIC SCHOOLS
New Fairfield, Connecticut

Existing policy with modification based on P.A. 21-46.

Business/Non-Instructional Operations

Food Service

Charging Policy

The school lunch program is an extension of the Board of Education's educational programs. It is the Board's vision to have a partnership among students, staff, school family and community in offering access to and providing nutritious meals which are attractively presented at a reasonable price.

The Board of Education has an agreement with the Connecticut State Department of Education to participate in the school-based Child Nutrition Program. The Board accepts full responsibility for adhering to federal and state guidelines and regulations pertaining thereto. Program meals are planned to meet nutrient standards for children as specified by the United States Department of Agriculture in accordance with their age or grade group. All applications for free and reduced price lunch and any related information will be considered strictly confidential and not to be shared outside of the District's food services program.

Although not required by law, but due to its participation in the Child Nutrition Program, the Board approves the establishment of a system to permit students to charge a meal in certain situations.

First, the Board recognizes that funds from the non-profit School Food Service account, according to federal regulations, cannot be used to cover the cost of charged meals that have not been paid.

Moreover, federal funds are intended to subsidize the meals of children, and these funds may not be used to subsidize meals for teachers, staff or visitors. Therefore, adults are not permitted to charge meals and shall pay for such meals at the time of service or through prepaid accounts.

~~Charging is not encouraged by the Board, but on those occasions that a student does not have lunch money, s/he will be permitted to charge a standard Type A meal. Once a student has reached her/his charging limit, s/he will be offered an alternate meal.~~

~~An alternate meal is any meal that differs from the day's advertised, reimbursable Type A meal. The district will determine the alternate meal to be offered. Examples of alternate meals include, but are not limited to, the following:~~

- ~~• a fruit and/or vegetables and milk, or~~
- ~~• a tuna salad sandwich and milk, or~~
- ~~• a cheese sandwich and milk.~~

~~The Board prohibits the public identification or shaming of a child/student for any unpaid charges, including, but not limited to, the following:~~

Business/Non-Instructional Operations

Food Service

Charging Policy (continued)

- Delaying or refusing to serve a meal to such student,
- Designating a specific meal option for such student or otherwise taking any disciplinary action against such student.

A student needing to charge a meal will be informed of his/her right to purchase a meal, which may exclude a la carte items, for any school breakfast, lunch or other feeding.

~~The cost for providing such alternate meals cannot be incurred by the School Food Service, and the charge for such alternate meals will be the same amount as the standard Type-A or reimbursable meal.~~ All charges must be paid within ten (10) business days following notification of the initial charge.

In order to sustain the District's food services program, the District cannot permit the excessive charging of student meals. Therefore, any charging of meals must be consistent with this policy and any accompanying regulations. The Superintendent or his/her designee shall develop regulations designed to effectively and respectfully address family responsibility for unpaid meals.

Any parent/guardian who anticipates a problem with paying for meals is encouraged to contact the Food Services Manager/Director and/or the applicable school Principal for assistance. The Board encourages all families who may have a child eligible for free or reduced price lunch to apply.

In summary, the Board's policy regarding meal charging is as follows:

1. Students may not charge more than ~~three (3)~~ thirty (30) Type-A reimbursable meals.
2. The School Food Service will inform students verbally when they have a low account balance, or when they have begun charging.
3. A la carte menu items cannot be charged.
4. Parents of elementary school students who charge will be notified by a letter given to the student by her/his classroom teacher or by telephone or email that their child has received charged meals. Middle and High School students' parents will receive a notification letter through email, or they will be contacted via telephone.
- ~~5. After the third charged meal, the School Food Service will provide an alternate meal. Parents will be notified that an alternate meal has been provided.~~
- ~~6. Alternate meals will be provided until all charged amounts, including full pricing for alternate meals, are paid.~~
- ~~7. The Board reserves the option to discontinue alternate meals should payment not be forthcoming within ten (10) school days' time.~~
5. In the event of hardship situations, parents/guardians may contact the Board's business office to discuss application for free or reduced price meals.

Business/Non-Instructional Operations

Food Service

Charging Policy (continued)

Elementary Students

Communications with parents/guardians regarding collection of a child's unpaid meal charges shall include information on local food pantries, application for free or reduced price meals and the Department of Social Services' supplemental nutrition assistance program and a link to the District's website that lists any community services available to town/city residents.

The Board will accept gifts, donations, or grants from any public or private sources for the purpose of paying off any unpaid charges for school meals.

Delinquent Debt and Bad Debt

The District's efforts to recover from households money owed due to the charging of meals must not have a negative impact on the children involved and shall focus primarily on the adults in the household responsible for providing funds for meal purchases. The school food authority is encouraged to consider whether the benefits of potential collections outweigh the costs which would be incurred to achieve those collections.

Money owed because of unpaid meal charges shall be considered "delinquent debt," as defined, as long as it is considered collectable and reasonable efforts are being made to collect it. Such debt must be paid by June 30, effective with the 2017-2018 school year.

After reasonable attempts are made to collect the delinquent debt, and it is determined that further collection efforts are useless or too costly, the debt must be reclassified as "bad debt." Such debt shall be written off as an operating loss not to be absorbed by the nonprofit school food service account but must be restored using non-federal funds.

This policy shall be included in student/parent handbooks, placed on the Board's website and the website of each school, and it shall be published at the beginning of each school year at the time information is distributed regarding free and reduced price meals.

This policy shall be provided to all school staff and/or school food authority staff responsible for its enforcement. In addition, school social workers, nurses, the homeless liaison, and other staff members assisting children in need or who may be contacted by families with unpaid meal charges also should be informed of this policy.

The District's school food authority shall maintain, as required, documentation of the methods used to communicate this policy to households and school or school food authority-level staff responsible for policy enforcement.

[September 2011 implementation]

Business/Non-Instructional Operations

Food Service

Charging Policy (continued)

(cf. 3542 – Food Service)

(cf. 3542.31 – Free or Reduced Price Lunch Program)

Legal Reference: Connecticut General Statutes

10-215 Lunches, breakfasts and other feeding programs for public school children and employees. (as amended by PA 21-46)

10-215a Nonpublic school and nonprofit agency participation in feeding programs.

10-215b Duties of State Board of Education re feeding programs.

State Board of Education Regulations

State of Connecticut, Bureau of Health/Nutrition, Family Services and Adult Education Operational Memorandum No. 4-17, “Guidance on Unpaid Meal Charges and Collection of Delinquent Meal Payments,” Nov. 2, 2016.

State Board of Education Regulations (continued)

Operational Memorandum #19-10, State of Connecticut, Bureau of Health/Nutrition, Family Services and Adult Education.

“Unallowable Charges to No-profit School Food Service Accounts and the Serving of Meals to No-paying Full and Reduced Price Students.

National School Lunch Program and School Breakfast Program; Competitive Foods. (7 CFR Parts 210 and 220, Federal Register, Vol 45 No. 20, Tuesday, January 29, 1980, pp 6758-6772.

USDA Guidance:

- SP 46-2016, “Unpaid Meal Charges: Local Meal Charge Policies”
- SP 47-2016, “Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payment”
- SP 57-2016 “Unpaid Meal Charges: Guidance and Q and A”
- SP 58-2016 “2016 Edition: Overcoming the Unpaid Meal Challenge: Proven Strategies from Our Nation’s Schools”

Policy adopted: May 19, 2011

Policy revised: June 15, 2017

Policy revised:

NEW FAIRFIELD PUBLIC SCHOOLS

New Fairfield, Connecticut

Existing policy with modification based on P.A. 21-2, Section 441.

Personnel - Certified/Non-Certified

Nondiscrimination

The conditions or privileges of employment in the school district, including the wages, hours, terms and benefits, shall be applied without regard to race, color, religion, sex, age, natural origin, ancestry, marital status, Veteran status, pregnancy, sexual orientation, gender identity or expression, disability, or genetic information, except in the case of a bona fide occupational qualification. The Board of Education seeks to extend the advantages of public education with full equality of educational opportunity to all students and personnel. For purposes of this policy, “genetic information” means the information about genes, gene products, or inherited characteristics that may derive from an individual or family member.

“Race” is inclusive of ethnic traits historically associated with race, including, but not limited to, hair texture and 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.

Association Membership

No employee shall suffer any professional disadvantage by reason of the employee's membership in an employee association or participation in its lawful activities.

Grievances

No employee, employee association representative, member of any employee organization or any other participant in a grievance procedure shall suffer reprisals in any other way or suffer any professional disadvantage by reason of their opposition to any unfair labor practices or because of participation in the processing of any grievance. The Superintendent will provide procedures for alleged violations of Board policies, administrative regulations, and school district operations in general when not otherwise covered in employee organization agreements.

(cf. 4111 - Recruitment and Selection)

(cf. 4111.1 - Affirmative Action)

(cf. 4118.112/4218.112 - Sexual Harassment)

(cf. 4135 - Organizations/Units)

Legal References: Connecticut General Statutes

46a-60 Discriminatory employment practices prohibited. (as amended by PA 17-127)

46a-81a Discrimination on the basis of sexual orientation

10-15c Discrimination in public schools prohibited. School attendance by five-year olds (as amended by PA 21-2 §441.)

Personnel - Certified/Non-Certified

Nondiscrimination

Legal References: Connecticut General Statutes (continued)

P.A. 11-55 An Act Concerning Discrimination

10-153 Discrimination on account of marital status.

10-153a Rights concerning professional organization and regulations.

Public Act 07-62 An Act Concerning the Deprivation of Rights on Account of Sexual Orientation

Public Act 07-245 An Act Concerning Family and Medical Leave for Municipal Employees and the Applicability of Certain Statutory Provisions to Civil Union Status

Federal Law:

Title VI of the Civil Rights Acts of 1964, 42 USC 2000d, et seq.

Title VII of the Civil Rights Acts of 1964, 42 USC 2000e et seq.

Title IX of the Educational Amendments of 1972, 20 USC 1681, et seq.

Age Discrimination in Employment Act, 29 USC 621

Americans with Disabilities Act, 42 USC 12101, as amended

Section 504 of the Rehabilitation Act of 1973, 29 USC 794

Policy adopted: June 1, 2006
Policy revised: August 19, 2010
Policy revised: November 17, 2011
Policy revised: March 1, 2018
Policy revised:

NEW FAIRFIELD PUBLIC SCHOOLS
New Fairfield, Connecticut

No change necessary.

Personnel - Certified/Non-Certified

Nondiscrimination

It is the express policy of the New Fairfield Board of Education to provide for the prompt and equitable resolution of complaints alleging any discrimination on the basis of protected characteristics such as race, color, religion, sex, age, natural origin, ancestry, marital status, Veteran status, pregnancy, sexual orientation, gender identity or expression, disability, or genetic information. In order to facilitate the timely resolution of such complaints and/or grievances, any employee who feels that he/she has been discriminated against on the basis of these protected characteristics should file a written complaint with:

Office of the Superintendent of Schools
New Fairfield Board of Education
3 Brush Hill Road
New Fairfield, CT 06812

Preferably, complaints should be filed within thirty (30) days of the alleged occurrence. Timely reporting of complaints and/or grievances facilitates the investigation and resolution of such complaints and/or grievances.

Complaints and/or grievances will be investigated promptly and corrective action will be taken when allegations are verified.

Specifically, upon receipt of a written complaint of discrimination, the Superintendent and/or his or her designee should:

1. offer to meet with the complainant to discuss the nature of his/her complaint;
2. provide the complainant with a copy of the Board's anti-discrimination policy and accompanying regulations;
3. investigate the factual basis of the complaint, including, as applicable, conducting interviews with individuals deemed relevant to the complaint;
4. conduct the investigation in a confidential manner, to the extent practicable, adhering to the requirements of state and federal law;
5. communicate the findings and/or results of any investigation to the complainant;
and
6. take appropriate corrective and disciplinary action, as deemed appropriate by the Superintendent and/or his or her designee.

Personnel - Certified/Non-Certified

Nondiscrimination

If the complaint involves an allegation of discrimination based on disability or sex, the complainant should be referred to the Board's policies and procedures related to Section 504 of the Rehabilitation Act (for claims of discrimination and/or harassment based on disability) and Sex Discrimination/Sexual Harassment. (for claims of discrimination and/or harassment based on sex).

For allegations pertaining to race, color or national origin discrimination, at any stage in this complaint procedure, the complainant has the right to file formal complaints regarding such matters with:

Boston Office
Office of Civil Rights
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109-3921
Tel. (617) 289-0111

If a complaint is filed with the Office of Civil Rights, it must be filed in writing no later than one hundred eighty (180) days after the occurrence of the alleged discrimination.

A complainant may also file a complaint with the Connecticut Commission on Human Rights and Opportunities, 1229 Albany Avenue, Hartford, CT 06112 (860 566-7710) and/or the Equal Employment Opportunity Commission, Boston Area Office, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203 (617-565-3200).

(cf. 4118.112 – Sexual Harassment)
(cf. 5145.4 – Nondiscrimination on the Basis of Disability)
(cf. 5145.5 – Exploitation: Sexual Harassment)

Regulation approved: August 19, 2010
Regulation revised: November 17, 2011
Regulation revised: March 1, 2018

NEW FAIRFIELD PUBLIC SCHOOLS
New Fairfield, Connecticut

**NEW FAIRFIELD PUBLIC SCHOOLS
New Fairfield, Connecticut 06312**

DISCRIMINATION COMPLAINT FORM

(For Complaints Based on race, color, religion, sex, age, natural origin, ancestry, marital status, Veteran status, pregnancy, sexual orientation, gender identity or expression, disability, or genetic information)

Name of the complainant _____

Date of the complaint _____

Date of the alleged discrimination/harassment _____

Name or names of the discriminator(s) or harasser(s) _____

Location where such discrimination/harassment occurred _____

Name(s) of any witness(es) to the discrimination/harassment. _____

Detailed statement of the circumstances constituting the alleged discrimination or harassment

Existing policy with modification based on P.A. 21-46.

Students

Attendance/Excuses/Dismissal

Attendance

Connecticut state law requires parents to cause their children, ages five through eighteen inclusive, to attend school regularly during the hours and terms the public school is in session. Parents or persons having control of a child five years of age have the option of not sending the child to school until ages six or seven. Mandatory attendance terminates upon graduation or withdrawal with written parent/guardian consent at ages sixteen or seventeen.

A student is considered to be “in attendance” if present at his/her assigned school, or an activity sponsored by the school (e.g., field trip), for at least half of the regular school day. A student who is serving an out-of-school suspension or expulsion should always be considered absent.

Classroom learning experiences are the basis for public school education. Time lost from class is lost instructional opportunity. The Board of Education requires that accurate records be kept of the attendance of each child, and students should not be absent from school without parental knowledge and consent.

Definitions (related to chronic absenteeism)

Chronically absent child: An enrolled student whose total number of absences at any time during a school year is equal to or greater than ten percent of the total number of days that such student has been enrolled at such school during such school year.

Absence: An excused absence, unexcused absence or disciplinary absence, as those terms are defined by the State Board of Education pursuant to C.G.S. 10-198b.

District chronic absenteeism rate: The total number of chronically absent children in the previous school year divided by the total number of children under the jurisdiction of the Board of Education for such school year.

School chronic absenteeism rate: The total number of chronically absent children for a school in the previous school year divided by the total number of children enrolled in such school for such school year.

Excuses

Note: *The use of the state approved definitions of “excused” and unexcused” absences are for state purposes for the reporting of truancy. Districts are not precluded from using separate definitions of such absences for their internal uses such as involving decisions on areas such as promotion and grading.*

Students

Attendance/Excuses/Dismissal

Excuses (continued)

A student's absence from school shall be considered "excused" if written documentation of the reason for such absence has been submitted within ten (10) school days of the student's return to school and meets the following criteria:

- A. For absences one through nine, a student's absences from school are considered "excused" when the student's parent/guardian approves such absence and submits appropriate documentation to school officials.
- B. A student's engagement in remote classes, remote meetings, activities on time-logged electronic systems, and completion and submission of assignments, if such engagement accounts for not less than one-half of the school day during remote learning is excluded from the definitions of "excused absence" and "unexcused absence."
- C. Absence resulting from a student enrolled in grades K-12, taking two mental health days during the school year. Such absence is to permit the student to attend to his/her emotional and psychological well-being in lieu of attending school.

The student shall not be required to present documentation or parental/guardian consent. For purposes of school year limitation, such absence shall be identified as a "mental health wellness day."

A student cannot take these mental health days during consecutive school days.

Such documentation includes a signed note from the student's parent/guardian, a signed note from a school official that spoke in person with the parent/guardian regarding the absence, or a note confirming the absence by the school nurse or by a licensed medical professional, as appropriate. Documentation should explain the nature of and the reason for the absence as well as the length of the absence. Separate documentation must be submitted for each incidence of absenteeism.

- D. For the tenth absence and all absences thereafter, a student's absences from school are considered excused for the following reasons:
 - 1. Student illness (must be verified by a licensed medical professional to be deemed excused, regardless of the length of the absence);
 - 2. Student's observance of a religious holiday;
 - 3. Death in the student's family or other emergency beyond the control of the student's family;
 - 4. Mandated court appearances (documentation required);

Students

Attendance/Excuses/Dismissal

Excuses (continued)

5. The lack of transportation that is normally provided by a district other than the one the student attends (no parental documentation required);
 6. Extraordinary educational opportunities pre-approved by District administration and to be in accordance with Connecticut State Department of Education guidance.
- E. A student's absence from school shall be considered unexcused unless:
1. The absence meets the definition of an excused absence and meets the documentation requirements; or
 2. The absence meets the definition of a disciplinary absence, which is the result of school or District disciplinary action and are excluded from these State Board of Education approved definitions.

When the school in which a child is enrolled receives no notification from a parent or other person having control of the child is aware of the child's absence, a reasonable effort shall be made by school personnel or volunteers under the direction of school personnel to notify by telephone and by mail such parent or other person having control of the child.

Students who plan to be absent for reasons other than those listed above, should seek approval by presenting a note from home to the Principal. Responsibility for completion of missed classwork lies with the student, not the teacher. Unless a student has an extended illness, all make-up work will be complete within five days after the student returns to school.

Excused Absences for Children of Service Members

An enrolled student, age five to eighteen, inclusive, whose parent or legal guardian is an active duty member of the armed forces, as defined in section 27-103, and has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support posting, shall be granted ten days of excused absences in any school year and, at the discretion of the Board of Education, additional excused absences to visit such child's parent or legal guardian with respect to such leave or deployment of the parent or legal guardian. In the case of such excused absences such child and parent or legal guardian shall be responsible for obtaining assignments from the student's teacher prior to any period of excused absence, and for ensuring that such assignments are completed by such child prior to his or her return to school from such period of excused absence.

Chronic Absenteeism

The Board of Education, in compliance with statute, requires the establishment of attendance review teams when chronic absenteeism rates in the District or at individual schools in the District meet the following circumstances:

Students

Attendance/Excuses/Dismissal

Chronic Absenteeism (continued)

1. A team for the District must be established when the District chronic absenteeism rate is 10 percent or higher.
2. A team for the school must be established when the school chronic absenteeism rate is 15 percent or higher.
3. A team for either the District or each school must be established when (a) more than one school in the District has a school chronic absenteeism rate of 15 percent or higher or (b) a District has a District chronic absenteeism rate of 10 percent or higher and one or more schools in the District have a school chronic absenteeism rate of 15 percent or higher.

Each attendance review team shall be responsible for reviewing the cases of truants and chronically absent children, discussing school interventions and community referrals for such truants and chronically absent children and making any additional recommendations for such truants and chronically absent children and their parents or guardians. Each established attendance review team shall meet at least monthly, referencing the chronic absenteeism prevention and intervention plan developed by the State Department of Education. Such plan must include the means for collecting and analyzing data relating to student attendance, truancy and chronic absenteeism. The data must be disaggregated by school district, school grades and subgroups such as race, ethnicity, gender, eligibility for free and reduced priced lunches, students whose primary language is not English, and students with disabilities.

The District shall annually include in information for the Profile and Performance report for each school and the District that is submitted to the Commissioner of Education, data pertaining to truancy and chronically absent children.

The Principal or his/her designee of any elementary or middle school located in a town/city designated as an alliance district may refer to the children's truancy clinic established by the Probate Court serving the town/city, a parent/guardian with a child defined as a truant or who is at risk of becoming a truant. *(An attendance officer or a police officer shall deliver the citation and summons and a copy of the referral to the parent/guardian.)*

Dismissal

No school, grade, or class may be dismissed before the regularly scheduled dismissal time without the approval of the Superintendent or his/her designee.

No teacher may permit any individual student to leave school prior to the regular hour of dismissal without the permission of the Principal.

Students

Attendance/Excuses/Dismissal

Dismissal (continued)

No student may be permitted to leave school at any time other than at regular dismissal without the approval of the student's parent/guardian. If a court official with legal permission to take custody of a child, or if a police officer arrests a student, the parent/guardian should be notified of these situations by the administration.

(cf. 5142 - Student Safety)

(cf. 5113.2 - Truancy)

(cf. 6113 - Released Time)

Legal Reference: Connecticut General Statutes
10-184 Duties of parents (as amended by PA 98-243 and PA 00-157)
10-185 Penalty
10-198a Policies and procedures concerning truants (as amended by P.A.11-136, An Act Concerning Minor Revisions to the Education Statutes and PA 14-198, An Act Concerning Excused Absences from School for Children of Service Members, and PA 16-147, An Act Concerning the Recommendations of the Juvenile Justice Policy and Oversight Committee.)
10-198b State Board of Education to define "excused absence," "unexcused absence," and "disciplinary absence" (as amended by PA 21-46, Section 19)
10-198d Chronic absenteeism (as amended by PA 17-14 and PA 18-182)
10-199 through 10-202 Attendance, truancy - in general
Action taken by State Board of Education on January 2, 2008, to define "attendance."
Action taken by State Board of Education on June 27, 2012, to define "excused" and "unexcused" absences.
PA 17-14 An Act Implementing the Recommendations of the Department of Education
PA 21-46 An Act Concerning Social Equity and the Health, Safety and Education of Children

Policy adopted: November 17, 2011
Policy revised: March 7, 2013
Policy revised: April 21, 2015
Policy revised: March 2, 2017
Policy revised: March 1, 2018
Policy revised: December 6, 2018
Policy revised:

NEW FAIRFIELD PUBLIC SCHOOLS
New Fairfield, Connecticut

Existing policy with modification based on P.A. 21-46.

Students

Tuancy

Introduction and Definitions

The District's policy on student truancy shall stress early prevention and inquiry leading to remediation of absences rather than imposition of punitive measures for students. Referral to legal authorities normally shall be made only when local resources are exhausted. For purposes of implementing this policy and for reporting purposes regarding truancy, the District will utilize the State Board of Education approved definitions of "excused" and "unexcused" absences.

"Truant" shall mean a student age five to eighteen, inclusive, who has four unexcused absences in any one month, or ten unexcused absences in one school year.

"Unexcused Absence" Board policy with respect to unexcused absences stresses prevention and inquiry leading to remediation of absences. The schools will make all reasonable efforts to help students improve their attendance when such improvement is warranted. When all local resources are exhausted referral to legal authorities is recommended.

"In attendance" shall mean a student is present at his/her assigned school, or an activity sponsored by the school (e.g., field trip), for at least half of the regular school day. A student who is serving an out-of-school suspension or expulsion should always be considered absent.

"Chronically absent child" is an enrolled student whose total number of absences at any time during a school year is equal to or greater than ten percent of the total number of days that such student has been enrolled at such school during such school year.

"Absence" means an excused absence, unexcused absence or disciplinary absence, as those terms are defined by the State Board of Education pursuant to C.G.S. 10-198b.

"Mental health wellness day" means a school day during which a student attends to his/her emotional and psychological well-being in lieu of attending school. Such days must be nonconsecutive.

"District chronic absenteeism rate" means the total number of chronically absent children in the previous school year divided by the total number of children under the jurisdiction of the Board of Education for such school year.

"School chronic absenteeism rate" means the total number of chronically absent children for a school in the previous school year divided by the total number of children enrolled in such school for such school year.

Students

Truancy (continued)

Remediation of Truancy

School personnel shall seek cooperation from parents or other persons having control of such child and assist them in remedying and preventing truancy. The Superintendent of Schools shall develop regulations which will detail the following school district obligations under the district's truancy policy:

1. Notify parents annually of their obligations under the attendance policy.
2. Obtain telephone numbers for emergency record cards or other means of contacting parents or other persons having control of the child during the school day.
3. Establish a system to monitor student attendance.
4. Make a reasonable effort by telephone and by mail to notify parents or other persons having control of the child enrolled in grades one through eight, inclusive, when a child does not arrive at school and there has been no previous approval or other indication which indicates parents are aware of the absence.
5. Identify a student as "truant" when the student accumulates four unexcused absences in any month or ten in a school year.
6. Identify a student as "chronically absent" when the student accumulates a total number of absences at any time during a school year that is equal to or greater than ten percent of the total number of days that such student has been enrolled at the school during the school year.
7. Appropriate school staff meet with parents of a child identified as truant or chronically absent to review and evaluate the situation, within ten days of such designation. Such meeting may involve the school or District Attendance Team.

Students so identified may be subject to:

- (a) retention in the same grade to acquire necessary skills for promotion.
 - (b) a requirement to complete a summer school program successfully before being promoted to the next grade.
8. When a petition is filed, an educational evaluation of the truant student shall be done by appropriate school personnel if no such evaluation has been performed within the preceding year.
 9. Provide coordination of services and refer "truants" to community agencies which provide family services.
 10. If in existence, refer the child to the children's probate court truancy clinic.

Students

Truancy

Remediation of Truancy (continued)

The Board, ~~on or before 8/15/18,~~ shall implement a truancy intervention model identified by the Connecticut State Department of Education (SDE) for any school within the District that has a disproportionately high rate of truancy, as identified by the Commissioner of Education. The intervention models must also address the needs of students with disabilities. Parents or other persons having control of each child shall be notified of such truancy model. ~~(Note: The SDE is required to identify these effective truancy intervention models by 8/15/18.)~~

Chronic Absenteeism

The Board of Education, in compliance with statute, requires the establishment of attendance review teams when chronic absenteeism rates in the District or at individual schools in the District meet the following circumstances:

1. A District team must be established when the District's chronic absenteeism rate is 10 percent or higher.
2. A school team must be established when the school chronic absenteeism rate is 15 percent or higher.
3. A team for either the District or each school must be established when (a) more than one school in the District has a school chronic absenteeism rate of 15 percent or higher or (b) a District has a District chronic absenteeism rate of 10 percent or higher and one or more schools in the District have a school chronic absenteeism rate of 15 percent or higher.

The membership of attendance review teams may consist of school administrators, guidance counselors, school social workers, teachers, chronically absent children, parents or guardians of chronically absent children, and representatives from community-based programs who address issues related to student attendance by providing programs and services to truants.

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

~~In the calculation of the District's chronic absenteeism rate and the school chronic absenteeism rate, a student's engagement, in grades 9-12, in remote virtual learning shall be excluded if such engagement accounts for not less than one-half of the school day. In addition, the calculation of chronic absenteeism rates shall exclude absence resulting from a student taking a mental health day pursuant to P.A. 21-46.~~

Students

Truancy

Chronic Absenteeism (continued)

The District shall utilize the chronic absenteeism prevention and intervention plan developed by the State Department of Education when it becomes available. Such plan must include the means for collecting and analyzing data relating to student attendance, truancy and chronic absenteeism. The data must be disaggregated by school district, school grades and subgroups such as race, ethnicity, gender, eligibility for free and reduced priced lunches, students whose primary language is not English, and students with disabilities.

The District shall annually include in information for the Profile and Performance report for each school and the District that submitted to the Commissioner of Education, data pertaining to truancy and chronically absent children.

The Principal or his/her designee of any elementary or middle school located in a town/city designated as an alliance district may refer to the children's truancy clinic established by the Probate Court serving the town/city, a parent/guardian with a child defined as a truant or who is at risk of becoming a truant. (An attendance officer or a police officer shall deliver the citation and summons and a copy of the referral to the parent/guardian.)

(cf. 5113 – Attendance)

Legal Reference: Connecticut General Statutes

10-184 Duties of parents. (as amended by PA 98-243 and PA 00-157)

10-198a Policies and procedures concerning truants (as amended by PA 00-157, P.A. 11-136 and PA 16-147)

10-198b State Board of Education to define “excused absence”, “unexcused absence”, and “disciplinary absences” (as amended by PA 21-46)

10-198c Attendance review teams (as amended by PA 17-14)

10-198d Chronic absenteeism (as amended by PA 18-182)

10-198e Identification of truancy identification models (as amended by PA 18-182)

10-199 through 10-202 Attendance, truancy in general. (Revised, 1995, PA 95-304)

Students

Truancy

Legal Reference: Connecticut General Statutes (continued)

45a-8c Truancy clinic. Administration. Policies and procedures. Report.
(as amended by PA 15-225)

10-220(c) Duties of boards of education (as amended by PA 15-225)

10-202e-f Policy on dropout prevention and grant program.

10-221(b) Board of education to prescribe rules. *Campbell v New Milford*,
193 Conn 93 (1984).

*Action taken by the State Board of Education on January 2, 2008, to
define "attendance."*

*Action taken by the State Board of Education on June 27, 2012, to define
"excused" and "unexcused" absences.*

Policy adopted: December 4, 2008
Policy revised: November 17, 2011
Policy revised: March 7, 2013
Policy revised: December 17, 2015
Policy revised: March 2, 2017
Policy revised: March 1, 2018
Policy revised: December 6, 2018
Policy revised:

NEW FAIRFIELD PUBLIC SCHOOLS
New Fairfield, Connecticut

Existing policy with modification based on P.A. 21-95, Section 14.

Students

Hazing

Bullying

The Board of Education (Board) promotes a secure and happy school climate, conducive to teaching and learning that is free from threat, harassment and any type of bullying behavior. Therefore, it shall be the policy of the Board that bullying of a student by another student is prohibited.

The Board believes that a school environment in which students feel safe, supported, engaged and helpfully challenged is optimal for learning and healthy development. The Board seeks an environment in which students and adults feel socially, emotionally, intellectually and physically safe; an environment that is free of harassment, intimidation and bullying.

Definitions

“Bullying” means an act that is direct or indirect and severe, persistent or pervasive which:

- A. causes physical or emotional harm to an individual,
- B. places an individual in reasonable fear of physical or emotional harm, or,
- C. infringes on the rights and opportunities of an individual at school.

Bullying shall include, but need not be limited to, a written, oral, or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics. *(The student against whom the activity is directed must be attending school in the same district as the students engaged in the activity.)*

“Cyberbullying” means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.

“Teen dating violence” means any act of physical, emotional or sexual abuse, including stalking, harassing and threatening that occurs between two students who are currently in or have recently been in a dating relationship.

Students

Hazing

Bullying

Definitions (continued)

“Mobile electronic device” means any hand-held or other portable electronic equipment capable of providing data communication between two or more individuals, including, but not limited to, a text messaging device, a paging device, a personal digital assistant, a laptop computer, equipment that is capable of playing a video game or a digital video disk, or equipment on which digital images are taken or transmitted.

“Electronic communication” means any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic or photo-optical system.

“Hostile environment” means a situation in which bullying among students is sufficiently severe or pervasive to alter the conditions of the school climate.

“Outside of the school setting” means at a location, activity or program that is not school related, or through the use of an electronic device or a mobile electronic device that is not owned, leased or used by a local or regional board of education.

“School employee” means (a) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, school counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by a local or regional board of education or working in a public elementary, middle or high school; or (b) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle or high school, pursuant to a contract with the local or regional board of education.

“School climate” means the quality and character of school life based on patterns of students’, parents’ and guardians’ and school employees’ experiences of school life, including, but not limited to, norms, goals, values, interpersonal relationships, teaching and learning practices and organizational structures.

“Positive school climate” means (A) a school climate in which the norms, values, expectations and beliefs that support feelings of social, emotional and physical safety are promoted, (B) students, parents and guardians of students and school employees feel engaged and respected and work together to develop and contribute to a shared school vision, (C) educators model and nurture attitudes that emphasize the benefits and satisfaction gained from learning, and (D) each person feels comfortable contributing to the operation of the school and care of the physical environment of the school.

“Emotional intelligence” means the ability to (A) perceive, recognize and understand emotions in oneself or others, (B) use emotions to facilitate cognitive activities, including, but not limited to, reasoning, problem solving and interpersonal communication, (C) understand and identify emotions, and (D) manage emotions in oneself and others.

Students

Hazing

Bullying

Definitions (continued)

“Social and emotional learning” means the process through which children and adults achieve emotional intelligence through the competencies of self-awareness, self-management, social awareness, relationship skills and responsible decision-making.

Examples of bullying include, but are not limited to:

1. physical violence and attacks
2. verbal taunts, name-calling and put-downs including ethnically-based or gender-based verbal put-downs
3. threats and intimidation
4. extortion or stealing of money and/or possessions
5. exclusion from peer groups within the school
6. The misuse of electronic communications for the purpose of bullying, harassing, or sexually harassing other students within school or out of school (“cyberbullying”)
7. Targeting of a student based on the student’s actual or perceived “differentiating” characteristics such as race; color; religion; ancestry; national origin; gender; sexual orientation; gender identity or expression; socioeconomic or academic status; physical appearance; or mental, physical, developmental, or sensory disability.

Such conduct is disruptive of the educational process and, therefore, bullying is not acceptable behavior in this district and is prohibited.

Students who engage in any act of bullying, on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by the Board of Education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board of Education, and outside of the school setting if such bullying:

1. creates a hostile environment at school for the victim,
2. infringes on the rights of the victim at school, or
3. substantially disrupts the education process or the orderly operation of a school,

are subject to appropriate disciplinary action up to and including suspension, expulsion and/or referral to law enforcement officials.

A comprehensive program, to improve the school climate, involving everyone in the schools and the community, to address bullying at all school levels is essential to reducing incidences of bullying. Such a program must involve interventions at all levels, school wide, classroom and individual.

Students

Hazing

Bullying (continued)

The District's program: (*Also outlined in the section pertaining to the "Safe School Climate Plan."*)

1. Requires the development and implementation of a safe school climate plan by the Board of Education to address the existence of bullying and teen dating violence in its schools and requires at the beginning of each school year that students and their parents/guardians be notified of the process by which students may make such reports;
2. Permits anonymous reports of bullying by students to school employees and written reports of suspected bullying by parents or guardians and requires at the beginning of each school year that students and their parents/guardians be notified of the process by which students may make such reports;
3. Requires school employees who witness acts of bullying or receive reports of bullying to orally notify the safe school climate specialist or another school administrator if the safe school climate specialist is unavailable, not later than one school day after such school employee witnesses or receives a report of bullying and to file a written report not later than two school days after making such an oral report;
4. Requires the safe school climate specialist to investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written report, and that the parents or guardians of the student alleged to have committed an act or acts of bullying and the parents or guardians of the student against whom such alleged act or acts were directed receive prompt notice that such investigation has commenced;
5. Requires the safe school climate specialist to review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report;
6. Requires each school to have a prevention and intervention strategy, as defined by statute, as amended, for school employees to deal with bullying or teen dating violence, including language about bullying in student codes of conduct and in all student handbooks;
7. Provides for the inclusion of language in student codes of conduct concerning bullying;

Students

Hazing

Bullying (continued)

8. Requires each school to notify parents or guardians of all students involved in a verified act of bullying not later than forty-eight hours after the completion of the investigation of the results of such investigation and verbally and by electronic mail, that such parents/guardians may refer to the plan language explanation of the rights and remedies posted on the district's website. (available under CGS 10-4a and 10-4b);
9. Requires each school to invite the parents/guardians of a student against whom such act was directed to a meeting to communicate to such parents/guardians the measures being taken by the school to ensure the safety of the students against whom such act of bullying was directed and the policies and procedures in place to prevent further acts of bullying;
10. Requires each school to invite the parents or guardians of a student who commits any verified act of bullying to a meeting, separate and distinct from the meeting of the parents/guardians of the student against whom the act of bullying was directed, to discuss specific interventions undertaken by the school to prevent further acts of bullying and teen dating violence;
11. Establishes a procedure for each school to document and maintain records relating to reports and investigations of bullying in such school and—make such list publicly available; and report such number to the Department of Education and in such manner as prescribed by the Commissioner of Education;
12. Requires the development of case-by-case interventions for addressing reported incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline;
13. Prohibits discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying;
14. Requires the development of student safety support plans for students against whom an act of bullying was directed that addresses safety measures the school will take to protect such students against further acts of bullying or teen dating violence;
15. Requires the principal of a school or the principal's designee, to notify the appropriate local law enforcement agency when such principal or the principal's designee believes that any acts of bullying constitute criminal conduct;

Students

Hazing

Bullying (continued)

16. Prohibits bullying (A) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a local or regional board of education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the local or regional board of education, and (B) outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;
17. Requires, at the beginning of each school year, for each school to provide all school employees with a written or electronic copy of the school district's safe school climate plan; and
18. Requires all school employees to annually complete the training required by C.G.S. 10-220a, as amended. Such training shall include identifying and responding to bullying and preventing and responding to youth suicide;

Note: *Certified employees are required to complete annual training on the prevention and identification of bullying and response to bullying and the prevention and response to youth suicide.*

The State Department of Education, within available appropriations, is required to provide annual training to non-certified school employees.

19. Requires students and the parents/guardians of students to be notified at the beginning of the school year of the process by which they may make reports of bullying or teen dating violence;
20. As required, the Board of Education shall approve the safe school climate plan developed pursuant to statute and submit such plan to the Department of Education for its review, analysis, cooperative assistance and approval not later than July 1, 2014; and
21. Requires that not later than thirty calendar days after approval by the State Department of Education, the safe school climate plan shall be made available on the Board's and each individual school in the District's Internet website and such plan is to be included in the District's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

Students

Hazing

Bullying (continued)

The Board expects prompt and reasonable investigations of alleged acts of bullying and teen dating violence. The safe school climate specialist of each school is responsible for handling all complaints of alleged bullying and teen dating violence. The safe climate specialist shall investigate or supervise the investigation of all reports of bullying and teen dating violence promptly.

In addition, the norms that are established by adults through consistent enforcement of all policies pertaining to conduct and modeling appropriate behavior at school and at home will reduce the instances and damage of bullying and teen dating violence. It is necessary for students to promote the concept that caring for others is a valued quality, one that is accepted and encouraged.

Prevention and Intervention Strategy

The District shall implement, as required by C.G.S. 10-222d, as amended, a prevention and intervention strategy which may include, but is not limited to:

1. Implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying and teen dating violence identified by the Department of Education.
2. School rules prohibiting bullying, teen dating violence, harassment, and intimidation and establishing appropriate consequences for those who engage in such acts.
3. Adequate adult supervision of outdoor areas, hallways, the lunchroom, and other specific areas where bullying or teen dating violence is likely to occur.
4. Inclusion of grade-appropriate bullying and teen dating violence education and prevention curricula in kindergarten through high school.
5. Individual interventions with the bully or student who commits teen dating violence, parents and school employees and interventions with the students against whom the acts of bullying and teen dating violence are directed, parents, and school employees.
6. School wide training related to safe school climate.
7. Student peer training, education and support.
8. Promotion of parent involvement in bullying and teen dating violence prevention through individual or team participation in meetings, trainings, and individual interventions.
9. Culturally competent school-based curriculum focusing on social-emotional learning, self-awareness and self-regulation.

Students

Hazing

Bullying

Prevention and Intervention Strategy (continued)

Note: Funding for the school-based bullying intervention and school climate improvement may originate from public, private, or philanthropic sources. For purposes of this section, “interventions with the bullied child” includes referrals to a school counselor, psychologist or other appropriate social or mental health service, and periodic follow-up by the safe school climate specialist with the bullied child.

District Safe School Climate Coordinator

For the school year commencing July 1, 2012, and each school year thereafter, the Superintendent of Schools shall appoint, from among existing District staff, a District Safe School Climate Coordinator.

The Coordinator shall:

1. Implement the District’s safe school climate plan;
2. Collaborate with safe school climate specialists, the Board, and the Superintendent to prevent, identify, and respond to bullying and teen dating violence in the schools of the district.
3. Provide data and information derived from the safe school climate assessments, in collaboration with the Superintendent to the Department of Education;
4. Respond to bullying and teen dating violence in District schools;
5. Meet with the safe school climate specialists at least twice during the school year to discuss bullying and teen dating violence issues in the District and make recommended changes to the District’s safe school climate plan.
6. Successfully complete, for the school year commencing July 1, 2014, the mental health first aid training provided by the Commissioner of Mental Health and Addiction Services. (Such training only required once.)

Safe School Climate Specialist

For the school year commencing July 1, 2012, and each school year thereafter, each school Principal shall serve, or designate someone to serve, as the Safe School Climate Specialist for the school.

Students

Hazing

Bullying

Safe School Climate Specialist (continued)

The Specialist in each school shall:

1. Investigate or supervise the investigation of reported acts of bullying or teen dating violence in the school in accordance with the District's Safe School Climate Plan;
2. Collect and maintain records of reports and investigations of bullying and teen dating violence in the school; and
3. Act as the primary school official responsible for preventing, identifying and responding to bullying and teen dating violence reports in the school.

Safe School Climate Committee

For the school year commencing July 1, 2012, and each school year thereafter, the Principal of each District school shall establish a new committee or designate at least one existing committee that is responsible for developing and fostering a safe school climate and addressing issues related to bullying in the school. The committee must include at least one parent/guardian of a student enrolled in the school, appointed by the Principal.

Beginning July 1, 2021 and each school year thereafter, such committee shall also include: (a) school personnel, including, but not limited to, at least one teacher selected by the exclusive bargaining unit representative for certified employees, (b) medical and mental health personnel assigned to such school, and (c) at the high school level at least one student enrolled at the school. The student is to be selected by the students in a manner determined by the school Principal.

The Safe School Climate Committee shall:

1. Receive copies of completed reports following investigations of bullying and teen dating violence;
2. Identify and address patterns of bullying and teen dating violence among students in the school;
3. Implement the provisions of the school security and safety plan, (developed pursuant to Section 87 of PA 13-3) regarding the collection, evaluation and reporting of information relating to instances of disturbing or threatening behavior that may not meet the definition of bullying or teen dating violence (defined in Connecticut General Statutes 10-222d) and report such information, as necessary, to the District Safe School Climate Coordinator and to the school's security and safety committee;

Students

Hazing

Bullying

Safe School Climate Committee (continued)

4. Review and amend school policies relating to bullying and teen dating violence;
5. Review and make recommendation to the District Safe School Climate Coordinator regarding the District's Safe Climate Plan based on issues and experiences specific to the school;
6. Educate students, school employees and parents and guardians of students on issues relating to bullying and teen dating violence;
7. Collaborate with the District Safe School Climate Coordinator in the collection of data regarding bullying and teen dating violence; and
8. Perform any other duties as determined by the School Principal that are related to the prevention, identification and response to school bullying and teen dating violence for the school.

Parent members of the Safe School Climate Committee are excluded from activities #1 and #3 or any other activity that may compromise the confidentiality of a student.

Safe School Climate Plan

The Board of Education shall develop and implement a Safe School Climate Plan to address the existence of bullying and teen dating violence in its schools. Such plan shall:

1. Enable students to anonymously report acts of bullying to school employees and require students and the parents or guardians of students to be notified annually of the process by which they may make such reports;
2. Enable the parents or guardians of students to file written reports of suspected bullying;
3. Require school employees who witness acts of bullying or receive reports of bullying to orally notify the Safe School Climate Specialist, or another school administrator if the Safe School Climate Specialist is unavailable, not later than one school day after such school employee witnesses or receives a report of bullying, and to file a written report not later than two school days after making such oral report;
4. Require the Safe School Climate Specialist to investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports made under this section and that the parents or guardians of the student alleged to have committed an act or acts of bullying and the parents or guardians of the student against whom such alleged act or acts were directed to receive prompt notice that such investigation has commenced;

Students

Hazing

Bullying

Safe School Climate Plan (continued)

5. Require the Safe School Climate specialist to review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report;
6. Include a prevention and intervention strategy for school employees to deal with bullying and teen dating violence;
7. Provide for the inclusion of language in student codes of conduct concerning bullying;
8. Require each school to notify the parents or guardians of students who commit any verified acts of bullying and the parents or guardians of students against whom such acts were directed not later than forty-eight hours after the completion of the investigation of the results of such investigation, and verbally and/or by electronic mail, if such parents or guardians electronic mail addresses are known, that such parents or guardians may refer to the plain language explanation of the rights and remedies available under C.G.S. 10-4a and 10-4b published on the District's website;
9. Require each school to invite the parents or guardians of a student who commits any verified act of bullying and the parents or guardians of the student against whom such act was directed, to a meeting to communicate to such parents or guardians the measures being taken by the school to ensure the student's safety and to prevent further acts of bullying;
10. Establish a procedure for each school to document and maintain records relating to reports and investigations of bullying in such school and to maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection, and annually report such number to the Department of Education, and in such manner as prescribed by the Commissioner of Education;
11. Direct the development of case-by-case interventions for addressing repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline;
12. Prohibit discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying;
13. Direct the development of student safety support plans for students against whom an act of bullying was directed that addresses safety measures the school will take to protect such student against further acts of bullying or teen dating violence;
14. Require the Principal of a school, or the Principal's designee, to notify the appropriate local law enforcement agency when such Principal, or the Principal's designee, believes that any acts of bullying constitute criminal conduct;

Students

Hazing

Bullying

Safe School Climate Assessment (continued)

15. Prohibit bullying (A) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by the Board or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board and (B) outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;
16. Require, at the beginning of each school year, each school to provide all school employees with a written or electronic copy of the school district's Safe School Climate Plan; and
17. Require that all school employees annually complete the training described in C.G.S. 10-220a, as amended.

(cf. 0521 – Nondiscrimination)

(cf. 4131 – Staff Development)

(cf. 5114 – Suspension and Expulsion/Due Process)

(cf. 5131 – Conduct)

(cf. 5131.21 – Violent and Aggressive Behavior)

(cf. 5131.8 – Out-of-School Misconduct)

(cf. 5131.912 – Aggressive Behavior)

(cf. 5131.913 – Cyberbullying)

(cf. 5131.91 – Hazing)

(cf. 5144 – Discipline/Punishment)

(cf. 5145.4 – Nondiscrimination)

(cf. 5145.5 – Sexual Harassment)

(cf. 5145.51 – Peer Sexual Harassment)

(cf. 6121 – Nondiscrimination)

(cf. 6121.1 – Equal Educational Opportunity)

Legal Reference: Connecticut General Statutes

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

10-222d Policy on bullying behavior as amended by PA 08-160, P.A. 11-232, P.A. 14-172 and PA 18-15 and PA 19-166.

10-222K District safe school climate coordinator. Safe school climate specialist. Safe school climate committee (as amended by PA 21-95, Section 14.)

Students

Hazing

Bullying

Legal Reference: Connecticut General Statutes (continued)

P.A. 06-115 An Act Concerning Bullying Policies in Schools and Notices Sent to Parents or Legal Guardians.

P.A. 11-232 An Act Concerning the Strengthening of School Bullying Laws.

P.A. 13-3 An Act Concerning Gun Violence Protection and Safety

P.A. 14-172 An Act Concerning Improving Employment Opportunities through Education and Ensuring Safe School Climates.

P.A. 14-234 An Act Concerning Domestic Violence and Sexual Assault.

P.A. 19-166 An Act Concerning School Climates

Policy adopted: November 17, 2011
Policy revised: November 21, 2013
Policy revised: October 30, 2014
Policy revised: December 1, 2016
Policy revised: August 13, 2020
Policy revised:

NEW FAIRFIELD PUBLIC SCHOOLS
New Fairfield, Connecticut

No revision necessary.

Students

Bullying

Model Safe School Climate Plan

Purpose/Priority Statement

The New Fairfield School District is committed to providing all students with a safe learning environment that is free from bullying, cyberbullying, and teen dating violence. The goal is the establishment of a positive school climate in which norms, values, and expectations make students and adults feel socially, emotionally, intellectually and physically safe. This commitment is an integral part of our comprehensive efforts to promote learning and to prevent and eliminate all forms of bullying and teen dating violence and other harmful and disruptive behavior that can impede the learning process. The District expects that all members of the school community will treat each other in a civil manner and with respect for differences.

The following plan, “The New Fairfield Public Schools Safe School Climate Plan (Plan),” addresses the mandated areas of compliance which are required under C.G.S.10-222d as amended. In addition to the following current efforts, the administration, faculty and staff of this District commit to continue to improve, enhance, and update both the Plan and its implementation biennially in order to best serve the students, parents, guardians and the community.

The Board of Education (Board) promotes a secure and happy school climate, conducive to teaching and learning that is free from threat, harassment and any type of bullying behavior. Therefore, it shall be the policy of the Board that bullying of a student by another student is prohibited.

I. Prohibition against Bullying, Teen Dating Violence and Retaliation

- A. The New Fairfield Board of Education expressly prohibits any form of bullying behavior and teen dating violence on school grounds; at a school-sponsored or school-related activity, function, or program whether on or off school grounds; at a school bus stop; on a school bus or other vehicle owned, leased or used by the Board of Education; or through the use of an electronic device or an electronic mobile device owned, leased, or used by Board of Education.
- B. The Board also prohibits any form of bullying behavior outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school.
- C. The Board further prohibits any form of teen dating violence outside of the school setting if such violence substantially disrupts the educational process.

Students

Bullying

Model Safe School Climate Plan

I. Prohibition against Bullying, Teen Dating Violence and Retaliation (continued)

- D. In addition to prohibiting student acts which constitute bullying, the Board also prohibits discrimination and/or retaliation against an individual who reports or assists in the investigation of an act of bullying
- E. Students who engage in bullying behavior or teen dating violence in violation of Board Policy #5131.911 and the District Safe School Climate Plan shall be subject to school discipline, up to and including expulsion, in accordance with the Board's policies on student discipline, suspension and expulsion, and consistent with state and federal law.

II. Definition of Bullying

- A. **“Bullying”** means an act that is direct or indirect and severe, persistent or pervasive which:
 - 1. causes physical or emotional harm to an individual,
 - 2. places an individual in reasonable fear of physical or emotional harm, or,
 - 3. infringes on the rights and opportunities of an individual at school.
- B. Bullying shall include, but not be limited to, written, verbal, or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, socio-economic status, academic status, physical appearance, or mental, physical, developmental, or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics. *(The student against whom the activity is directed must be attending school in the same district as the students engaged in the activity.)*

III. Other Definitions

- A. **“Cyberbullying”** means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone, or other mobile electronic devices, or any electronic communications.

Students

Bullying

Model Safe School Climate Plan

III. Other Definitions (continued)

- B. **“Electronic communication”** means any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electro-magnetic, photo-electronic, or photo-optical system;
- C. **“Hostile environment”** means a situation in which bullying among students is sufficiently severe or pervasive to alter the conditions of the school climate;
- D. **“Mobile electronic device”** means any hand-held or other portable electronic equipment capable of providing data communication between two or more individuals, including, but not limited to, a text-messaging device, a paging device, a personal digital assistant, a laptop computer, equipment that is capable of playing a video game or a digital video disk, or equipment on which digital images are taken or transmitted;
- E. **“Outside of the school setting”** means at a location, activity, or program that is not school-related, or through the use of an electronic device or a mobile electronic device that is not owned, leased, or used by the New Fairfield Board of Education;
- F. **“School Climate”** means the quality and character of school life with a particular focus on the quality of the relationships within the school community between and among students and adults. (It is based on people’s experiences of school and reflects norms, goals, values, interpersonal relationships, teaching and learning practices, and organizational structures.)
- G. **“School employee”** means (a) a teacher, substitute teacher, school administrator, school Superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by a regional Board of Education or working in a public elementary, middle, or high school; or (b) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle, or high school, pursuant to a contract with the local or regional Board of Education.
- H. **“School-Sponsored Activity”** shall mean any activity conducted on or off school property (including school buses and other school-related vehicles) that is sponsored, recognized, or authorized by the New Fairfield Board of Education.

Students

Bullying

Model Safe School Climate Plan

III. Other Definitions (continued)

- I. **“Teen dating violence”** means any act of physical, emotional or sexual abuse, including stalking, harassing and threatening that occurs between two students who are currently in or have recently been in a dating relationship.

IV. Procedures for Reporting and Investigating Complaints of Bullying

- A. Students and parents/guardians may file written reports of bullying. Written reports of bullying must be reasonably specific as to the basis for the report, including the time and place of the alleged conduct, the number of incidents, the target of the suspected bullying and the names of potential witnesses. Such reports may be filed with any building administrator and/or the Safe School Climate Specialist in the building, and all reports shall be forwarded to the Safe School Climate Specialist for review and actions consistent with this plan.
- B. Students may make anonymous reports of bullying to any school employee, but we strongly encourage students to go directly to their school counselor or a building administrator. A student may also request anonymity when making a report, even if the student’s identity is known to the school employee. In cases where the student requests anonymity, the Safe School Climate Specialist or his/her designee shall meet with the student (if the student’s identity is known) to review the request for anonymity and discuss the impact that maintaining the anonymity of the complainant may have on the investigation and on any possible remedial action. All anonymous reports shall be reviewed and reasonable action will be taken to address the situation, to the extent such action may be taken that does not disclose the source of the report, and is consistent with the due process rights of the student(s) alleged to have committed acts of bullying. No disciplinary action shall be taken solely on the basis of an anonymous report.
- C. School employees who witness acts of bullying or receive reports of bullying shall orally notify the Safe School Climate Specialist or another school administrator if the Safe School Climate Specialist is unavailable, not later than one (1) school day after such school employee witnesses or receives a report of bullying. The school employee shall then file a written report not later than two (2) school days after making such oral report.

Students

Bullying

Model Safe School Climate Plan

IV. Procedures for Reporting and Investigating Complaints of Bullying (continued)

- D. The Safe School Specialist shall be responsible for reviewing any anonymous reports of bullying and shall investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports. Prompt notice must be provided to the parents/guardians of the person bullied and the parents/guardians of the student alleged to have committed the act of bullying that such investigation has begun. In order to allow the district to adequately investigate complaints filed by a student or parent/guardian, the parents of the student suspected of being bullied must provide consent to permit the release of that student's name in connection with the investigation process, unless the student and/or parent has requested anonymity.
- E. In investigating reports of bullying, the Safe School Climate Specialist or designee will consider all available information known, including the nature of the allegations and the ages of the students involved. The Safe School Climate Specialist will interview witnesses, as necessary, reminding the alleged perpetrator and other parties that retaliation is strictly prohibited and will result in disciplinary action.

V. Responding to Verified Acts of Bullying

- A. Following investigation, if acts of bullying are verified, the Safe School Climate Specialist or designee shall notify the parents/guardians of the students against whom such acts were directed as well as the parents/guardians of the students who commit such acts of bullying of the finding not later than forty-eight (48) hours after the investigation is completed. This notification shall include a description of the school's response to the acts of bullying. In providing such notification, however, care must be taken to respect the statutory privacy rights of other students, including the perpetrator of such bullying. The specific disciplinary consequences imposed on the perpetrator, or personally identifiable information about a student other than the parent/guardian's own child, will not be disclosed except as provided by law.
- B. In any instance in which bullying is verified, the building Principal (or other responsible program administrator) shall invite the parents/guardians of the student against whom such act was directed, and the parents/guardians of the student who commits any verified act of bullying, to a meeting to communicate to such parents/guardians the measures being taken by the school to ensure the student's safety and to prevent further acts of bullying. The meeting of the parents/guardians of the bullied student and the student committing the bullying shall be separate and distinct from each other.

Students

Bullying

Model Safe School Climate Plan

V. Responding to Verified Acts of Bullying (continued)

- C. If bullying is verified, the Safe School Climate Specialist or designee shall develop a Student Safety Support Plan for any student against whom repeated acts of bullying were directed. Such a support and intervention plan will include safety measures to protect against further acts of bullying.
- D. The Student Safety Support Plan, which is a specific and individualized intervention plan, will also address recurrently perpetrated bullying incidents by the same individual. The plan may include counseling, discipline, and other appropriate remedial actions as determined by the Safe School Climate Specialist or designee.
- E. Notice to Law Enforcement

If the Principal of a school (or his/her designee) reasonably believes that any act of bullying constitutes a criminal offense, he/she shall notify appropriate law enforcement. Notice shall be consistent with the Board's obligations under state and federal law and Board policy and procedures regarding the disclosure of personally identifiable student information. In making this determination, the Principal or his/her designee, may consult with the School Resource Officer and other individuals the Principal or designee deems appropriate.

- F. If a bullying complaint raises concern about discrimination or harassment on the basis of legally protected classifications (such as race, color, religion, national origin, sex, sexual orientation, age, gender identity and expression, or disability), the Safe School Climate Specialist shall coordinate any bullying investigation with other appropriate personnel within the district as appropriate (e.g. Title IX Coordinator, Section 504 Coordinator, etc.), so as to ensure that any such bullying investigation complies with the requirements of such policies regarding nondiscrimination.

VI. Teen Dating Violence

- A. The school strictly prohibits, and takes very seriously any instances of, teen dating violence, as defined above. The school recognizes that teen dating violence may take many different forms and may also be considered bullying and/or sexual harassment.

Students

Bullying

Model Safe School Climate Plan

VI. Teen Dating Violence (continued)

- B. Students and parents/guardians may bring verbal or written complaints regarding teen dating violence to any building administrator. The building administrator shall review and address the complaint, which may include referral of the complaint to the Safe School Climate Specialist and/or Title IX Coordinator.
- C. Prevention and intervention strategies concerning teen dating violence shall be implemented in accordance with Section X below. Discipline, up to and including expulsion, may be imposed against the perpetrator of teen dating violence, whether such conduct occurs on or off campus, in accordance with Board policy and consistent with federal and state law.

VII. Documentation and Maintenance of Log

- A. Each school shall maintain written complaints of bullying, along with supporting documentation received and/or created as a result of bullying investigations, consistent with the Board's obligations under state and federal law. Any educational record containing personally identifiable student information pertaining to an individual student shall be maintained in a confidential manner, and shall not be disclosed to third parties without the prior written consent of a parent, guardian, or eligible student, except as permitted under Board policy and state and federal law.
- B. The Safe School Climate Specialist in each school shall maintain a list of the number of verified acts of bullying in the school and this list shall be available for public inspection upon request. Consistent with district obligations under state and federal law regarding student privacy, the log shall not contain any personally identifiable student information, or any information that alone or in combination would allow a reasonable person in the school community to identify the students involved. Accordingly, the log should be limited to basic information such as the number of verified acts, name of school, grade level, and date. Given that any determination of bullying involves repeated acts, each investigation that results in a verified act of bullying for that school year shall be tallied as one verified act of bullying unless the specific actions that are the subject of each report involve separate and distinct acts of bullying. The list shall be limited to the number of verified acts of bullying in each school and shall not set out the particulars of each verified act, including, but not limited to any personally identifiable student information, which is confidential information by law.

Students

Bullying

Model Safe School Climate Plan

VII. Documentation and Maintenance of Log (continued)

- C. The Safe School Climate Specialist in each school shall report the number of verified acts of bullying in the school annually to the Department of Education in such manner as prescribed by the Commissioner of Education.

VIII. Other Prevention and Intervention Strategies

- A. Bullying behavior and teen dating violence can take many forms and can vary dramatically in the nature of the offense and the impact the behavior may have on the victim and other students. Accordingly, there is no one prescribed response to verified acts of bullying or to teen dating violence. While conduct that rises to the level of “bullying” or “teen dating violence,” as defined above, will generally warrant traditional disciplinary action against the perpetrator of such bullying or teen dating violence, whether and to what extent to impose disciplinary action (e.g., detention, in-school suspension, suspension, or expulsion) is a matter for the professional discretion of the building administration. No disciplinary action may be taken solely on the basis of an anonymous complaint of bullying.
- B. A Student Safety Support Plan shall be developed to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual. This plan may include safety provisions, as described above, for students against whom acts of bullying have been verified and may include other interventions such as counseling, discipline, and other appropriate remedial or restorative actions as determined by the building administrator.
- C. The following sets forth possible interventions which may also be utilized to enforce the Board’s prohibition against bullying and teen dating violence:

1. Non-disciplinary interventions

When verified acts of bullying are identified early and/or when such verified acts of bullying do not reasonably require a disciplinary response, students may be counseled as to the definition of bullying, its prohibition, and their duty to avoid any conduct that could be considered bullying. Students may also be subject to other forms of restorative discipline or remedial actions, appropriate to the age of the students and nature of the behavior.

Students

Bullying

Model Safe School Climate Plan

VIII. Other Prevention and Intervention Strategies (continued)

1. Non-disciplinary interventions (continued)

If a complaint arises out of conflict between students or groups of students, peer or other forms of mediation may be considered. Special care, however, is warranted in referring such cases to peer mediation. A power imbalance may make the process intimidating for the victim and therefore inappropriate. In such cases, the victim should be given additional support. Alternatively, peer mediation may be deemed inappropriate to address the concern.

When an act or acts of teen dating violence are identified, the students involved may be counseled as to the seriousness of the conduct, the prohibition of teen dating violence, and their duty to avoid any such conduct. Students may also be subject to other forms of restorative discipline or remedial actions, appropriate to the age of the students and nature of the behavior.

2. Disciplinary interventions

When acts of bullying are verified or teen dating violence occurs, and a disciplinary response is warranted, students are subject to the full range of disciplinary consequences. Anonymous complaints, however, shall not be the basis for disciplinary action.

In-school suspension and suspension may be imposed only after informing the accused perpetrator of the reasons for the proposed suspension and giving him/her an opportunity to explain the situation, in accordance with the Board's student discipline policies.

Expulsion may be imposed only after a hearing before an impartial hearing officer designated by the Board of Education in accordance with the Board's student discipline policies. This consequence shall normally be reserved for serious incidents of bullying or teen dating violence and/or when past interventions have not been successful in eliminating bullying behavior.

Students

Bullying

Model Safe School Climate Plan

VIII. Other Prevention and Intervention Strategies (continued)

3. Interventions for bullied students and victims of teen dating violence

The building administration shall intervene in order to address incidents of bullying or teen dating violence against a single individual. Intervention strategies for a bullied student or a victim of teen dating violence may include the following:

- a. Counseling;
- b. Increased supervision and monitoring of student to observe and intervene in bullying or teen dating violence situations;
- c. Encouragement of student to seek help when victimized or witnessing victimization;
- d. Peer mediation or other forms of mediation, where appropriate;
- e. An individualized Student Safety Support Plan;
- f. Restitution for property loss or damage incurred; and
- g. Periodic follow-up by the Safe School Climate Specialist and/or Title IX Coordinator with the bullied student or victim of teen dating violence.

4. General Prevention and Intervention Strategies

In addition to the prompt investigation of complaints of bullying and direct intervention when acts of bullying are verified, other district actions may ameliorate potential problems with bullying in school or at school-sponsored activities. Additional district actions may also ameliorate potential problems with teen dating violence. Within New Fairfield, comprehensive prevention and intervention strategies include:

- a. implementation of *Positive Behavior Interventions and Supports (PBIS)* as an evidence-based model for improving school climate;
- b. publication of school rules and all Board of Education policies prohibiting bullying, teen dating violence, harassment, and intimidation and establishing appropriate consequences for those who engage in such acts at all schools in student-parent/guardian handbooks and on school and district websites;
- c. adequate adult supervision, primarily by teachers and administrators, as well as camera surveillance whenever possible, within all schools' outdoor areas, hallways, school cafeterias, and other specific areas where bullying or teen dating violence is likely to occur;

Students

Bullying

Model Safe School Climate Plan

VIII. Other Prevention and Intervention Strategies (continued)

4. General Prevention and Intervention Strategies (continued)

- d. video surveillance on school buses;
 - e. implementation of a social-emotional skills development and problem-solving curriculum using *Second Step* materials in pre-K through grade 8, as well as social skills development and problem-solving curriculum and activities delivered through the New Fairfield High School Advisory Program;
 - f. special social skills curriculum for special education students who may be at risk as bullying targets;
 - g. individualized, developmentally-appropriate Student Safety Support Plans and interventions for the students against whom the acts of bullying and teen dating violence are directed as well as interventions for the bully or student who commits teen dating violence at each school;
 - h. school-wide training related to Safe School Climate;
 - i. promotion of parent/guardian involvement in bullying prevention through individual or team participation in meetings, training and individual interventions;
 - j. data collection and analysis at each school site and district-wide for the study of the types and frequency of bullying behaviors;
 - k. continued use of security cameras at all schools;
 - l. student peer training, education and support;
 - m. culturally competent school-based curriculum focusing on social-emotional learning, self-awareness and self-regulation.
- D. In addition to prevention and intervention strategies, administrators, teachers and other employees may find opportunities to educate students about bullying and help eliminate bullying behavior through class discussions, counseling, special assemblies, and by the continuous reinforcement of socially-appropriate behavior. Administrators, teachers and other professional employees should intervene promptly whenever they observe mean-spirited student conduct, even if such conduct does not meet the formal definition of “bullying.”

Students

Bullying

Model Safe School Climate Plan (continued)

IX. Annual Notice and Training

- A. Students and parents/guardians of students shall be notified annually of the process by which students may make reports of bullying.
- B. The Board shall provide for the inclusion of language in student codes of conduct concerning bullying.
- C. At the beginning of each school year, each school shall provide all school employees with a written or electronic copy of the school District Safe School Climate Plan and require that all school employees annually complete training on the identification, prevention, and response to bullying as required by law.

X. School Climate Assessments

The Board shall require each school in the District to complete a biennial assessment using the school climate assessment instruments, including surveys, approved and disseminated by the Department of Education. The Board shall collect the school climate assessments for each school in the District and submit such assessments to the Department.

Legal Reference: Connecticut General Statutes
P.A. 11-232 An Act Concerning the Strengthening of School Bullying Laws.
10-222d Policy on bullying behavior as amended by PA 08-160, P.A. 11-232 and P.A. 14-172.
10-233a through 10-233f re in-school suspension, suspension and expulsion.
Connecticut State Department of Education Circular Letter C-8, Series 2008-2009 (March 16, 2009)

Regulation approved:	November 17, 2011	NEW FAIRFIELD PUBLIC SCHOOLS New Fairfield, Connecticut
Regulation revised:	November 21, 2013	
Regulation revised:	October 30, 2014	
Regulation revised:	December 1, 2016	
Regulation revised:	August 13, 2020	

MODEL ANNUAL BULLYING NOTICE

Bullying behavior by any student in the New Fairfield Public Schools is strictly prohibited, and such conduct may result in disciplinary action, including suspension and/or expulsion from school. “Bullying” means an act that is direct or indirect and severe, persistent or pervasive which:

- A. causes physical or emotional harm to an individual,
- B. Places an individual in reasonable fear of physical or emotional harm, or
- C. Infringes on the rights and opportunities of an individual at school.

P.A. 11-232 prohibits retaliation against those who report bullying and requires school officials to notify police when they believe bullying conduct constitutes a crime. Bullying shall include, but need not be limited to, a written, verbal or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance, or physical, mental, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

Students who engage in any act of bullying, on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by the Board of Education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board of Education, and outside of the school setting if such bullying:

- A. Creates a hostile environment at school for the victim,
- B. Infringes on the rights of the victim at school, or
- C. Substantially disrupts the education process or the orderly operation of a school.

Students and/or parents/guardians may file verbal or written complaints concerning suspected bullying behavior, and students shall be permitted to anonymously report acts of bullying to school employees. Any report of suspected bullying behavior will be promptly reviewed. If acts of bullying are verified, prompt disciplinary action may be taken against the perpetrator, consistent with his/her rights of due process. Board policy and regulation #5131.911 set forth this prohibition and the related procedures in detail, and are available to students and their parents/guardians upon request.

**New Fairfield Public Schools
Report of Bullying Form/Investigation Summary**

School _____ Date _____

Location(s) _____

Reporter Information:

Anonymous student report	_____	
Staff Member report	_____	Name _____
Parent/guardian report	_____	Name _____
Student report	_____	Name _____

Student Reported as Committing Act: _____

Student Reported as Victim: _____

Description of Alleged Act(s): _____

Time and Place: _____

Names of Potential Witnesses: _____

For Staff Use Only:

Action of Reporter: _____

Administrative Investigation Notes (use separate sheet if necessary):

Bullying Verified? Yes _____ No _____

Remedial Action(s) Taken: _____

New Fairfield Public Schools
Report of Bullying Form/Investigation Summary
(continued)

If Bullying Verified, Report Sent to Parents/Guardians of Students?

Parents'/Guardians' Names: _____

Date Sent: _____

(Attach bullying complaint, witness statements, and notification to parents/guardians of students involved if bullying is verified)

Existing policy with modification based on P.A. 21-6.

Students

Health Assessments and Immunizations

The Board of Education recognizes the importance of periodic health assessments, including oral health assessments, according to state health regulations.

To determine health status of students, facilitate the removal of disabilities to learning and find whether some special adaptation of the school program may be necessary, the Board of Education requires that students have health assessments.

The Board of Education adheres to those state laws and regulations that pertain to school immunizations and health assessments, including oral health assessments. It is the policy of the Board of Education to insure that all enrolled students are adequately immunized against communicable diseases. The Board may deny continued attendance in school to any student who fails to obtain the health assessments required under C.G.S. 10-206, as may be periodically amended.

Parents/**Guardians** wishing their children exempted or excused from health assessments must request such exemption to the Superintendent of Schools in writing. This request must be signed by the parent/guardian.

Parents/**Guardians** may present a medical exemption form developed by the Department of Public Health (DPH), posted on the DPH website, that their medical provider believes a required vaccination is medically contraindicated for their child based on the child's medical condition. The DPH form is to be signed by a physician, physician assistant or advanced practice registered nurse.

~~Parents/guardians wanting their children excused from immunizations on religious grounds (prior to kindergarten entry and grade 7 entry) must request such exemption in writing to the Superintendent of Schools if such immunization is contrary to the religious beliefs of the child or of the parent/guardian of the child. The request must be officially acknowledged by a notary public or a judge, a clerk or deputy clerk of a court having a seal, a town clerk, a justice of the peace, a Connecticut licensed attorney.~~

~~Any child enrolled in kindergarten through twelfth grade on or before April 28, 2021 and whose parents/guardians had presented a religious exemption written request before April 28, 2021 will be permitted continued use of the exemption even if such child transfers to another school in Connecticut.~~

~~Any child enrolled in pre-school or pre-kindergarten on or before April 28, 2021 whose parents/guardians submitted the statement necessary for the religious exemption will have until September 1, 2022 to comply with Connecticut's required immunizations, or within fourteen days after transferring to a different public or private school program, whichever is later. The deadline for such pre-school or pre-K student to comply with the immunization requirements can be altered if the school/District is provided with a written declaration from the child's physician, physician assistant or advanced practice registered nurse recommending a different immunization schedule for the child.~~

Students

Health Assessments and Immunizations (continued)

It is the responsibility of the Principal to insure that each student enrolled has been adequately immunized and has fulfilled the required health assessments. The school nurse shall check and document immunizations and health assessments on all students enrolling in school and to report the status to the school principal. The school nurse shall also contact parents or guardians to make them aware if immunizations and/or health assessments are insufficient or not up-to-date. The school nurse will maintain in good order the immunization and health assessment records of each student enrolled.

No record of any student's medical assessment may be open to the public.

As required, the district will report, ~~beginning in October 2017~~, on a triennial basis, to the Department of Public Health and to the local health director the asthma data obtained through the required asthma assessments, including student demographics. The district, as required, will also participate in annual school surveys conducted by the Department of Public Health pertaining to asthma. Individual students' names will not be disclosed.

The Superintendent of Schools or his/her designee shall give written notice to the parent/guardian of each student who is found to have any defect of vision or disease of the eyes, with a brief statement describing such defect or disease and a recommendation that the student be examined by an appropriately licensed optometrist or ophthalmologist.

Note: P.A 18-168 requires boards of education to request that students have an oral health assessment prior to public school enrollment, in grade 6 or 7, and in grade 9 or 10. The legislation establishes related requirements on providers authorized to perform the assessments, parental consent assessment forms, and records access. The specifics are detailed in the administrative regulation pertaining to this policy.

(cf. 5111 - Admission)

(cf. 5141.31 - Physical Examinations for School Programs)

(cf. 5125 - Student Records)

Legal Reference: Connecticut General Statutes

10-204a Required immunizations (as amended by PA 96-244, PA 15-174, PA 15-242, and P.A. 21-6)

10-204c Immunity from liability

10-205 Appointment of school medical adviser

10-206 Health assessments (as amended by PA 17-173 and PA 18-168)

10-207 Duties of medical advisors

10-206a Free health assessments

Students

Health Assessments and Immunizations

Legal Reference: Connecticut General Statutes (continued)

- 10-208 Exemption from examination or treatment
- 10-208a Physical activity of student restricted; board to honor notice
- 10-209 School nurses
- 10-212 School nurses
- 10-214 Vision, audiometric and postural screenings. When required. Notification of parents re defects; record of results, (as amended by PA 17-173)
- PA 18-168 An Act Concerning the Department of Public Health's Recommendations Regarding Various Revisions to the Public Health Statutes, Sections 7-9, 539 & 540
- Department of Public Health, Public Health Code, 10-204a-2a, 10-204a-3a, 10-204a-4
- 20 U.S.C. Section 1232h, No Child Left Behind Act
- 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)
- 42 U.S.C. 1320d-1320d-8, P.L. 104-191, Health Insurance Portability and Accountability Act of 1996 (HIPAA)

Policy adopted: August 7, 2003
Policy readopted: June 16, 2005
Policy readopted: November 17, 2011
Policy readopted: December 17, 2015
Policy revised: March 1, 2018
Policy revised: December 6, 2018
Policy revised:

NEW FAIRFIELD PUBLIC SCHOOLS
New Fairfield, Connecticut

Existing regulation with modification based on P.A. 21-6.

Students

Health Assessments and Immunizations

In accordance with Connecticut General Statutes 10-206, 10-204a, and 10-214, the following health assessment procedures are established for students in the district:

- 1) Proof of immunization shall be required prior to school entry. A “school-aged child” also includes any student enrolled in an adult education program that leads to a high school diploma. This immunization verification is mandatory for all new school enterers and must include complete documentation of those immunizations requiring a full series. A required immunization record includes:
 - a) **For initial entry into school for kindergarten, regular and special education pre-school programs, grades 1-6:**
 - 4 doses of DPT/DTaP vaccine (Diphtheria - Pertussis - Tetanus). At least one dose is required to be administered on or after the 4th birthday for children enrolled in school at kindergarten or above. Students who start the series at age 7 or older need a total of 3 doses.
 - 3 doses of either trivalent oral polio vaccine (TOPV) or inactivated polio vaccine (IPV) with at least one dose of polio vaccine administered on or after the 4th birthday and before school entry. (This then usually results in 4 doses in total.)
 - 2 doses of MMR vaccine (measles, mumps and rubella). One dose at one (1) year of age or after and a second dose, given at least twenty-eight (28) days after the first dose, prior to school entry in kindergarten through grade twelve (12) OR disease protection, confirmed in writing, by a physician, physician assistant or advanced practical registered nurse that the child has had a confirmed case of such disease based on specific blood testing conducted by a certified laboratory. One dose on or after the child’s first birthday for enrollment in preschool.
 - 3 doses of Hepatitis B vaccine (HBV) or has had protection confirmed in writing by a physician, physician assistant or advanced practice registered nurse based on specific blood testing by a certified laboratory.
 - 1 dose of Hib (Hemophilus Influenza type b) is required of all school children who enter school **prior to their fifth birthday** or had a laboratory confirmed infection at age 24 months or older, confirmed in writing by a physician, physician assistant or advanced practice registered nurse.

Students

Health Assessments and Immunizations (continued)

- a) **For initial entry into school for kindergarten, regular and special education pre-school programs, grades 1-6:** (continued)
- Varicella (Chickenpox) Immunity -
 - (i) All students born January 1, 1997 or later must show proof of immunity to varicella (chickenpox) for entry into licensed pre-school programs and kindergarten; or on or after August 1, 2011 for entry into kindergarten two (2) doses shall be required, given at least three (3) months apart, the first dose on or after the 1st birthday.
 - (ii) Proof of immunity includes any of the following:
 - * Documentation of age appropriate immunizations considered to be one dose administered on or after the student's first birthday (if the student is less than 13 years old) or two doses administered at least 30 days apart for students whose initial vaccination is at thirteen years of age or older.
 - * Serologic evidence of past infection, confirmed in writing by a physician, physician assistant or advanced practice registered nurse based on specific blood testing by a certified laboratory, or
 - * Statement signed and dated by a physician, physician assistant or advanced practice registered nurse indicating a child has already had varicella (chickenpox) based on diagnosis of varicella or verification of history of varicella. (Date of chickenpox illness not required)
 - (iii) All students are required to show proof of immunity (see above) to Varicella for entry into 7th grade.
 - Hepatitis A – Requirement for PK and K for children born on or after January 1, 2007, is enrolled in preschool or kindergarten on or after August 1, 2011.
 - (i) Two (2) doses of hepatitis A vaccine given at least six (6) months apart, the first dose given on or after the child's first birthday; or
 - (ii) Has had protection against hepatitis A confirmed in writing by a physician, physician assistant or advanced practice registered nurse based on specific blood testing by a certified laboratory.

Students

Health Assessments and Immunizations (continued)

a) For initial entry into school for kindergarten, regular and special education pre-school programs, grades 1-6: (continued)

- Influenza Requirement for PK.
 - (i) Effective January 1, 2012 and each January 1 thereafter, children aged 24-59 months enrolled in preschool are required to receive at least one (1) dose of influenza vaccine between August 1 and December 31 of the preceding year (~~effective August 1, 2011~~).
 - (ii) Children aged 24-59 months who have not received vaccination against influenza previously must be given a second dose at least twenty-eight (28) days after the first dose.
- Pneumococcal Disease Requirement for PK and K
 - (i) ~~Effective August 1, 2011~~ All students born on or after January 1, 2007, enrolled in PK and K who are less than five (5) years of age must show proof of having received one (1) dose of pneumococcal conjugate vaccine on or after the student's first birthday.
 - (ii) An individual shall be considered adequately protected if currently aged five (5) years or older.

b) For entry into seventh (7th) grade

All students in grades K-12 are required to show proof of 2 doses of measles, mumps, rubella vaccine at least 28 days apart with the first dose administered on or after the first (1 st) birthday, or laboratory confirmation of immunity confirmed in writing by a physician, physician assistant or advanced practice registered nurse.
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- Proof of having received 2 doses of measles-containing vaccine.

In those instances at entry to seventh grade, where an individual has not received a second dose of measles contained vaccine, a second dose shall be given. If an individual has received no measles containing vaccines, the second dose shall be given no less than thirty (30) days after the first. (Students entering 7th grade must show proof of having received 2 doses of measles-containing vaccine)

Students

Health Assessments and Immunizations (continued)

b) For entry into seventh (7th) grade (continued)

- Proof of Varicella (Chickenpox) Immunity.
 - (i) ~~On or after August 1, 2011,~~ Two doses, given at least three (3) months apart, the first dose on or after the individual's first (1st) birthday and before the individual's thirteenth (13th) birthday or two doses given at least twenty-eight (28) days apart if the first dose was given on or after the individual's thirteenth (13th) birthday,
 - (ii) Serologic evidence of past infection, or
 - (iii) A statement signed and dated by a physician, physician assistant, or advanced practice registered nurse indicating that the child has already had varicella (chickenpox) based on family and/or medical history. (Date of chickenpox illness not required)
- Proof of at least one dose of Hepatitis B vaccine or show proof of serologic evidence of infection with Hepatitis B.
- Proof of Diphtheria-Pertussis-Tetanus Vaccination (Adolescent Tdap Vaccine Requirement for Grade 7 Students)
 - (i) ~~On or after August 1, 2011,~~ An individual eleven (11 years of age or older, enrolled in the seventh (7th) grade, shall show proof of one (1) dose of diphtheria, tetanus and pertussis containing vaccine, (Tdap booster) in addition to completion of the recommended primary diphtheria, tetanus and pertussis containing vaccination series unless:
 - (ii) Such individual has a medical exemption for this dose confirmed in writing by a physician, physician assistant or advanced practice registered nurse based on having last received diphtheria, tetanus and pertussis containing vaccine less than five (5) years earlier and no increased risk of pertussis according to the most recent standards of care for immunization in Connecticut (C.G.S. 19a-7f)
- Meningococcal Vaccine (MCV4) Required for Grade 7 Students
 - (i) ~~Effective August 1, 2011,~~ One dose of meningococcal vaccine

NOTE: Students must show proof of 3 doses of Hepatitis B vaccine or serologic evidence of infection to enter eighth grade.

Students

Health Assessments and Immunizations (continued)

Immunization requirements are satisfied if a student:

- i) presents verification of the above mentioned required immunizations;
- ii) presents a certificate from a physician, physician assistant, advanced practice registered nurse or a local health agency stating that initial immunizations have been administered to the child and additional immunizations are in process;
- iii) presents a certificate from a physician stating that in the opinion of the physician immunization is medically contraindicated in accordance with the current recommendation of the National Centers for Disease Control and Prevention Advisory Committee on Immunization Practices because of the physical condition of the child;
- ~~iv) presents a written statement officially acknowledged by a notary public or a judge, family support magistrate, clerk/deputy clerk of a court having a seal, a town clerk, a justice of the peace, a Connecticut licensed attorney or from the parents or guardian of the child that such immunization would be contrary to religious beliefs of the child or his/her parents/guardians;~~
- (iv) enrolled in kindergarten through twelfth grade on or before April 28, 2021 and whose parents/guardians had presented a religious exemption written request before April 28, 2021 will be permitted continued use of the exemption even if such child transfers to another school in Connecticut.

Any child enrolled in pre-school or pre-kindergarten on or before April 28, 2021 whose parents/guardian submitted the statement necessary for the religious exemption will have until September 1, 2022 to comply with Connecticut's required immunizations, or within fourteen days after transferring to a different public or private school program, whichever is later. The deadline for such pre-school or pre-K student to comply with the immunization requirements can be altered if the school/District is provided with a written declaration from the child's physician, physician assistant or advanced practice registered nurse recommending a different immunization schedule for the child.
- v) he/she has had a natural infection confirmed in writing by a physician, physician assistant, advanced practice registered nurse or laboratory.

Health assessment and health screening requirements are waived if the parent legal guardian of the student or the student (if he or she is an emancipated minor or is eighteen years of age or older) notifies the school personnel in writing that the parent, guardian or student objects on religious grounds. (CGS 10-204a)

Students failing to meet the above requirements shall not be allowed to attend school.

Students

Health Assessments and Immunizations (continued)

- 2) A physical examination including blood pressure, height, weight, hematocrit or hemoglobin, and a chronic disease assessment which shall include, but not be limited to, asthma and which must include public health related screening questions for parents to answer and other screening questions for providers and screenings for hearing, vision, speech, and gross dental shall be required for all new school enterers, and students in grade 6 or grade 7 and grade 9 or 10. This health assessment must be completed prior to school entry. This assessment must be conducted within the school year for students in grade 6 and 10.

The assessment shall also include tests for tuberculosis, sickle cell anemia or Cooley's anemia and test for lead levels in the blood when the Board of Education, after consultation with the school medical advisor and the local health department, determine such tests are necessary.

- 3) Health screenings shall be required for all students according to the following schedule:

Vision Screening	Grades K, 1, 3, 4, 5
Audiometric Screening	Grades K, 1, 3, 4, 5
Postural Screening	Grades 5 and 7 for female students Grades 8 or 9 for male students

The school system shall provide these screening to students at no cost to parents. Parents shall be provided an annual written notification of screenings to be conducted. Parents wishing to have these screenings to be conducted by their private physician shall be required to report screening results to the school nurse. The District shall provide a brief statement to parents/guardians of students not receiving the required vision, hearing or postural screening explaining why the student did not receive such screening(s).

(Health assessments may be conducted by a licensed physician, advanced practice registered nurse or physician assistant.)

A test for tuberculosis, as indicated above, is not mandatory, but should be performed if any of the following risk factors prevail:

1. birth in a high risk country of the world (to include all countries in Africa, Asia, the former Soviet Union, Central and South America, Dominican Republic and Haiti);
2. travel to a high risk country since the previously required examination;
3. extensive contact with persons who have recently come to the United States since the previously required examination;
4. contact with persons suspected to have tuberculosis;
5. have been incarcerated;
6. have been living in a homeless shelter, or
7. have HIV infection.

Students

Health Assessments and Immunizations (continued)

Health assessments completed within one (1) year of new school entry will be accepted by the school system.

Failure of students to satisfy the above mentioned health assessment shall result in exclusion from school.

Schools shall report to the Department of Public Health and to the local health director the asthma data obtained through school assessments, including student demographics.

Student Medical Care at School

School personnel are responsible for the immediate care necessary for a student whose sickness or injury occurs on the school premises during school hours or in school-sponsored and supervised activities.

Schools shall maintain files of emergency information cards for each student. If a child's injury requires immediate care, the parent or guardian will be called by telephone by the nurse, the building principal, or other personnel designated by the principal, and be advised of the student's condition. When immediate medical or dental attention is indicated, and when parents or guardians cannot be reached, the student will be transported to the nearest hospital unless otherwise indicated on the student's Emergency Information card. In this event, the family physician/dentist and school district medical advisor will be notified of school district actions.

Note: P.A 18-168 requires boards of education to request that students have an oral health assessment prior to public school enrollment, in grade 6 or 7, and in grade 9 or 10. The legislation establishes related requirements on providers authorized to perform the assessments, parental consent assessment forms, and records access. The specifics are detailed in the administrative regulation pertaining to this policy.

(cf. 5142 - Student Safety)

(cf. 5141.4 - Child Abuse and Neglect)

(cf. 5141.5 - Suicide Prevention)

(cf. 6142.1 - Family Life and Sex Education)

(cf. 6145.2 - Interscholastic/Intramural Athletics)

(cf. 6171 - Special Education)

Legal Reference: Connecticut General Statutes

10-203 Sanitation.

10-204a Required immunizations. (as amended by P.A. 15-174, P.A. 15-242 and P.A. 21-6)

10-204c Immunity from liability

Students

Health Assessments and Immunizations

Legal Reference: Connecticut General Statutes (continued)

- 10-205 Appointment of school medical advisors.
- 10-206 Health assessments.
- 10-206a Free health assessments.
- 10-207 Duties of medical advisers.
- 10-208 Exemption from examination or treatment.
- 10-208a Physical activity of student restricted; boards to honor notice.
- 10-209 Records not to be public.
- 10-210 Notice of disease to be given parent or guardian.
- 10-212 School nurses and nurse practitioners.
- 10-212a Administration of medicines by school personnel.
- 10-213 Dental hygienists.
- 10-214 Vision, audiometric and postural screening: When required; notification of parents re defects; record of results.
- 10-214a Eye protective devices.
- 10-214b Compliance report by local or regional board of education.
- 10-217a Health services for children in private nonprofit schools. Payments from the state, towns in which children reside and private nonprofit schools.

PA 18-168 An Act Concerning the Department of Public Health's Recommendations Regarding Various Revisions to the Public Health Statutes, Sections 7-9, 539 & 540

Department of Public Health, Public Health Code – 10-204a-2a, 10-204a-3a and 10-204a-4, as amended.

20 U.S.C. Section 1232h, No Child Left Behind Act.

Regulation approved: August 7, 2003
Regulation reapproved: June 16, 2005
Regulation reapproved: November 17, 2011
Regulation reapproved: December 17, 2015
Regulation reviewed: March 1, 2018
Regulation reapproved: December 6, 2018
Regulation revised:

NEW FAIRFIELD PUBLIC SCHOOLS
New Fairfield, Connecticut

Existing policy with modification base on P.A. 21-144.

Instruction

Individualized Education Program/Special Education Program

The school district shall comply with all state and federal laws concerning the provision of a free appropriate public education to students with disabilities.

Referral

The school district is responsible for identifying children with disabilities and for determining whether such children are eligible for special education services. Any child who is a resident of the Town, whether a student of the school district, of pre-school age, or between the ages of three and 21 years of age, inclusive, but not attending district schools, who is identified as potentially being in need of special education shall be referred to a “Special Education Planning and Placement Team” (PPT) which shall make an evaluative study to determine whether special education is required and to establish the scope of the special education services.

Students receiving special education services under the Individuals with Disabilities Act (IDEA) remain eligible for such services up until their 22nd birthday or until they graduate from high school with a regular high school diploma. In accordance with state and federal guidelines, the Planning and Placement Team (PPT) determines whether the student, upon completion of high school graduation requirements, requires transition-only services.

Prior to the referring of a student for special education, the pre-referral process should be completed. This process assures that strategies in the regular education setting have been developed, implemented and evaluated. If it is determined that the alternative strategies have been attempted and that significant progress towards meeting the student’s identified needs has not been made, then the student shall be referred to the Planning and Placement Team in order to determine eligibility for special education.

Each child who has been suspended repeatedly or whose behavior, attendance or progress in school is considered unsatisfactory or at a marginal level of acceptance shall be referred to the Planning and Placement Team for consideration of eligibility for special education services.

A parent, physician, social worker, or other outside agency may refer a student directly for special education services. During these situations the alternative strategies process may be bypassed.

Planning and Placement Team or Individualized Education Program Team

The Planning and Placement Team (PPT) for any identified student shall consist of at least the following:

Instruction

Individualized Education Program/Special Education Program

Planning and Placement Team or Individualized Education Program Team (continued)

1. A representative of the District other than the individual's teacher, who is qualified to provide, or supervise, the provision of special education and who is knowledgeable about the general education curriculum and about the availability of resources of the District;
2. Not less than one special education teacher of the child, or if appropriate, not less than one special education provider of the child;
3. Not less than one regular education teacher (if the child is, or may be, participating in the regular education environment);
4. One or both of the student's parents, a surrogate parent, and/or a representative chosen by the parent;
5. The student, where appropriate;
6. For a student who is being evaluated for the first time, a member of the assessment team shall be present, and at least one of the persons present shall be knowledgeable about the assessment procedures;
7. The school paraprofessional assigned to the student if requested by the parent, and
8. At the discretion of the parent or the agency, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate.

In addition to the above, the special education specialist, school psychologist, school nurse, school social worker, counselor, or other student service worker who has conducted an assessment of the student shall participate whenever the results or recommendations based on such assessment are significant to the development of the student's individualized education program and placement.

Where the student is limited or non-English speaking, a district representative who is fluent in the student's primary language and who is knowledgeable about the process of second-language acquisition and competent in the assessment of limited English and non-English speaking individuals should be included.

Any member of the PPT employed by the Board of Education who discusses or makes recommendations concerning the provisions of special education and related services during a PPT meeting shall not be disciplined, suspended, or otherwise punished for such recommendations.

A PPT team member is not required to attend all or part of a PPT meeting if the parents and District agree the team member's participation is not necessary because the member's area of curriculum or related services is not being modified or discussed at the meeting.

Instruction

Individualized Education Program/Special Education Program

Planning and Placement Team or Individualized Education Program Team (continued)

If the PPT meeting does involve a modification or discussion of the member's area of the curriculum or related services, parents/guardians and the District may agree to excuse the member from attending all or part of the meeting if the member submits written input to the PPT and parent prior to the meeting. Parental consent, in writing is required in either case.

If the purpose of a PPT meeting is the consideration of transition services for a student, the District shall invite the student and a representative of any other agency that is likely to be responsible for providing or paying for transition services.

In the event of a meeting to review or revise the individualized education program of a child in an out-of-district or a private placement, a representative of the out-of-district or private facility shall also be invited. In addition, a representative of the outside facility shall contribute to the development of the individual educational program.

Parental Participation

The parent/guardian or surrogate parent shall be given at least five (5) school days prior notice of any PPT meeting and shall have the right to be present and participate in all portions of such meetings at which an educational program for their child is developed, reviewed or revised. In addition, parents/guardians or surrogate parents have the right to be present at and participate in all portions of the PPT meeting at which an educational program for their child is developed, reviewed or revised. In addition, the parent/guardian/surrogate may have advisors and the child's assigned paraprofessional, if any, be present at and participate in all portions of the PPT meeting in which the child's educational program is developed, reviewed or revised.

Upon parental/guardian request, a member of the PPT designated by the District will offer a meeting with the parent/guardian after their child has been assessed for possible placement in special education and before the PPT meets. The sole purpose of this meeting will be to discuss the PPT process and any concerns the parent/guardian has about the students. In addition, if requested, by the parent/guardian, the District will provide the results of the assessments and evaluations used in the determination of eligibility for special education of a student at least three (3) school days before the referral PPT meeting at which such results of the assessment and evaluations will be discussed for the first time.

The Board of Education shall take steps to ensure that one or both of the child's parents are afforded the opportunity to participate in each meeting to develop, review or revise the individualized education program for that child. Every effort shall be made to schedule meetings at a mutually agreed-upon time and place. Parents/Guardians and the District may agree to conduct IEP meetings and other meetings through alternative means, such as, including but not limited to, video conferences or conference calls. Steps to ensure parental participation shall be taken in accordance with the following:

Instruction

Individualized Education Program/Special Education Program

Parental Participation (continued)

1. The District will provide parents/guardians a procedural safeguards notice, at least annually, except that a copy also shall be given, upon initial referral or parental request for evaluation, upon the first filing of a due process complaint or upon parental request advising them in writing, in their dominant language, of their rights with respect to the provision of a free appropriate education for children with disabilities.
2. The District will place a current copy of the Procedural Safeguards notice on the District Website.
3. Written prior notice to the parents/guardian of a child for which the District is proposing or refusing to initiate or change the identification, evaluation or educational placement of the child, shall also specify the purpose, time and location of the meeting and who has been invited.
4. If neither parent can attend, reasonable efforts shall be made to secure parental participation by other means such as conference calls or home visits.
5. A meeting may be conducted without a parent in attendance if the Board of Education is unable to secure parental attendance. In this event, the Board of Education shall have a detailed record of its attempts to arrange parent participation.
6. The Board of Education shall take any and all actions necessary to ensure that the parents understand the proceedings at the meeting. This shall include, but not be limited to, providing an interpreter for the parents who are in need of such services.
7. A full written explanation of all due process procedures available to parents shall be provided upon parental request unless as specified in #1 above.
8. The parent/guardian of a child with a disability may elect to receive notices under IDEA by electronic mail, if the District makes such an option available.

Planning and Placement Team Description

The Planning and Placement Team is required to convene in the following situations:

1. to develop an evaluation plan for a student referred for eligibility determination, as well as for students already identified but requiring further evaluation;
2. to review the results of the evaluations and to identify the student as disabled, if indicated;
3. to develop an individualized educational program (IEP), based upon evaluation results and to determine the proper placement;
4. to review the special education program for a child periodically, but not less frequently than annually or more frequently if deemed necessary and to make the necessary IEP modifications, adjustments or program changes.
5. to exit a student from special education and/or related services, if evaluation results warrant.

Instruction

Individualized Education Program/Special Education Program

Evaluations

Each child who has been referred and who may require special education and related services shall be evaluated in order to determine whether special education is required. Each child receiving special education and related services shall be re-evaluated in accordance with IDEA procedures if the District determines that the education or related service needs including improved academic achievement and functional performance of the child warrant a reevaluation. In addition, a re-evaluation shall be conducted upon the request of the parent or personnel working with the child. A reevaluation shall occur not more frequently than once a year unless the parent and district agrees otherwise, and at least once every three years.

A comprehensive initial evaluation shall be conducted for each child referred who may require special education and related services. The evaluation shall include reports concerning the child's educational progress, structured observation, and such psychological, medical, developmental and social evaluations as may be appropriate in determining the nature and scope of the child's exceptionality. Such reports may include information concerning the child's physical condition, socio-cultural background and adaptive behavior in home and in school. All sources of information shall be documented. If the child is dominant in a language other than English, the evaluation study shall also include systematic teacher observation of the specific areas of concern. Detailed information about the child's performance at home and in the community and any prescriptive or diagnostic teaching which has taken place shall be included.

The evaluation procedures, instruments and techniques shall be non-discriminatory and be validated for the specific purpose for which they have been designed. All such evaluation procedures, instruments, and techniques shall be administered by appropriately certified and/or licensed personnel in accordance with procedures recommended by the test publisher.

1. All evaluation procedures, instruments and techniques shall be administered in the language and form most likely to yield accurate information on what the child knows and can do academically, developmentally and functionally, unless it is not feasible to so provide or administer.
2. More than one evaluation measure or assessment shall be used as the basis for placement. The results of standardized or local tests of ability, aptitude, affect, achievement and aspiration shall not be exclusively used as the basis for placement.
3. Tests shall be selected and administered so as best to ensure that when a test is administered to a child with impaired sensory, manual, or speaking skills the test results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual or speaking skills (except where those skills are the factors which the test purports to measure.)
4. Evaluation procedures, instruments and techniques shall include those designed to assess specific areas of educational need and, where appropriate, language dominance, and shall not be limited to those which are designed to provide a general intelligence quotient.

Instruction

Individualized Education Program/Special Education Program

Evaluations (continued)

5. In making a determination of eligibility, a child shall not be determined to be a child with a disability if the dominant factor for such determination is the lack of appropriate instruction in reading, including the essential components of reading instruction and/or math and/or limited English proficiency or a student's disciplinary actions or record. Further, the District is not required to take into consideration whether a child has a severe discrepancy between achievement and intellectual ability in oral expression, listening comprehension, written expression, basic reading skill, reading comprehension, mathematical calculation or mathematical reasoning.
6. In determining whether a child has a specific learning disability, the District may use a process that determines if the child responds to scientific research based intervention, as part of the evaluation procedures.

Independent Evaluation

Parents have the right to obtain an independent evaluation, conducted by an appropriately certified and/or licensed examiner who is not employed by the responsible Board of Education, of their child. The PPT shall provide to parents, on request, information about where an independent evaluation may be obtained.

Parents have the right to an independent evaluation at public expense if the parents disagree with an evaluation obtained by the Board of Education. However, the Board of Education may initiate a due process hearing, to be conducted by the State Department of Education, to show that its evaluation is appropriate. If there is a determination by the State Department of Education Hearing Officer that the evaluation of the school district was appropriate, the parents still have the right to an independent evaluation, but not at public expense. For purposes of this policy, "at public expense" means that the evaluation is provided at no cost to the parents.

If the parents obtain an independent evaluation at private expense, the results of the evaluation must be considered by the PPT in any decision concerning the provision of a free appropriate public education to the child and may be presented as evidence at a due process hearing conducted pursuant to the State Department of Education.

Whenever an independent evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, shall be the same as the criteria which the school district uses when it initiates an evaluation.

Instruction

Individualized Education Program/Special Education Program

Individualized Education Program (IEP)

The individualized education program shall be based upon the diagnostic findings of the evaluation. The Planning and Placement Team shall base recommendations for any changes in a child's individualized education program upon the child's current individualized education program and any information relating to the child's current educational performance.

Each Planning and Placement Team shall develop, or revise, whichever is appropriate, the individualized education program for each child requiring special education and related services annually. In the case of a student enrolled after the last day of the previous school year, this process will commence on the first day of the school year.

The individualized education program shall be a written statement developed by the PPT which shall include the following:

1. A statement of the child's present levels of academic achievement and functional performance, including, where appropriate, academic achievement, social adaptation, prevocational and vocational skills, psychomotor skills and self-help skills;
2. A statement of annual educational goals for the school year "reasonably calculated to enable the child to make progress appropriate in light of the child's circumstances," under the child's individualized educational program;
3. A statement of how the child's progress toward meeting the annual goals will be measured and when periodic reports will be available on the progress the child is making toward meeting the annual goals. (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) The child's educational program must be appropriately ambitious in light of his/her circumstances and provide the opportunity to meet challenging objectives.
4. A statement of specific educational services needed by the child, including a description of special education, related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, which are needed to meet the needs of the child. Such description shall include the type of transportation necessary and a statement of the recommended instructional settings;
5. The date when those services will begin and length of time the services will be given with the length of the school day and school year needed to meet the child's special education needs, including criteria to determine when services will no longer be needed;
6. A description of the extent to which the child will be involved in and make progress in the general education curriculum defined as the same curricula for nondisabled children. This shall include a description of how the regular education program will be modified to meet the child's needs;

Instruction

Individualized Education Program/Special Education Program (continued)

Individualized Education Program (IEP) (continued)

7. A list of the individuals who shall implement the individualized program; and
8. In the case of a residential placement, whether such placement is being recommended because of the need for services other than educational services.
9. If it is determined that the child will take an alternate assessment on a State or District assessment of student achievement, the IEP must contain in a statement of why the child cannot participate in the regular assessment and why the particular alternate assessment selected is appropriate for the child.
10. Pursuant to state statute, transition services are required beginning not later than the first individualized education program (IEP) to be in effect when the child turns 14 ~~and (with the diagnosis of Autism) and beginning not later than the first IEP to be in effect when the child turns 16, or~~ younger if determined appropriate by the planning and placement team (for all other disability categories), and updated annually thereafter. **The IEP shall contain appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and the transition services, including courses of study, needed to assist the students in reaching those goals.**
11. Beginning not later than one year before the student reaches the age of majority (18), a statement informing the student of his/her rights under IDEA.
12. For a child identified as deaf or hearing impaired, the IEP which includes a language and communications plan shall address:
 - (i) the child's primary language or mode of communication;
 - (ii) opportunities for direct communication between the child and his/her peers and professional personnel in the primary child's language or mode of communication;
 - (iii) educational options available to the child;
 - (iv) the qualifications of teachers and other professional personnel administering the plan for the child, including their proficiency in the child's primary language or mode of communication;
 - (v) the accessibility of academic instruction, school services and extracurricular activities to the child;
 - (vi) Assistive devices and services for the child; and
 - (vii) Communication and physical environment accommodations for the child.

The school district shall use a standardized individualized education program form that shall be subject to the approval of the State Board of Education.

Instruction

Individualized Education Program/Special Education Program (continued)

Timelines

Special education and related services shall be provided as soon as possible after the planning and placement team meeting held to review, revise or develop the child's individualized education program, but in any event not later than the following timelines.

In the case of a referral made during the academic year, the timelines shall be as follows:

1. The individualized education program shall be implemented within forty-five school days of referral or notice, exclusive of the time required to obtain parental consent.
2. In the case of a child whose individualized education program calls for out-of-district or private placement, the individualized education program shall be implemented within sixty school days of referral or notice, exclusive of the time required to obtain parental consent. If difficulty of placement is such as to occasion a delay beyond this period, the Board of Education shall submit to the State Board of Education written documentation of its efforts to obtain placement in a timely manner.
3. Where necessary, parental consent shall be given within ten school days of the date of notice, or, where appropriate, of the date of the Planning and Placement Team meeting in which the parents participated.
4. A full copy of the individualized education program shall be sent to the parents within five school days after the Planning and Placement Team meeting to develop, review or revise the individualized education program.

In the case of a referral made in between school years, the effective date of the referral may be deemed to be the first school day of the next school year.

Placement

Educational placements are made in accordance with the requirements set forth in the IEP of each child requiring special education and related services. The least restrictive environment is considered for each student based on the IEP. In selecting the least restrictive environment, consideration is given to any potentially harmful effect on the child or on the quality of services the child needs. To the maximum extent appropriate, students with disabilities, including children in public or private institutions or other care facilities, are educated with their peers in regular education environments.

Instruction

Individualized Education Program/Special Education Program (continued)

Placement (continued)

Special classes, separate schooling, or other removal of disabled children from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. Each child with disabilities shall participate to the maximum extent appropriate with non-disabled age appropriate peers in non-academic and extra-curricular services and activities, including meals and recess periods.

Interpreting evaluation data and in making placement decision, the PPT shall:

1. Draw upon information from a variety of sources, including attitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior;
2. Ensure information obtained from all of these sources is documented and carefully considered;
3. Ensure that the placement decision is made by a group of persons including person's knowledge about the child, the meaning of the evaluation data, and the placement options; and
4. Make the placement decision in conformity with the least restrictive environment considerations.

When the PPT meeting makes the determination of which placement is most appropriate to deliver education in the least restrictive environment, a continuum of services shall be used to guide the placement selection. This is done at no cost to the parents of the child. This continuum shall consider programs ranging from regular education programs with students who are not disabled to special education programs with students who are the most severely disabled. The PPT shall also consider homebound placements, hospitalized instruction, diagnostic placements and private school placements where such placements are considered necessary by the PPT in order for a student to receive a free appropriate public education.

Prior to the enrollment of a District student in a technical education and career school, the District will convene a PPT in order to address such student's transition to the technical education and career school and ensure that such student's IEP reflects the current supports and services the student requires in order to access a Free and Appropriate Public Education (FAPE) in the least restrictive environment. A representative from the technical education and career school shall be invited to the PPT meeting.

Instruction

Individualized Education Program/Special Education Program (continued)

Notice

The PPT shall notify parents of students requiring special education and related services five days before proposing to, or refusing to, initiate or change the child's identification, evaluation or placement. Written notice shall be sent to the parents no later than five days after date of referral. In addition, written parental consent shall be obtained prior to pre-placement evaluation, initial placement or private placement of a child who requires or may require special education and related services. If the student is considered an emancipated minor or eighteen years of age or older, such notification shall be to the student.

The notice shall include the following information:

1. The reason of the notice. In the event of a referral, the notice shall include the source and date of the referral;
2. A description of the general evaluation procedure to be used;
3. A statement of parental rights to review and obtain copies of all records used as a basis for the referral, to be fully informed of all evaluation results, and to obtain an independent educational evaluation as part of the evaluation process; and
4. A full explanation of all due process procedures available to parents, upon initial referral or parental request for evaluation, upon the first filing of a due process complaint or upon parental request.

Where parental consent is required, notice shall include the above requirements and the following information:

1. A statement of parental rights to refuse consent and that, if consent is given, it may be revoked at any time;
2. A statement that parental failure to respond, within ten school days from the date of the notice, shall be construed as refusal of consent; and
3. A statement that, if contested, the child's current educational placement will not change until due process procedures have been completed.

The District will provide parents/guardians with State Department of Education information and resources relating to IEPs as soon as a child identified as requiring special education.

Instruction

Individualized Education Program/Special Education Program

Legal Reference: Connecticut General Statutes
10-76a Definitions (as amended by PA 06-18)
10-76b State supervision of special education programs and services. Regulations. (as amended by PA 12-173)
10-76d Duties and powers of boards of education to provide special education programs and services. (as amended by June Special Session PA 15-5, Section 277, PA 19-49 and PA 21-46 and PA 21-144)
10-76g State aid for special education.
10-76ff Procedures for determining if a child requires special education (as amended by PA 06-18)
10-76h Special education hearing and review procedure.
10-76jj Language and communication plan as part of individualized education program for child identified as deaf or hard of hearing (as amended by PA 19-184)
PA 06-18 An Act Concerning Special Education
State Board of Education Regulations
34 C.F.R. 300 et seq. Assistance to States for Education of Handicapped Children.
300.14 Special education definitions.
300.340-349 Individualized education programs.
300.503 Independent educational assessment.
300.533 Placement procedures.
300.550-556 Least restrictive environment.
P.L. 108-446 The Individuals with Disabilities Education Improvement Act of 2004
PA 12-173 An Act Concerning Individualized Education Programs and Other Issues Relating to Special Education
Rowley v. Board of Education, 485 U.S.-176 (1982)
Andrew F. v. Douglas County School District RE-1, 15-827 U.S. (2017)
A.M. v. N.Y. City Department of Education, 845F.3d 523, 541 (2d Cir.1997)
Mrs. B., v. Milford Board of Education 103 F. 3d 1114, 1121 (2d Cir. 1997)
A.R. v. Connecticut State Board of Education, 3:16-CV-01197 (CSH D. Conn. June 10, 2020)

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NEW FAIRFIELD PUBLIC SCHOOLS
New Fairfield, Connecticut