

Woodbridge Board of Education WBOE
Policy Committee
Wednesday, May 29, 2013 6:00 PM

WBOE Policy Committee March 8, 2012 6:00
PM District Office Conference Room 40
Beecher Road South

Agenda

- I. **Call to Order**
- II. **Commence Review of the 5000 Series**
- III. **Adjourn**

The newest version of this policy, which is the recommended replacement for the existing 5141.4 adopted 8/26/97 which does not reflect changes in the law.

Students

Reporting of Child Abuse and Neglect

The Board of Education (Board) recognizes its legal and ethical obligations in the reporting of suspected child abuse and neglect. Any person applying for employment with the Board shall submit to a record check of the Department of Children and Families Child Abuse and Neglect Registry before the person may be hired. Mandated reporters include all school employees, specifically Superintendent, administrators, teachers, substitute teachers, guidance counselors, school paraprofessionals, coaches of intramural and interscholastic athletics, as well as licensed nurses, physicians, psychologists and social workers either employed by the Board or working in one of the District schools, or any other person 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 District schools. Such individual(s) who have reasonable cause to suspect or believe that a child has been abused, neglected or placed in imminent risk of serious harm, is required to report such abuse and/or neglect or risk.

Furthermore, the Board of Education requires all personnel who have reasonable cause to suspect or believe that a child, under the age of eighteen (18), has been abused, neglected, has had non-accidental physical injury, or injury which is at variance with the history given of such injury, or is placed in imminent danger of serious harm to report such cases in accordance with the law, Board policy and administrative regulations.

A mandated reporter shall make an oral report, by telephone or in person, to the Commissioner of Children and Families or a law enforcement agency as soon as possible, but no later than twelve (12) hours after the reporter has reasonable cause to suspect the child has been abused or neglected. In addition, the mandated reporter shall inform the building principal or his/her designee that he/she will be making such a report. Not later than forty-eight hours of making the oral report, the mandated reporter shall file a written report with the Commissioner of Children and Families or his/her designee.

The oral and written reports shall include, if known: (1) the names and addresses of the child and his/her parents/guardians; (2) the child's age; (3) the child's gender; (4) the nature and extent of the child's injury or injuries, maltreatment or neglect; (5) the approximate date and time the injury or injuries, maltreatment or neglect occurred; (6) information concerning any previous injury or injuries to, or maltreatment or neglect of, the child or his/her siblings; (7) the circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter; (8) the name of the person(s) suspected to be responsible for causing such injury or injuries, maltreatment or neglect; (9) the reasons such person or persons are suspected of causing such injury or injuries, maltreatment or neglect; (10) any information concerning any prior cases in which such person or persons have been suspected of causing an injury, maltreatment or neglect of a child; and (11) whatever action, if any, was taken to treat, provide shelter or otherwise assist the child.

Students

Reporting of Child Abuse and Neglect (continued)

If the report of abuse or neglect involves an employee of the District as the perpetrator, the District may conduct its own investigation into the allegation, provided that such investigation shall not interfere with or impede any investigation conducted by the Department of Children and Families or by a law enforcement agency.

The Board, recognizing its responsibilities to protect children and in compliance with its statutory obligations, shall provide in-service training regarding the requirements and obligations of mandated reporters. District employees shall also participate in training offered by the Department of Children and Families.

State law prohibits retaliation against a mandated reporter for fulfilling his/her obligations to report suspected child abuse or neglect. The Board shall not retaliate against any mandated reporter for his/her compliance with the law and Board policy pertaining to the reporting of suspected child abuse and neglect.

(This paragraph is optional) It is mandated that policy and procedure development include three major components: Education, Intervention and Evaluation. The Education component requires that school personnel be provided with ongoing education (staff development) related to the recognition and reporting of suspected child abuse and neglect. Intervention requires that "at risk" students be identified and that suspected child abuse and neglect be reported. Evaluation is essential in order to determine whether policy and procedures are effective and appropriately updated to incorporate changes in knowledge, personnel, student and family needs, community resources and law. Such evaluation should take place annually, or more frequently as needed.

In accordance with the mandates of the law and consistent with its philosophy, the Board in establishing this policy directs the Superintendent of Schools to develop and formalize the necessary rules and regulations to comply fully with the intent of the law.

This policy will be distributed annually to all employees. Documentation shall be maintained that all employees have, in fact, received the written policy and completed training related to mandated reporting of child abuse and neglect as required by law.

Legal Reference: Connecticut General Statutes

10-220a Inservice training. Professional development committees. Institutes for educators. Cooperating teacher program, regulations (as amended by PA 11-93)

10-221d Criminal history records check of school personnel. Fingerprinting. Termination or dismissal (as amended by PA 11-93)

Students

Reporting of Child Abuse and Neglect (continued)

Legal Reference: Connecticut General Statutes (continued)

17a-28 Definitions. Confidentiality of and access to records; exceptions. Procedure for aggrieved persons. Regulations (as amended by PA 11-93)

17a-101 Protection of children from abuse. Reports required of certain professional persons. When child may be removed from surroundings without court order. (as amended by PA 96-246, PA 00-220, PA 02-106, PA 03-168, PA 09-242 and PA 11-93)

17a-101a Report of abuse or neglect by mandated reports. (as amended by PA 02-106 and PA 11-93)

17a-102 Report of danger of abuse. (as amended by PA 02-106)

17a-106 Cooperation in relation to prevention, identification and treatment of child abuse/neglect.

10-151 Teacher Tenure Act

46a-1b Reports of suspected abuse or neglect required of certain persons. Report by others. Immunity. Fine.

P.A. 11-93 An Act Concerning the Response of School Districts and the Departments of Education and Children and Families to Reports of Child Abuse and Neglect and the Identification of Foster Children in a School District

Policy adopted:

cps 6/02
rev 6/03
rev 7/09
rev 11/11
rev 2/12

Students

Indicators of Abuse/Neglect

Indicators of Physical Abuse

Historical

1. Delay in seeking appropriate care after injury
2. No witnesses
3. Inconsistent or changing descriptions of accident by child and/or parent
4. Child's developmental level inconsistent with history
5. History of prior "accidents"
6. Absence of parental concern
7. Child handicapped (physically, mentally, developmentally) or otherwise perceived as "different" by parent
8. Unexplained school absenteeism
9. History of precipitating crisis

Physical

1. Soft tissue injuries on face, lips, mouth, back, buttocks, thighs or large areas of the torso
2. Clusters of skin lesions; regular patterns consistent with an implement
shape of lesions inconsistent with accidental bruise
3. Bruises/welts in various stages of healing
4. Burns; pattern consistent with an implement on soles, palms, back, buttocks and genitalia;
symmetrical and/or sharply demarcated edges
5. Fractures/dislocations inconsistent with history
6. Laceration of mouth, lips, gums or eyes
7. Bald patches on scalp
8. Abdominal swelling or vomiting
9. Adult-size human bite mark(s)
10. Fading cutaneous lesions noted after weekends or absences
11. Rope marks

Behavioral

1. Wary of physical contact with adults
2. Affection inappropriate for age
3. Extremes in behavior, aggressiveness/withdrawal
4. Expresses fear of parents
5. Reports injury by parent
6. Reluctance to go home
7. Feels responsible (punishment "deserved")
8. Poor self-esteem
9. Clothing covers arms and legs even in hot weather

Students

Indicators of Abuse/Neglect

Indicators of Sexual Abuse

Historical

1. Vague somatic complaints
2. Excessive school absence
3. Inadequate supervision at home
4. History of urinary tract infection or vaginitis
5. Complaint of pain; genital, anal or lower back/abdominal
6. Complain of genital itching
7. Any disclosure of sexual activity, even if contradictory

Physical

1. Discomfort in walking, sitting
2. Evidence of trauma or lesions in and around mouth
3. Vaginal discharge/vaginitis
4. Vaginal or rectal bleeding
5. Bruises, swelling or lacerations around genitalia, inner thighs
6. Dysuria
7. Vulvitis
8. Any other signs or symptoms of sexually transmitted disease
9. Pregnancy

Behavioral

1. Low self-esteem
2. Change in eating patterns
3. Unusual new fears
4. Regressive behaviors
5. Personality changes (hostile/aggressive or extreme compliance)
6. Depression
7. Decline in school achievement
8. Social withdrawal; poor peer relationships
9. Indicates sophisticated or unusual sexual knowledge for age
10. Seductive behavior, promiscuity or prostitution
11. Substance abuse
12. Suicide ideation or attempt
13. Runaway

Students

Indicators of Abuse/Neglect

Indicators of Emotional Abuse

Historical

1. Parent ignores/isolates/belittles/rejects/scapegoats child
2. Parent's expectations inappropriate to child's development
3. Prior episode(s) of physical abuse
4. Parent perceives child as "different"

Physical

1. (Frequently none)
2. Failure to thrive
3. Speech disorder
4. Lag in physical development
5. Signs/symptoms of physical abuse

Behavioral

1. Poor self-esteem
2. Regressive behavior (sucking, rocking, enuresis)
3. Sleep disorders
4. Adult behaviors (parenting siblings)
5. Antisocial behaviors
6. Emotional or cognitive developmental delay
7. Extremes in behavior - overly aggressive/compliant
8. Depression
9. Suicide ideation/attempt

Historical

1. High rate of school absenteeism
2. Frequent visits to school nurse with nonspecific complaints
3. Inadequate supervision, especially for long periods and for dangerous activities
4. Child frequently unattended; locked out of house
5. Parental inattention to recommended medical care
6. No food intake for 24 hours
7. Home substandard (no windows, doors, heat); dirty, infested, obvious hazards
8. Family member addicted to drugs/alcohol

Students

Indicators of Abuse/Neglect

Indicators of Neglect

Physical

1. Hunger, dehydration
2. Poor personal hygiene, unkempt, dirty
3. Dental caries/poor oral hygiene
4. Inappropriate clothing for weather/size of child, clothing dirty; wears same clothes day after day
5. Constant fatigue or listlessness
6. Unattended physical or health care needs
7. Infestations
8. Multiple skin lesions/sores from infection

Behavioral

1. Comes to school early, leaves late
2. Frequent sleeping in class
3. Begging for/stealing food
4. Adult behavior/maturity (parenting siblings)
5. Delinquent behaviors
6. Drug/alcohol use/abuse

Existing policy, number 5141.5 adopted 3/29/93, appropriate as written, except for update to legal reference.

Students

Suicide Prevention and Intervention

The Board recognizes that suicide is a complex issue and that, while the school may recognize potentially suicidal youth, it cannot make clinical assessment of risk and provide in-depth counseling but must refer the youth to an appropriate place for such assessment and counseling. Because one function of a school is to provide an environment which will foster positive youth development the Woodbridge Board of Education wishes to take a proactive stance in preventing the problem of youth suicide.

Components of this effort at suicide prevention will include the periodic in-service training of all professional staff, appropriate curricular offerings aimed at positive mental health, promoting a school climate conducive to positive mental health, and appropriate intervention and referral of potentially suicidal youth.

Any school employee who has knowledge of a student "at risk" for suicide will notify the building principal, in writing, the Director of Pupil Personnel and/or the school nurse. The individual notified will follow the designated steps as specified in the administrative regulations for this policy which, in most circumstances, will include notifying the child's parent(s).

Legal Reference: Connecticut General Statutes

10-22(e) Boards of Education to prescribe rules.

Policy adopted:

WOODBRIIDGE PUBLIC SCHOOLS
Woodbridge, Connecticut

Existing regulation number 5141.5 approved 3/29/93, appropriate as written, except for additional of legal reference. A sample follows for comparison and consideration.

Students

Suicide Prevention and Intervention

Given the serious nature of suicide among young people, it has become important for schools to develop a set of procedures to respond to students who may be at risk for suicide. The mental health field has identified the prediction of suicide as a difficult clinical task. The school has a clear responsibility to respond immediately and aggressively to a student who has attempted or is contemplating suicide. If there is to be any error in predicting students at risk of suicide it is important to err on the side of caution. The following regulations are to be used as specific steps in suicide prevention.

Definitions

1. "Low-Level Risk" - The following student behaviors are indicators of a student with low level risk:
 - a. Has a vague plan or no plan of how to do it with low access to a possible method.
 - b. Expresses feelings of hopelessness or helplessness.
 - c. Is able to describe how things could change in order to be better.

2. "At-Risk" - The following student behaviors are indicators that a student may be "at-risk" for suicide.
 - a. Dropping out of activities accompanied by increasing isolation and withdrawal.
 - b. Radical personality or behavior change.
 - c. Preoccupation with death or morbid thoughts.
 - d. Talk of suicide without specific reference to self or a specific plan.
 - e. Making final arrangements; giving things away, putting one's life in order.
 - f. Strong statements of hopelessness.
 - g. Sudden changes in appearance so as to appear neglected or extremely unkempt.
 - h. An extreme pattern of risk taking or accidents.

3. "Imminent Danger" - The following student behaviors are indicators that a student is in imminent danger of attempting suicide. They are listed in a hierarchy of severity from least to most severe.
 - a. Discussion of suicide plans with another student or an adult.
 - b. Threat of suicide made to an adult.
 - c. Suicide threat with a clear plan of how the suicide will be accomplished.
 - d. Student reports that they have attempted suicide in the recent past.
 - e. Student makes an overt attempt at suicide at school
 - f. A pattern of suicide attempts. It is important to understand that with each unsuccessful attempt at suicide the risk of a successful suicide increases.

Students

Suicide Prevention and Intervention (continued)

Procedures

1. Any staff member or parent who becomes aware of a student who is either a “low level risk”, “at-risk” or in “imminent danger” of suicide should immediately notify the building Principal, Director of Pupil Personnel, and/or the nurse.
2. The Director of Pupil Personnel or the psychologist interviews the student, obtains background and assesses the potential risk.
3. If the student is assessed to be “low level risk” or “at-risk”:
 - a. The parents are contacted and the risk factors are explained to them.
 - b. Referral is made to the Child Study Team where a plan of support, monitoring, and if appropriate, counseling is created.
 - c. Staff members who have direct contact with the student are informed of the risks and the appropriate measures to support the student.
 - d. If appropriate, a referral to an appropriate agency or individual is made.
 - e. The case manager from the CST monitors the progress of the student and reports back to the CST periodically.
4. If the student is assessed to be in “imminent danger”:
 - a. Ensure that the student is not left alone.
 - b. Immediately attempt to make contact with the parents and ask them to come to school.
 - c. The student is not to be dismissed or sent home via the school bus.
5. If the parent/s come to the school they will meet with the Director of Pupil Personnel and/or the Principal who will:
 - a. Apprise the parent of the situation.
 - b. Provide the parent with a list of referral resources and offer recommendations.
 - c. Plan follow-up activities.
 - d. Document the meeting and follow-up activities.
6. If the parent is unable to come to the school:
 - a. Recommendations will be provided to the parents over the phone.
 - b. A school staff member will transport the student to the treatment resource of the parent’s choosing. The parent needs to be informed that they must come to the treatment facility to initiate treatment.
 - c. Plan follow-up activities.
 - d. Document the course of events.

Students

Suicide Prevention and Intervention

Procedures (continued)

7. If the parent does not agree with the school's assessment that the student is in "imminent danger" and refuses to take action:
 - a. The Principal and Director of Pupil Personnel will confer to designate an immediate plan, ensuring that the student is not left alone or placed on the school bus.
 - b. The parent will again be contacted and notified that the Department of Children and Youth Services (DCF) will be contacted if the parent remains uncooperative and that the child will be transported to an appropriate hospital emergency room.
 - c. DCF will be contacted and asked for their cooperation and concurrence that the child should be transported to an emergency room.
 - d. A school staff member will transport the student to the designated emergency room.
 - e. Document the course of events.
8. When the student returns to school the CST will convene to discuss the following steps:
 - a. Ongoing contact with outside professionals involved in the treatment of the student.
 - b. Program modifications or referral to special education.
 - c. Support services in school such as counseling, as such services are available.
 - d. Ensure that staff who need to know are aware of the risk factors for the student and appropriate measures to deal with the student's needs.
9. Training will be available for all professional staff including crisis management, suicidal risk factors, and procedures as outlined in these regulations.

Legal Reference: Connecticut General Statutes

10-221(e) Boards of Education to prescribe rules.

Regulation approved:

WOODBRIIDGE PUBLIC SCHOOLS
Woodbridge, Connecticut

Completed Suicide of Sudden Death of a Student

Day of Suicide/Death

Staff Actions:

The staff person who receives the information will immediately notify the school Principal who will verify the information.

Administration Actions:

1. Notification of School Personnel

a. Out of School Hours Death

1. Upon verification, the Principal will notify the Superintendent, The Director of Pupil Personnel and other appropriate administrators.
2. The Principal will consult with the administrative staff and together they will contact other staff as appropriate.

b. In-School Hours Death

1. Follow administrative and staff actions as above
2. Convene emergency meeting of Crisis Intervention Team
The team will meet immediately to develop a plan and delegate responsibilities.
This should include:
 - a. Prepare a written statement of the facts
 - b. Plan for contact with friends of student
 - c. Plan who will be available for small group support
 - d. Plan to support teachers who are uncomfortable telling students
 - e. Plan to deal with media
 - f. Decide whether to involve outside consultants if needed and appropriate
 - g. Decide who else should be notified (parents of friends, colleagues, PTO, etc.)
 - h. Decide who will collect student's personal belongings
 - i. Decide who will contact family
 - j. Plan to monitor and support other "at risk" and "high risk" students
 - k. Plan staff meeting
 - l. Other tasks as identified by members.

Sample regulation A.

Students

Suicide Prevention/Intervention

Guidelines (continued)

3. Since most staff will be occupied, they should be notified of the basic facts (what, when, who) in writing and advised to follow designated procedures as outlined on the notification documents

All school district professionals have a responsibility to share with Principal observations of student behavior which appear to be related to the possibility of suicide.

The Principal, in turn, has a responsibility to follow the guidelines attached to the Board policy and regulation on suicide. If circumstances of a particular situation indicate that actions other than those described would serve the best interests of a given student and the school system, the Principal may consult with the designated student school system, the Principal may consult with the designated Student Assistance Team (SAT), Planning and Placement Team (PPT) and/or other appropriate personnel to make such a decision and shall make appropriate documentation of the circumstances and the resulting decision.

For the elementary schools, the term Student Assistance Teams should be replaced with Pupil Personnel Services Designee or school nurse.

Special Issues in Using Procedures

1. Communication

The building Principal shall maintain communication with the Superintendent of Schools about all suicide attempts and shall call on the Central Office for advice on how to proceed if any situation warrants. In turn the Superintendent will keep the Board informed about suicide related issues as appropriate. All communications must be kept confidential as appropriate.

2. Documentation

All actions taken by school personnel should be carefully documented. Such records should express facts, observable behaviors and actions. They should be placed in the student's supplementary file. Following an attempt or completed suicide, a daily log might be helpful.

3. Contagion

Sometimes a suicide attempt or completed suicide will trigger other suicide attempts. There is no clear body of knowledge about how or why this occurs and what unique circumstances cause it. The best preventive measure against the contagion effect seems to involve careful identification and monitoring of students who may be in a risk category, efforts to reduce glamorization of the suicide and carefully planned follow-up activities.

Students

Suicide Prevention/Intervention

Guidelines (continued)

4. Principal

Shall be understood to mean Principal or Principal's designee.

5. Anniversary Dates

The week, month or year anniversary of the death may trigger a delayed grief reaction or suicide attempts modeled after the first. School personnel should be sensitive to this and intensify monitoring of students at these times.

6. Support

While Student Assistance Team members will probably be sensitive to each other's needs for support, it can also be helpful to have an outside professional available during and following crisis periods to "debrief" the team and offer support to individual members as needed.

7. Suicide at School

Most experts agree it is better to keep students at school where adult support systems are available than to send them home, where no adult supervisors might be available to them. Students should only be released to their parents or other responsible adults should they ask to leave school early.

Students at Risk for Suicide

1. General Procedures During School Hours

School staff who have identified a student who exhibits the signs as noted in Appendix or who have other reason to believe the student is at risk for suicide must immediately bring the student's name to the attention of the Principal or his/her designee. This must be done even if the student has confided in the staff person and asked the staff person to keep their discussion confidential. In such cases, the staff person would explain that he/she cannot keep confidentiality in these circumstances.

Appropriate staff member(s) gather background information prior to contacting the student unless there appears to be imminent risk of self harm. This background check should be done on the same day as the referral and may include:

Students

Suicide Prevention/Intervention

Students at Risk for Suicide (continued)

- A. Further discussion with the person who made the referral.
- B. Contact with other staff members to get data on recent student performance. At the earliest possible moment following the collection of information, contact with the student will be made to determine the seriousness of the situation.
- C. **Critical Situation**

The student has the intent to kill himself/herself, a specific plan for how he/she will do it and immediate access to the method; in addition, he/she exhibits feelings of loneliness, hopelessness, helplessness and the inability to tolerate any more pain.

- (1) A staff member will stay with the student to offer support. In addition, he/she will explain to the student that someone will be contacting parent(s) because of deep concern.
- (2) A staff member will notify the parent(s) and request that they come to the school immediately. The following points should be covered in the meeting with the parents:
 - (a) The seriousness of the situation.
 - (b) The need for immediate outside professional help.
 - (c) The need for continued monitoring.
 - (d) A request for parent(s) to sign a release of information form for communication between the school and the facility to which the student will be taken, the student's therapist and other individuals as appropriate.
- (3) If the parent(s) cannot be contacted or if they refuse to come to the school and the team determines that a medical emergency exists, normal procedures will be followed for such emergencies. The Principal will explain that the school may be required to file a medical neglect report with the Department of Children and Families. In addition, the Principal may inform the parents that the student will not be accepted back into school until a formal mental health evaluation has taken place.

This exclusion will be done in compliance with state regulations and only if it is deemed to be in the best interest of the student.

Students

Suicide Prevention/Intervention

Students at Risk for Suicide (continued)

- (4) As a follow-up, a staff member will contact the family to discuss the family's plans to provide professional help and support to the student. Permission for communication between school and therapist will be requested. A plan of action for in-school support of the student will be discussed at the next Student Assistance Team meeting. The team will continue to monitor the student.

D. Potential Situation

The student has some intent to kill himself/herself and has thought about how he/she would do it. He/she has access to the method but does not have everything in place. Although the student may exhibit feelings of hopelessness, helplessness and unbearable pain, he/she shows some willingness to accept help. The following action will be taken, the order to be determined by the specific situation:

- (1) A staff member will explain to the student that parent(s) will be contacted in order to arrange for professional help and to develop an appropriate support system. The staff member will offer to speak to those people on the student's behalf.
- (2) The Principal or designee will ask the student to sign an agreement not to harm himself/herself.
- (3) Following the meeting with the student the Principal or designee will:
 - (a) Convene the Student Assistance Team to plan a course of action.
 - (b) Contact the student's parent(s) to inform them of the seriousness of the situation and to request a meeting that day.
 - (c) Obtain further information from the parent(s) concerning the student's mental health history including therapy and previous suicidal attempts or threats. If the student is currently being seen by a mental health professional, the Principal will ask for parental permission to speak with that professional.
 - (d) Communicate the need for suicidal risk evaluation.

Students

Suicide Prevention/Intervention

Students at Risk for Suicide (continued)

- (4) If the parent refuses to come to school, the Principal will explain that the school may be required to file a medical neglect report with .
- (5) As follow up a team member will contact the family to discuss their plans to provide professional help to the student. The team will meet to develop a plan for in school support.

E. General Procedures After School Hours

If a staff member has become aware of a potentially suicidal student during after school hours, he/she should consider and decide the following actions:

1. Contact the parents.
2. Contact the police.
3. Contact student's therapist.
4. Contact 24-hour crisis center.
5. Contact the Principal.

Students Who Have Attempted Suicide

1. In School Attempt

- A. The staff person who becomes aware of the attempt will remain with the student and will immediately send for the nurse and Principal.
- B. The nurse and Principal will follow school medical emergency procedures to get immediate medical help for the student.
- C. The parents will be contacted.
- D. The Principal will refer to the Crisis Intervention Plan and Media guidelines to determine a course of action.

2. Out of School Attempt

- A. The Staff person who receives the information concerning an attempted suicide will immediately contact the school Principal who will verify the information and actions taken by the parents.

Students

Suicide Prevention/Intervention

Students Who Have Attempted Suicide (continued)

- B. The Principal will determine if the situation warrants informing the full faculty.
- C. If the attempted suicide is causing visible distress among students, staff may be asked to follow "Guidelines For Talking to Students About Suicide/Sudden Death." An after school meeting may be held to identify others at risk with students and discuss concerns.
- D. The Principal in conjunction with the Student Assistance Team will develop a plan to monitor and support high risk students.
- E. A team member will be assigned to follow up and monitor the student upon his/her return to school.
- F. If appropriate, information will be shared with the Principal of the sibling's school.

Legal Reference: Connecticut General Statutes

10-221(e) Boards of education to prescribe rules.

Regulation approved:

Suicide Prevention/Intervention

Risk Assessment Checklist

1. Has the person recently withdrawn from therapeutic help?
2. Has the person been abusing drugs or alcohol recently?
3. Is there a history of suicide in the person's family?
4. Is the person exhibiting marked hostility to those around him or her?
5. Has the person's life become disorganized recently?
6. Does the person drop in and out of schools?
7. Has the person become unusually depressed or anxious recently?
8. Has a friend committed suicide recently?
9. Has the person threatened suicide, or spoken about it with friends or teachers.
10. Is the person preoccupied with themes of death or dying?
11. Has the person made previous suicide attempts?
12. Does the person have trouble holding onto friends?
13. Does the person have a "plan" for suicide, and has the person made preliminary arrangements?
14. Has the person made "final arrangements" (given away possessions, said "Goodbye")?

If you believe someone may be thinking of suicide, get help for that person by immediately contacting people designated in the district plan on crisis intervention. Do not wait!

Suicide Risk Factors

The following life crises, behaviors and circumstances have been identified by experts as potential risk factors for suicide. No one can say with certainty which specific life conditions and personality traits may combine to result in suicide. Nor can we say why one person commits suicide and another with similar circumstances does not. Staff should become familiar with these risk factors and make referrals to the Principal or his/her designee when they are observed.

Family Factors

Suicide of a family member (especially of a parent or sibling).

Loss of a parent through death or divorce

Family alcoholism or other drug dependency.

Absence of meaningful relationships and attachment within the family.

Destructive, violent parent-child interactions.

Physical, emotional or sexual abuse.

Chronically depressed, mentally ill or suicidal parent

Highly rigid and perfectionistic standards set for child.

Frequent (though not necessarily intended) communications that the child is unwanted or expendable.

Periods of unusual family stress due to factors such as illness, unemployment, disabilities etc.

Environmental Factors

Suicide of someone the youth has known or identified with.

Frequent mobility, especially during early to late adolescence

Religious conflicts where youth feels caught in the middle.

Incarceration for a criminal offense, especially if youth was intoxicated when placed in jail.

Loss of identity or status or repeated failures to achieve desired status.

Social isolation and failure to develop peer attachments.

Fears that one has contracted or been exposed to AIDS.

Accumulating failures or rejections.

Behavioral Factors

Past history of suicide gestures or attempts.

Running away - especially if running from abusive or alcoholic family.

Alcohol and other drug abuse.

Eating disorders.

School failure or chronic achievement.

Chronic or unexpected disciplinary crises at home or school.

Aggression and rage that shows up in violent outburst or behavior (often how boys show depression)

Fascination with death, violence, satanism.

Legal problems.

Self-risking behaviors such as reckless driving, overt sexual promiscuity or potentially harmful risk-taking.

Personal Factors

Frequent periods of feeling down.
Frequent feelings of powerlessness.
Learning disabled.
Gifted.
Poor impulse control, especially involving aggression or risk taking.
Unwillingness to seek or accept help for problems.
Desire for revenge or to punish another.
Confusion/conflict over sexual identity.
Alienation from traditional social institutions and values.
Compulsively perfectionistic/highly self-critical.
Seems to lack inner resources and skills to solve problems, deal with frustration.
Poor social skills; low sense of self esteem.
Desire to be re-united with someone who is dead.
Highly defensive and avoidance reactions to problems.
Strong feelings of shame or guilt that persist over time.
Unresolved feelings of grief.
Tendency to develop "tunnel vision" about problems.
Perceives that he/she can only get attention in negative ways.

Psychiatric Factors

Affective disorder diagnoses.
Conduct disorder diagnoses.
Depression diagnoses.
Substance abuse diagnoses.

Supplemental Information for Appendix A

The following supplement is designed to provide more in-depth information concerning some of the more important risk factors for suicide as listed in Appendix A.

1. **Previous Suicide Attempt** - even if these attempts were not deemed to be very serious and even if they occurred in the past and were not followed by therapy or counseling, they indicate increased risk for further attempts.
2. **Sexuality Conflicts** - Gay and lesbian youths have a higher incidence of suicide than heterosexual youths; this is true even if the young person has not outwardly defined him/herself as homosexual but is still struggling with sexual identify issues.
3. **Exposure to AIDS** - the knowledge that one's sexual partner has contracted or been exposed to AIDS may result in a higher risk for suicide even if this person has not taken the AIDS test but believes him/herself to be in danger of contracting it.

5141.5
Appendix B
(continued)

4. **Low Self Esteem and Social Skills** - Students who are continually being rejected by others (or have that perception) may become self-rejecting, self-hating and self-harming.
5. **Serious Risk-Taking** - A disregard for one's personal safety whether expressed through unnecessary risks taken in athletics or recreational activities or through daredevil driving while drunk may indicate an ambiguity about wanting to live.
6. **Alcohol/Drug Abuse** - Many troubled students initially use alcohol/drugs to "medicate" their pain only to discover that over time this increases their depression and problems, 50-80% of suicidal teens are alcohol drug involved.
7. **Sexual, Physical, Emotional Abuse** - The self-blame, quiet, shame and self-hatred experienced as a result of abuse, as well as the "loss" of the parent as a trusted adult increase risk for suicide even if the abuse occurred years earlier.
8. **Suicide of a Family Member** - especially a parent increases risk for the child even if the suicide has been kept a "secret" and especially if no counseling was ever provided to survivors.
9. **Teens with Chronic Serious Problems** - within their families, their schoolwork their peer relationships or their community may respond by acting negatively getting into even more difficulty with their parent, the law or school officials leading to the perception that there is "no way out."
10. **Learning Disabled or Gifted Students** - who experience feelings of alienation and being different from their peers may become increasingly discouraged and hopeless about things ever getting better.
11. **Family Alcoholism** - may result in feelings of guilt, isolation and inability to control one's life or meet parent expectations; this is especially aggravated by the "Code of Silence" children learn leading to feelings of hopelessness, helplessness and alienation.
12. **Compulsive Achievers** - or perfectionists who are chronically unable to meet their own or parental standards or who interpret lower achievement levels as failure may become so self-rejecting and self-loathing as to become self-harming.
13. **Running Away** - Suicide screenings of runaway young people have shown that over 50% of them have thought about suicide as an answer to their problems. There is also a high correlation between running away and family abuse and alcoholism.
14. **School Problems** - Academic or Behavioral - Many young people experience school as a place where they feel like a failure. A negative cycle may develop in which the young person does poorly at school because of low self esteem, lower ability levels or preoccupation with personal or family problems; the school problems put more pressure on the young person adding to already present feelings of worthlessness and hopelessness which in turn result in further school problems etc.

Supplemental Information for Appendix B (continued)

15. **Loss** - Of any kind whether due to death, divorce, failure to achieve a goal, breaking up with a girlfriend or boyfriend, moving, going off to college etc. often results feelings of grief, embarrassment, isolation, alienation, insecurity and aloneness. Without an adequate support system these feelings may become overwhelming for the young person.
16. **Fascination with Death, Violence, Satanism** - is often expressed through music, clothing, posters in their rooms and behavior, this fascination may indicate that the young person is pre-occupied with thoughts of death and self-harm. If such a fascination becomes a pre-occupation, that is the young person's life begins to change significantly, the potential for suicide must be seriously considered.
17. **Psychiatric Disorders** - Certain psychiatric diagnoses, specifically clinical depression. Conduct disorders and certain affective disorders have been identified by the National Institute of Mental Health researchers as risk factors for suicide.

Suicide Prevention/Intervention

Warning Signs

It is important to note that adolescence is often a time of change and mood swings. When considering possible warning signs of suicide, you should look for the pattern (several related signs), the duration (2 or more weeks of a given pattern), the intensity and the presence of a particular crisis event. You should measure these against what is perceived to be normal for a given adolescent.

Perhaps, most importantly, you should trust your instincts. When in doubt, seek help. Any young person exhibiting some combination of these signs is probably in need of some type of help. Many of the risk factors listed in Appendix A are, in hindsight, seen as early warning signs for suicide following a suicide death. Observation of the following signals of severe emotional distress or over suicide warning signs, especially when combined with two or more risk factors from Appendix A must be reported to the Principal or his/her designee as soon as possible.

Early Warning Signs

Difficulty coping with any of the risk factors in Appendix A.

Sudden or unexpected changes in school behavior such as:

- Attendance
- Declining academic performance
- Changed peer relationships
- Sudden failure to complete work
- Loss of interest; inability to concentrate
- Disciplinary crisis, especially involving violence or aggression communicating about death, suicide through writing, artwork, discussion
- Increased frequency and/or quantity of alcohol and other drug use
- Sudden changes in appearance-especially neglect of appearance
- Gradual withdrawal from friends, schools, family; loss of interest in activities
- Sudden or increasingly negative changes in personality and attitude
- Depression (may be expressed as sadness or angry acting out)
- Sleep disturbances-(inability to sleep or sleeping to 'escape')
- Eating disturbances (loss of appetite, sudden weight gain or loss, eating disorders)
- Restlessness and agitation (especially if perceived as uncontrollable)
- Over-reaction to criticism; overly self critical
- Overwhelming feelings of failure, worthlessness
- Failure or inability to derive pleasure from one's life, friends, activities
- Exaggerated or long term apathy and disinterest
- Inability to recover from a loss; ongoing and overwhelming feelings of grief
- Excessive frequency and intensity of mood swings (especially if perceived as uncontrollable)

Early Warning Signs (continued)

Persistent nightmare
Frequent expressions of hostility, anger, rage (especially if perceived as uncontrollable)
Pessimism about life, about one's future
Persistent physical complaints (especially if no physiological basis can be found) such as headaches, stomachaches, nausea, anxiety reactions
Difficulties in concentration, completing tasks, making decisions (especially if perceived as uncontrollable)
Delusions or hallucinations; loss of touch with reality

Late Warning Signs

Threatening to commit suicide, openly talking about death, not being around, not being wanted or needed
Dropping out of activities; increasing isolation and withdrawal
Feelings of helplessness, inability to change or control one's life
Feelings of extreme humiliation, loss of status
Radical personality or behavioral change
Sudden or increasingly dangerous risk taking behavior
Increasing feelings of aloneness, despair; perception that no one can help
Making final arrangements; giving things away, putting one's life in order
Sudden and inexplicable improvement in behavior; appearance
Students

Precipitating Events - Often one event will seem to trigger a suicide or suicide attempt. The most common of these seem to be:

Loss of a close relationship through:

Death or divorce
Breaking up with boyfriend/girlfriend
Suicide of a friend, family member or someone youth has known
Unexpected loss of status with peers or failure to achieve such status
Serious fight with parents or close peer
Being arrested for a crime (especially if incarcerated)
Sudden or unexpected failure or setback
Recent traumatic event such as moving, a car accident, a major loss or disciplinary crisis that makes facing the future seem impossible
Anniversary of someone else's suicide or death
Fear of a major change in life status such as graduation, moving
Actual major life change such as going on to college, staying behind while friends go to college.

Existing policy, number 5142 adopted 3/18/02, appropriate as written except for addition of legal reference.

Students

Safe Schools

The Board of Education welcomes the participation of the school community in an effort to ensure a safe, healthy and wholesome environment for students and staff in which respect for the rights and property of others is fostered.

The Board is committed to the prevention of violence or any manifestation of disrespect against people and/or property in the school or at school activities, whether by students, staff or others.

The Board may establish an advisory committee to review policies, regulations, plans and procedures and to make recommendations on practices of the district directed to ensure a safe and orderly school environment conducive to learning.

The Board shall review policies, regulations, plans and procedures that may be identified to:

1. Conform with Statute and Board Policy;
2. Be clear, complete and enforceable; and,
3. Appropriately disseminated to students, staff, parents and are available to the general public, upon request.

As determined by the Board, such work may include but not be limited to:

1. Student conduct and behavior;
2. Maintenance of public order on school property;
3. Substance use and/or abuse;
4. School emergency management;
5. Training for staff and students in conflict resolution and violence prevention; and
6. Building security measures, including procedures governing visitors to the schools and access to the school buildings.

Student safety shall be a priority of all school district personnel through close supervision of students in the school building on school grounds or on field trip and through special attention to:

1. Maintenance of a safe and orderly environment.
2. The establishment and monitoring of safe practices by school personnel. Attention to safe practices by staff and students in instructional areas or in extracurricular activities shall have high priority.
3. Development of school programs and activities consistent with appropriate abilities and limitations of students at each age level.
4. Offering safety education to students germane to particular subjects, as in classes such as Science, the Arts, and Health and Physical Education.

Students

Safe Schools (continued)

5. Appropriate first aid care for students in case of accident or sudden illness.
6. Adequacy of emergency response procedures at schools.
7. Maintenance of appropriate guidelines for the safe transportation of students.

(cf. 5131.6 Drugs/Alcohol and Tobacco)

(cf. 5141.4 Child Abuse and Neglect)

(cf. 5141.5 Suicide Prevention)

(cf. 5141.3 Student Health Assessments and Immunizations)

(cf. 5141.21 Administering Medications)

(cf. 5141.22 Communicable and Infectious Diseases)

(cf. 6142.1 Family Life and Sex Education)

(cf. 6114 Emergencies and Disaster Preparedness)

(cf. 6114.7 Safe Schools)

Legal Reference: Connecticut General Statutes
PA 98-252 An Act Concerning Revisions to the Education statutes.

Policy adopted:

WOODBRIIDGE PUBLIC SCHOOLS
Woodbridge, Connecticut

A sample regulation from East Hartford which is a crisis management plan to consider and modify to fit the local situation.

Students

Student Safety

Procedures for Handling Crises, Emergencies

The following guidelines are designed to ensure the health and safety of all East Hartford Public School students during an emergency and/or crisis. The health and safety of students during a crisis require:

1. The immediate and effective response to the actual emergency if such an emergency has occurred on or near school property during school hours (i.e., violent intruder, disruptive demonstration).
2. The immediate and effective response to the psychological trauma resulting from such an emergency.

The communication of accurate information is central to the effective response to the crisis or the trauma resulting from a crisis. There are five groups of people that require accurate information: superintendent/central administration, principal/building administration, staff, students and parents. If the superintendent/central administration first become aware of the emergency, they will then advise building administration. If the principal/building administration first become aware they are to advise central administration. If staff first become aware, they will inform the principal who will, in turn, advise the superintendent/central administration. Staff, students and parents will require accurate and timely information.

The School Crisis Resource Team (SCRT) is an advisory team to the principal/building administration. The SCRT is composed of: nurse, psychologist, social worker and other appointed by the principal.

The Role of School Personnel

The Principal of each school is responsible for developing a plan of action to be used in the event of an emergency and for providing the Superintendent with a copy. The plan should specify which members of the school staff will be responsible for notifying the appropriate administrative officers and the policy, if required, and which members will be assigned supervision of key areas of the school plant.

As part of the overall plan, the Principal should become acquainted with police department personnel who may serve the school for the purpose of developing effective communications and working relationships.

Students

Student Safety

Procedure for Handling Crises and Emergencies

The Role of School Personnel (continued)

If an emergency and/or crisis should occur on or near the school site, the Principal or his or her designee must take the following action immediately:

Report the incident to the police if the situation in the Principal's judgment is serious enough to warrant police assistance.

Request emergency medical assistance if required.

The Principal should be prepared to answer factual questions regarding the incident (e.g., who, when, where, how, etc.) to the news media. The Principal should not make statements to the news media unless he or she has had adequate time to assess the situation and checked with Superintendent or designee.

If an emergency and/or crisis is in progress, faculty and staff should make every effort to retain students under their immediate control. Movement of classes should cease until the situation permits the orderly movement of students from class to class. Selected teachers and other key staff personnel should be assigned to supervise areas of major concern.

Additionally, the Principal should take the following steps:

Discourage students from using the school telephone and instruct office personnel to make calls to homes to report any emergencies which students may have.

Designate one person to answer all incoming calls and relate to callers the facts of the incident as the Principal instructs.

Prepare a written report of the incident as soon as possible. The report should be forwarded to the Superintendent.

Take the necessary follow-up action to carry out the administrative directives.

Students

Student Safety

Procedure for Handling Crises and Emergencies

The Role of Police

In the event an officer of the East Hartford Police Department is called to any public school to investigate an incident which involves a student enrolled in the school, he or she will determine the following:

the nature of the incident under investigation;

the extent of injuries, if any, and if the injuries sustained were a result of the incident under investigation;

the extent of disciplinary action taken by the particular school regarding the incident.

In those cases where it is determined that the disturbance or incident is of a minor nature, the investigating officer will request that any form of disciplinary action be handled by the principal.

If, however, it is determined that a felony has been committed or that a severe injury has occurred, the officer will initiate an immediate investigation and make arrests whenever possible.

If a police officer is called to investigate an emergency/crisis which involves an expelled student, a student on suspension, or a person who is not a student, the officer will determine:

the nature of the incident being investigated;

the extent of injuries, if any, and if the injuries sustained were a result of the incident being investigated;

the action taken by the particular school regarding the incident.

If the officer determines that either a state or local law has been violated by a suspended or expelled student, the officer will immediately prepare a report of the incident and, in addition, take the necessary action to alleviate the situation.

Students

Student Safety

Procedure for Handling Crises and Emergencies

The Role of Police

In situations where the nature of a complaint by school personnel to police is trespassing (not to be confused with disturbing the peace, property damage, etc.), it is the prior responsibility of the school principal to advise the trespasser that he or she is in violation and that he or she must immediately leave school property or the administrator will request police assistance. Police assistance should be summoned if the Principal's warning fails to cause the trespasser to leave or if the principal is in doubt that the person so warned intends to leave the premises peacefully.

Upon the arrival of the police officer(s), a suspended or expelled student who is found to be trespassing will be arrested, and the name of the principal or his or her designee will be used as the complainant in the offense report prepared by the investigating officer.

In the event of incidents which occur outside the jurisdiction of the school and its personnel, the investigating officer will complete an offense report and take the necessary action regardless of the enrollment status of the student.

Any ranking police officer at the scene of an incident may, at his or her discretion, change or modify any part of the police officer's procedure described in this section to suit the circumstances surrounding any particular incident with notification to his or her commanding officer.

Action Plan Format

1. The person in charge during a crisis event is the school principal/or head teacher if principal is not present.
 2. The school safety management team will include the principal,
-
3. The Superintendent, Police Department, Fire Department as needed will be alerted to the problem by the principal and/or secretary.
 4. The school office will serve as the command post for the crisis situation. The school secretary will log the events.
 5. The school management safety team will meet biannually to review the procedure to follow in case of a crisis.

Students

Student Safety

Procedure for Handling Crises and Emergencies

Implementation of Procedures for Plan During Crisis

1. Mobilize team immediately.
2. Notify Superintendent and other agencies as needed.
3. Once assembled:
 - A. Collect/compare facts
 - B. Make early assessment of situation
 - C. Assign tasks
 1. Designate one person to answer all incoming calls and relate to callers the facts of the incident as the principal or designee instructs.
 - D. Develop time schedule from available information
 - E. Be supportive
 - F. Maintain calm
 - G. Encourage flexibility
4. The Principal will announce "Code Blue" over the P.A. system. This code will set in motion the following crisis procedures.
 - A. All classes stay in their room until an all clear is indicated.
 - B. Specials do not move classes if the emergency extends beyond the time period ends.
 - C. All teachers who do not have any classes assigned to them at the time immediately report to _____ to be ready to assist if called upon. If not called upon, they are to remain in _____ until an "all-clear" is indicated.
 - D. During this time, teachers in class are to run things as "usual". Teachers will lock their classroom door if so advised by the office or may use their own discretion. Do not attempt to visit your neighbor, etc., to find out what is happening. As soon as possible, staff will be informed of the incident.
 - E. As an overall part of this procedure, all exterior doors in the building, except the office, will be locked after the arrival of the students. All traffic must go through the main door on arrival at the building.
 - F. All students/staff will remain in place until an "all clear" is given. The code will be "end code blue". The Principal will then announce to the students/staff the nature of the incident.
 - G. Prepare a written report of the incident as soon as possible. The report should be forwarded to the Superintendent.

Students

Student Safety

Procedure for Handling Crises and Emergencies

Implementation of Procedures for Plan During Crisis (continued)

5. Should the crisis occur during lunch and/or recess period the following will occur:

Previous plan of action 1-4 goes into effect.
If the students are:

LUNCH:

If a situation occurs during lunch time and/or noon recess:

- A. Students eating would remain in the cafeteria.
 - B. Their regular classroom teacher would report to the cafeteria to assist in their supervision as long as the emergency remains.
 - C. A regular classroom teacher, who may be on duty, will then report to his class at this time.
 - D. Any aides on duty are to remain there.
 - E. No other lunch shifts will begin until the emergency has passed.
6. If the children are out at play the school bell will ring for an extended period of time (Code Blue Bell).
- A. Students would line up IMMEDIATELY at their line up location.
 - B. Staff on duty would monitor the students as they line up for pick up.
 - C. Teachers would immediately pick up their children.
 - D. Return all students to their room and lock the door if so advised by the office or teachers may use their own discretion.
 - E. Custodial staff would lock ALL exterior doors leaving only the front door open.
 - F. Students/staff would remain at their safe locations until the "all clear" - "End Code Blue" signal is given.
 - G. The principal would then inform the students/staff of the nature of the emergency situation.

Students

Student Safety

Procedure for Handling Psychological Trauma Subsequent to a Crisis or Emergency

Subsequent to an emergency or crisis, the building principal convenes the School Crisis Resource Team (SCRT). The SCRT acts as an advisory panel to the principal. The initial objective of the SCRT is to gather all factual information relating to the emergency. The team then evaluates the impact of the crisis on staff and students and generates corrective strategies. The Director of Pupil Personnel Services will provide additional psychologists, social workers, nurses or other specialists to the effected schools as needed and/or requested.

The steps taken by the SCRT will depend upon the emergency. The following are provided as examples of SCRT activities and is not intended to be exhaustive.

Suggested SCRT procedures

- Delegate appropriate responsibilities among team members.
- Prepare and distribute a written statement of facts for staff.
- Decide where and when to share information with students.
- Develop special plans for classes directly affected.
- Meet with identified classes by room or in assembly to review facts, inform them of crisis counseling centers, discuss feelings, encourage them to be supportive of each other and discuss feelings with parents.
- Develop appropriate support systems within the school (e.g., counseling crisis centers, groups for students, staff).
- Prepare and distribute letter to send home to parents to let them know what is being done at school.
- Decide when it is appropriate to contact certain parents individually.
- Identify students who may be at risk.
- In cases of death, obtain funeral information and share it; plan memorial services. (It is suggested that, in the case of suicide, memorial services not be held in the school building.)
- Assess long-term effects on school.
- Schedule faculty meetings before and after school day. Guidelines for initial and follow-up faculty meetings are provided below.

It is important that staff receive accurate and timely information about the emergency or crisis. While a written statement of facts may be prepared for staff and distributed during the day, a faculty meeting should be held as quickly as possible. Additional faculty meeting should be held as needed.

Students

Student Safety

Procedure for Handling Psychological Trauma Subsequent to a Crisis or Emergency

Guidelines for an Initial Faculty Meeting

1. Distribute written statement of facts. Dispel rumors if necessary.
2. Inform faculty that all police and media contact concerning the crisis should be directed to the building administrator.
3. Announce funeral arrangements, if applicable.
4. Give faculty an opportunity to react, ask questions, and express feelings.
5. Give staff support, if needed. Encourage staff to be supportive of one another.
6. Discuss when and where students will be presented with the information. Address how the particularly affected classes will be handled.
7. Give teachers the option to have another staff person help with class discussions should they be uncomfortable doing it alone (e.g., guidance counselor, social worker, other crisis team member). Students can be allowed to vent feelings, if necessary and comfortable in class, but the goal is to return to normal routine in class and school as soon as possible.
8. Discuss and hand out guidelines for class discussion. (see handout following.) Clinical staff person describes feelings students may be experiencing and offers suggestions on how to handle these.
9. Review warning signs. (see handout.)
10. Review how to access which students may be more at risk at the time of crisis. (see handout.)
11. Discuss the support systems that have been developed and the referral process.
12. Let staff know the plan for the school day.
13. Arrange for a follow-up faculty meeting.

Guidelines for a Follow-Up Faculty Meeting

1. Review the day, get feedback from staff.
2. Give staff an opportunity to share and express feelings.
3. Set up staff support group, if appropriate.
4. Gather names of students or classes needing additional Support.
5. Discuss next steps to be taken.

The SCRT advises the principal on which students require assistance and define the form of the assistance. A class discussion of the emergency is frequently important.

Students

Student Safety

Procedure for Handling Psychological Trauma Subsequent to a Crisis or Emergency

Guidelines for a Class Discussion

1. Prepare students for the serious nature of the information they are about to receive. State that you have something sad, unhappy, painful, or upsetting to tell them.
2. Announce the facts.
3. Allow students to react, discuss, and share feelings and possible fear for their own safety.
4. Ask students what they have heard prior to class meeting. Dispel rumors with honest, factual discussion. Share your feelings, if you are comfortable.
5. If you can't answer all of their questions, find out what they want to know. Follow up.
6. Listen to students, be supportive, and don't lecture or argue. Respect their responses; take them seriously.
7. Convey a feeling of acceptance for the different reactions expressed. Reactions may range from no reaction at all to degrees of sadness, loss, guilt, anger, or disbelief.
8. If students wish to discuss more than you are comfortable with, refer those students to designated staff or request some assistance for your class.
9. Let students know what support systems are available should they wish to talk further.
10. Encourage students to be supportive of each other and to aid each other in seeking help.
11. Refer students who are having strong reactions or who you feel are at risk to support staff. If necessary, ask for help or get another student to act as an escort.
12. Discuss ways in which students can express their feelings and concerns.
13. Help keep communication open. Encourage students to share feelings with their families.
14. Do not allow for glorification of the event. Particularly in the event of suicide, the staff should convey the true tragedy of the situation.

Students

Student Safety

Procedure for Handling Psychological Trauma Subsequent to a Crisis or Emergency

Guidelines for a Class Discussion (continued)

Crisis counseling may either be suggested by the SCRT or referred by the classroom teacher. The school psychologist, social worker and nurse are available to provide such services. Additional pupil personnel staff are available through the Director of Pupil Personnel Services. The Director of Pupil Personnel Services or his designee will coordinate staff.

Communication of factual information to parents is essential. All efforts will be made to accurately communicate with parents.

Procedures for Handling School Bus Accidents

Subsequent to a school bus accident, the building principal or his/her designee must take the following action immediately:

- a. Notify the Superintendent of Schools
- b. Notify the Business Director
- c. Notify the Transportation Coordinator
- d. Call parents of students on bus/van

The bus driver will call the Bus Company and the police will be notified.

Upon resuming school, the building principal will convene the School Crisis Resource Team (SCRT), if appropriate. The SCRT acts as an advisory panel to the principal. The initial objective of the SCRT is to gather all factual information relating to the bus accident and evaluate the impact of the accident on students and staff and generate corrective strategies.

The building principal will follow steps and procedures set forth under suggested SCRT procedures, guidelines for an initial faculty meeting and follow-up meeting, as well as guidelines for a class discussion.

Students**Student Safety****Procedure for Handling Psychological Trauma Subsequent to a Crisis or Emergency****Resource Services School System**

Superintendent	282-3107
Assistant Superintendent	282-3101
Special Services	282-3110
Transportation	282-3139
Business Services	282-3136
Human Resources	282-3125

County Agencies

Police Department	Life Threatening	9-911
	Other (Youth Service Dept.)	568-0181
Fire Department/Emergency	Medical Services	
	Life Threatening	9-911
Department of Human Services	Mental Health Emergency Service (Town Hall)	291-7324
	Supervisor of Nursing Services	282-3118

Regulation approved:

EAST HARTFORD PUBLIC SCHOOLS
East Hartford, Connecticut

Existing policy, presently numbered 5124.1 adopted 2/26/01 appropriate as renumbered, except for addition of legal reference.

Students

Relations with Non-custodial Parents

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

Unless there are specific restrictions imposed by court or other governmental agency, such as a final divorce decree which includes specific denial of visitation rights or a restraining order denying such rights, the non-custodial parent, upon written request may view the student's educational, medical or similar records maintained in such student's cumulative record, receive school progress reports, visit the child briefly at school and have an opportunity to conference with the student's teacher(s). All the foregoing rights are subject to the practices of the Board of Education and school administration procedures for implementation and compliance.

The Board of Education presumes that the person who enrolls a student in school is the student's custodial parent. Further, the parent with whom the student resides is treated as the custodial parent unless a legal document or signed parental agreement indicates otherwise. Verification may be required from the custodial parent.

While both parents can visit the student at school, only the custodial parent has the right to remove the student from school property. Only a verified note from the custodial parent will be cause for exception to this provision and the school reserves the right to confirm such note orally with the custodial parent before releasing the student to the custodial parent. If school personnel anticipate possible student abduction, law enforcement personnel are to be notified immediately.

The custodial parent has the responsibility to keep the school office informed as to the address of his or her residence, in a manner determined by the school, and how he/she may be contacted at all times. Any legal documents which restrict the rights of the non-custodial parent must be provided by the custodial parent.

Legal Reference: Connecticut General Statutes
 10-15b Access of parent or guardian to student's records
 46b-56 Access of records of minor children by non-custodial parent
 Federal Family Educational Rights and Privacy Act of 1974
 Department of Education 34 C.F.R. Part 99 (May 9, 1980 45FR 30802) regs, implementing
 FERPA enacted as part of 438 of General Education Provisions Act (20 U.S.C. 1232g) – parent and student privacy and other rights with respect to educational records.

Policy adopted:

WOODBRIIDGE PUBLIC SCHOOLS
 Woodbridge, Connecticut

Existing policy presently numbered 5124.2 adopted 2/26/01, appropriate as renumbered.

Students

Student Dismissal Precautions

The school district is legally responsible for the safety of its students during the school day. Therefore, each building Principal will establish procedures to validate requests for early dismissal, to assure that students are released only for proper reasons, and only to authorized person(s).

Staff members shall not excuse any student from school prior to the end of the school day, or into any person's custody without the direct prior approval and knowledge of the building Principal, or his or her designee.

In keeping with these precautions, the following procedures will be adhered to:

- The building Principal or designee shall not excuse a student before the end of the school day without a request for early dismissal by the student's parent or guardian.
- Telephone requests for early dismissal of a student shall be honored only if the caller can be positively identified as the student's parent or guardian.
- Children of single-parent families will be released only upon the request to the custodial parent; i.e., the parent whom the court holds directly responsible for the child, and who is identified as such on the school record.
- Additional precautions may be taken by the school administration, appropriate to the age of students, and as needs arise. Parents shall provide documentation concerning parental rights, including divorce decrees and restraining orders if any.

Policy adopted:

WOODBRIIDGE PUBLIC SCHOOLS
Woodbridge, Connecticut

Sample policy to consider.

Students

Student Insurance

School Time Accident Insurance

A student protection plan is offered to all school children on an optional basis.

This insurance plan protects the student during the entire school year for injuries received

1. While traveling to or from school.
2. While attending school during hours on the days when school is in session, including physical education activities.
3. While participating in school-sponsored and supervised activities, either away from school premises or after school hours.

Athletic Insurance

The Board of Education provides an athletic insurance policy covering students while participating on school-sponsored interscholastic teams. This coverage picks up after the parent's insurance coverage.

Another version to consider:

Athletic Insurance

All students participating in school-sponsored interscholastic athletic activities shall be covered by a special insurance rider, which provides for excess coverage. Benefits payable or service provided under any other insurance coverage or prepaid service should be utilized first. The cost of this excess coverage shall be the responsibility of the Town.

Voluntary Student Accident Insurance

The school system may make available voluntary student accident insurance. Participants in sports programs will be encouraged to take the basic student accident insurance policy that is offered to all students.

Policy adopted:

rev 6/10

Existing policy #5144 adopted 3/29/97, modified and with an updated legal reference.

Students

Discipline/Punishment

The public schools shall ensure the physical and mental health, safety and welfare of all students in attendance, and the maintenance of an atmosphere conducive to learning. Student behavior that is inimical to these purposes, the public interest, and the individual rights of school personnel and students will be dealt with through administrative and legal channels. In no case will a student be denied the procedural due process guaranteed by the Fourteenth Amendment.

Good behavior is expected from all students. Discipline may be secured through teachers' professional techniques, certain approaches toward controlling disciplinary situations, remedial treatment if disruptions occur, and cooperative techniques used by teachers and principal. In certain cases of continued and willful disobedience, or open defiance of authority, or habitual use of profanity or obscene language, or injury of school property, students will be liable for suspension or expulsion from school.

Corporal Punishment is not allowed.

(cf. 5114 - Suspension/Expulsion)

The Board of Education shall assure that all students within its jurisdiction are informed, at least annually, of the Board policies governing student conduct.

Legal Reference: Connecticut General Statutes
 4-177 through 4-180. Contested Cases. Notice. Record.
 10-233a through 10-233f Suspension, removal and expulsion of student, as amended by PA 95-304, PA 96-244, PA 98-139, PA 07-66, PA 07-122, PA 08-160, PA 09-82, PA 09-6 (September Special Session) and PA 10-111.
 21a-240(9) Definitions.
 53a-3 Definitions.
 PA 94-221 An Act concerning School Discipline and Security.
 PA 95-304 An Act Concerning, School Safety
 GOALS 2000: Educate America Act, Pub. L. 103-227.
 18 U.S.C. 921 Definitions.
 Title III – Amendments to the Individuals with Disabilities Act. Sec. 314
 Elementary and Secondary Schools Act of 1968, as amended by the Gun Free Schools Act of 1994
 PL 105-17 The Individuals with Disabilities Act, Amendments of 1997
 20 U.S.C. Section 7114, No Child Left Behind Act

Policy adopted:

WOODBIDGE PUBLIC SCHOOLS
 Woodbridge, Connecticut

Ridgefield's version of this policy to consider, revised to meet new legislation.

Students

Seclusion and Restraint

Persons at Risk

It is the policy of the Board of Education that no district staff member shall use involuntary physical restraint on a person at risk or involuntarily place a person at risk in seclusion, unless such restraint or seclusion conforms to Connecticut state law and regulations.

In addition, no district staff member shall use a life-threatening physical restraint, as defined by state law, on a person at risk.

“A person at risk,” for the purposes of this policy, includes a child requiring special education, pursuant to the Individuals with Disability Education Act and related state laws, as well as a child who is being evaluated for eligibility and is awaiting a determination regarding eligibility.

Each act of involuntary physical restraint or involuntary seclusion will be documented in the person at risk’s educational record. The information included in the documentation of the use of physical restraint or seclusion in the student’s record will be recorded in compliance with state law and will include a detailed description of the nature of the restraint or the seclusion, its duration, whether its use was in accordance with an individualized education program (IEP) or whether its use was an emergency, and its effect on the person’s established medical or behavioral or educational plan. In the case of emergency use, the documentation will include the nature of the emergency and what other steps, including attempts at verbal de-escalation, were taken to prevent the emergency from arising if there were indications that such an emergency was likely to arise.

It is the Board of Education policy to notify the parent and guardian of each incident in which a person of risk is placed in seclusion or in physical restraint. Parental notice will be provided in accordance with Connecticut state law and regulations and will be provided the day of or within twenty-four hours after the physical restraint or seclusion is used on the student.

Any person at risk that is physically restrained or is involuntarily placed in seclusion will be monitored by an appropriate staff member as required by state law and regulations.

The Board of Education has developed policies and procedures that establish the monitoring and the internal reporting of the use of physical restraint and seclusion on persons at risk. It is the policy of the Board of Education to record each instance of the use of physical restraint or seclusion and the nature of the emergency that necessitated its use and include such information in an annual compilation on its use of restraint and seclusion as required by state law and its correlating regulations.

The Board of Education requires training of staff members responsible for the care, education or supervision of persons at risk in the use of physical restraint or seclusion on persons at risk. Only staff members who have received training in physical management, physical restraint and seclusion procedures, in accordance with state law and regulations, may physically restrain or remove a person at risk to seclusion.

Students

Seclusion and Restraint

Persons at Risk

Regular Education Students

A regular education student who is neither a student eligible for special education nor is being evaluated for special education eligibility is not covered under the Board of Education's seclusion and restraint policy as the regular education student is not a person at risk.

In accordance with state law, a teacher or other staff member entrusted with the care and supervision of a minor for school purposes may use reasonable physical force upon such minor when and to the extent the staff member reasonably believes such to be necessary to protect himself or others from immediate physical injury, obtain possession of a dangerous instrument or controlled substance, protect property from physical damage or restrain such minor, or remove such minor to another area, to maintain order.

It is the Board of Education's responsibility to maintain a safe school setting in accordance with state law and nothing in this policy shall be construed to interfere with the Board of Education's responsibilities under Connecticut General Statutes §10-220 or to supersede the provisions of subdivision (g) of section 53a-18 of the Connecticut General Statutes concerning the use of reasonable physical force.

Legal References: Connecticut General Statutes
10-76b State supervision of special education programs and services.
10-76b-5 through 10-76b-11 Use of Seclusion & Restraint in Public Schools.
10-76d Duties and powers of the boards of education to provide special education programs and services.
10-220 Duties of boards of education.
46a-150-154 Physical Restraint, medication, and seclusion of persons receiving care, education, or supervision in an institution or facility.
46a-153 Recording of use of restraint and seclusion required. Review of records by state agencies. Reviewing state agency to report serious injury or death to Office of Protection and Advocacy for Persons with Disabilities and to Office of Child Advocate. (as amended by P.A. 12-88)
53a-18 Use of Reasonable physical force.
Public Act 07-147 An Act Concerning Restraints and Seclusion in Public Schools.

Public Schools
Physical Restraint Report Form

Note: This report is required to be submitted to the Director of Special Education as soon as practicable after an incident involving physical restraint, but in no event later than 24 hours after the incident.

Physical Restraint: Any mechanical or personal restriction that immobilizes or reduces the free movement of a person's arms, legs or head. The term DOES NOT INCLUDE: (A) Briefly holding a person in order to calm or comfort the person; (B) restraint involving the minimum contact necessary to safely escort a person from one area to another; (C) medical devices, including, but not limited to, supports prescribed by a health care provider to achieve proper body position or balance; (D) helmets or other protective gear used to protect a person from injuries due to a fall; or (E) helmets, mitts and similar devices used to prevent self-injury when the device is part of an Individualized Education Program ("IEP").

STUDENT INFORMATION:

Name of Student: _____ Date of Restraint: _____

Date of Birth: _____ Age: _____ Gender: M/F _____ Grade Level: _____

Does student currently receive special education services or is the student being evaluated for eligibility for special education services? Yes: ___ No: ___ School: _____

Date of this report: _____ Site of physical restraint: _____

This report prepared by: _____ Position: _____

Staff administering restraint:

Name: _____ Title: _____

Name: _____ Title: _____

Name: _____ Title: _____

Staff monitoring restraint:

Name: _____ Title: _____

Name: _____ Title: _____

Administrator who was verbally informed following the restraint:

Name: _____ Title: _____

Reported by: _____ Title: _____

PRECIPITATING ACTIVITY:

Description of activity in which the restrained or other students were engaged immediately preceding emergency use of physical restraint:

Description of the risk of immediate or imminent injury to the student restrained or others that required use of physical restraint:

Description of other steps, including attempts at verbal de-escalation, to prevent the emergency necessitating use of restraint:

DESCRIPTION OF PHYSICAL RESTRAINT:

Justification for initiating physical restraint (*check all that apply*):

- Non-Physical interventions were not effective
- To protect student from immediate or imminent injury
- To protect other student/staff from immediate or imminent injury

Type of Protective Hold Used:

- Side by side parallel hold
- Lifted and carried (full security hold)
- Held in chair (reverse cradle transport)
- Floor control
- Other (*describe*)

Regular evaluation of the student being restrained for signs of physical distress:

Time: _____	Evaluation: _____
Time: _____	Evaluation: _____
Time: _____	Evaluation: _____
Time: _____	Evaluation: _____
Time: _____	Evaluation: _____

Time restraint began: _____ Time restraint ended: _____

Total time (in minutes): _____

CESSATION OF RESTRAINT:

How restraint ended (*check all that apply*):

- Determination by staff member that student was no longer a risk to himself/herself or others
- Intervention by administrator(s) to facilitate de-escalation
- Law enforcement personnel arrived
- Staff sought in-house assistance
- Community emergency personnel arrived
- Other (*describe*):

Description of any injury to student and/or staff and any medical or first aid care provided:

Time medical staff checked injured person: _____

Medical staff actions: _____

Medical staff name: _____

Incident report was filed with the following school district official:

Date: _____

FURTHER ACTION TO BE TAKEN: (Attach separate page if necessary)

The school will take the following actions (*check all that apply*)

- Review incident with student to address behavior that precipitated the restraint
- Debrief staff regarding incident
- Consider whether follow-up is necessary for students who witnessed the incident
- Further contact with parents (*describe*):

- Convene Crisis Team Meeting
- Convene PPT to review/revise behavior intervention plan and/or IEP
- Convene PPT to discuss functional behavior assessment

PARENT/GUARDIAN NOTIFICATION *(required for all restraints):*

Parent who was verbally informed of this restraint:

Name: _____ Telephone Number: _____

Date: _____ Time: _____

Called by: _____ Title: _____

Notice mailed to Parent: Yes _____ No _____

Mailed by: _____ Title: _____

Reviewed by: _____ Date: _____
(Program Administrator/ Team Leader)

Reviewed by: _____ Date: _____
(Director of Special Education)

FOR DIRECTOR OR DESIGNEE USE ONLY

Reviewed physical restraint report

Reviewed behavior plan, if applicable

In considering the effect of the restraint on the student's established behavioral support of educational plan, I find the following: _____

_____ Public Schools
Seclusion Report Form

Note: This report is required to be submitted to the Director of Special Education as soon as practicable after an incident involving the seclusion of a student, but in no event later than 24 hours after the incident.

Seclusion: The confinement of a person in a room, whether alone or with supervision by a Board of Education employee, in a manner that prevents the person from leaving the room.

STUDENT INFORMATION:

Name of Student: _____ Date of seclusion: _____

Date of Birth: _____ Age: _____ Gender: M/F _____ Grade Level: _____

Does student currently receive special education services or is the student being evaluated for eligibility for special education services? Yes: ___ No: ___ School: _____

Date of this report: _____ Site of seclusion: _____

This report prepared by: _____ Position: _____

Staff placing student in seclusion:

Name: _____ Title: _____

Name: _____ Title: _____

Name: _____ Title: _____

Staff monitoring seclusion:

Name: _____ Title: _____

Name: _____ Title: _____

Administrator who was verbally informed following the seclusion:

Name: _____ Title: _____

Reported by: _____ Title: _____

PRECIPITATING ACTIVITY/DESCRIPTION OF SECLUSION:

Does the student's IEP include the use of seclusion? Yes ____ No ____

If No: Description of the risk of immediate or imminent injury to the student secluded or others that required use of seclusion.

If Yes or No: Description of other steps, including attempts at verbal de-escalation, to prevent the use of seclusion:

MONITORING OF SECLUSION

Regular evaluation of the student being secluded for signs of physical distress:

Time: _____	Evaluation: _____
Time: _____	Evaluation: _____
Time: _____	Evaluation: _____
Time: _____	Evaluation: _____
Time: _____	Evaluation: _____
Time: _____	Evaluation: _____
Time: _____	Evaluation: _____
Time: _____	Evaluation: _____
Time: _____	Evaluation: _____

Time seclusion began: _____ Time seclusion ended: _____
Total time (in minutes): _____

CESSATION OF SECLUSION:

How seclusion ended (*check all that apply*):

- Determination by staff member that student was no longer a risk to himself/herself or others
- Intervention by administrator(s) to facilitate de-escalation
- Law enforcement personnel arrived
- Staff sought in-house assistance
- Community emergency personnel arrived
- Termination per instruction in IEP/behavior plan
- Other (*describe*):

Description of any injury to student and/or staff and any medical or first aid care provided:

Time medical staff checked injured person: _____

Medical staff actions: _____

Medical staff name: _____

Incident report was filed with the following school district official:

Date: _____

FURTHER ACTION TO BE TAKEN: (Attach separate page if necessary)

The school will take the following actions (*check all that apply*)

- Review incident with student to address behavior that precipitated the seclusion
- Debrief staff regarding incident
- Consider whether follow-up is necessary for students who witnessed the incident
- Further contact with parents (*describe*):

- Convene Crisis Team Meeting
- Convene PPT to review/revise behavior intervention plan and/or IEP
- Convene PPT to discuss functional behavior assessment

PARENT/GUARDIAN NOTIFICATION (*required for all seclusions*):

Parent who was verbally informed of this seclusion:

Name: _____ Telephone Number: _____

Date: _____ Time: _____

Called by: _____ Title: _____

Notice mailed to Parent: Yes _____ No _____

Mailed by: _____ Title: _____

Reviewed by: _____ Date: _____
(Program Administrator/ Team Leader)

Reviewed by: _____ Date: _____
(Director of Special Education)

FOR DIRECTOR OR DESIGNEE USE ONLY

Reviewed seclusion report

Reviewed behavior plan, if applicable

In considering the effect of the seclusion on the student's established behavioral support of educational plan, I find the following: _____

Report of Seclusion or Restraint
Incident Report

School District: _____ School: _____

Address: _____ Address: _____

Phone: _____ Phone: _____

Name and Title of Person Preparing the report: _____

Incident: Seclusion _____ Restraint _____

Name of Student: _____ Student Disability: _____

Birth Date of Student: _____ Male/Female Race: _____

Describe the nature and use of seclusion: (Identify the emergency that necessitated the use of seclusion and how long the student was in seclusion. Was the use of seclusion included in the student's IEP?) _____

Describe the nature and use of restraint: (Identify the emergency that necessitated the use of restraint, time in restraint and type of restraint used.) _____

Was the parent contacted within twenty-four hours of the use seclusion or restraint as an emergency intervention to prevent immediate or imminent injury to the person or others?

Yes _____ No _____ If "No", did the parent receive a copy of the incident report no later than five days from the date of the incident? Yes _____ No _____

Was the student injured during the emergency use of restraint or seclusion?

Yes ___ No ___ If "Yes", complete and attach a Report of Injury.

RESTRAINT AND SECLUSION LAWS IN CONNECTICUT

The following sets forth Connecticut law related to the physical restraint and seclusion of persons at risk, which can be found in Public Act 07-157, amending Connecticut General Statutes Sections 46a-150 through 46a-153, 10-76b, and 10-76d. The [] Board of Education mandates compliance with these laws at all times.

I. The following definitions apply to these procedures:

- **Provider**: A person who provides direct care, education or supervision of a person at risk.
- **Assistant Provider or Assistant**: A person assigned to provide, or who may be called upon in an emergency to provide, assistance or security to a provider.
- **Person at Risk**: A child who meets the eligibility criteria for special education services under the IDEA and who is receiving special education from the Board of Education, or a child who is being evaluated for eligibility for special education pursuant to statute and awaiting a determination.
- **Life Threatening Physical Restraint**: Any physical restraint or hold of a person that restricts the flow of air into a person's lungs, whether by chest compression or any other means.
- **Physical Restraint**: Any mechanical or personal restriction that immobilizes or reduces the free movement of a person's arms, legs or head. **The term does not include:** (A) Briefly holding a person in order to calm or comfort the person; (B) restraint involving the minimum contact necessary to safely escort a person from one area to another; (C) medical devices, including, but not limited to, supports prescribed by a health care provider to achieve proper body position or balance; (D) helmets or other protective gear used to protect a person from injuries due to a fall; or (E) helmets, mitts and similar devices used to prevent self injury when the device is part of an Individualized Education Program ("IEP").
- **Seclusion**: The confinement of a person in a room, whether alone or with supervision by a provider or assistant, in a manner that prevents the person from leaving that room.

II. Procedures for Physical Restraint of Persons at Risk

No provider or assistant shall under any circumstance use a life-threatening physical restraint on a person at risk.

No provider or assistant shall use involuntary physical restraint on a person at risk EXCEPT as an emergency intervention to prevent immediate or imminent injury to the person at risk or to others.

RESTRAINT AND SECLUSION LAWS IN CONNECTICUT (continued)

II. Procedures for Physical Restraint of Persons at Risk (continued)

Physical restraint of a person at risk shall never be used as a disciplinary measure or as a convenience.

Providers and assistants must explore all less restrictive alternatives prior to using physical restraint for a person at risk.

Providers and assistants must comply with all regulations promulgated by the Connecticut State Board of Education in their use of physical restraint with a person at risk.

Monitoring

A provider or an assistant must continually monitor any person at risk who is physically restrained. The monitoring must be conducted by direct observation of the person at risk.

A provider or an assistant must regularly evaluate the person being restrained for signs of physical distress. The provider or assistant must record each evaluation in the educational record of the person being restrained.

Documentation and Communication

A provider must notify the parent or guardian of a person at risk of each incident that the person at risk is physically restrained.

The Director of Special Education must be notified of the following:

- a. each use of physical restraint on a person at risk;
- b. the nature of the emergency that necessitated its use; AND
- c. if the physical restraint resulted in physical injury to the person at risk.
- d. whether the use of physical restraint was in accordance with the child's IEP.

After a physical restraint occurs, the following information must be documented in the educational file of the person at risk who was physically restrained:

- a. in the case of an emergency use, the nature of the emergency and what other steps, including attempts at verbal de-escalation, were taken to prevent the emergency from arising if there were indications that such an emergency was likely to arise;
- b. a detailed description of the nature of the restraint;

RESTRAINT AND SECLUSION LAWS IN CONNECTICUT (continued)

Documentation and Communication (continued)

- c. the duration of the restraint; AND
- d. the effect of the restraint on the person's established behavioral support or educational plan.

III. Procedures for Seclusion of Persons at Risk

No provider or assistant shall use involuntary seclusion on a person at risk EXCEPT as follows:

- 1. as an emergency intervention to prevent immediate or imminent injury to the person at risk or to others; OR
- 2. as specifically provided for in the IEP of the person at risk.

Seclusion of a person at risk shall never be used as a disciplinary measure or as a convenience.

Providers and assistants must explore all less restrictive alternatives prior to using seclusion for a person at risk. If an Individualized Education Program Team ("IEP Team") incorporates the use of seclusion into a child's IEP, the IEP Team shall consider the use of less restrictive alternatives to determine whether seclusion is a necessary part of a child's IEP.

Providers and assistants must comply with all regulations promulgated by the Connecticut State Board of Education in their use of seclusion for a person at risk.

Monitoring

A provider or an assistant must frequently monitor any person at risk who is placed in seclusion. The monitoring must be conducted by direct observation of the person at risk.

A provider or an assistant must regularly evaluate the person in seclusion for signs of physical distress. The provider or assistant must record each evaluation in the educational record of the person who is in seclusion.

RESTRAINT AND SECLUSION LAWS IN CONNECTICUT (continued)

III. Procedures for Seclusion of Persons at Risk (continued)

Documentation and Communication

A provider must notify the parent or guardian of a person at risk of each incident that the person at risk is placed in seclusion.

The Director of Special Education must be notified of the following:

- a. each use of seclusion on a person at risk;
- b. the nature of the emergency that necessitated its use;
- c. if the seclusion resulted in physical injury to the person at risk; and
- d. whether the use of seclusion was in accordance with the child's IEP.

After seclusion occurs, the following information must be documented in the educational file of the person at risk who was placed in seclusion:

- a. in the case of an emergency use, the nature of the emergency and what other steps, including attempts at verbal de-escalation, were taken to prevent the emergency from arising if there were indications that such an emergency was likely to arise;
- b. a detailed description of the nature of the seclusion;
- c. the duration of the seclusion; AND
- d. the effect of the seclusion on the person's established behavioral support or educational plan.

IV. Responsibilities of the Director of Special Education

The Director of Special Education, or his or her designee, must compile annually the instances of physical restraint and seclusion within the District and the nature of each instance of physical restraint and seclusion.

The Director of Special Education, or his or her designee, shall report to the Connecticut State Department of Education any instance of physical restraint or seclusion that resulted in physical injury to the person at risk.

The Director of Special Education, or his or her designee, must, at each initial IEP Team meeting for a child, inform the child's parent, guardian, or surrogate parent, or the student if such Student is an emancipated minor or eighteen years of age or older, of the laws relating to physical restraint and seclusion as expressed through this regulation, and of the laws and regulations adopted by the Connecticut State Board of Education relating to physical restraint and seclusion.

RESTRAINT AND SECLUSION LAWS IN CONNECTICUT (continued)

V. Responsibilities of the Connecticut State Board of Education

The State Board of Education shall review the annual compilation of each local and regional board of education that provides special education for children and shall produce an annual summary report identifying the frequency of use of physical restraint or seclusion on such children and specifying whether the use of such seclusion was in accordance with an individualized education program (IEP) or whether the use of such physical restraint or such seclusion was an emergency. Such report shall be submitted on an annual basis not later than February 15, 2013 and December fifteenth of each year thereafter to the Children's Committee of the General Assembly.

The State Board of Education and the Commissioner receiving a report of serious injury or death resulting from a physical restraint or seclusion shall report the incident to the Director of the Office of Protection and Advocacy for Persons with Disabilities and, if appropriate, the Child Advocate of the Office of the Child Advocate.

The State Board of Education may regulate the use of physical restraint and seclusion of special education students in the public schools.

The State Board of Education shall adopt regulations concerning the use of physical restraint and seclusion in public schools.

_____ **PUBLIC SCHOOLS-PROTECTIVE MEASURES**

[General Statute 46a-150]

The _____ Public School System strives to provide a safe and productive learning environment for all students and school personnel.

Every student served by _____ Public Schools will be free from unreasonable use of protective measures and seclusion. Protective measures shall be used only in an emergency situation, only after all other alternatives have been exhausted and or deemed inappropriate.

Seclusion and Protective measures are never used to punish or discipline a child. They are appropriate, only in the cases where immediate or imminent harm is threatened either to the student himself or to others. In such cases, they should be limited to the amount of time necessary for the student to regain self-control, and should not be extended beyond that point for any reason.

If protective measures or seclusion are used on a child more than once, the district will conduct a FBA to determine the causes of the behaviors and to recommend alternative approaches including a written behavior intervention plan.

Public Schools
Protective Measures Procedures

Staff Training: A core group of educators within each school building have been trained in the principles and philosophy of Physical & Psychological Management Training. (PMT) These staff members are appropriately trained in de-escalation techniques as well as safe and effective protective measures.

 Public Schools mandates that alternative strategies and techniques must be exhausted prior to implementation of a protective measure including but not limited to:

- Planned Ignoring
- Environmental manipulation
- Contingency/Choices
- Physical Redirection

If a student is not able to regain self-control following all attempts by the staff to deescalate the student's behavior and the safety of the student and/or the safety of others is in question, the following procedures should be enacted:

STEP 1:

Immediately notify the office:

The office will notify the appropriate team members and the principal and send them to the room or environment in question. The student should remain under constant supervision to assure that he/she is safe. At least two TEAM members must be present during the intervention.

Pre-approved protective measures as indicated within the PMT training manual	
Escort:	Protective Hold:
• Guide-a-long	• Limited Security Hold
• Lower Figure Four	• Full Security Hold
	• Seated Full Security Hold
	• Seated Full Security Hold (two person)
	• Kneeling Full Security Hold
	• PMT Floor Control

Protective measures lasting longer than 5 minutes must be approved by an administrator or designee. Holds must be approved each additional 5 minutes up to 20 minutes. Protective measures are not to exceed 20 minutes.

STEP 2:

Administrator will notify parent.

_____ Public Schools may seek an individual waiver for students who present a high risk of frequent, dangerous behavior that may require the frequent use of protective measures. Parent(s)/guardian(s) may withdraw consent to such waiver at any time without penalty. Protective measures that result in serious injury to a student or program staff member must be reported as described above regardless of any individual waiver.

STEP 3:

Complete Paperwork

- Protective Measures Documentation Form
 - To be completed before the close of the school day
- Protective Measures Report Form
 - To be completed no later than the following school day

Reports of these incidents should be submitted to the principal no later than the following school day, with copies sent to the pupil services office.

The principal or his/her designee shall maintain an on-going record of all reported instances of protective measures, which shall be made available for review by the Department of Education, upon request.

The following documentation regarding individual waiver of reporting requirements will be maintained on-site in the student's file and will be made available for inspection to the Department of Education upon request:

- a. Informed written consent of parent(s)/guardian(s) to the waiver, which shall specify those reporting requirements listed above that the parent(s)/guardian(s) agrees to waive; and
- b. Specific information regarding when and how the parent(s)/guardian(s) will be informed regarding the administration of all protective measures to the individual student.

Public Schools Protective Measures Documentation

Date: _____ Time: _____ Location: _____
 Student: _____ Parent Notification: _____

<p>Antecedents to the Incident:</p> <p>Demand: _____ Environmental: _____ Denied Access: _____ See Attached: _____ Describe Environment or Activity: _____ _____ _____</p>	<p>Alternatives to Protective Measure:</p> <p>Ignoring: Environmental Manipulation: Contingency: _____ Physical Redirection: _____ Severity of Behavior Prevents: _____ Other:</p>
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<p style="text-align: center;">Justification for Protective Measure</p> <p style="text-align: center;">_____ Safety of Student _____ Safety of Others</p>

<p>Protective Hold/Escort Utilized:</p> <p>Escort: _____ Guide-a-long _____ Lower Figure Four</p> <p>Protective Hold: _____ Limited Security Hold (1) _____ Full Security Hold (1) _____ Seated Full Security Hold (1) _____ Kneeling Full Security Hold (2) _____ PMT Floor Control</p> <p>Staff Implementing Protective Hold: Staff 1 Signature: _____ Init: _____ Staff 2 Signature: _____ Init: _____ Staff 3 Signature: _____ Init: _____</p>	<p>Immediate Notification:</p> <p>Staff: _____ Time: _____ Admin: _____</p> <hr/> <p>5-min. Notification</p> <p>Staff: _____ Time: _____ Admin: _____</p> <hr/> <p>20-min. Notification</p> <p>Admin: _____</p> <hr/> <p>Total Duration: _____</p>
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<p>Reason for Release:</p> <p>Student Specific Criteria: _____ Unsafe Protective Hold: _____ Physiological Factors: _____ Supervisor Directive: _____</p>	<p>Monitoring:</p> <p>Staff _____</p> <p>Skin Color _____ Breathing _____ Body Position _____</p>	<p>Reestablish Therapeutic Rapport: (follow up actions)</p>
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<p>Classroom Teacher Review: _____ School Principal Review: _____ Special Education Administrator Review: _____ Nurse (if necessary) _____</p>	<p>Date: _____ Date: _____ Date: _____ Date: _____</p>
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_____ **Public Schools**
_____, **Connecticut**

Protective Measure Report

Date: _____ Time (begin): _____ Time (end): _____

Name of Staff Person(s) Administering Protective measures: _____

Name of Observer(s): _____

Administrator Notified: _____

1. Description of the activity of all parties involved prior to the use of the protective measure.

2. The student's behavior which prompted the protective measure.

3. Describe the de-escalation efforts.

4. Justification of the protective measure and a description of the administration of the protective measure.

5. Other information and/or related information.

Students

Discipline

Discipline of Students with Disabilities

Students with disabilities are neither immune from the school District's disciplinary process nor entitled to participate in programs when their behavior impairs the education of other students. Students with disabilities who engage in disruptive activities and/or actions dangerous to themselves or others will be disciplined in accordance with their IEP, any behavioral intervention plan and this policy.

Nothing in this policy shall prohibit a PPT/IEP Team from establishing consequences for disruptive or unacceptable behavior as a part of the student's IEP and/or behavioral intervention plan.

Suspensions

Students with disabilities may be suspended for up to 10 school days in any given school year for violations of the student code of conduct. These 10 days need not be consecutive. During any such suspension, the student shall not receive educational services. Such students may be removed from their regular placement for up to ten school days at a time, without regard to the number of removals up to 10 school days, when appropriate and consistent with the disciplinary measures used for students without disabilities.

However, if a suspension is ordered after the student has been removed for 10 cumulative days in the school year, upon the eleventh school day of suspension, when such suspension or removal does not result in a disciplinary change of placement, educational services shall be provided to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. School personnel, in consultation with at least one of the student's teachers, shall determine the educational services to be provided to the student during this period of suspension or removal.

Manifestation Determination

Prior to expulsion or other disciplinary change in placement, the student's parents shall be notified of the decision to take such disciplinary action and of their procedural safeguards. This notification shall occur not later than the date on which such decision is made.

Within 10 school days from the date of the decision to expel the student or take other disciplinary action that will result in a disciplinary change of placement, the student's parents and relevant members of the student's IEP team shall review all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parents, to determine whether the student's behavior was a manifestation of the student's disability.

Students

Discipline

Manifestation Determination (continued)

The Team shall determine: (1) whether the student's behavior was caused by, or had a direct and substantial relationship to, the student's disability; and (2) whether the student's behavior was the direct result of the school's failure to implement the student's IEP. If the answer to either of these two questions is "yes," the student's behavior shall be deemed to be a manifestation of the student's disability.

Disciplinary Action for Behavior That Is Not a Manifestation

Once the Team determines that the behavior was not a manifestation of the disability, disciplinary procedures shall be applied to the student in the same manner as applied to nondisabled students.

During any period of expulsion or other disciplinary change of placement, educational services shall be provided as determined by the student's PPT/IEP Team to enable the student to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals of his or her IEP.

Within a reasonable amount of time after determining that the student's behavior is not a manifestation of the student's disability, the student may receive, as appropriate, a functional behavioral assessment. In addition, a behavioral intervention plan may be developed for the student, as appropriate. If a behavioral intervention plan has already been developed, it may be reviewed and modified, as appropriate.

Disciplinary Action and/or Alternative Placement for Behavior That Is a Manifestation

If the Team determines that the student's behavior is a manifestation of the student's disability, expulsion proceedings or other disciplinary change of placement will be discontinued. However, the student may be placed in an alternative placement or the student's placement may be otherwise changed, in accordance with governing law.

Within a reasonable amount of time after determining that the student's behavior is a manifestation of the student's disability, the student's PPT/IEP Team shall: (1) conduct a functional behavioral assessment of the student, unless one has already been conducted; and (2) implement a behavioral intervention plan for the student. If a behavioral intervention plan has already been developed, the PPT/IEP Team shall review it and modify it as necessary to address the student's behavior.

Students

Discipline (continued)

Placement in an Alternative Setting for 45 School Days

School personnel may remove a student with disabilities to an appropriate alternative setting for not more than 45 school days if:

1. The student carried a weapon to school or a school function;
2. The student possessed a weapon at school or a school function;
3. The student possessed or used illegal drugs at school or a school function;
4. The student sold or solicited the sale of a controlled substance at school or a school function;
5. The student inflicted serious bodily injury on another person while at school or a school function; or
6. A hearing officer so orders.

Such removal to an alternative setting is permissible even if the student's behavior is determined to be a manifestation of the student's disability. The student's PPT/IEP Team shall determine the educational services to be provided to the student in the alternative setting.

Students Not Identified As Disabled

Students who have not been identified as disabled shall be subjected to the same disciplinary measures applied to students with disabilities if the District had "knowledge" of the student's disability.

The District is deemed to have knowledge of the student's disability if:

1. The student's parent has expressed concern in writing to appropriate District supervisory or administrative personnel, or the student's teacher, that the student is in need of special education and related services;
2. The student's parent has requested an evaluation; or
3. The student's teacher or other District personnel have expressed specific concerns about the student's pattern of behavior directly to the Director of Special Education or other District supervisory personnel.

If a request for evaluation is made during the period the student is subject to disciplinary measures, the evaluation will be expedited.

Students

Discipline

Students Not Identified As Disabled (continued)

The District shall not be deemed to have knowledge that the student is a child with a disability if the parent has not allowed an evaluation of the student, the student has been evaluated and it was determined that he or she is not a child with a disability, or the student was determined eligible for special education and related services, but the parent refused services.

- (cf. 5114 – Suspension/Expulsion, Due Process)
- (cf. 5125 – Student Records)
- (cf. 5131 – Conduct)
- (cf. 5131.6 – Drugs, Tobacco, Alcohol)
- (cf. 5131.7 – Weapons and Dangerous Instruments)
- (cf. 5144 – Discipline/Punishment)
- (cf. 6159 – Individualized Education Program/Special Education Program)
- (cf. 6171 – Special Education)

Legal Reference: Connecticut General Statutes

10-76a Definitions

10-76b State Supervision of special education programs and services.
Regulations

10-76d Duties and powers of boards of education to provide special education programs and services

10-76h Special education hearing and review procedure

10-233a through 10-233f. Suspension, removal and expulsion of students, as amended by PA 95-304 and PA 96-244

53a-3 Definitions

53a-217b Possession of Firearms and Deadly Weapons on School Grounds.

PA 94-221 An Act Concerning School Discipline and Security

GOALS 2000: Educate America Act, Pub. L. 103-227

Students

Discipline

Legal Reference: (continued)

18 U.S.C. 921 Definitions

Title I - Amendments to the Individuals with Disabilities Education Act. (PL 105-17

Sec. 314 (Local Control Over Violence)

Elementary and Secondary Schools Act of 1965, as amended by the Gun Free Schools Act of 1994

P.L. 108-446 The Individuals with Disabilities Education Improvement Act of 2004

Policy adopted:

cps 1/06

A sample regulation to consider.

Students

Discipline

Discipline of Students with Disabilities

Special Education Suspension Procedures

1. All suspension notices and suspension review procedures established by Board policy and state statute shall be followed when suspending a special education student. In addition, a special education student who is suspended from school shall receive educational services in accordance with the IDEA and its regulations.
2. If a disabled child carries or possesses a weapon to or at school, on school premises, or to or at a school function or knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or school function, or has inflicted serious bodily injury upon another person while at school, on school premises or at a school function. The District may remove the student to an interim alternative educational setting for no more than 45 school days without regard to whether the behavior is determined to have a manifestation of the student's disability. The IEP Team (PPT) shall determine the alternative education setting. The District shall no later than 10 school days after determining to suspend the student, convene a meeting to review the relationship between the student's disability and the behavior which is subject to discipline, in accordance with the provisions described in paragraphs 2 through 4 below.
3. For all suspensions, in which further disciplinary actions is contemplated, no later than 10 school days after the decision to suspend a student is made, the District shall convene an IEP team (PPT) meeting to review and, if appropriate, modify the student's behavior modification plan, as necessary, to address the student's behavior. If no behavior management plan is in place, the District shall develop an assessment plan to address the behavior.
4. For suspensions of ten days or less, cumulatively in a given school year and for which no further disciplinary action is contemplated, it is not required to do a manifestation determination or a functional behavioral assessment.
5. Manifestation determinations are required for suspensions, beyond the first ten days in a school year, which constitute a pattern and a change in placement.

Special Education Expulsion Procedures

1. The District shall promptly notify the student's parent(s)/guardian(s) of the disobedience or misconduct and whether the student shall be recommended for expulsion. All procedural protections pertaining to notice provided under the District's discipline policy shall apply to a notice of recommended expulsion in the case of a special education student. Such notice shall also include the following information:

Students

Discipline

Discipline of Students with Disabilities

Special Education Expulsion Procedures (continued)

1. (continued)
 - That an IEP team (PPT) shall be convened to determine whether the student's act of gross disobedience/misconduct is a manifestation of his or her disability. The IEP team (PPT) meeting shall take place as soon as possible, but at least 10 calendar days after this notice was sent, unless such 10-day notice is waived by the parent(s)/guardian(s).
 - That the student's parent(s)/guardian(s) are requested to attend the IEP team (PPT) meeting and the date, time, and location of the meeting.
2. For purposes of such manifestation determination review, the IEP team (PPT) shall include the members of the student's IEP team and other qualified personnel including, but not limited to, the authorized administrator familiar with the act of misconduct.
3. In carrying out the manifestation determination review, the team shall consider, in terms of the behavior subject to the disciplinary action, all relevant information including:
 - evaluation and diagnostic results, including relevant information supplied by the parents;
 - observations of the student;
 - the student's IEP and placement; and
 - the District's implementation of the student's IEP.
4. The team shall make the following determinations regarding whether the student's conduct was a manifestation of his or her disability:
 - whether, in relationship to the behavior subject to the disciplinary action, the student's IEP and placement were appropriate and whether the special education, supplementary aids and services, and behavior intervention strategies were provided consistent with the student's IEP and placement;
 - whether the student's disability did or did not impair the ability of the student to understand the impact and consequences of the behavior subject to the disciplinary action; and
 - whether the student's disability did or did not impair the ability of the student to control the behavior subject to the disciplinary action.
 - whether the conduct in question was the direct result of the District's failure to implement the student's IEP.

Students

Discipline

Discipline of Students with Disabilities

Special Education Expulsion Procedures (continued)

5. If, at the manifestation review conference, it is determined that the behavior of the student was a manifestation of his or her disability, or if the conduct in question was the direct result of the District's failure to implement the student's IEP, the conduct shall be determined to be a manifestation of the student's disability and the authorized administrator shall not recommend expulsion. The authorized administrator may request a review of the appropriateness of the educational placement of the student. During the period necessary to propose a new placement, the student will remain in his or her then current placement or in the interim alternative educational setting unless:
 - the student is suspended for a period not to exceed 10 school days. During the first ten days of suspension cumulatively during a school year the District need not provide educational services; additional suspension time beyond the initial ten days requires the provision of services which is to be determined by the building administrator and the student's special education teacher; or
 - the parent(s)/guardian(s) and the District agree on a change in the interim placement; or
 - the District obtains an order from a court of competent jurisdiction or a State of Connecticut hearing officer changing the then current placement or providing for other appropriate relief.
6. If, at the manifestation review conference, it is determined that the behavior of the student was not a manifestation of his or her disability, the authorized administrator may recommend that the student be considered for expulsion by the School Board. The expulsion notice to the parent(s)/guardian(s) shall also include the following provisions:
 - The parent(s)/guardian(s) are entitled to all rights provided under the IDEA and those set forth in state statutes as available to the parent(s)/guardian(s) from the District. A copy of the parent(s)/guardian(s) rights shall be included with the expulsion hearing notice.
 - In addition to issues regularly determined at an expulsion hearing, the authorized administrator must present evidence that the IEP team (PPT) met and concluded that the student's misconduct was not a manifestation of his or her disability which shall be duly noted by the Board.
 - The administration shall ensure that relevant special education and disciplinary records of the student are transmitted for consideration by the School Board.
7. If a special education student is expelled from school in accordance with the procedures set forth above, the District shall convene an IEP team (PPT) meeting to develop an educational program to deliver educational services to the student during such period of expulsion which will enable the student to appropriately progress in the general education curriculum and appropriately advance toward achieving the goals of the student's IEP.

Students

Discipline

Discipline of Students with Disabilities

Weapon and Drug Offenses

In accordance with the above procedures, the District may take one or more of the following steps when a student with a disability carries a weapon to school or to a school function or knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or at a school-related function or has inflicted serious bodily injury to another person while at school, or school premises, or at a school function:

1. Suspend the student from school for 10 school days or less.
2. Remove the disabled student to an interim alternative educational setting for up to 45 school days.
3. If the parent(s)/guardian(s) disagree with the alternative educational placement or with the District-proposed placement, and the parent(s)/guardian(s) initiate a due process hearing, the student must remain in the alternative educational setting during the authorized review proceedings, unless the parent(s)/guardian(s) and the District agree on another placement.
4. Seek an order from a court of competent jurisdiction or a State of Connecticut Hearing Officer to change the student's educational placement if the District demonstrates that the current placement is substantially likely to result in injury to the student or to others.

Regulation approved:

rev 11/97
rev 5/99
rev 8/0

A new policy pertaining to Section 504 suggested as replacement for existing policy, presently numbered 5147, adopted 11/20/06, which does not reflect legislative modifications.

Students

Section 504: Civil and Legal Rights and Responsibilities (Version 1)

The District recognizes its responsibility to provide a free, appropriate public education to students with disabilities under Section 504 of the Rehabilitation Act of 1973. Accordingly, no otherwise qualified individual with disabilities shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any District program or activity or those provided by the District through contractual or other arrangements. District aids, benefits and services will afford qualified students with disabilities equal opportunity to obtain the same result gain the same benefit or reach the same level of achievement as students without disabilities in the most integrated setting appropriate to the student's needs. Programs and activities shall be accessible to and usable by individuals with disabilities as prescribed by law.

A qualified individual with disabilities under Section 504 is an individual who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such an impairment or is regarded as having such an impairment.

Major life activities, as defined by the Americans with Disabilities Act Amendments of 2008, include caring for one's self, walking, seeing, hearing, speaking, breathing, working, performing manual tasks, learning, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, communicating; and major bodily functions, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

In compliance with the provisions of Section 504, the District will:

1. Provide written assurance of nondiscrimination in accordance with application procedures whenever the District receives federal money;
2. Designate an employee to coordinate compliance with Section 504;
3. Provide procedures to resolve complaints of discrimination under Section 504;
4. Provide notice to students, parents, employees, including those with vision or hearing impairments, of the District's policy and compliance with law assuring nondiscrimination in admission or access to, or treatment, in District programs, activities or employment. Notice will be included in student/parent and staff handbooks and other materials as appropriate;
5. Annually identify and locate all Section 504 qualified students with disabilities in the District who are not receiving a free appropriate, public education;

Students

Section 504: Civil and Legal Rights and Responsibilities (continued)

6. Ensure that tests and other evaluation materials have been validated, are administered by trained personnel, are tailored to assess educational need and are not based on IQ scores, and reflect what the tests purport to measure;
7. Provide nonacademic and extracurricular services and activities in such a manner as to afford students with disabilities an equal opportunity for participation in such services and activities;

Nonacademic and extracurricular services and activities may include, but are not limited to, counseling services, transportation, health services, athletics, intramurals, clubs or organization activities, referrals to agencies which provide assistance to persons with disabilities and employment of students, including both employment by the district and assistance by the district in making available outside employment.

8. Annually notify students with disabilities and their parents or guardians of the District's responsibilities under Section 504, including those with limited proficiency in English and those with vision or hearing impairments;
9. Provide parents or guardians with procedural safeguards, including notification of their right:
 - a. To be notified in writing of any decisions made by the District concerning the identification, evaluation or educational placement of their student pursuant to Section 504. (The District will request parental consent prior to conducting an evaluation of the student);
 - b. To examine, copy and request amendments of the student's educational records;
 - c. To request an impartial hearing, with opportunity for participation by the student's parents or guardian and representation by counsel regarding District decisions concerning identification, evaluation or educational placement of their student. A review procedure will be provided.

Students identified as qualified individuals with disabilities under Section 504 shall be placed in the regular educational environment unless it is demonstrated by the District that the education of the student with the use of related aids and services in such a placement cannot be achieved satisfactorily. All placement decisions will be made by an evaluation team comprised of persons designated by the Superintendent or designee, knowledgeable about the student, the meaning of the evaluation data and placement options.

Students

Section 504: Civil and Legal Rights and Responsibilities (continued)

Students will be reevaluated periodically, but no less than every three years. Additionally, before implementing discipline that constitutes a significant change in the placement (i.e., expulsion, serial suspensions which exceed 10 school days in a school year, a series of suspensions each of which is 10 or fewer school days in duration but that creates a pattern of exclusion), the District shall conduct a reevaluation of the student to determine whether the misconduct in question is caused by the student's disability and, if so, whether the student's current educational placement is appropriate.

If it is determined that the misconduct of the student is caused by the disability, the District's team will continue the evaluation, following the requirements of Section 504 and the Americans with Disabilities Act of 1990 and Americans with Disabilities Act Amendments Act of 2008 (ADA) for evaluation and placement to determine whether the student's current educational placement is appropriate. Due process procedures that meet the requirements of the IDEA may be used to meet the procedural safeguards of law.

If it is determined that the misconduct is not caused by the student's disability, the student may be excluded from school in the same manner as are similarly situated students who do not have disabilities.

A student identified as a qualified individual with disabilities under Section 504, who is also covered by the Individuals with Disabilities Education Act, will be disciplined in accordance with Board policy #5144.3, "Discipline of Students with Disabilities."

A reevaluation will also be required before any other significant change in placement (i.e., transferring a student to alternative education, significantly changing the composition of the student's class schedule, such as from regular education to the resource room, etc.).

Legal Reference: Connecticut General Statutes
 10-15c Discrimination in public schools prohibited.
 Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §§791, 793-794
 (2006), (34 Code of Federal Regulations Part 104)
 Americans with Disabilities Act of 1990, 42 U.S.C. §§12101-12213; 29
 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006)
 Americans with Disabilities Amendments Act of 2008

Policy adopted:

A new regulation pertaining to Section 504 suggested as replacement for existing regulation, presently numbered 5147.1 approved 11/20/06, which does not reflect legislative modifications.

Students

Section 504: Civil and Legal Rights and Responsibilities

In order to meet the requirements of Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (ADA), the following procedures have been established:

Definitions

1. A student is considered a **“qualified individual with disabilities”** under Section 504 if he/she:
 - a. Has a physical or mental impairment which substantially limits one or more major life activities, even when mitigating measures, such as medication, prosthetics, hearing aids etc., ameliorate the effects of the disability. (e.g., any student receiving services under the Individuals with Disabilities Act (IDEA), students with diabetes). The term does not cover students disadvantaged by cultural, environmental or economic factors;
 - b. Has a record or history of such an impairment (e.g., a student with learning disabilities who has been decertified as eligible to receive special education under IDEA, a student who had cancer, a student in recovery from chemical dependencies);
 - c. Is regarded as having such an impairment. A person can be found eligible under this provision if he/she:
 - (1) Has a physical or mental impairment that does not substantially limit a major life activity but is treated by the District as having such a limitation;
 - (2) Has a physical or mental impairment that substantially limits a major life activity only as a result of the attitudes of others towards such impairment (e.g., a student who is obese); or
 - (3) Has no physical or mental impairment but is treated by the District as having such an impairment (e.g., a student who tests positive with the HIV virus but has no physical effects from it).
 - d. Has a qualifying disability that is episodic or in remission.
2. **“Physical or mental impairment”** means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness and specific learning disabilities;

Students

Section 504: Civil and Legal Rights and Responsibilities

Definitions (continued)

3. **“Major life activities,”** as defined by the ADA, means functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, communicating; and major bodily functions including, but not limited to, functions of the immune system normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions;
4. **“Program or activity”** includes all District programs and activities. The District will also ensure that contracts with those who provide services to the District, such as alternative programs, also provide students with disabilities an equal opportunity to participate in the program or activity;
5. **“Potentially disabling conditions”** under Section 504, if they substantially limit a major life activity, may include, but are not limited to:
 - a. Attention deficit disorder (ADD)
 - b. Behavior disorders
 - c. Chronic asthma and severe allergies
 - d. Physical disabilities such as spina bifida, hemophilia and conditions requiring students to use crutches
 - e. Diabetes

District Responsibilities

The Superintendent or his/her designee will:

1. Provide written assurance of nondiscrimination whenever the District receives federal money in accordance with application guidelines;
2. Designate an employee to coordinate the District’s compliance efforts with Section 504;
3. Provide procedures to resolve student, parent and employee complaints of discrimination;
4. Provide notice to students, parents, employees, including those with vision or hearing impairments, of the District’s policy of compliance with Section 504 prohibiting nondiscrimination in admission or access to or treatment or employment in District programs or activities. District aids, benefits and services will afford students with disabilities equal opportunity to obtain the same result, gain the same benefit or reach the same level of achievement as students without disabilities, in the most integrated setting appropriate to the student’s needs. Notice will specify the employee designated by the District to coordinate the District’s Section 504 compliance efforts;

Students

Section 504: Civil and Legal Rights and Responsibilities

District Responsibilities (continued)

5. Annually identify and locate Section 504 qualified students with disabilities in the District who qualify for services;
6. Annually notify students with disabilities and their parents or guardians of the District's responsibilities under Section 504;
7. Provide parents or guardians with procedural safeguards:
 - a. Notice of their rights under Section 504, including the right to request an impartial hearing which is the responsibility of the District.
 - b. An opportunity to review relevant records.

Transportation

1. If the District proposes to terminate transportation services for a student who qualifies for services under Section 504, due to disciplinary reasons, the District will first determine the relationship between the student's behavior and his/her disability and provide the parent with notice of his/her rights.
2. If the District places a student in a program not operated by the District, the District will ensure that adequate transportation to and from the program is provided at District expense.

Evaluation

1. The District will conduct an evaluation of any student who, because of a disability, needs or is believed to need accommodations or related services. Such evaluation will be completed by an evaluation team comprised of a group of persons knowledgeable about the student, the meaning of the evaluation data and placement options. The team will be appointed by the Superintendent or designee. Such evaluation will be completed before any action is taken with respect to the initial placement of the student in a regular or special education program and any subsequent, significant change in placement.
2. Tests and other evaluation materials will:
 - a. Be validated and administered by trained personnel;
 - b. Tailored to assess educational need;
 - c. Reflect aptitude or achievement. All tests must measure what they purport to measure.

Students

Section 504: Civil and Legal Rights and Responsibilities (continued)

Placement

1. In interpreting evaluation data and making placement decisions, the evaluation team will:
 - a. Draw upon information from a variety of sources;
 - b. Ensure that all relevant information is documented and considered;
 - c. Ensure that the student is educated with students without disabilities to the maximum extent possible.

Reevaluations

1. The evaluation team will periodically reevaluate all students identified as qualified to receive services under Section 504. Minimally, students will be reevaluated every three years.
2. A reevaluation will be conducted by the evaluation team whenever a significant change in placement occurs. Examples of significant changes in placement include, but are not limited to:
 - a. Expulsion;
 - b. Serial suspensions which exceed 10 school days in a school year. Consideration will be given to the frequency of suspensions, the length of each and their proximity to one another;
 - c. Transferring or placing the student in alternative education or other such programs;
 - d. Graduation;
 - e. Significantly changing the composition of the student's class schedule (e.g., moving the student from regular education to the resource room, etc.).

Complaints

Student, parent or staff complaints of noncompliance with the provisions of Section 504 will be reported to the Superintendent or designee and processed in accordance with established District complaint procedures.

Students

Section 504: Civil and Legal Rights and Responsibilities

Grievance Procedure

I. Informal Level

- A. Any student, parent/guardian, staff member or applicant to a program who feels that he/she has been discriminated against on the basis of race, color, national origin, religion, sex, sexual preference or disability shall contact the designated Compliance Coordinator within 30 days of the alleged occurrence to discuss the nature of the complaint.

The Compliance Coordinator shall maintain a written record which shall contain the following:

1. Full name and address of Complainant
 2. Full name and position of person(s) who allegedly discriminated against the Complainant
 3. A concise statement of the facts constituting the alleged discrimination
 4. Dates of the alleged discrimination
- B. At the time the alleged discrimination complaint is filed, the Compliance Coordinator will direct the Complainant to the appropriate Principal or Administrator who will investigate the complaint and send a written report to the Coordinator. The Coordinator shall then meet informally with the Complainant and the individuals against whom the complaint was lodged, and shall provide confidential counseling where advisable and shall finally seek an informal agreement between the parties concerned. Every attempt shall be made to seek a solution and resolve the alleged discrimination complaint at this level.

This process shall take no longer than ten (10) working days from the time the complaint was received.

Students

Section 504: Civil, Legal Rights and Responsibility

Grievance Procedure (continued)

II. Formal Level

If the Complainant is not satisfied with these initial informal procedures and within twenty (20) work days from the date of the original discussion with the Coordinator of Section 504, more formal procedures may be initiated by the Complainant to further explore and resolve the alleged discrimination complaint at this level.

- A. The Complainant shall present the written alleged discrimination complaint to the Superintendent or designee who may resolve the complaint alone or with the appropriate principal/administrator.
- B. The Superintendent or designee shall inform all parties of the date, time and place of the grievance hearing and of their right to present witnesses or representatives, if desired. The designee shall provide assistance to the Complainant in understanding the grievance procedure process. A written record of the hearing shall be kept.

The Superintendent or designee shall hear and fully review the case within (15) days of receipt of the discrimination complaint. A written decision shall be sent to the Complainant within (5) days of the hearing.

If the complainant is not satisfied with the Superintendent's recommendation he/she may submit a written appeal to the Board of Education within fifteen (15) days of the Superintendent's decision.

With at least five (5) days notice given prior to the hearing, the Board of Education shall inform all parties involved of the date, time and place of the hearing and of the right to present witnesses and to have legal counsel or other representation, if desired. The Board of Education shall hear all aspects of the appeal and shall reach a decision within twenty (20) days of receipt of the written appeal. The decision shall be presented in writing to the complainant at its next regularly scheduled meeting.

The time limits as noted throughout may be extended by mutual agreement in writing.

Students

Section 504: Civil, Legal Rights and Responsibility

Grievance Procedure (continued)

Any person may also file a complaint of illegal discrimination with the Office of Civil Rights, John W. McCormick Post Office and Court House Building, 2nd floor, Post Office Square, Boston, MA 02109 or O.C.R. Washington, D.C. at the same time he/she files a grievance, during or after use of the grievance process, or without using the grievance process at all. If a complaint is filed with the Office of Civil Rights, it must be filed in writing no later than 180 days after the occurrence of the possible discrimination.

Parent/Student Rights

In Identification, Evaluation and Placement, Under Section 504 of the Rehabilitation Act of 1973

The Rehabilitation Act of 1973, commonly referred to as Section 504, is a nondiscrimination statute enacted by the United States Congress. The purpose of the Act is to prohibit discrimination and to assure that disabled students have educational opportunities and benefits equal to those provided to non-disabled students.

An eligible student under Section 504 is a student who (a) has a physical or mental impairment which substantially limits one or more major life activities, (b) has a record of having or (c) is regarded as having, a physical or mental impairment which substantially limits a major life activity such as learning, self-care, walking, seeing, hearing, speaking, breathing, working, and performing manual tasks.

Many students will be eligible for educational services under both Section 504 and the Individuals with Disabilities Education Act (IDEA) but entitlement to services under the IDEA or other statutes is not required to receive services under Section 504.

- I. The following is a description of the rights and options granted by federal law to students with disabilities (handicaps). The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions. You have the right to:
 1. Have your child take part in, and receive benefits from, public education programs without discrimination because of his/her disabling condition.
 2. Have the school district advise you of your rights and options under federal law.
 3. Receive notice with respect to identification, evaluation, or placement of your child.

Students

Section 504: Civil, Legal Rights and Responsibility

Parent/Student Rights (continued)

In Identification, Evaluation and Placement, Under Section 504 of the Rehabilitation Act of 1973 (continued)

4. Have your child receive a free appropriate public education. This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to have the school district make accommodations to allow your child an equal opportunity to participate in school and school-related activities.
5. Have your child educated in facilities and receive services comparable to those provided to non-disabled students.
6. Have your child receive special education or related services and/or general education intervention/modifications.
7. Have evaluation, educational, and placement decisions made based upon a variety of information sources, and by persons who know the student, evaluation data, and placement options.
8. Have transportation provided to and from an alternative placement setting at no greater cost to you than would be incurred if the student were placed in a program operated by the district.
9. Have your child given an equal opportunity to participate in non-academic and extracurricular activities offered by the district.
10. Examine records relating to your child's educational program, including records relations to identification, evaluation and placement.
11. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records. State law provides that you are entitled to receive one free copy of your child's records.
12. A response from the school district to reasonable requests for explanations and interpretations of your child's records.

Students

Section 504: Civil, Legal Rights and Responsibility

Parent/Student Rights (continued)

In Identification, Evaluation and Placement, Under Section 504 of the Rehabilitation Act of 1973 (continued)

13. Request amendment of your child's educational records if there is reasonable cause to believe that they are inaccurate, misleading, or otherwise in violation of the privacy rights of your child. If the school district refuses this request for amendment, it shall notify you within a reasonable time, and advise you of the right to a hearing. This hearing will be according to the Family Education Rights and Privacy Act (FERPA).
 14. Request an impartial hearing, or appeal related to decisions or actions regarding your child's identification, evaluation, educational program, or placement. The costs for the hearing are borne by the local school district.

You and the student may take part in the hearing and have an attorney represent you at your expense. If you ultimately prevail on the issues raised at the hearing, you may be entitled to payment of all or part of your attorney's fees.
 15. Initiate the hearing process by filing a written request for a hearing with the Superintendent of Schools or designee, indicating the specific areas of disagreement and the remedy that you are requesting. Any such requests should be filed within 45 days of the action or decision with which you disagree.
 16. File a court action if you are dissatisfied with the hearing decision.
 17. File a local grievance to resolve complaints of discrimination other than those involving the identification, evaluation or placement of a student.
- II. The person in this District who is responsible for assuring that the District complies with Section 504 and the Americans with Disabilities Act (ADA) is:

(Provide name, position, title, address, telephone number)

Students

Section 504: Civil, Legal Rights and Responsibility

Parent/Student Rights (continued)

In Identification, Evaluation and Placement, Under Section 504 of the Rehabilitation Act of 1973 (continued)

III. Organizations and agencies which you may contact to obtain assistance with evaluation/placement questions include, but are not limited to, the following:

A. Federal

Office for Civil Rights
Boston Regional Office

Telephone: (617) 289-0111
e-mail: OCR.Boston@ed.gov
Fax: (617) 289-0150

B. State

Department of Education
Bureau of Special Education
and Pupil Services

Telephone: (860) 807-2025

C. Low-Cost Legal Services

Legal Aid Society of
New London County, Inc.

Telephone: (860) 447-0323

D. Filing Complaints Electronically:

<http://www.ed.gov/about/offices/list/ocr/complaintintro.html>

IV. You also may file a complaint with the Office of Civil Rights, U.S. Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921. Any such complaints must be filed within 180 days of the possible act of discrimination.

Impartial Hearing Requirement

The District shall conduct when requested an impartial hearing for parents or guardians of students with disabilities under Section 504 concerning the identification, evaluation, or education placement of a student with a disability. The Connecticut State Department of Education does not conduct these hearings.

The hearing officer selected by the District to conduct these hearings may not be a District employee involved in the student's care or education; have a personal or professional interest in the child; be a Board member; or be involved in the formulation of state policy affecting students with disabilities.

Students

Section 504: Civil, Legal Rights and Responsibility

Impartial Hearing Requirement (continued)

The hearing officer may only review issues related to the identification, evaluation or placement of a child with a disability. The Section 504 hearing officer does not have jurisdiction to hear claims alleging discrimination, harassment or retaliation unless such a claim is directly related to the District's failure to provide the student with a free, appropriate public education (FAPE). The Section 504 hearing officer may not hear discrimination, harassment or retaliation claims which are not a part of an issue related to identification, evaluation or placement of a child with a disability.

Parents/guardians utilizing these Section 504 procedural safeguards are not legally entitled to state mediation, state advisory opinion, state hearing or complaint resolutions. These procedures, under IDEA, are not part of Section 504 procedures.

To ensure fundamental fairness, the child's current agreed-upon placement shall be maintained while a Section 504 hearing is pending.

The Section 504 hearing is not an IDEA hearing and has a narrower due process focus. Minimum necessary procedures for Section 504 include: notice, a right to inspect records, an impartial hearing with a right to representation by counsel and a review procedure. There is no requirement that cross-examinations be allowed or that a court reporter be provided. (See Form "Section 504 Parental Rights")

Provisions of Services

Merely being classified under Section 504 does not mean the child should be taught by other than the regular subject area endorsed classroom teacher or unless:

- The child's written plan must describe the circumstances that prevent the child from receiving instruction from the regular certified teacher.
- The child requires services in a setting other than the regular education classroom.

Regulation approved:

_____, Connecticut

PUBLIC SCHOOLS

Section 504 Parental Rights*

Section 504 of the Rehabilitation Act provides services for students identified as having a disability as defined by the ACT, which substantially limits a major life activity. You have the following rights:

1. The right to be informed of your rights under Section 504 of the Rehabilitation Act.
2. The right for your child to have equal opportunities to participate in academic, non-academic and extracurricular activities in your school.
3. The right to be notified about referral, evaluation and programs for your child.
4. The right for your child to be evaluated fairly.
5. The right, if eligible for services under Section 504, for your child to receive accommodations, modifications, and related services that will meet the child's needs as well as the needs of students without disabilities are met.
6. The right for your child to be educated with peers who do not have disabilities as much as possible.
7. The right to an impartial hearing if you disagree with the school regarding your child's educational program.
8. The right to review and obtain copies of your child's records.
9. The right to request attorney fees related to securing your rights under Section 504.
10. The right to request changes in the educational program of your child.

****Provided by the Boston Regional Office of OCR and meets the requirements on Section 504***

**Notice of District-Initiated Provision of
Services for Protected Handicapped Student**

Dear _____;
(Parent)

The school district believes that _____:

- _____ should be identified
- _____ should no longer be identified
- _____ requires a change or modification of the service agreement

The basis for the belief that the student is or is no longer a protected handicapped student is:

The proposed change or modification in the service agreement is:

If you have any additional information or medical records which will assist in this process, please forward them to me or call me at _____ to discuss this information.

Parents have the right to review all relevant school records of the student, meet with appropriate school officials to discuss any and all issues relevant to the evaluation and accommodations of their child, and give or withhold their written consent to the evaluation and/or the provision of services.

Directions: Please check one of the options and sign the form.

_____ I give my permission to proceed with the initiation of the service agreement.

_____ I give my permission to proceed with the modifications of the service agreement/termination of services.

_____ I do not give my permission to proceed with the modification of the service agreement/termination of services.

My reason for disapproval is: _____

_____ I request an informal conference to discuss the modification of the service agreement/termination of services.

Parent(s) Signature

Date

Building Administrator

Date

Section 504 Notice of Conference

Student: _____

Dated: _____

Dear: _____

(Parent)

We would like you to attend a Section 504 meeting regarding your child. The purpose of this meeting is to (all that apply have been checked):

- Discuss the results of the evaluation/504 eligibility determination
- Discuss the student's academic progress
- Review the current service agreement
- Review placement
- Discuss the results of the reevaluation
- Other

The following records/data will be discussed at the meeting:

The meeting has been scheduled for the following location and time:

Location: _____

Time: _____

The following people will be invited to the meeting:

If you would like any additional people to attend this meeting, if you have any questions or if it is not possible for you to attend on the date and time listed above, please contact me as soon as possible.

Building 504 Administrator: _____

Address: _____

Phone: _____

Section 504 Eligibility Determination Form

Student: _____ Grade/Class/Team: _____ Date: _____
School: _____ Birth Date: _____ Parent(s): _____

District 504 Coordinator: [Insert name, telephone number and e-mail address of 504 Coordinator]
Building 504 Administrator: _____

Reason for Meeting:

Initial Evaluation Periodic Reevaluation Reevaluation before change in placement

Variety of sources of evaluation information: (indicate each one used)

_____ achievement tests _____ teacher recommendations/observations
_____ adaptive behavior _____ student work samples
_____ medical report _____ cognitive assessments
_____ other (specify): _____

Eligibility Criteria (All must be answered "yes" for the student to be eligible)

1. Yes No Does the student have a physical or mental impairment supported by documentation or other reliable evidence (medical records, testing, observations, etc.)? If not, proceed no further. The child is not a protected child under Section 504.

Specify the mental or physical impairment: _____
Note: If the impairment is related to current use of illegal drugs or alcohol, the student is not eligible for Section 504.

2. Yes No Does the impairment affect one or more major life activities of the student such that the student is prohibited from participating in or having access to any aspect of the school program? If no major life activity is affected by the physical or mental impairment, proceed no further. The child is not a protected child under Section 504.

Check the major life activity that is affected by the impairment:

seeing hearing caring for one's self breathing
 walking learning performing manual tasks working
 other (specify): _____

The team must focus on the major life activity as a whole (e.g. learning), not on a particular class (e.g. math) or sub-area (e.g. socialization; study skills).

If so, which major life activities are affected by the physical or mental impairment? (There must be appropriate evidence supporting the conclusion that a major life activity is affected. A description of how the major life activity is affected must be provided.)

Section 504 Eligibility Determination Form

3. Is the student *substantially limited* in the identified major life activity(ies)? *(Complete the scale below, then answer question)*

The term “substantially limited” means that the student is: unable to perform a major life activity that the average student of approximately the same age can perform *OR* significantly restricted as to the condition, manner or duration under which a particular life activity is performed as compared to the average student of approximately the same age. (The impairment must be substantial and somewhat unique, rather than commonplace, when compared to the average student of approximately the same age.)

Discount from the analysis any sub-par performance due to other factors, such as lack of motivation, and the immediate situation or environment. Similarly, make an educated estimate of the mitigation of medication. Use the average student in the general population as the frame of reference for comparison.

Place an “X” on the following scale to indicate the specific degree that the impairment (in #1) limits the major life activity (in #2); for an “X” at 4/0 or above, fill in specific information evaluated by the team that justifies the rating:

5	_____	Extremely	_____
4	_____	Substantially	_____
3	_____	Moderately	_____
2	_____	Mildly	_____
1	_____	Negligibly	_____

Yes The team’s determination was a “4” or above. The team should determine and list on the 504 Accommodation Plan the specific accommodations that are necessary for the student to have an opportunity commensurate with nondisabled students of approximately the same age in this district.

OR

No The team’s determination was less than 4; the student is not eligible for Section 504 protections. Provide notice to parents of their procedural rights, including an impartial hearing.

Explain:

4. Yes No Is a service or accommodation needed as a result of the disability to enable a student to attend or participate in a program or activity safely and in a manner consistent with attendance and participation of non-disabled students?

If “yes” was answered to all four questions, the student is entitled to accommodations and services under Section 504 made necessary by the disability so that the student can access or attend programs or activities safely.

Our team has recommended a 504 Service Agreement for this student: Yes No

What supplemental aides and/or services does the student need, if any?

School Committee Members		Check Area of Knowledge	
_____	<input type="checkbox"/> child	<input type="checkbox"/> evaluation data	<input type="checkbox"/> accommodation/placement
_____	<input type="checkbox"/> child	<input type="checkbox"/> evaluation data	<input type="checkbox"/> accommodation/placement
_____	<input type="checkbox"/> child	<input type="checkbox"/> evaluation data	<input type="checkbox"/> accommodation/placement
_____	<input type="checkbox"/> child	<input type="checkbox"/> evaluation data	<input type="checkbox"/> accommodation/placement

Section 504 Service Agreement

Student: _____

Date Services Begin: _____

Date Services End: _____

Date of Last Evaluation: _____

Initial Agreement: _____

Modified Agreement: _____

Describe the nature of the concern:

Describe the basis for the determination that the student has a mental or physical disability:

Describe how the mental or physical disability substantially limits or prohibits participation in or access to an aspect of the student's school program:

The Service Agreement Team has reviewed the records of this student and concludes that the student's mental and/or physical disability substantially limits or prohibits participation in or access to an aspect of the student's school program without the following aids, services and/or accommodations:

The following procedures need to be followed in the event of a medical emergency:

Section 504 Service Agreement

The attached letter outlines the parents' rights to resolve any disputes that they may have concerning the recommended aids, services or accommodations. If the parents have any questions concerning their rights or the aids, services or accommodations recommended, please feel free to contact the School Administrator listed below.

Building 504 Administrator

Date

Address: _____

Directions: Please check one of the options and sign this form.

_____ I agree and give permission to proceed as recommended.

_____ I do not agree and do not give permission to proceed as recommended.

_____ I would like to schedule an informal conference to discuss my concerns.

_____ My reason for disapproval is: _____

Parent(s) Signature

Date

WOODBRIAGE SCHOOL DISTRICT
Section 504 Referral Form

Referral for District Services

Individual making referral: _____
Student being referred: _____

Date: _____

This referral will go to the designated Section 504 building coordinator who will forward it along to the building team committee for review, The team will review the referral to decide the nature of help the school might provide. Please indicate on this form any behaviors you may have noticed within your class, or concerns you may have about the student. Please make specific comments where appropriate.

Academic/Behavioral Concerns:

Academic Performance

- _____ decline in quality of work
- _____ decline in grade earned
- _____ incomplete work
- _____ work not handed in
- _____ failing in this subject

Classroom Conduct

- _____ disruptive in class
- _____ inattentive
- _____ lack of motivation
- _____ lack of concentration
- _____ sleeping in class
- _____ impaired memory
- _____ negative attitude
- _____ in-school absenteeism (skipping)
- _____ tardiness to class
- _____ disturbs others
- _____ frequently needs discipline
- _____ cheating
- _____ fighting
- _____ throwing objects
- _____ defiance of authority
- _____ verbally abusive
- _____ obscene language or gestures
- _____ sudden outbursts or temper
- _____ vandalism

Observations

- _____ frequent visits to the nurse
- _____ frequent visits to the lavatory
- _____ nervousness, anxiety
- _____ seems depressed
- _____ difficulty seeing the board
- _____ possible weight loss or gain
- _____ mood swings
- _____ pale or flushed complexion
- _____ bruises, burns, cuts, scrapes on body

Math

- _____ basic math skills lacking
- _____ cannot add or subtract
- _____ cannot multiply
- _____ cannot divide
- _____ difficulty with fractions
- _____ difficulty with story problems
- _____ difficulty w/basic algebra concepts
- _____ difficulty communicating in math

Writing/Reading

- _____ difficulty with spelling
- _____ unable to write complete sentences
- _____ difficulty with punctuation
- _____ cannot organize compositions
- _____ difficulty reading
- _____ difficulty with comprehension
- _____ reading rate below grade level

Specific Comments

Other Behaviors

- change in friends and/or peer groups
- sudden unexplained popularity
- seeks constant adult contact
- seeks adult advice w/o a specific problem
- low affect
- defensiveness
- withdrawal; a loner; separateness
- other students express concerns
- fantasizing, daydreaming
- compulsive achievement
- preoccupation with school success
- perfectionism
- difficulty in accepting mistakes
- rigid obedience

Specific Comments

Interventions attempted

a) Instruction:

- small group instruction
- breakdown of steps into smaller groups
- individualized classroom instruction
- lower level text
- computerized instruction
- modified or shortened assignments
- individualized directions
- individualized worksheets rather than blackboard work
- taped instructions or lessons
- other: _____

d) Behavior Management

- clarification of rules
- teach and role play desired behaviors
- study carrel-eliminate distractions
- provide routine schedule
- give more choices
- time-out
- stay after school
- use of logical consequences
- refer to principal
- change seating
- other: _____

b) Building Support

- special education
- building reading specialist
- speech and language service
- consultation with specialist
- building math specialist
- building psychologist/counselor
- other: _____

e) Reinforcers:

- praise (specific and clear) for desired behavior
- daily or weekly effort report
- reinforce correct responses promptly
- positive note sent home
- contracts (attach copy)
- other: _____

c) Parent Support

- | | | | |
|---|------------|-------------|--------------|
| <input type="checkbox"/> notes/phone calls home | Date _____ | time: _____ | result _____ |
| | Date _____ | time: _____ | result _____ |
| <input type="checkbox"/> parent/teacher/student conferences | Date _____ | time: _____ | result _____ |
| | Date _____ | time: _____ | result _____ |
| <input type="checkbox"/> home program | | | |

*Please use the space below to explain any additional information you believe to be relevant about the student.

WOODBRIIDGE SCHOOL DISTRICT
Section 504 Eligibility Determination Form
District Section 504 Coordinator

Student Information

Name: _____ Date: _____
 Address: _____
 Home Phone: _____ Work Phone: _____
 Date of Birth: _____ Teacher: _____
 Grade: _____ Case Manager: _____
 Person(s) making referral: _____
 Projected Review/Reevaluation Date: _____

Purpose of Meeting

_____ Initial Evaluation _____ Develop a 504 plan
 _____ Periodic Reevaluation _____ Review 504 plan

Eligibility Criteria and Determination

1. Documentation regarding impairment (check those applicable and provide relevant data):

	Assessment	Date	Result or source
	CMT		
	Record review		
	Report card		
	Attendance record		
	Developmental history		
	Psychological evaluation		
	Health history assessment		
	Physician documentation*		
	CST documentation		
	Language Arts Support		
	Math Center Support		

*When indicated, parent has signed an authorization to release the school and physician/provider to exchange information/record(s) pertinent to the diagnosis of the physical or mental impairment? Yes _____ No _____

2. Does the student have a physical or mental impairment? Yes ___ No ___

IMPAIRMENT:

Team must attach all supporting documentation. A simple statement without supporting evaluative data is not sufficient to meet this standard.

3. Is a major life activity limited by the impairment? Please provide sources of information and attach evidence.

Major Life Activity	Source(s) of Information Describe and attach	Severity	Duration	Substantial Limitation?*
				Yes? No?
Caring of Oneself		Mild Substantial Severe	Short Medium Long	
Performing Manual Tasks		Mild Substantial Severe	Short Medium Long	
Walking		Mild Substantial Severe	Short Medium Long	
Seeing		Mild Substantial Severe	Short Medium Long	
Hearing		Mild Substantial Severe	Short Medium Long	
Speaking		Mild Substantial Severe	Short Medium Long	
Breathing		Mild Substantial Severe	Short Medium Long	
Learning		Mild Substantial Severe	Short Medium Long	
Working		Mild Substantial Severe	Short Medium Long	
Other		Mild Substantial Severe	Short Medium Long	

4. Has the team determined that the impairment substantially limits a major life activity?

Yes _No_ Note: If Learning is the major life activity which is substantially limited, it should be looked at globally. Problems must be pervasive and have been present for a substantial period of time

5. Student meets Section 504 eligibility criteria? ___Yes___No

Note: The team must respond YES to questions 2,3,4 and attach all required evidence in order to respond Yes to question #5.

Action Taken

Date: _____

- Parent Guardian provided written notice of rights
- Notice of 504 evaluation and meeting
- Accommodation plan developed-see attached
- Student found NOT eligible under Section 504
- Student referred to planning and placement team (PPT)
- Other (specify):
- None at this time

BEECHER ROAD SCHOOL
Section 504 Accommodation Plan

Student Information

Name: _____
Grade: _____

Date: _____
Teacher: _____

Major life activity limited by impairment:

Specific Accommodations	Activity/Class	Person(s) Responsible for Implementation

Comments:

Attendees

Name: _____
Name: _____
Name: _____
Name: _____
Name: _____
Name: _____
Name: _____

Role: _____
Role: _____
Role: _____
Role: _____
Role: _____
Role: _____
Role: _____

Projected Review/Reevaluation Date: _____

**WOODBIDGE SCHOOL DISTRICT
SECTION 504
COMPLAINTS ABOUT FACILITIES OR SERVICES OFFERED**

COMPLAINT:

REPRESENTING:

DATE OF PRESENTATION:

SCHOOL:

PRIOR CONTACTS WITH THE 504 COORDINATOR OR TEACHER:

STATEMENT OF COMPLAINT:

ACTION REQUESTED:

SIGNATURE: _____

Contact person:

Beecher Road School
40 Beecher Road
Woodbridge, CT 06525

Existing policy, presently numbered 1411.1 adopted 12/16/02, appropriate as renumbered, except for update to legal reference.

Students

Relations with Law Enforcement Agencies

The Board of Education recognizes that it is essential to cooperate with law enforcement agencies for the protection of staff and students, for maintaining a safe environment in the district schools and for safeguarding school property.

Programs and activities designed to enrich district curriculum and to develop and promote good citizenship and a healthy attitude toward law enforcement agencies and officials will be encouraged in the district. Law enforcement participation in such programs and activities is encouraged.

At the same time the Board also recognizes that the school system has the responsibility for the welfare of students while they are in the care of the schools. To carry out this responsibility of the school district, school officials shall observe the following:

A student is not immune from the law by virtue of his/her status as a student, nor is the school building a sanctuary from the law or the proper actions of law enforcement personnel. Whenever the police have a search warrant or an arrest warrant, they shall be admitted in the exercise of their designated authority.

In other situations, however, the interest of the individual, the students at large, and the school community may best be served by entrusting primary responsibility for the maintenance of order to school personnel. The Principal(s) shall have the authority, except as noted, to exclude the police from the school when police intervention is considered unwarranted.

Police Interviews of Juveniles

When a police investigation involves an interview of a juvenile, the police should arrange to have a parent present. The exceptions to this requirement are (a) if the student is being interviewed as a victim and/or (b) if there is an overriding immediate public safety concern.

The following procedures will be observed in the event of a need to interview or question a student by a police official.

1. Student(s) will be questioned as confidentially and inconspicuously as possible.
2. The Principal will make a reasonable effort to inform parents so that they may be present during the questioning.
3. Any police interview shall be conducted in private and in the presence of a member of the school administration.
4. Preferably, the officer doing the questioning will wear civilian clothes.

Students

Relations with Law Enforcement Agencies (continued)

The arrest of an elementary school student for a felony or Class A misdemeanor may be considered an unlikely event. However, should that be the case, it is expected that any municipal or State Police Department seeking to arrest a student who is enrolled in the Woodbridge School District shall notify the Superintendent orally prior to or at the time of the arrest, and in writing, within 72 hours of the arrest. Such information shall be kept confidential in accordance with C.G.S. 46b-124.

Legal Reference: Connecticut General Statutes
10-221 Board of Education to Prescribe Rules, Policies and Procedures
10-233a-e Suspension and Expulsion Procedures
10-233g Arrested Students/Students on Probation
10-233h Arrested Students/Reports by Police
10-233j Student in Possession and Use of Telecommunications Devices

Policy adopted:

WOODBIDGE PUBLIC SCHOOLS
Woodbridge, Connecticut

Sample policy to consider.

Students

Students/Probation/Police/Courts

Notification to Superintendent when Student Arrested for Felony. Police who arrest, at any time during the year, an enrolled district student, ages seven to twenty, for a Class A misdemeanor, felony, or for selling, carrying or brandishing a facsimile firearm, are required by C.G.S. 10-233h, as amended by Public Act 94-221, Public Act 95-304, and Public Act 97-149, to notify orally the Superintendent of Schools by the end of the next weekday following the arrest, the identity of the student and the offense or offenses for which the student was arrested and follow up in writing, including a brief description of the incident, not later than seventy-two hours of the arrest.

The Superintendent shall maintain this information confidential in accordance with C.G.S. 46b-124 and in a secure location and disclosed, during the school year, only to the Principal of the school in which such person is a student or to the Principal or supervisory agent of any other school in which the Superintendent knows such person is a student. The Principal may disclose the information only to special services staff or a consultant (such as a psychiatrist, psychologist, or social worker) for the purpose of assessing the danger posed by such person to himself, other students, school employees, or school property and effectuating an appropriate modification of such person's educational plan or placement, and for disciplinary purposes.

Police may testify and provide information related to an arrest at an expulsion hearing if such testimony is requested by the Board of Education or an impartial board conducting the hearing, or by the school Principal or student or his/her parent. Such testimony must be kept confidential in conformity with applicable state statutes.

Attendance of Students Placed on Probation by a Court. Before allowing a student placed on probation to return to school, the Connecticut court will request from the Superintendent of Schools information on the attendance, adjustment, and behavior of the student along with the Superintendent's recommendation for conditions of sentencing or disposition of the case.

School Officials and Probation Investigations. If requested by the court prior to disposition of a case, the Superintendent of Schools, or designee, shall provide information on a student's attendance, adjustment, and behavior, and any recommendations regarding the proposed conditions of probation included in the probation officer's investigation report.

School Attendance As a Condition of Probation. Under Section 46b-140, a court may include regular school attendance and compliance with school policies on student conduct and discipline as a condition of probation.

Students

Students/Probation/Police/Courts (continued)

Information to Superintendents on a Student Adjudged to be a Delinquent as a Result of Felony. Under Section 46b-124 of CGS, courts are required to release the identity of a student adjudged a delinquent as a result of felony to the Superintendent of Schools who may only use this information for school placement and disciplinary decisions.

Information to Superintendents on a Student Adjudged to be a Youthful Offender. Under Section 54-761 of CGS, courts are required to release the identity of a student adjudged a youthful offender to the Superintendent of Schools who may only use this information for school placement and disciplinary decisions.

(cf. 1411 Law Enforcement Agencies)

(cf. 5145.11 Police in Schools)

(cf. 5114 Suspension/Expulsion)

Legal Reference: Connecticut General Statutes

46b-121 "Juvenile matter" defined Authority of court. Fee.

46b-124 Confidentiality of records of juvenile matters. Exceptions.

46b-134 Investigation by probation officer prior to disposition of delinquency case. Physical mental and diagnostic examination

46b-140 Disposition upon conviction of child as delinquent.

53-206c Sale, carrying and brandishing of facsimile firearms prohibited. Class B misdemeanor.

54-761 Records confidential. Exceptions.

10-233a through 10-233g re student suspension, expulsion... Public Act 94-221 Public Act 95-304

10-233h Arrested students. Reports by police to superintendent, disclosure, confidentiality.

Policy adopted:

Existing regulation, presently numbered 1411.2 approved 12/16/02, appropriate as renumbered.

Students

Guidelines for Cooperation with Local Law Enforcement Agencies

Criminal Activity Affecting the Operation of the School

In certain circumstances the building Principal may require the assistance of police authorities in the investigation of possible criminal activity affecting the operation of the school. Should police involvement require the questioning of students on school grounds, the building Principal shall make a reasonable effort to notify the parent or guardian of a student to be questioned that such questioning is to take place and the parent or guardian of any such student may be permitted to be present during such questioning.

Criminal Activity Not Involving The Operation Of The School

Police interviewing or questioning of students regarding criminal activity not involving the operation of school shall generally not be allowed on school grounds. Where the criminal activity endangered students, disrupted the educational process or violated Board Policy, or where an emergency exists which requires speedy investigation, such questioning or interrogation of students may be allowed to take place with the approval of the Superintendent.

Legal Reference: Connecticut General Statutes

- 10-221 Boards of Education to prescribe rules, policies and procedures
- 10-233a-e Suspension and expulsion procedures
- 10-233g Arrested students/students on probation
- 10-233j Student in possession and use of telecommunication

Regulation approved:

WOODBRIIDGE PUBLIC SCHOOLS
Woodbridge, Connecticut

The newest version of this policy updated and expanded.

Students

Search and Seizure

School administrators have the authority to conduct reasonable searches and seize materials in accordance with this policy for the purpose of maintaining a safe, orderly environment and for upholding standards of conduct established by the Board of Education or school. This policy does not apply to investigations conducted by law enforcement officials or to investigations conducted exclusively for the purpose of criminal prosecution. School officials carrying out a search and seizure are expected to be knowledgeable about the constitutional rights of students and appropriate procedures for conducting the search or seizure.

Reasonable suspicion that a student has unauthorized or illegal materials is generally required before an individual may be singled out for a search. Reasonable suspicion is not required if a student freely, voluntarily and knowingly consents and agrees to the search of his/her person or personal effects.

1. Search of a Student and His/Her Effects

Fourth Amendment rights to be free from unreasonable searches and seizures apply to searches conducted by public school officials. A student and his/her effects may be searched if there are “reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school.” The way the search is conducted should be “reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.”

Optional language to consider:

- (a) If a frisk or “pat down” search of a student’s person is conducted, it must be conducted in private by a school official of the same sex and with an adult witness present. *(Alternatively, this more intrusive search can be prohibited.)*
- (b) If the school official has reasonable suspicion to believe that the student has on his/her person an item imminently dangerous to the student or to others, a more intrusive search of the student’s person may be conducted. Such a search may be conducted only in private by a school official of the same sex, with an adult witness of the same sex present, and only upon the prior approval of the Superintendent or his/her designee, unless the health or safety of students will be endangered by the delay which might be caused by following these procedures. *(Alternatively, this more intrusive search can be prohibited.)*
- (c) Under no circumstances is a school official authorized to conduct a “strip search” of a student.

Students

Search and Seizure (continued)

1. Search of a Student and His/Her Effects (continued)

Alternate position regarding strip searches:

A strip search is a search that requires a student to remove any or all of his or her clothing, other than an outer coat or jacket. If the Principal or his/her designee believes it is necessary to conduct a strip search of a student, the school official may do so only if the search is authorized in advance by the Superintendent or the District's attorney. The only exception to this rule requiring advanced authorization is when the school official believes there is an emergency situation that could threaten the safety of the student or others.

Strip searches may only be conducted by an authorized school official of the same sex as the student being searched and in the presence of another District professional employee who is also of the same sex as the student. In every case, the school official conducting a strip search must have probable cause, not simply reasonable cause, to believe the student is concealing evidence of a violation of law or District policy or rules. In addition, before conducting a strip search, the school official must consider the nature of the alleged violation, the student's age, the student's record and the need for such a search. Prior to conducting a strip search, the Principal or his/her designee shall consider whether the contraband sought poses an element of dangerousness and if there is any indication that the contraband is being secreted in the specific place to be searched.

School officials will attempt to notify the student's parent by telephone before conducting a strip search, or in writing after the fact if the parent was unable to be reached by telephone.

2. Search of a Locker, Desk and Other Storage Area

- A. Lockers, desks and other storage areas provided by the school system for use by students are the property of the school system. Such storage areas are provided for the temporary convenience of students only. The Board of Education authorizes the administration and/or law enforcement officials to search lockers and other school property available for use by students for the presence of weapons, contraband or the fruits of a crime if there are reasonable grounds at the inception of the search for suspecting that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. Moreover, the scope of the search shall be reasonably related to the objectives of the search and shall not be excessively intrusive in light of the age and sex of the student and the nature of the infraction.

Students

Search and Seizure

2. Search of a Locker, Desk and Other Storage Area (continued)

- B. If the school administration reasonably suspects that a student is not maintaining a locker or other storage area assigned to him/her in a sanitary condition, or that the storage area contains items the possession of which is illegal or in violation of school regulations or that endangers the health, safety or welfare of the student or others, it has the right to open and examine the storage area and to seize any such items that are found.
- C. When required by law and otherwise at the option of the building Principal, items that have been seized shall be submitted to the police department for proper disposition. Items not submitted to the police department shall be disposed of as directed by the building Principal.
- D. The decision to search shall be made by the Principal or the Principal's designee. The search shall be made in the presence of at least one witness. Should a student refuse to cooperate, the administration may contact the police to assist with the search. Discovery of illegal or dangerous materials shall be reported to the Office of the Superintendent.

3. Searches of Student Motor Vehicles

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to patrol student parking lots at any time, without notice or consent. The interiors of vehicles on school property may be searched if a school official has reasonable suspicion to believe that illegal, unauthorized or contraband items, other evidence of a crime or violation of District policy, or items which may be a threat to safety or security are contained inside.

4. Use of Trained Dogs

The District may elect to use specially trained drug dogs to alert the dog's handler to the presence of controlled substances in school facilities, grounds and parking lots, at the discretion of the Superintendent or designee. The trained drug dogs may sniff lockers, student motor vehicles, and other inanimate objects. Such inspections are not considered searches and do not require notice or consent. Only the trained dog's handler will determine what constitutes an alert by the dog. A drug dog's alert constitutes reasonable suspicion for district officials to search the lockers, personal items or vehicles. Such a search by District officials may be conducted without notice or consent, and without a search warrant.

Dogs may not be used for random searches of students or other persons.

Students

Search and Seizure (continued)

5. Use of Metal Detectors

A metal detector can be used to search a student's person and/or personal effects whenever a school official has reasonable suspicion to believe that the student is in possession of a weapon. The search must be conducted by a school official. The search will be conducted in private, where feasible.

A school is authorized to conduct general searches of students and their personal effects with a metal detector before a student can gain entry to the school campus or any school-sponsored extracurricular activity. The search must be conducted in accordance with procedures established by the Superintendent or designee. Prior to initiating general searches, the school must:

- Substantiate to the Superintendent the need for general searches based upon a pattern or expectation of violence or disruption.
- Provide written notice, if feasible, to students and parents/guardians of the school policy governing general searches, but not of specific times or places where searches will be conducted.

6. Police Involvement in Searches and Interrogations of Students

The District is committed to cooperating with police officials and other law enforcement authorities in order to maintain a safe school environment. Police officials, however, have limited authority to interview or search students in schools or at school functions, or to use school facilities in connection with police work.

Students may be searched by law enforcement officials on school property or when the student is under the jurisdiction of the District upon the request of the law enforcement official. Such requests ordinarily, shall be based on a (1) warrant; or (2) probable cause to believe a crime has been committed on school property or at a school function; or (3) an invitation by school officials. The school Principal or designee will attempt to notify the student's parents in advance to give the parent the opportunity to be present during the police questioning or search, and will be present for all such searches.

- (cf. 5145.121 – Search of Vehicles on School Grounds)
- (cf. 5145.122 – Use of Dogs to Search School Property)
- (cf. 5145.123 – Use of Metal Detectors)
- (cf. 5145.124 – Breathalyzer Testing)
- (cf. 5145.125 – Drug Testing)
- (cf. 5131.111 – Video Surveillance)

Students

Search and Seizure (continued)

Legal References: Connecticut General Statutes

Section 10-221 Boards of Education to prescribe rules

Section 54-33n Searches

New Jersey v. T.L.O.; 469 U.S. 325 (1985)

Safford Unified School District #1 v. Redding (U.S. Sup. CT 08-479)

Policy adopted:

cps 4/01
rev. 1/07
rev. 8/09
rev. 1/10

Sample regulation to consider.

Students

Search and Seizure

Definitions

- a. **“Reasonable suspicion”** means sufficient knowledge possessed by the District official at the time the official makes or authorizes the search which would lead a reasonable person to believe that a search of a particular student or place will likely turn up evidence of a violation of law, Board policy, administrative regulation or school rule. The official’s knowledge may be based upon relevant past experience of the official, observation by the official and/or credible information from another person.
- (1) **“Past experience”** may provide the district official with information relevant to the violation as well as information which enables the official to evaluate the credibility of information from another student.
 - (2) **“Credible information from another person”** may include information which the district official reasonable believes to be true provided by another District employee, a student, a law enforcement or other government official or some other person.
- b. **“Reasonable in scope”** means the manner and extent of the search are reasonably related to the objectives of the search, limited to the particular student or students most likely to be involved in the infraction and not excessively intrusive in light of the student’s age, sex, maturity or the nature of the infraction.

Justification for Student Searches

Students possess the right to be free of unreasonable searches and seizures under the Fourth Amendment of the Constitution of the United States. Balanced against this right is the school officials’ responsibility to create and maintain an environment consistent with the school’s educational mission. School officials have a duty to protect the health, safety and welfare of all students under their authority.

Prohibited Items

Students are requested not to bring to school items or substances which would disrupt the educational function of the school or which are prohibited by Board policy, administrative regulations or by law. Examples of items or substances in this category are weapons, clubs, explosives, firecrackers, alcoholic beverages and nonprescription drugs or drug paraphernalia.

Students

Search and Seizure (continued)

Lockers and Other School Property

Lockers and other storage spaces are provided to students for their convenience. These storage areas remain school property, and as such, are subject to periodic inspections by school authorities. The purpose of such inspections is not to collect evidence of wrongdoing on the part of a single student, but rather to allow school authorities responsible for the appropriate use of school property the opportunity to confirm that lockers are being used in a manner consistent with the health and safety of all students. Students are therefore warned not to store items in lockers which they do not want to bring to the attention of school authorities.

Emergencies

Circumstances which put the safety of students or school staff at risk or could result in substantial property damage also will constitute sufficient reasons for school or police officials to conduct a thorough search of all school property. A bomb scare is an example of such an emergency. In responding to such an emergency or dangerous circumstance, the actions of the school officials shall be reasonably effective and no more intrusive than necessary.

Student Searches

School authorities are authorized to conduct searches of students or their property when reasonable suspicion indicates that a particular student is in possession of an item or a substance that represents a material threat to school routine or is prohibited by Board policy, administrative regulations or by law. Student property shall include, but not be limited to, purses, bookbags and cars. If students don't have access to their cars during school hours, the justification for searching student-driven cars is removed. School authorities in cooperation with the local police department reserve the right to conduct sniff searches with dogs of school property and student-driven cars.

Police Notification

With regard to possession of items that constitute a violation of law, school authorities may wish to cooperate with the appropriate law enforcement agencies in the interest of preserving the integrity of the school's educational mission.

Lockers and Other School Property (Desks)

1. The school principal or his/her designee shall maintain an accurate list of all locker assignments and either a master key or combinations to all lockers.

Students

Search and Seizure

Lockers and Other School Property (Desks) (continued)

2. At the time a student is assigned a locker or other storage space, he or she shall be informed that school authorities are empowered to conduct random periodic inspections of school lockers. Notices of this inspection policy also shall be posted in appropriate locations throughout the school.
3. Students also will be informed of the following locker regulations:
 - A. Students are responsible for the contents of the locker assigned to them.
 - B. Students are to keep their lockers locked.
 - C. Students are not to give other students access to their locker.
4. The exercise of that right to inspect also requires protection of each student's personal privacy and protection from coercion. An authorized school administrator may search a student's desk or locker under the following conditions:
 - A. There is reason to believe that the students' desk or locker contains contraband material and the presence of said material poses a serious threat to the maintenance of discipline, order, safety or health in the school.
 - B. The search of a group of students' desks or a group of students' lockers where no particular student within the group is suspected may be conducted only if there is a reasonable suspicion of conduct immediately harmful to students, staff or school property.

Prescription Drugs

Students who have a legitimate need to bring prescription drugs to school should register this information in the nurse's office. (cf. 5141.21 - Administration of Medication)

Lost or Abandoned Items

Lost or abandoned items will be inspected by school authorities.

Students

Search and Seizure

Student Searches

1. All searches of students shall be conducted or authorized by the Principal or designee, in the presence of a witness.
2. When the need to search a student arises, the student may be asked to give his or her consent to the search, but in no event shall the student be threatened with harsher punishment or treatment for refusing to consent, nor shall he or she be coerced or induced to give consent in any other manner. The consent, if given, shall be put in writing. If the student is unwilling to give free and voluntary consent, the school administrator may order the student to submit to a search. If the student refuses to obey the order, the school administrator may bring insubordination charges against the student as stipulated in applicable school regulations.
3. Searches should be no more intrusive than necessary to discover that for which the search was instigated.
4. A search of a student's handbag, gym bag or similar personal property carried by a student may be conducted if there is "reasonable grounds" for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school.
5. Locker searches shall be conducted in the presence of another staff member and in the presence of the student responsible for the contents of the locker, if possible.
6. Searches may include, if school authorities think necessary, a frisk or pat down of student clothing. Frisk or pat down searches shall be conducted by a member of the same sex as the student and in the presence of another staff member. Where the object of the search may be felt by a pat down of clothing or personal property, the District official may first pat the clothing or property in an attempt to locate the article before searching inside the clothing or property.
7. At no time should school officials conduct a search which requires a student to remove more clothing than his/her shoes or jacket. If school authorities are convinced that a more intrusive search is required to expose contraband they should advise the proper law enforcement agency.
8. A search of a student's person, or a search of a group of students where no particular student within the group is suspected, may be conducted only if there is a reasonable suspicion of conduct immediately harmful to students, staff or school property. "Strip searches" of students are prohibited by employees of this school District.

Students

Search and Seizure

Student Searches (continued)

9. Student searches which disclose evidence of school misconduct, but not criminal misconduct, should be treated according to applicable policies and/or regulations.
10. In the event that a student search discloses evidence of criminal wrongdoing, the school Principal or his/her designee shall determine whether or not police officials should be notified of the fruits of the search. If police officials are notified the student's parents should be advised of this fact as soon as possible.
11. A strip search requiring a student to remove clothing down to the student's underwear or including underwear is prohibited by the District. (CABE's recommended position)

Emergency/Dangerous Circumstances

1. Where a District official has knowledge which would lead a reasonable person to believe that either an emergency or dangerous circumstance exists and that it is necessary to act to protect the safety of any person or property, the official may make a search to the extent necessary to relieve the emergency or dangerous circumstance.
2. In responding to such an emergency or dangerous circumstance, the actions of the official shall be reasonably effective and no more intrusive than necessary.

Documentation

Administrators shall document all searches. Documentation shall consist of the following:

- Name, age and sex of student;
- Time and location of search;
- Justification for search and nature of reasonable suspicion;
- Type/Scope of search (what was searched);
- Results of search, prohibited material(s) found, disposition of the material(s) seized and discipline imposed;
- Name of the witness to the search;
- Name of the District official.

Students

Search and Seizure (continued)

Student Notification

Notice of the Board's policy and pertinent provisions of this regulation will be provided to staff, students and their parents annually, through such means as staff and student/parent handbooks and the school/District website.

- (cf. 5145.121 – Search of Vehicles on School Grounds)
- (cf. 5145.122 – Use of Dogs to Search School Property)
- (cf. 5145.123 – Use of Metal Detectors)
- (cf. 5145.124 – Breathalyzer Testing)
- (cf. 5145.125 – Drug Testing)
- (cf. 5131.111 – Video Surveillance)

Legal Reference: Connecticut General Statutes

10-221 Boards of education to prescribe rules.

New Jersey v T.L.O., 53 U.S.L.W. 4083 (1985)

PA 94-115 An Act Concerning School Searches.

Safford Unified School District #1 v. Redding (U.S. Sup. CT 08-479)

Regulation approved:

rev. 8/09
rev. 1/10

_____ PUBLIC SCHOOLS
_____, Connecticut

Search and Seizure

Name of the student: _____ Age: _____ Sex: _____

Parents contacted _____ YES _____ NO

Student Interrogations, Searches and Arrests

1. What factors cause you to have a reasonable suspicion that the search of this student or his or her effects, locker or automobile will turn up evidence that the student has violated or is violating the law or the rules of the school?

A. Eyewitness account:

1. By whom: _____
2. Date/time: _____
3. Place: _____
4. What was seen: _____

B. Information from a reliable source.

1. From whom: _____
2. Time received: _____
3. How information was received: _____
4. Who received the information: _____
5. Describe information: _____

C. Suspicious behavior. Explain: _____

D. Time of search: _____

E. Location of search: _____

F. Student told purpose of search: _____

G. Consent requested: _____

_____ PUBLIC SCHOOLS
_____, Connecticut

Search and Seizure

Student Interrogations, Searches and Arrests (continued)

2. Was the search you conducted reasonable in terms of scope and intrusiveness?

- A. What are you searching for: _____
- B. Sex of the student: _____
- C. Age of the student: _____
- D. Exigency of the situation: _____
- E. What type of search is being conducted: _____
- F. Who is conducting the search: _____
Position: _____
Sex: _____
- G. Witness(es): _____

3. Explanation of Search.

- A. Describe the time and location of the search: _____
- B. Describe exactly what was searched: _____
- C. What did the search yield: _____
- D. What was seized: _____
- E. Were any materials turned over to the police: _____
- F. Were parents notified of the search, including the reason for it and the scope:

_____ PUBLIC SCHOOLS
_____, Connecticut

Student Search Form

1. Name, age and sex of student: _____

2. Time and location of search: _____

3. Basis for search and nature of reasonable suspicion. What factors caused you to have a reasonable suspicion that the search of this student, his/her person or property assigned by the District for student use, would turn up evidence of a violation of law, Board policy, administrative regulation or school rule or which possession or use of is prohibited by law, policy, regulation or rule? Explain.

4. Describe exactly what was searched:

5. What did the search yield? Were any prohibitive materials seized? Were seized items/materials turned over to the police? Parents? Other? Explain.

6. Name of the witness and title/position to the search:

7. Notifications: Parent/Guardian _____
 Law Enforcement _____
 Other _____

8. Name of District official and title/position conducting the search.

A revised sample policy to consider.

Students

Directory Information (Version #1)

Directory information or class lists of student names and/or addresses, and telephone lists shall not be distributed without the consent of the parent or legal guardian of the student or by the student who has attained status as an eligible student. (*An eligible student is a student or former student who has reached eighteen years of age or who is attending an institution of post-secondary education or is an emancipated minor.*)

Alternative Language

The District may disclose any of the items listed as "Directory Information" without prior written consent, unless notified in writing to the contrary.

"Directory information" means one or more of the following items: student's name, address, telephone number, date and place of birth, major field(s) of study, participation in officially recognized activities and sports, photographic, computer and/or video images, grade levels, electronic mail address, weight and height of members of athletic teams, dates of attendance, degrees and awards received, including honor roll publication, and the most recent previous public or private school attended by the student, parent's name and/or e-mail address.

A student's Social Security Number or student ID number is prohibited from designation as directory information. However, student ID numbers, user ID, or other electronic personal identifiers used by a student to access or communicate in electronic systems may be disclosed only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticates the user's identity such as a personal identification number (PIN), password or other factor known or possessed only by the authorized user.

Military recruiters or institutions of higher learning shall have access to secondary school students' names, addresses, and telephone listings unless a secondary student or the parent of the student requests that such information not be released without prior written parental consent. The Board of Education shall notify parents of the option to make such a request and shall comply with any request received.

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

Public Notice

The District will give annual public notice to parents/guardians of students in attendance and students eighteen years of age or emancipated. The notice shall identify the types of information considered to be directory information, the District's option to release such information and the requirement that the District must, by law, release secondary students' names, addresses and telephone numbers to military recruiters and/or institutions of higher education, unless parents/guardians or eligible students request the District withhold this information. Such notice will be given prior to the release of directory information.

Students

Directory Information (Version #1) (continued)

A student ID number or other unique personal identifier that is displayed on a student ID badge may be considered as directory information only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticates the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user.

Exclusions

Exclusions from any or all directory categories named as directory information or release of information to military recruiters and/or institutions of higher education must be submitted in writing to the Principal by the parent/guardian, student of eighteen years of age or emancipated student with fifteen days of the annual public notice.

(cf. 5125 - Student Records; Confidentiality)

Note: *A district may adopt and implement a limited directory information policy that allows for the disclosure of directory information to specific parties, for specific purposes, or both. Such a policy must be specified in the public notice to parents/guardians and eligible students. The District must then limit directory information disclosures to those specified in the public notice. See version #2 of this policy for an example.)*

Legal Reference: Connecticut General Statutes

1-210 (11) Access to public records. Exempt records.

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

Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C. 1232g and Final Rule 34 CFR Part 99, December 9, 2008 and December 2, 2011)

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

P.L. 107-110 "No Child Left Behind Act" Title IX, Sec. 9528.

Policy adopted:

cps rev. 4/09

cps rev. 4/12

**NOTIFICATION TO PARENTS
Release of Certain Information
Under the "No Child Left Behind Act"**

_____ 20__

Dear Parent/Guardian:

Pursuant to the federal "No Child Left Behind Act," P.L. 107-110 (Title IX, Sec. 9528), the _____ School District must disclose to military recruiters and institutions of higher learning, upon request, the names, addresses and telephone numbers of high school students.

The district must also notify parents/guardians of their right and the right of their child to request that the District not release such information without prior written consent.

Parents/guardians wishing to exercise their option to withhold their consent to the release of the above information to military recruiters and institutions of higher learning must sign this form below and return it to the Building Principal by _____.

Date

***Reservation of Consent for the Release of Certain Student
Information under the "No Child Left Behind Act"***

Please do not release the name, address and telephone number of _____
Name of Student
to military recruiters and institutions of higher learning.

Print Name of Student

School

Grade

Parent's/Guardian's Signature

Date

**PERMISSION TO RELEASE CERTAIN
DIRECTORY INFORMATION WITHOUT PRIOR WRITTEN CONSENT**

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that [School District], with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, [School District] may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the [School District] to include this type of information from your child's education records in certain school publications. Examples include:

- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories - names, addresses and telephone listings - unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.¹

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member, including health or medical staff and law enforcement unit personnel, or a person serving on the Board of Education. A school official also may include a volunteer or contractor outside of the school who performs an institutional service or function for which the District would otherwise use its own employees and who is under the direct control of the District with respect to the use and maintenance of personally identifiable information (PII) from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his/her tasks. A "school official" as defined, has a legitimate educational interest if the official needs to review an educational record in order to fulfill his/her professional responsibilities.

¹ These laws are: Section 9528 of the ESEA (20 U.S.C. 7908), as amended by the No Child Left Behind Act of 2001 (P.L. 107-110), the education bill, and 10 U.S.C. 503, as amended by section 544, the National Defense Authorization Act for Fiscal Year 2002 (P.L. 107-107), the legislation that provides funding for the Nation's armed forces.

**PERMISSION TO RELEASE CERTAIN
DIRECTORY INFORMATION WITHOUT PRIOR WRITTEN CONSENT**

If you do not want [School District] to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing by [insert date].

[School District] has designated the following information as directory information: [Note: an LEA **may**, but **does not have to**, include all the information listed below.]

Student's name
Participation in officially recognized activities and sports
Address
Telephone listing
Major field(s) of study
Weight and height of members of athletic teams
Electronic mail address
Photographic, computer and/or video images
Grade levels
Electronic mail address
Degrees, honors, and awards received
Date and place of birth
Major field of study
Dates of attendance
Grade level
The most recent educational agency or institution attended
Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records with a PIN, password, etc.

(A student's social security number, in whole or in part, cannot be used for this purpose.)

The right to opt-out of the disclosure of directory information does not include the right to refuse to wear, or otherwise disclose, a student identification (ID) card or badge.

**DENIAL OF PERMISSION TO RELEASE CERTAIN
DIRECTORY INFORMATION WITHOUT PRIOR WRITTEN CONSENT**

Dear Parent/ Guardian:

Certain directory information may be released to media, colleges, civic or school-related organizations and state or governmental agencies including military recruiters, as well as published programs for the athletic, music and theater presentations of this school district.

Directory information includes the following kinds of information:

1. Name of student
2. Address of student
3. Telephone number
4. E-mail address of student
5. Major field(s) of study
6. Participation in officially recognized activities and sports
7. Height and weight of members of athletic teams
8. Dates of attendance
9. Degrees and awards received, including publication of honor roll
10. Most recent school attended
11. Date of birth, place of birth
12. Photographic, computer and/or video images
13. Videotape not used in a disciplinary manner
14. Parent's name/e-mail address

Please circle the specific categories of information, if any, listed above that you do **not** wish to be released without your specific prior written permission.

_____The release of all Directory Information is denied.

Please be advised that the right to opt out of disclosure of directory information does not include the right to refuse to wear, or otherwise disclose, a student identification (ID) card or badge.

This form must be completed and returned to the school principal within ten (10) days after publication of the notice on "Directory Information."

_____ Name of Student	_____ School	_____ Grade
_____ Parent's Signature	_____ Date	

This is a recommended policy.

Students

Freedom of Speech/Expression

It shall be the policy of the school district to recognize and protect the rights of student expression. It will maintain a balance of these rights with the interests of an orderly and efficient educational process and of a school environment suitable for the healthy growth and development of all students. This policy will not be implemented on behalf of any other interests.

The school district shall assume no responsibility for the contents of any written material produced, posted, circulated or otherwise distributed, or of student conduct, taken in accordance with this policy, insofar as such matter or conduct may relate to any interests other than those of an orderly and efficient educational process and proper school environments.

In order to protect the educational process and school environment, printed material produced or distributed within the confines of school district property shall meet the following criteria:

1. Material shall be noncommercial.
2. Material shall not contain libelous or obscene language.
3. Material shall not advocate illegal actions.
4. Material shall not contain false statements or innuendoes that would subject any person to hatred, ridicule, contempt or injury of reputation.
5. Material will not imminently threaten to disrupt the educational process of the school.
6. Material shall not advocate action that would endanger the health or safety of students.
7. Material shall not invade the lawful rights of others.
8. Material published, posted or otherwise distributed shall bear the names of at least two students principally involved in the promotion of this material and, when applicable, the name of the sponsoring student organization or group.
9. Material may not be sold on school property, nor can material which seeks a donation or solicits funds be circulated.
10. Distributors of materials will be held responsible for cleaning up litter caused by such distribution.

Students

Freedom of Speech/Expression (continued)

(cf. 1220 - Citizens' Advisory Committees)

(cf. 1312 - Public Complaints)

(cf. 6144 - Controversial Issues)

(cf. 6161 - Equipment, Books, Materials: Provision/Selection)

Legal Reference: *Tinker v. Des Moines Independent Community School District*, 393 U.S. 503 (1969).

Grayned v. City of Rockford, 408 U.S. 104 (1972).

Amendment of U.S. Constitution - Article I.

Connecticut Constitution, Article First, Declaration of Rights, Sections 4, 5.

Academic Freedom Policy (adopted by Connecticut State Board of Education, 9/9/81).

Policy adopted:

Another version to consider.

Students

Non-Discrimination

The Board of Education complies with all applicable federal, state and local laws prohibiting the exclusion of any person from any of its educational programs or activities, or the denial to any person of the benefits of any of its educational programs or activities because of race, creed, color, national origin, sex, sexual orientation, gender identity or expression, marital status, age, or disability, subject to the conditions and limitations established by law.

Legal Reference:

Connecticut General Statutes

10-15c Discrimination in public school prohibited. (Amended by P.A. 97-247 to include "sexual orientation" and PA 11-55 to include "gender identity or expression")

10-153 Discrimination on account of marital status

46a-60 Discriminatory employment practices prohibited Federal Law

19-581 through 585 AIDS testing and medical information.

10-209 Records not to be public.

46a-60 Discriminatory employment practices prohibited.

Section 504 and the Federal Vocational Rehabilitation Act of 1973, 20 U.S.C. 706(7)(b).

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

Public Act 11-55 An Act Concerning Discrimination

Policy adopted:

cps 1/09

rev 7/11

A sample policy to consider.

Students

Sexual Harassment

Sexual harassment will not be tolerated among students of the school district. It is the policy of the Board of Education that any form of sexual harassment is forbidden whether by students, supervisory or non-supervisory personnel, individuals under contract, or volunteers subject to the control of the Board. Students are expected to adhere to a standard of conduct that is respectful and courteous to employees, to fellow students and to the public.

Definition

Sexual harassment is defined as unwelcome conduct of a sexual nature, whether verbal or physical, including, but not limited to, insulting or degrading sexual remarks or conduct; threats or suggestions that a student's submission to or rejection of unwelcome conduct will in any way influence a decision regarding that student, or conduct of a sexual nature which substantially interferes with the student's learning, or creates an intimidating, hostile or offensive learning environment, such as the display in the educational setting of sexually suggestive objects or pictures.

Procedure

It is the express policy of the Board of Education to encourage victims of sexual harassment to report such claims. Students are encouraged to promptly report complaints of sexual harassment to the Director of Pupil-Personnel or Superintendent. Complaints will be investigated promptly and corrective action will be taken when allegations are verified. Confidentiality will be maintained by all persons involved in the investigation and no reprisals or retaliation will be allowed to occur as a result of the good faith reporting of charges of sexual harassment.

The school district will provide staff development for district administrators and grievance committee members and will annually distribute its policy and grievance procedures to staff and students in an effort to maintain an environment free of sexual harassment.

Legal Reference: Civil Rights Act of 1964, Title VII, 42 U.S.C. §2000-e2(a).

Equal Employment Opportunity Commission Policy Guidance (N-915.035)
on Current Issues of Sexual Harassment, effective 10/15/88.

Title IX of the Education Amendments of 1972, 34 CFR Section 106.

Students

Sexual Harassment (continued)

Legal Reference: *Meritor Savings Bank. FSB v. Vinson*, 477 U.S. 57 (1986)

Faragher v. City of Boca Raton, No. 97-282 (U.S. Supreme Court, June 26, 1998)

Burlington Industries, Inc. v. Ellerth, No. 97-569, (U.S. Supreme Court, June 26, 1998)

Gebbs v. Lago Vista Indiana School District, No. 99-1866, (U.S. Supreme Court, June 26, 1998)

Davis v. Monroe County Board of Education, No. 97-843 (U.S. Supreme Court, May 24, 1999).

Connecticut General Statutes

46a-60 Discriminatory employment practices prohibited.

Constitution of the State of Connecticut, Article I, Section 20.

Policy adopted:

A sample regulation to consider.

Students

Sexual Harassment

Sexual harassment is prohibited in the school system. Sexual harassment can occur when, but is not limited to:

1. Submission to, or rejection of, the conduct by the individual is used as the basis of academic decisions affecting the individual.
2. The conduct has the purpose or effect of having a negative impact upon the individual's academic performance, or of creating an intimidating, hostile, or offensive educational environment.
3. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding services, honors, programs, or activities available at or through the educational institution.
4. Suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, assault, touching, impeding or blocking movement, leering, gestures, display of sexually suggestive objects, pictures or cartoons.
5. Continuing to express sexual interest after being informed that the interest is unwelcome.
6. Coercive sexual behavior used to control, influence, or affect the educational opportunities, grades, and/or learning environment of student, including promises or threats regarding grades, course admission, performance evaluations, or recommendations; enhancement or limitation of student benefits or services (e.g. scholarships, financial aid, work study job).
7. Inappropriate attention of a sexual nature from peer(s), i.e. student to student, employee to employee.

Complaint Procedure

1. If a student believes that he/she is being or has been harassed, that person should immediately inform the harasser that his/her behavior is unwelcome, offensive, in poor taste, unprofessional, or highly inappropriate.
2. As soon as a student feels that he or she has been subjected to sexual harassment, he or she should make a written complaint to the appropriate school personnel, or the Principal or his/her designee. The student will be provided a copy of this policy and regulation and made aware of his or her rights.

Students

Sexual Harassment

Complaint Procedure (continued)

3. The complaint should state the:
 - A. Name of the complainant
 - B. Date of the complaint,
 - C. Date of the alleged harassment,
 - D. Name or names of the harasser or harassers,
 - E. Location where such harassment occurred,
 - F. Detailed statement of the circumstances constituting the alleged harassment.
4. Any student who makes an oral complaint of harassment to any of the above mentioned personnel will be provided a copy of this regulation and will be instructed to make a written complaint pursuant to the above procedure.
5. If the complainant is a minor student, the person to whom the complaint is given should consider whether a child abuse report should be completed.
6. All complaints are to be forwarded immediately to the Principal or designee unless that individual is the subject of the complaint, in which case the complaint should be forwarded directly to the Superintendent.
7. If possible, within five (5) working days of receipt of the complaint, the Principal or designee handling the complaint shall commence an effective, thorough, objective and complete investigation of the complaint. The investigator shall consult with all individuals reasonably believed to have relevant information, including the student and the alleged harasser, any witnesses to the conduct, and victims of similar conduct that the investigator reasonably believes may exist. The investigation shall be free of stereotypical assumptions about either party. The investigation shall be carried on discretely, maintaining confidentiality insofar as possible while still conducting an effective and thorough investigation. Throughout the entire investigative process, the due process rights of the alleged harasser will be upheld.

Students

Sexual Harassment

Complaint Procedure (continued)

8. The investigator shall make a written report summarizing the results of the investigation and proposed disposition of the matter, and shall provide copies to the complainant, the alleged harasser, and, as appropriate, to all others directly concerned.
9. If the student complainant is dissatisfied with the result of the investigation, he or she may file a written appeal to the Superintendent, who shall review the investigator's written report, the information collected by the investigator together with the recommended disposition of the complaint to determine whether the alleged conduct constitutes harassment. The Superintendent may also conduct a reasonable investigation, including interviewing the complainant and alleged harasser and any witnesses with relevant information. After completing this review, the Superintendent shall respond to the complainant, in writing, as soon as possible.

If after a thorough investigation, there is reasonable cause to believe that sexual harassment has occurred, the district shall take all reasonable actions to ensure that the harassment ceases and will not recur. Actions taken in response to allegations of harassment may include reassignment, transfer, or disciplinary action.

The harasser and any other students or employees, if appropriate, will be informed that appropriate action shall be taken if further acts of harassment or retaliation occur. If further acts of harassment or retaliation do occur, appropriate action shall be taken.

Copies of this regulation will be distributed to all elementary, middle and high school students.

Regulation approved:

_____ PUBLIC SCHOOLS
_____, Connecticut

SEXUAL HARASSMENT REPORT FORM

The _____ Public Schools maintains a firm policy prohibiting all forms of discrimination based on sex. Sexual harassment against students or employees is sex discrimination. All persons are to be treated with respect and dignity. Sexual advances or other forms of personal harassment by any person, male or female, which create an intimidating, hostile or offensive environment will not be tolerated under any circumstances. Individuals who suspect that they may be victims of sexual harassment shall complete this form and file it with the District Title IX Compliance Officer _____ at

Complainant
Home Address
Work Address
Home Phone _____ Work Phone

Date of Alleged Incident(s)
Name of person(s) you believe sexually harassed you
List any witnesses that were present

Where did the incident(s) occur?

Describe the incident(s) as clearly as possible, including such things as: what force, if any, was used; any specific verbal statements (i.e. threats, requests, demands, etc.); what, if any, physical contact was involved; what did you do to avoid the situation, etc. (Attach additional pages if necessary.)

This complaint is filed based on my honest belief that _____ has sexually harassed me. I hereby certify that the information I have provided in this complaint is true, correct, and complete to the best of my knowledge and belief.

(Complainant Signature)

(Date)

Received by _____

Signature-District
Title IX Compliance
Officer

(Date)

A copy of this form shall be provided to the complainant.

Existing policy, presently numbered 5131.4 adopted 2/23/04, appropriate as renumbered, except for addition of legal reference.

Students

Harassment/Intimidation

The Board of Education believes that all students and those who have a relationship or involvement with the school district should treat one another with respect for the individual's dignity. It is the policy of the board of Education that all students have a right to attend school in an environment free of discrimination, which includes freedom from all forms of harassment. The Board of Education in support of this belief prohibits all forms of harassment of students by other students, employees, outside vendors, contracted services providers and community members.

Harassment of students will not be tolerated. Any form of harassment related to a student's race, color, sex, sexual orientation, religion, national origin, age, disability (physical or mental), marital, or veteran status will be considered a violation of this policy and will be treated as a disciplinary matter. Harassment is a repeated or persistent form of inappropriate and deliberate conduct intended to annoy and/or undermine the student relationship.

If a student feels that he/she is being harassed by another student, employee, vendor, visitor, parent or other individual who has cause to be associated with the school district, the student should, if possible, first let the harassing person know of their objections. If the student finds it difficult to do so or that their first objections do not produce results, the problem characterized as harassment is to be reported immediately to the teacher or Principal. If the teacher or Principal is the source of the harassment, the individual making of a complaint shall report it to the Director of Special Services or the Superintendent.

To the extent possible, the student's confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, the student and/or parent/guardian will be informed of the outcome of the investigation.

This policy prohibits retaliation against any student who rejects, protests, or complains about harassment. The Superintendent will develop regulations detailing procedures for reporting and processing complaints in relation to harassment.

The Director of Special Services or another individual designated by the Superintendent will investigate every complaint of harassment, without bias or premature judgment. An investigation shall include interviews with the individual filing the complaint, the subject of the complaint, and others who may have knowledge of the situation.

The investigator will make every reasonable attempt to rationally and objectively resolve any questions of credibility between the complaining and the accused individuals. Information obtained during the course of an investigation of harassment will be maintained in confidence and released only to individuals who have a need to know.

Administration reserves the right to determine whether an incident is more properly investigated and handled under the bullying policy or the harassment policy and that an investigation and complaint resolution process under one policy serves to satisfy the complaint resolution process under the other policy.

Students

Harassment/Intimidation (continued)

Legal Reference: Title VII, Civil Rights Act, 42 U.S.C. 2000e, et seq.
 29 CFR 1604.11 EEOC Guidelines on Sex Discrimination.
 Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.
 34 CFR Section 106.8(b) OCR Guidelines for Title IX.
 Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol 62, #49, 29 CFR Sec. 1606.8 (a) 62 Fed Reg. 12033 (March 13, 1997) and 66 Fed. Reg. 5512 (January 19, 2001)
Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)
Faragher v. City of Boca Raton, No. 97-282 (U.S. Supreme Court, June 26, 1998)
Burlington Industries, Inc. v. Ellerth, No. 97-569, (U.S. Supreme Court, June 26, 1998)
Gebser v Lago Vista Indiana School District, No. 99-1866, (U.S. Supreme Court, June 26, 1998)
Davis v. Monro County Board of Education, No. 97-843, (U.S. Supreme Court, May 24, 1999.)
 Connecticut General Statutes
 46a-60 Discriminatory employment practices prohibited.
 10-15c Discrimination in public schools prohibited. School attendance by five-year olds. (Amended by P.A. 97-247 to include "sexual orientation")
 10-153 Discrimination on account of marital status.
 17a-101 Protection of children from abuse.

Policy adopted:

WOODBRIIDGE PUBLIC SCHOOLS
 Woodbridge Connecticut

Existing regulation, presently numbered 5131.4 approved 2/23/04, appropriate as renumbered, except for update to legal reference.

Students

Harassment/Intimidation

The Board of Education endeavors to provide all students with a school environment that is free from all forms of harassment. Harassment does not only depend upon the person's intention but also upon how the person who is the subject of the behavior reasonably perceives the behavior and is affected by it. Harassment will not be tolerated by, among or against students of the school district. The Board recognizes that harassing behavior can originate from a person of either sex against a member of either the opposite or same sex. All members of our school community are required to adhere to a standard of conduct that is respectful and courteous to students, district employees and the general public.

The Board of Education condemns and prohibits all harassment. Unwelcome behavior is harassment, if submission to or rejection of it is made implicitly or explicitly, a term or condition of instruction or participation in an educational activity or the basis of evaluation or an academic decision, or if it has the purpose or effect of creating a hostile, intimidating or offensive student environment. Examples of such behavior include unwanted touching, insulting or degrading comments and the display of explicit or suggestive gestures, objects words or practices.

It is the express policy of the Board of Education to encourage victims of harassment to report such claims. Students should promptly report complaints of harassment to the appropriate teacher or the building Principal or his/her designee. The Superintendent is directed to develop and implement specific procedures on reporting, investigating and remedying allegations of harassment. The right to confidentiality of the complainant and the accused will be respected consistent with the Board's legal obligations and with the necessity to investigate allegations of misconduct and take corrective action when such conduct has occurred. There shall be no retaliation whatsoever against an individual filing a complaint of harassment made in good faith.

In accordance with the law and Board policy, a substantiated charge of harassment against a student shall subject that student to appropriate corrective action, which may include suspension or expulsion, consistent with student discipline policy.

In an effort to provide a learning environment that is free of harassment, The Board directs the administration to educate students and staff about harassment, emphasizing the areas of awareness and prevention. In addition, the Woodbridge School District will provide staff development for administrators and supervisory personnel and will annually inform staff and students of this policy.

Procedure

Any students and/or parent or guardian who believes that he or she has reason to complain about harassment should report the alleged misconduct immediately to a teacher or the building Principal. The building Principal, or if the building Principal's conduct is in question, the Superintendent, will conduct a prompt, full and impartial investigation of any complaint of harassment and, if harassment is determined to have occurred, will design and implement prompt corrective action.

Students

Harassment/Intimidation (continued)

Reprisals or retaliation occurred, will design and implement prompt corrective action. Reprisals or retaliation against anyone making a good faith report of possible harassment will not be permitted.

All complaints of harassment will be treated with appropriate confidentiality and in accordance with Complaint Levels 1, 2 and 3 as set forth below. The parents of a child making a claim of, or accused of, harassment will be promptly notified of the complaint, included in its proceeding and apprised of the results of the investigation, consistent with applicable state and federal statutes and regulations.

Remedial Action

Students who are determined to have engaged in harassment will be subject to appropriate corrective action, including disciplinary action up to and including suspension and expulsion. Parents of children determined to have engaged in harassing behavior will be informed of the fact and about faculty resources available to assist them in avoiding recurrence of the behavior.

Employees who are determined to have engaged in harassment will be subject to appropriate corrective action, including disciplinary action up to and including suspension and/or termination.

False Complaint

It is determined that a complaint of harassment was not made in good faith or was deliberately false, the complainant will be subject to appropriate corrective action, which may include suspension or expulsion, consistent with student discipline policy.

Investigation in the Absence of a Complaint

The Board of Education may, in the absence of a victim's complaint, initiate an investigation upon learning of possibly harassing conduct.

Staff Responsibility

Any staff member who is made aware of a complaint of possible harassment must immediately report the complaint to the school Principal. The school Principal will verbally inform the Superintendent of Schools of the situation and Superintendent or designee will assure the complaint is given proper consideration, and at the same time, protect the rights of the individuals involved.

Confidentiality

The right to confidentiality of the complainant and the accused will be respected consistent with the Board's legal obligations and with the necessity to investigate allegations of misconduct and take corrective action when such conduct has occurred.

Students

Harassment/Intimidation (continued)

Level 1 Complaint

Students and/or parent/guardian who believe they have reason to complain about harassment may request that an informal meeting be held between themselves and the appropriate member of administration. The purpose of such a meeting will be to discuss the allegations and remedial steps available.

If a potential incident of harassment is articulated in the meeting, the teacher and/or administrator will promptly discuss the complaint with the alleged harasser(s). Should the harasser(s) admit engaging in harassment, the administration will implement or initiate corrective action as appropriate, including, if possible, obtaining the harasser(s) written assurances that the unwelcome behavior will stop and depending upon the severity of the charges, the implementation or recommendation of disciplinary action up to and including student suspension and/or expulsion. The administrator will prepare a written report of the incident and submit a copy to the Superintendent of Schools.

If the charges are substantiated, the complainant will be so informed and that appropriate action has occurred to remedy the situation. In addition, the complainant is to be informed that any recurrence of harassing behavior or any retaliatory behavior, either by the original harasser or others, should be promptly reported.

Should the alleged harasser deny engaging in harassment or should the administrator conclude that any incident did not constitute harassment, the administrator is to so inform the complainant and invite him/her to submit a Level 2 complaint. The administrator will file a report with the Superintendent of Schools, as appropriate, on the complaint and the actions taken to date. If the complainant does submit a Level 2 complaint, a copy of it will accompany the administrator's report. If administration deems it appropriate, investigation may continue even absent a Level 2 written complaint by the complainant.

Level 2 Complaint

Level 2 complaints may be submitted either initially to report any incidents of possible harassment or as a follow-up to an unsatisfactory resolution of a level 1 attempt to resolve a harassment complaint. In the latter case, the Level 1 complaint is to be submitted to or by the teacher and/or administrator originally consulted, who will then forward it to the Superintendent of Schools, as appropriate, for action.

Students

Harassment/Intimidation

Level 2 Complaint (continued)

The Level 2 complaint will be made on appropriate forms and be accompanied by copies of any applicable reports. The appropriate forms will solicit the specifics of the complaint including the names of the complainants, name(s) of the alleged harassers, date(s) and place(s) of the incidents, description(s) of the speech or behavior, names of any witness(es), and additional relevant information concerning the allegations and information concerning any previous action taken to resolve this matter.

Appeal Procedure – Level 3

The complainant(s) or the accused harasser(s) may appeal to the next supervisory level or to the Board of Education if there is dissatisfaction with a formal investigation's conclusion as to whether harassment has occurred or with any remedial action taken, provided they have successfully adhered to and followed Level 1 and Level 2 procedures. The appeal must include reference to the original complaint and a statement of the reason for the appeal. The Superintendent of Schools or finally the Board of Education will be provided copies of all relevant reports concerning the specific action being appealed along with the appeal document.

Legal Reference: Title VII, Civil Rights Acts, 42 U.S.C. 2000e, et seq.

29 CFR 1604.11 EEOC Guidelines on Sex Discrimination.

Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.

34 CFR Section 106.8(b), OCR Guidelines for Title IX.

Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol. 62, #49,

29 CFR Sec. 1606.8 (a) 62 Fed Reg. 12033 (March 13, 1997) and 66 Fed. Reg. 5512 (January 19, 2001)

Meritor Savings Bank. FSB v. Vinson, 477 U.S. 57 (1986)

Faragher v. City of Boca Raton, No. 79-282 (U.S. Supreme Court, June 26, 1998)

Burlington Industries, Inc. v. Ellerth, No. 97-569, (U.S. Supreme Court, June 26, 1998)

Gebbs v. Lago Vista Indiana School District, No. 99-1866, (U.S. Supreme Court, June 26, 1998)

Davis v. Monro County Board of Education, No. 97-843, (U.S. Supreme Court, May 24, 1999.)

Connecticut General Statutes

46a-60 Discriminatory employment practices prohibited.

10-15c Discrimination in public schools prohibited. School attendance by five-year olds. (Amended by P.A. 97-247 to include "sexual orientation")

10-153 Discrimination on Account of marital status.

17a-101 Protection of children from abuse.

Regulation approved:

WOODBIDGE PUBLIC SCHOOLS
Woodbridge, Connecticut

**WOODBIDGE SCHOOL DISTRICT
HARASSMENT COMPLAINT REPORT**

LEVEL 1

Student: Please detail the nature of the complaint, setting forth names and dates, as appropriate.

Teacher/Administrator: Please detail the nature of the complaint, setting forth names and dates, as appropriate; and the response of the individual against whom the complaint is made.

Finding the Action Taken: _____

Signature of Teacher/Administrator: _____

Date: _____

Reports of harassment shall be treated with all appropriate confidentiality.

**WOODBIDGE SCHOOL DISTRICT
HARASSMENT COMPLAINT REPORT**

LEVEL 2

Name of Complainant: _____

Student's Parents/Guardian: _____

Home Address: _____ Telephone: _____

Date of Incident: _____ Time of Incident: _____ Date Reported: _____

Location of Incident: _____

Complaint Filed Against: _____

Witness: _____

Name	Address	Telephone
_____	_____	_____
_____	_____	_____
_____	_____	_____

Details (description) of complaint: (Please attach any additional information/documentation as necessary)

Recommended Action/Action Taken: _____

Signatures (Acknowledgments):

Complaint: _____ Date: _____

Parent/Guardian: _____ Date: _____

Subject of Investigation: _____ Date: _____

Principal: _____ Date: _____

Superintendent: _____ Date: _____

Reports of harassment shall be treated with all appropriate confidentiality.

**WOODBIDGE SCHOOL DISTRICT
HARASSMENT COMPLAINT APPEAL**

LEVEL 3

Names(s) and Position(s) of Appeal Initiator: _____

Name(s) and Position(s) of Original Complainant: _____

Date of Original Complaint: _____

Date of Appeal: _____

This appeal is being submitted to the:

Superintendent _____ Board of Education _____

What is/are the decision(s) and/or remedial action(s) being appealed?

Why is/are the decision(s) and/or remedial action(s) being appealed?

Name of Appealing Party

Date

Reports of harassment shall be treated with appropriate confidentiality

A required policy concerning Title IX.

Students

Student Grievance Procedures (Title IX)

Designation of Responsible Employee

The Board of Education shall designate an individual as the responsible employee to coordinate school district compliance with Title IX and its administrative regulations.

The designee, the District's Compliance Officer, shall formulate procedures for carrying out the policies in this statement and shall be responsible for continuing surveillance of district educational programs and activities with regard to compliance with Title IX and its administrative regulations.

The designee shall, upon adoption of this policy and once each academic year thereafter, notify all students and employees of the District of the name, office address and telephone number of the designee. Notification shall be by posting and/or other means sufficient to reasonably advise all students and employees.

Grievance Procedure

Any student or employee shall have a ready means of resolving any claim of discrimination on the basis of sex in the educational programs or activities of the District. Grievance procedures are set forth in administrative regulations.

Dissemination of Policy

The Superintendent of Schools shall notify applicants for admission, students, parents/guardians of elementary and secondary school students, sources of referral of applicants for admission, employees and applicants for employment that it does not discriminate on the basis of sex in the educational programs or activities which it operates and that it is required by Title IX and its administrative regulations not to discriminate in such a manner. The notification shall be made in the form and manner required by law or regulation.

Legal Reference: 20 U.S.C. 1681 – Title IX of the Educational Amendments of 1972

34 C.F.R. Part 106 – Title IX of the Educational Amendments of 1972

Policy adopted:

CABE's suggested regulation.

Students

Student Grievance Procedures

Any student may bring a grievance before a student grievance committee using the following procedures:

Purpose of Student Grievance Procedures

1. To define the correct procedure for students to follow in resolving grievances.
2. To allow students to come before a committee with peer representation.
3. To secure at the lowest possible level an equitable solution to the problem for those parties involved with the grievance.

General Conditions

1. Procedures described herein do not limit the right of any student having a problem to discuss it with the principal or any appropriate administrator without the assistance of the student grievance committee.
2. The student must initiate definite action on the grievance within ten (10) days following the event or occurrence which gives rise to the grievance or it shall be considered waived.
3. This procedure shall be used only when direct negotiation between parties involved would aggravate existing relationships.
4. Failure at any level of a school district administrator or the Board of Education to submit a written decision within the specified time limits shall permit the aggrieved student to take said grievance to the next level.

Failure by the student to take the grievance to the next level within the specified time limit shall be considered acceptance of the decision rendered at the particular level.

5. Days indicated at each level should be considered as maximum, and every effort should be made to expedite the grievance process. Specified time limits may be extended by mutual written agreement of involved parties.
6. Formal grievances and decisions shall be in writing.
7. In the event a grievance is filed after June 1 of any year and this procedure will not allow for settlement prior to completion of the school year, all parties shall attempt to resolve the grievance within ten (10) weekdays of the event or occurrence.

Students

Student Grievance Procedures (continued)

Procedures

1. **Level One.** The student takes up the grievance with the person immediately concerned.
 - A. In those cases where the student believes a relationship is already such that further contact with the other party can only make matters worse, he/she may complete a grievance identification form, obtained in the principal's office, and return it to the student grievance committee within five (5) days.
 - B. One committee member shall be assigned to contact the student. Within five (5) days, a grievance committee meeting will be held to render a validity judgment on the grievance. At this time the student will be advised by the committee as to whether he/she must make another effort to resolve the problem at level one or continue to level two.
2. **Level Two.** If the problem is not resolved at level one, the student may submit a formal grievance to the grievance committee. The committee shall immediately refer the grievance to the appropriate administrator who will discuss the grievance with all parties involved, including parents of the student if necessary. The student may choose a committee representative to assist him/her in discussion. Following the discussion, the administrator shall render a decision in writing to all parties involved within ten (10) days after receiving the grievance form.
3. **Level Three.** If the student is not satisfied at level two, the student may appeal to the Superintendent, or the Superintendent's designee, within five (5) days of receiving the written decision. The Superintendent or designee will discuss the grievance with the parties including the parents of the student if necessary. The student may choose a representative of the committee to assist him/her in discussion. Following the discussion the Superintendent or the Superintendent's designee shall render a written decision to the parties within ten (10) days of receiving the appeal.
4. **Level Four.** If the student is not satisfied with the decision at level three, within five (5) days of receiving the written decision, he/she may appeal to the Board of Education. Within one (1) month of receiving the appeal, the grievance shall be placed on the agenda of a Board meeting and all involved parties notified of the meeting at which the grievance will be discussed. The student may choose a representative of the committee to assist him/her in discussion. Following the discussion and consideration, the Board of Education shall render a decision in writing to all parties involved.
5. **Level Five.** If the student and/or the student's parents wish to pursue the grievance, he/she must involve due process of the court system. The committee may assist the student's legal representative with any information regarding the grievance.

Students

Student Grievance Procedures (continued)

Committee Membership

1. Three committee members from each grade level shall be appointed by the president of the student council.
2. One of the three senior committee members shall be appointed chairperson by the president of the student council.
3. The student members of the committee shall select two faculty members to participate on the committee.
4. The faculty shall select two teachers to participate as committee members.
5. An administrator shall be named by the school principal to act as a direct communications link to the committee. The administrator acts as a consultant in matters concerning administrative practice and procedure and shall have no voting powers and is not a committee member.
6. The committee should reflect broad and diverse points of view, and, whenever reasonably possible, there should be some overlap of committee members to insure continuity.

Legal Reference: U.S.O.E. Title IX (Final Title IX Regulation Implementing Education Amendments of 1972 Prohibiting Sex Discrimination in Education, eff. date 7/21/75 20 U.S.C. @ 1681 et seq.)

Regulation approved:

Existing policy, number 5145.71 adopted 5/17/05, appropriate as written, except for update to legal reference.

Students

Surrogate Parent Program

Any child considered by the school district to require special education and whose natural parents are unavailable as defined by law, or who is a ward of the state, may be provided a surrogate parent in the manner provided by law to act as the child's advocate in the educational decision-making process as specified in the law.

The law makes provisions whereby a parent or legal guardian or the student for whom a surrogate parent has been appointed may contest the surrogate parent appointment.

Legal Reference: Connecticut General Statutes

10-94f Definitions.

10-94g. Procedure to petition court for the appointment of a surrogate parent.

10-94h. Appointment/term of surrogate parent.

10-94i Rights and liabilities of surrogate parents.

10-94j Regulations to establish qualifications and training procedures for surrogate parents.(amended by PA 0048)

10-94k Funding of surrogate program.

10-233 Notice as to disciplinary policies and actions.

PA-06-18 An Act Concerning Special Education.

Sec. 504 U.S. Rehabilitation Act, 29 U.S.C. 791.

Policy adopted:

WOODBIDGE PUBLIC SCHOOLS
Woodbridge, Connecticut

Optional policy to consider.

Students

Research Involving Students

All requests for the services of student volunteers in research projects, special studies, and surveys not part of the regular educational program must have parent, Superintendent of Schools, and Board of Education approval.

Staff members shall submit their request through regular administrative channels.

Policy adopted:

Revisions to existing legislation, rechristens the required policy as “safe school climate plans.”

A policy is still recommended to accompany the “safe school climate plan.” This is the recommended replacement for existing policy, #5131.3 last revised 2/23/04. A model safe school climate plan follows with suggested forms.

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 the repeated use by one or more students of a written, oral or electronic communication, such as cyberbullying, directed at or referring to another student attending school in the same school district or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same school district that:

- A. causes physical or emotional harm to such student or damage to such student’s property,
- B. places such student in reasonable fear of harm to himself or herself, or of damage to his or her property,
- C. creates a hostile environment at school for such student,
- D. infringes on the rights of such student at school, or
- E. substantially disrupts the education process or the orderly operation of a school.

Bullying shall include, but 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.)*

Students

Hazing

Bullying

Definitions (continued)

“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.

“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, 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 with a particular focus on the quality of the relationships within the school community between and among students and adults. (and reflects norms, values, interpersonal relationships, teaching and learning practices and organizational structures.)

Students

Hazing

Bullying (continued)

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 in its schools;
2. Permits anonymous reports of bullying by students to school employees and written reports of suspected bullying by parents or guardians;
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;
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, 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;
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. The notice shall be simultaneously mailed to the parent/guardian with whom the student primarily resides and to the other parent/guardian if requested. The notice must describe the school's response and any consequences that may result from further acts of bullying;

Students**Hazing****Bullying (continued)**

9. Requires 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 safety of the student against whom such act was directed and to prevent further acts of bullying;
10. 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;
11. 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;
12. Prohibits discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying;
13. 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;
14. 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;
15. 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;

Students

Hazing

Bullying (continued)

16. 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
17. 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.

18. Requires students and the parents/guardians of students to be notified annually of the process by which they may make reports of bullying;
19. As required, but not later than January 1, 2012, 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, and cooperative assistance; and
20. Requires that not later than thirty calendar days after approval by the Board, 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.

The Board expects prompt and reasonable investigations of alleged acts of bullying. The safe school climate specialist of each school is responsible for handling all complaints of alleged bullying. The safe climate specialist shall investigate or supervise the investigation of all reports of bully 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. It is necessary for students to promote the concept that caring for others is a valued quality, one that is accepted and encouraged.

Students

Hazing

Bullying (continued)

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 identified by the Department of Education.
2. School rules prohibiting bullying, 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 is likely to occur.
4. Inclusion of grade-appropriate bullying education and prevention curricula in kindergarten through high school.
5. Individual interventions with the bully, parents and school employees and interventions with the bullied child, 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 prevention through individual or team participation in meetings, trainings, and individual interventions.

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 in District schools;
3. Provide data and information derived from the safe school climate assessments, in collaboration with the Superintendent, to the Department of Education; and
4. Meet with the safe school climate specialists at least twice during the school year to discuss bullying issues in the District and make recommended changes to the District's safe school climate plan.

Students

Hazing

Bullying (continued)

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.

The Specialist in each school shall:

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

The Safe School Climate Committee shall:

1. Receive copies of completed reports following investigations of bullying;
2. Identify and address patterns of bullying among students in the school;
3. Review and amend school policies relating to bullying;
4. 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;
5. Educate students, school employees and parents and guardians of students on issues relating to bullying;
6. Collaborate with the District Safe School Climate Coordinator in the collection of data regarding bullying; and
7. Perform any other duties as determined by the School Principal that are related to the prevention, identification and response to school bullying for the school.

Parent members of the Safe School Climate Committee are excluded from activities #1 and #2 above and from any other committee activities that may compromise student confidentiality.

Students

Hazing

Bullying (continued)

Safe School Climate Plan

The Board of Education shall develop and implement a Safe School Climate Plan to address the existence of bullying 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;
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;
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. The required notification and invitation shall include a description of the response of school employees to such acts and any consequences that may result from the commission of further acts of bullying;
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;

Students

Hazing

Bullying (continued)

Safe School Climate Plan (continued)

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;
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;
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.

Or Shorter Version: *(for the section of this policy pertaining to the "Safe School Climate Plan.)*

As part of this policy, the Board of Education shall develop and implement a Safe School Climate Plan to address the existence of bullying in its schools. Such plan shall establish deadlines for reporting investigating, and notifying parents and guardians about bullying incidents; prohibit retaliation against those who report bullying; and require school officials to notify law enforcement officials when it is believed that bullying conduct constitutes a crime.

Students

Hazing

Bullying (continued)

Safe School Climate Assessment

The Board requires each school in the District, on and after July 1, 2012, and biennially thereafter, to complete an assessment using school climate assessment instruments, including surveys, approved and disseminated by the Department of Education pursuant to C.G.S. 10-222h, as amended by PA 11-232. The Board will collect the school climate assessments of each District school and submit them to the Department of Education.

Note: The Department of Education, within available appropriations, is required by the amended C.G.S. 10-222h, to approve in collaboration with the Connecticut Association of Schools (CAS), and disseminate to all public schools grade-level appropriate school climate assessment instruments, including surveys, to be used by Boards of Education for the purpose of collecting information pertaining to a district's "prevention and intervention strategy" in order to enable the Department to monitor bullying efforts over time and to compare each district's progress to state trends.

A safe school climate resource network is to be established by the Department of Education, in consultation with the State Education Resource Center, the Governor's Prevention Partnership and the Commission on Children, within available appropriations, for the identification, prevention, and education of school bullying in the state. This network will make available to all schools information, training opportunities and resource materials to improve school climate to diminish bullying.

Optional language:

A bullying prevention program shall be implemented which strives to develop a school and home environment:

- * characterized by warmth, positive interest and involvement by adults;
 - * firm limits to unacceptable behavior;
 - * where non-hostile, non-physical negative consequences are consistently applied in cases of violations of rules and other unacceptable behaviors;
 - * where adults act as authorities and positive role models; and
 - * where students are included in efforts to improve school climate.
-

Students

Hazing

Bullying (continued)

The Superintendent shall develop rules and procedures, which carry out the provisions of this policy. [In designing administrative regulations, the Superintendent should consult with the greater school community, including students.] In addition, the Superintendent shall provide that students and parents of students are notified of this prohibition against bullying and the penalties for violating the prohibition by ensuring the posting of such information at each school and by ensuring inclusion of such information in student and parent handbooks. [Alternate language: this policy shall be included in all student and faculty handbooks and shall be disseminated to the public in a manner to be determined by the Superintendent.]

This policy shall not be interpreted to prohibit a reasonable and civil exchange of opinions, or debate that is protected by state or federal law.

- (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 and PA 11-232.
PA 06-115 An Act Concerning Bullying Policies in Schools and Notices Sent to Parents or Legal Guardians.
PA 11-232 An Act Concerning the Strengthening of School Bullying Laws.

Policy adopted:

WOODBIDGE PUBLIC SCHOOLS
Woodbridge, Connecticut

P.A. 11-232 requires boards of education to develop and implement a safe school climate plan to address the existence of bullying in its schools. This administrative regulation fulfills that requirement. It MUST be approved by the Board.

Students

Bullying

Model Safe School Climate Plan

Purpose/Priority Statement

(Purpose/priority statements can be used to communicate within the Plan the District's vision in creating and implementing its bullying prevention and intervention strategies. The following are examples of such statements that may be included in local Plans.)

(Option 1) The Woodbridge District is committed to providing all students with a safe learning environment that is free from bullying and cyberbullying. 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 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.

OR

(Option 2) The Woodbridge Public Schools is committed to trying to provide all students with a safe learning environment that is free from bullying and cyberbullying, within a positive school climate, where all school community members treat one another with respect and appreciate the rich diversity in our schools. This commitment is an integral part of the _____ Public Schools' comprehensive efforts to promote learning, eliminate all forms of violent, harmful, and disruptive behavior and enable students to achieve their personal and academic potential and become successful members our increasingly diverse society.

OR

(Option 3) The Woodbridge Public Schools will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyberbullying, or retaliation, in our schools or in school related activities. In addition, the District will promptly investigate all reports and complaints of bullying, cyberbullying, and retaliation, and take appropriate, effective action to end that behavior. Most important, the District will support this commitment in all aspects of its activities, including in its curricula, instructional programs, staff development, extracurricular activities, and parent/guardian involvement. The Board of Education (Board) fully understands that it is only through a comprehensive approach with a focus on the development of a positive school climate and the support of students, staff, families, law enforcement agencies and the community that issues of violence will be prevented and a safe school climate achieved. Lastly, in consultation with these constituencies, the Board has established this District Safe School Climate Plan for preventing, intervening, and responding to incidents of bullying, cyberbullying, and retaliation.

Students

Bullying

Purpose/Priority Statement (continued)

OR

(Option 4) The Safe School Climate Plan is a comprehensive approach to addressing bullying and cyberbullying. The Woodbridge Public Schools is committed to working with students, staff, families, law enforcement agencies, and the community to establish the norms, values and expectations that make students and adults feel socially, emotionally, intellectually and physically safe. The goal is the establishment of an environment free of harassment, intimidation and bullying. In consultation with these constituencies, this Plan has been established for preventing and responding to incidents of bullying, cyberbullying, retaliation and discrimination. This commitment is an integral part of the District's comprehensive efforts to promote learning and to prevent and eliminate all forms of bullying and other harmful and disruptive behavior that can impede the learning process through an overall focus on school climate.

OR

(Option 5) The purpose of the Safe School Climate Plan is to promote consistency of approach and to create a climate in which all types of bullying are regarded as unacceptable. Attitudes and practices can contribute to bullying, to lower levels of confidence, self-esteem and lack of achievement.

The following plan, "The Woodbridge Public Schools Safe School Climate Plan (Plan)," addresses the mandated areas of compliance which are required under C.G.S.10-222d as amended by P.A. 11-232. 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

The Board of Education (Board) 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 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 victim, (ii) infringes on the rights of the victim at school, or (iii) substantially disrupts the education process or orderly operation of a school.

Students

Bullying

II. Definitions

“Bullying” means the repeated use by one or more students of a written, oral or electronic communication, such as cyberbullying, or a physical act or gesture by one or more students repeatedly directed at or referring to another student attending school in the same school district that:

- A. causes physical or emotional harm to such student or damage to such student’s property,
- B. places such student in reasonable fear of harm to himself or herself, or of damage to his or her property,
- C. creates a hostile environment at school for such student,
- D. infringes on the rights of such student at school, or
- E. substantially disrupts the education process or the orderly operation of a school.

Bullying shall include, but 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.

“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.

Students

Bullying

II. Definitions (continued)

“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, 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 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.)*

III. Reporting and Responding to Bullying and Retaliation (Complaint Process)

A. Publication of the Prohibition against Bullying and Related Procedures

The prohibition against bullying shall be publicized by including the following statement in the student handbook of each of the district schools:

“Bullying behavior by any student in the Woodbridge Public Schools is strictly prohibited, and such conduct may result in disciplinary action, including suspension and/or expulsion from school. “Bullying” means the repeated use by one or more students of a written, oral or electronic communication, such as cyberbullying, directed at or referring to another student attending school in the same school district or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same district that:

- A. causes physical or emotional harm to such student or damage to such student’s property,
- B. places such student in reasonable fear of harm to himself or herself, or of damage to his or her property,
- C. creates a hostile environment at school for such student,
- D. infringes on the rights of such student at school, or
- E. substantially disrupts the education process or the orderly operation of a school.

Students

Bullying

A. Publication of the Prohibition against Bullying and Related Procedures (continued)

Bullying shall include, but 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, gender identity, 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:

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,

Students and/or parents 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 (Plan) #5131.911 set forth this prohibition and the related procedures in detail, and are available to students and their parents/guardians upon request.

B. Appropriate School Personnel

All school employees are charged with the responsibility of taking reports of bullying or if witnessing acts of bullying to notify the Safe School Climate Specialist or another administrator when the Safe School Climate Specialist is not available. Reports shall be appropriately investigated by the Safe School Climate Specialist or another administrator when the Safe School Climate Specialist is not available.

Students

Bullying

B. Appropriate School Personnel (continued)

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 in District schools;
3. Provide data and information derived from the safe school climate assessments, in collaboration with the Superintendent, to the Department of Education; and
4. Meet with the safe school climate specialists at least twice during the school year to discuss bullying issues in the district and make recommended changes to the District's safe school climate plan.

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.

The Specialist in each school shall:

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

Students

Bullying (continued)

C. Annual Notification of the Complaint Process

The process by which students may make formal, informal, and anonymous complaints as set forth below shall be publicized annually in the student handbook of each of the District schools. In addition, this Safe School Climate Plan shall be placed on the District website and the website of each school.

D. Formal Written Complaints

Students and/or their parents or guardians may file written reports of conduct that they consider to be bullying. Such written reports shall be reasonably specific as to the actions giving rise to the suspicion of bullying, including time and place of the conduct alleged, the number of such incidents, the target of such suspected bullying, and the names of any potential student or staff witnesses. Such reports may be filed with any school employee, and they shall be promptly forwarded to the Safe School Climate Specialist or another school administrator, if the Safe School specialist is unavailable, for review and action in accordance with Section IV below.

E. Informal/Verbal Complaints by Students

Students may make an informal complaint of conduct that they consider to be bullying by verbal report to the Safe School Climate Specialist, or to any school employee, as defined, or administrator. Such informal complaints shall be reasonably specific as to the actions giving rise to the suspicion of bullying, including time and place of the conduct alleged, the number of such incidents, the target of such suspected bullying, and the names of any potential student or staff witnesses. A school employee, or administrator or the Safe School Climate Specialist who receives an informal complaint shall promptly reduce the complaint to writing, including the information provided. Such written report by the school employee, administrator, if not the Safe School Climate Specialist, shall be promptly forwarded to the Building Principal for review and action in accordance with Section IV below.

Students

Bullying (continued)

F. Anonymous Complaints

Students who make informal complaints as set forth above may request that their name be maintained in confidence by the school employee who receives the complaint. Should anonymity be requested, the Safe School Climate Specialist, if not the Principal or his/her designee, shall meet with the student to review the request for anonymity and the impact that maintaining anonymity of the complaint may have on the investigation of the complaint and/or possible remedial action. At such meeting, the student shall be given the choice as to whether to maintain the anonymity of the complaint. Anonymous complaints shall be reviewed and reasonable action will be taken to address the situation, to the extent such action may be taken that (1) does not disclose the source of the complaint, and (2) 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.

IV. Staff Responsibilities and Intervention Strategies

A. Teachers and Other School Staff

School employees who witness acts of bullying, as defined above, or who receive reports of bullying shall promptly 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 employee witnesses or receives a report of bullying. A written report must be filed not later than two school days after making such an oral report concerning the events witnessed or reported.

School employees who receive student or parent reports of suspected bullying shall promptly notify the Safe School Climate Specialist of such report(s). If the report is a formal, written complaint, such complaint shall be forwarded promptly (no later than the next school day) to the Safe School Climate Specialist or another school administrator if the Safe School Climate Specialist is unavailable. If the report is an informal complaint by a student that is received by a school employee, he or she shall prepare a succinct written report of the informal complaint, which shall be forwarded promptly (no later than the next school day) to the Safe School Climate Specialist or another school administrator if the Safe School Climate Specialist is unavailable. If the report is an informal complaint by a student that is received by a school employee, this employee shall verbally report the matter to the Safe School Climate Specialist not later than the next school day.

Students

Bullying

IV. Staff Responsibilities and Intervention Strategies (continued)

A. Teachers and Other School Staff (continued)

In addition to addressing both informal and formal complaints, school employees and other are encouraged to address the issue of bullying in other interactions with students. Teachers and other professionals may find opportunities to educate students about bullying and help eliminate bullying behavior through class discussions, counseling, and reinforcement of socially-appropriate behavior. All school employees including teachers and other professional employees should intervene promptly whenever they observe student conduct that has the purpose or effect of ridiculing, humiliating or intimidating another student, even if such conduct does not meet the formal definition of "bullying."

B. Responsibilities of the Safe School Climate Specialist

1. Investigation

The Safe School Climate Specialist shall be promptly notified of any formal or informal complaint of suspected bullying received by any school employee. The Safe School Climate Specialist shall investigate or supervise the investigation of reported acts of bullying in the school in accordance with the District's Safe School Climate Plan. All such complaints shall be investigated promptly. The investigation must be completed promptly after the receipt by the Safe School Climate Specialist of any written report. In order to allow the District to adequately investigate all formal complaints, the parent of the student suspected of being bullied must complete a consent form that allows their District to release that student's name to those third parties who the District contacts as part of its investigation of that complaint with regard to the investigation of informal complaints, the parent of the student suspected of being bullied must complete the above-referenced consent form so long as that student has not requested anonymity.

A written report of the investigation shall be prepared when the investigation is complete. Such report shall include findings of fact, a determination of whether acts of bullying were verified, and, when acts of bullying are verified, a recommendation for intervention, including disciplinary action. Where appropriate, written witness statements shall be attached to the report.

Students

Bullying

IV. Staff Responsibilities and Intervention Strategies (continued)

B. Responsibilities of the Safe School Climate Specialist (continued)

1. Investigation

The school shall notify parents or guardians of all students involved in a verified act of bullying not later than forty-eight (48) hours after the completion of the investigation. The notice shall be simultaneously mailed to the parent/guardian with whom the student primarily resides and in the case of a divorced/split situation, to the other parent/guardian if requested. The notice must describe the school's response, measures being taken by the school to ensure the safety of the students against whom such act was directed, and any consequences that may result from further acts of bullying.

Notwithstanding the foregoing, when a student making an informal complaint has requested anonymity, the investigation of such complaint shall be limited as is appropriate in view of the anonymity of the complainant. Such limitation of investigation may include restricting action to a simple review of the complaint (with or without discussing it with the alleged perpetrator), subject to receipt of further information and/or the withdrawal by the complaining student of the condition that his/her report be anonymous.

2. Remedial Actions

Verified acts of bullying shall result in intervention by the Building Principal or his/her designee that is intended to address the acts of the perpetrator and the needs of the victim and to assure that the prohibition against bullying behavior is enforced, with the goal that any such bullying behavior will end as a result.

Bullying behavior can take many forms and can vary dramatically in how serious it is, and what impact it has on the victim and other students. Accordingly, there is no one prescribed response to verified acts of bullying. While conduct that rises to the level of "bullying" as defined above will generally warrant disciplinary action against the perpetrator of such bullying, whether and to what extent to impose disciplinary action (detention, in-school suspension; suspension or expulsion) is a matter for the professional discretion of the Building Principal (or responsible program administrator or his/her designee.) The following sets forth possible interventions for building principals to enforce the Board's prohibition against bullying. No disciplinary action may be taken solely on the basis of an anonymous complaint.

Students

Bullying

IV. Staff Responsibilities and Intervention Strategies (continued)

B. Responsibilities of the Safe School Climate Specialist (continued)

2. Remedial Actions

The following sets forth permissible interventions for building principals (or other responsible program administrators) to enforce the Board's prohibition against bullying.

a. 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.

If a complaint arises out of conflict between students or groups of students, peer 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.

In any instance in which bullying is verified, the building Principal (or other responsible program administrator) shall invite the parents or guardians of the student against whom such act was directed, and the parents or guardians of a student who commits any verified act of bullying, 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. In the discretion of the building Principal or other responsible program administrator, the meeting(s) described in this section may be held jointly or separately. (The SDE recommends such meetings to be separate)

Students**Bullying****IV. Staff Responsibilities and Intervention Strategies (continued)****B. Responsibilities of the Safe School Climate Specialist (continued)****2. Remedial Actions****b. Disciplinary Interventions**

When acts of bullying are verified and a disciplinary response is warranted, students are subject to the full range of disciplinary consequences. Anonymous complaints that are not otherwise verified, 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 policy.

Expulsion may be imposed only after a hearing before the Board of Education, a committee of the Board or an impartial hearing officer designated by the Board of Education in accordance with Board policy. This consequence shall be reserved for serious incidents of bullying and/or when past interventions have not been successful in eliminating bullying behavior.

c. Interventions for Bullied Students

The Safe School Climate Specialist/Building Principal (or other responsible program administrator) or his/her designee shall intervene in order to address repeated incidents of bullying against a single individual. Intervention strategies for a bullied student may include the following:

- Counseling;
- Increased supervision and monitoring of student to observe and intervene in bullying situations;
- Encouragement of student to seek help when victimized or witnessing victimization;
- Peer mediation where appropriate.

Students

Bullying

IV. Staff Responsibilities and Intervention Strategies (continued)

B. Responsibilities of the Safe School Climate Specialist (continued)

3. 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 any potential problem with bullying in school or at school-sponsored activities. A focus will be placed on district and school efforts to improve school climate based upon the National School Climate Standards.

While no specific action is required and school needs for such interventions may vary from time to time, the following list of potential intervention strategies shall serve as a resource for administrators, teachers and other professional staff members in each school:

- a. 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, including any such program identified by the Department of Education;
- b. A safe school climate assessment on or after July 1, 2012 and biennially thereafter to determine the prevalence of bullying. Such assessments may include, in addition to those approved and disseminated by the State Department of Education, in collaboration with CAS, the National School climate Standards Self-Assessment Tool' and the Connecticut State Department of Education's "Improving School climate Team Rubric;"
- c. Establishment by the school Principal of a Safe School Climate Committee in each District school or the designation of an existing committee that is responsible for fostering a safe school climate and addressing issues related to bullying in the school.

The Safe School Climate Committee shall:

1. Receive copies of completed reports following investigations of bullying;
2. Identify and address patterns of bullying among students in the school;
3. Review and amend school policies relating to bullying;

Students

Bullying

IV. Staff Responsibilities and Intervention Strategies (continued)

B. Responsibilities of the Safe School Climate Specialist (continued)

3. General Prevention and Intervention Strategies (continued)

4. 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;
5. Educate students, school employees and parents and guardians of students on issues relating to bullying;
6. Collaborate with the District Safe School Climate Coordinator in the collection of data regarding bullying; and
7. Perform any other duties as determined by the School Principal that are related to the prevention, identification and response to school bullying for the school.

Parent members of the Safe School Climate Committee are excluded from activities #1 and #2 above and from any other committee activities that may compromise student confidentiality.

- d. Adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur;
- e. Inclusion of grade-appropriate bullying education and prevention curricula in kindergarten through high school;
- f. Individual interventions with the perpetrator, parents and school employees, and interventions with the bullied student, parents and school employees;
- g. School-wide training related to safe school climate;
- h. Promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions;
- i. Respectful responses to bullying concerns raised by students, parents or staff;
- j. Planned professional development programs addressing bully/victim problems;
- k. Student peer training, education and support. Use of peers to help ameliorate the plight of victims and include them in group activities;

Students

Bullying

IV. Staff Responsibilities and Intervention Strategies (continued)

B. Responsibilities of the Safe School Climate Specialist (continued)

3. General Prevention and Intervention Strategies (continued)

- l. Avoidance of sex-role stereotyping (e.g., males need to be strong and tough);
- m. Continuing awareness and involvement on the part of staff and parents with regards to prevention and intervention strategies;
- n. Modeling by all school employees of positive, respectful, and supportive behavior toward students;
- o. Creating a school atmosphere of team spirit and collaboration that promotes appropriate social behavior by students in support of others;
- p. Employing classroom strategies that instruct students how to work together in a collaborative and supportive atmosphere.

V. Reporting Obligations

A. Report to the Parent or Guardian of the Perpetrator

If after investigation, acts of bullying by a specific student are verified, not later than forty-eight (48) hours after the completion of the investigation, the Building Principal/Safe School Climate Specialist or his/her designee shall notify the parent or guardian of the perpetrator in writing of that finding. If disciplinary consequences are imposed against such student, a description of such discipline shall be included in such notification. In addition, the school shall invite the parent/guardian of a student who commits any verified act of bullying (after the completion of the investigation) to a meeting to communicate to the parents/guardians the measures being taken by the school to ensure the safety and measures being taken by the school to ensure the student's safety and to prevent further acts of bullying. Records will be maintained by the School Principal/Safe School Climate Specialist of the bullying reports, subsequent investigations and parental/guardian meetings.

Students**Bullying****V. Reporting Obligations (continued)****B. Reports to the Targeted Student and his/her Parent or Guardian**

If after investigation, acts of bullying against a specific student are verified, the Building Principal/Safe Climate Specialist or his/her designee shall notify the parent or guardian of the victim of such finding, not later than forty-eight (48) hours after the completion of the investigation. In providing such notification, care must be taken to respect the statutory privacy rights of the perpetrator of such bullying. The specific disciplinary consequences imposed on the perpetrator, as reflected in the student's educational records, shall not be disclosed to the parents or guardian of the victim, except as provided by law (e.g., court order/subpoena). In addition, the school shall invite the parent/guardian of the student against whom the verified act of bullying was directed, after the completion of the investigation, to a meeting to communicate to the parents/guardians the measures being taken by the school to ensure the safety and measures being taken by the school to ensure the targeted student's safety and to prevent further acts of bullying. Records will be maintained by the School Principal/Safe School Climate Specialist of the bullying reports, subsequent investigations and parental/guardian meetings.

Notices shall be simultaneously mailed to the parent/guardian with whom the student primarily resides and the other parent/guardian if requested. This mailing requirement shall be in effect for as long as the student attends the school in which the original request is made.

C. List of Verified Acts of Bullying

The Principal/Safe School Climate Specialist of each school shall establish a procedure to document and maintain records relating to reports and investigations of bullying in such school and 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. The list shall be reported annually to the Department of Education in such manner as prescribed by the Commissioner of Education. Given that any determination of bullying involves repeated acts over time, each report prepared in accordance with Section III (1) above that includes verified acts of bullying shall be tallied as one verified act of bullying unless the specific actions that are the subject of the report involve separate and distinct acts of bullying. The list shall be limited to the number of such verified acts of bullying in the school, and it 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 (continued)

VI. Prohibition against Discrimination and Retaliation

A. Safety

Discrimination and/or retaliation against any person who reports bullying, provides information during an investigation of an act of bullying, or witnesses or has reliable information about bullying is prohibited.

The continuation and perpetuation of bullying of a student through the dissemination of hurtful or demeaning material by any other student is prohibited.

The District will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyberbullying, discrimination or retaliation in our school buildings, on school grounds, or in school related activities. All reports and complaints of bullying, cyberbullying, discrimination and retaliation will be investigated promptly and prompt action will be taken to end that behavior and restore the student's against whom such bullying was directed (target's) sense of safety. This commitment is to be supported in all aspects of the school community, including curricula, instructional programs, staff development, extracurricular activities, and parent/guardian involvement.

Before formally investigating the allegations of bullying, discrimination or retaliation, the Principal/Safe School Climate Specialist or designee will take steps to assess the need to restore a sense of safety to the alleged student against whom such bullying was directed (target) and/or to protect the alleged target from possible further incidents. Responses to promote safety may include, but are not limited to, creating a personal safety plan; pre-determining seating arrangements for the alleged victim (target) and/or the alleged perpetrator in the classroom, at lunch, or on the bus; identifying a staff member who will act as a "safe person" for the alleged student against whom such bullying was directed (target); and altering the alleged perpetrator's schedule and access to the alleged target. The Principal/Safe School Climate Specialist will take additional steps to promote safety during the course of and after the investigation, as necessary.

Alternate language to previous paragraph: The Principal/Safe School Climate Specialist or designee will consider what adjustments, if any are needed in the school environment to enhance the student against whom such bullying was directed a sense of safety and that of others as well. One strategy that the Principal/Safe School climate specialist or designee may use is to increase adult supervision at transition times and in locations where bullying is known to have occurred or is likely to occur.

Students

Bullying

VI. Prohibition against Discrimination and Retaliation (continued)

A. Safety (continued)

The Principal/Safe School Climate Specialist will implement appropriate strategies for protecting from bullying or retaliation a student who has reported bullying or retaliation, a student who has witnessed bullying or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying or retaliation.

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the Principal/Safe School climate Specialist or designee will contact the victim to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If determined necessary, the Principal/Safe School Climate Specialist will work with appropriate school staff to implement them immediately.

B. Law Enforcement Notification

The School Principal or his/her designee shall notify the appropriate local law enforcement agency when such Principal or the Principal's designee believes any acts of bullying constitute criminal conduct.

VII. Training Requirements for School Staff

- A. Certified staff of the District shall be provided in-service training on the prevention, identification and response to school bullying and the prevention of and response to youth suicide. *(The Board, subject to the approval of the State Department of Education, is not required to offer an in-service program regarding bullying or youth suicide prevention and intervention if it instead implements an evidence-based model approach to this issue.)*
- B. Beginning teachers shall satisfactorily complete instructional modules as required by C.G.S. 10-145a which shall include a module in classroom management and climate, which shall include training regarding the prevention, identification, and response to school bullying and the prevention of and response to youth suicide.

Students

Bullying

VII. Training Requirements for School Staff (continued)

- C. Non-certified staff of the District will participate in annual training to be provided, within available appropriations, by the Connecticut State Department of Education. The training may be presented in person by mentors, offered in state-wide workshops, or through on-line courses. Such training may include, but is not limited to:
1. Developmentally appropriate strategies to prevent bullying among students in school and outside the school setting,
 2. Developmentally appropriate strategies for immediate and effective interventions to stop bullying,
 3. Information regarding the interaction and relationship between students committing acts of bullying, students against whom such acts of bullying are directed and witnesses of such acts of bullying,
 4. Research findings on bullying, such as information about the types of students who have been shown to be at-risk for bullying in the school setting,
 5. Information about the incidence and nature of cyberbullying as defined in C.G.S. 10-222d, or
 6. Internet safety issues as they relate to cyberbullying.

VIII. Notification Requirements

- A. A copy of this District's Safe School Climate Plan shall be provided in written or electronic format to all District employees annually at the beginning of each school year.
- B. The District's Safe School Climate Plan shall be made available on the Board's website and on the website of each individual school with the District. Such posting shall occur within thirty (30) days of the approval of such plan by the Board. *(Note: The Safe School Climate Plan must be approved by the Board of Education not later than January 1, 2012 and submitted to the State Department of Education.)*
- C. The District's Safe School Climate Plan shall be included in the District's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

Students

Bullying (continued)

IX. School Climate Assessments

- A. On or after July 1, 2012, and biennially thereafter, the Board requires each school within the District to complete an assessment using the school climate assessment instruments, including surveys, approved and disseminated by the State Department of Education.
- B. Completed assessments shall be shared with the Board and then submitted by the Board to the State Department of Education.

X. Bullying Through the Use of Technology (Cyberbullying)

An emerging form of bullying is the use of technology to threaten, intimidate, ridicule, humiliate, insult, or harass. Technology enables aggressive expression toward others and does not rely on physical strength or physical contact. By using a cell phone or the Internet, a student can quickly and aggressively spread rumors, threats, hate mail, or embarrassing photos through text messages, e-mails, or instant messages.

There are a number of social networking sites (MySpace, Facebook, Twitter, etc.) available to our students that can be misused and/or abused for bullying purposes. Any alleged misuse or abuse must be reported to any staff member or the Safe School Climate Specialist.

The District's discipline policy states that misuse, on or off campus, of electronic devices, for threatening/bullying/hazing or harassment is a violation and can be the basis for discipline on or off campus. When information is received that a student or students are involved in bullying through the use of technology either as the actor or a member of a group, or the victim, the following will be considered:

- If it takes place on campus or at a school sponsored event, disciplinary action will be taken.
- If it takes place off campus a school may take disciplinary action if the incident poses a likelihood of substantial disruption to the educational process or the orderly day to day operations of the school.

Students

Bullying (continued)

XI. Relationship to Other Laws

- A. Consistent with state and federal laws, and the policies of the district and school rules, no person shall be discriminated against in admission to a public school of any town or in obtaining the advantages, privilege and courses of study of such public school on account of race, color gender, religion, national origin, or sexual orientation. Nothing in the “Plan” prevents the school or district from taking action to remediate discrimination or harassment based on a person’s membership in a legally protected category under local, state, or federal law, or district policies.
- B. In addition, nothing in the “Plan” is designed or intended to limit the authority of the school or district to take disciplinary action under applicable laws, or local school or District policies in response to violent, harmful, or disruptive behavior, regardless of whether the “Plan” covers the behavior.

XII. Immunity for Board of Education, School Employees, Others

Members of the Board of Education and school employees are protected by statute against damage claims in the implementation of a safe school climate plan and, in accordance with a school district safe school climate plan, report, investigate, or respond to bullying. PA 11-232 also extends this immunity to reports of bullying incidents by parents, students, and others to a school employee according to a safe school climate plan.

To be immune, these parties must act in good faith and, in the case of a school employee or Board of Education, within the scope of their duties. The immunity does not cover gross, wanton, reckless, or willful misconduct.

Regulation approved:

WOODBRIIDGE PUBLIC SCHOOLS
Woodbridge, Connecticut

cps 6/11

MODEL ANNUAL BULLYING NOTICE

[State Law requires that boards of education notify students annually of the process by which they may anonymously report acts of bullying to school employees. We suggest that this notice be included in a student handbook.]

Bullying behavior by any student in the Woodbridge Public Schools is strictly prohibited, and such conduct may result in disciplinary action, including suspension and/or expulsion from school. "Bullying" means the repeated use by one or more students of a written, oral or electronic communication, such as cyberbullying, directed at or referring to another student attending school in the same school district or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same school district that:

- A. Causes physical or emotional harm to such student or damage to such student's property,
- B. Places such student in reasonable fear of harm to himself or herself, or of damage to his or her property,
- C. Creates a hostile environment at school for such student,
- D. Infringes on the rights of such student at school, or
- E. Substantially disrupts the education process or the orderly operation of a school.

Bullying shall include, but 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 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.

Woodbridge Public Schools
Report of Bullying Form/Investigation Summary

School _____ Date _____

Location(s) _____

Reporter Information:

Anonymous student report	_____	Name	_____
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: _____

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

If Bullying Verified, Report Sent to Parents of Students?

Parents' Names: _____

Date Sent: _____

Parents' Names: _____

Date Sent: _____

Parents' Names: _____

Date Sent: _____

Parents' Names: _____

Date Sent: _____

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

Woodbridge Public Schools
Report of Bullying/Consent to Release Student Information

Date: _____

Name of Student: _____

School: _____

To Parent/Guardian:

A complaint of bullying has been filed on behalf of your child alleging that he/she has been the victim of bullying. In order to facilitate a prompt and thorough investigation of the complaint, the Woodbridge Public Schools may need to disclose the name of your child and/or other information which may otherwise disclose your child's identity.

(Please check one):

_____ I hereby give permission for the Woodbridge Public Schools to disclose my child's name, along with any other information necessary to permit the district to adequately and appropriately investigate such complaint, to third parties contacted by the district as part of its investigation.

_____ I do NOT give permission for the Woodbridge Public Schools to disclose my child's name, along with any other information necessary to permit the district to adequately and appropriately investigate such complaint, to third parties contacted by the district as part of its investigation.

Signature of Parent/Guardian

Date

Name (Please print)

An alternate version of this form.

Woodbridge Public Schools
BULLYING REPORT FORM

The East Hartford Board of Education promotes a secure and positive 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.

Bullying as defined in P.A. 02-119 refers to any overt acts by a student or groups of students directed against another student with the intent to ridicule, humiliate, or intimidate the other student while on school grounds, or at a school sponsored activity, which acts are repeated against the same student over time.

Complainant (student reports may be anonymous): _____
Describe relationship to alleged victim(s)/bully(ies): _____
Home address: _____
Work address: _____
Home Phone: _____ Cell Phone: _____
Date(s) of alleged incident(s): _____
Location(s) of alleged incidents(s): _____
Name(s) of alleged bully(ies): _____
Name(s) of alleged victim(s): _____
List any witness(es): _____

Describe the incident(s) as clearly as possible, including such things as: what force or physical contact, if any was used and any verbal statements such as threats, requests, demands, etc. (attach additional pages if more space is needed)

I hereby certify that the information I have provided in this complaint is true, correct, and complete to the best of my knowledge and belief.

Complainant Signature Date: _____
Received by: _____ Date: _____

An alternate version of this form.

Woodbridge Public Schools
BULLYING INVESTIGATION REPORT FORM

Date: _____

1. Name(s) of person(s) investigating alleged incident(s): _____
Name(s) of alleged bully(ies): _____
Name(s) of alleged victim(s): _____
2. Date(s) of alleged incident(s): _____
3. Duration of bullying: _____
4. Name(s) of person(s) reporting alleged incident(s): (Note: Student reports may be anonymous, specify if anonymity is requested.) _____
5. Did the alleged incident(s) occur on school property or at a school-sponsored activity?

6. Location(s) of incident(s): _____
7. Is the alleged incident(s) recurring or first time incident(s)? _____
8. Describe alleged incident(s):

9. Did the alleged incident(s) occur in the presence of witness(es)? Yes / No

10. Interview witness(es) and document findings: _____

11. Does the alleged incident(s) meet the definition of bullying? Yes / No
Please explain: _____

Woodbridge Public Schools

BULLYING INVESTIGATION REPORT FORM

(continued)

12. Have the parent(s)/guardian(s) of all students involved been notified or the results of the investigation? Yes / No

12a. If Bullying Verified, Report Sent to Parents of Students?

Parents' Names: _____

Date Sent: _____

Parents' Names: _____

Date Sent: _____

Parents' Names: _____

Date Sent: _____

Parents' Names: _____

Date Sent: _____

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

13. Remedial Action(s) Taken: _____

(Notification should include a description of the bullying act and consequences if any further acts of bullying continue. Student's identifiable information must remain confidential to ensure the student's due process rights. Do not disclose the perpetrator's name or parents/guardians of the perpetrator to the victim. Do not disclose the disciplinary consequences of the perpetrator to the victim. The notification can include a description of measures to prevent further acts of bullying.)

Sample Student Statement

School _____

Student Acknowledgement of Anti-Bullying Policy

I understand the policy against Bullying at _____ Public Schools as explained to me by _____ (school personnel).

I am aware that if I engage in any of the actions or behavior that constitute bullying in school, before or after school on school grounds, on the bus, or at school sponsored events, I can be subjected to school discipline for bullying. This could include: after school detention, Saturday detention, pass restriction, loss of field trip opportunities, social probation, suspension in or out of school, and/or possible expulsion.

I promise that I will not engage in any actions or behaviors that could be considered bullying. I promise to respect the rights of other students and to act appropriately towards other students.

Name (Please print): _____

Signature: _____ Grade: _____ Date: _____

School: _____

Parent/Guardian (if present): _____ Date: _____

School Official (administrator, pupil personnel, SRO, other)

Name: _____ Position _____

Existing policy, number 5131.912 adopted 4/26/06, appropriate as written, except for addition of legal reference.

Students

Conduct – Aggressive Behavior

The Board recognizes there are certain behaviors that, if tolerated, would quickly destroy the type of learning environment to which the students and staff of the District are entitled. These behaviors, categorized as violent or aggressive, will not be tolerated and shall result in immediate action being taken by the District.

Students exhibiting violent, or aggressive behavior, or warning signs of future violent, or aggressive behavior shall receive appropriate intervention to change behavior, before a crisis occurs, and shall be subject to disciplinary action when appropriate.

The following behaviors are defined as violent and aggressive:

1. **Possession** - threat with or use of a weapon.
2. **Physical assault** - the act of striking or touching a person or that person's property with a part of the body or with any object with the intent of causing hurt or harm.
3. **Verbal abuse** - includes, but is not limited to, swearing, screaming, obscene gestures or threats directed, either orally (including by telephone) or in writing, at an individual, his or her family or a group.
4. **Intimidation** - an act intended to frighten or coerce someone into submission or obedience.
5. **Extortion** - the use of verbal or physical coercion in order to obtain financial or material gain from others.
6. **Bullying** - any overt acts by a student or a group of students directed against another student with the intent to ridicule, humiliate, or intimidate the other student while on school grounds, school bus or a school sponsored activity when such acts are repeated against the same student over time.
7. **Sexual Harassment** - as described in the district's sexual harassment policy.
8. **Stalking** - the persistent following, contacting, watching or any other such threatening actions that compromise the peace of mind or the personal safety of an individual.
9. **Defiance** - a serious act or instance of defying or opposing legitimate authority.

Students

Conduct – Aggressive Behavior (continued)

10. **Discriminatory Slurs** - insulting, disparaging or derogatory comments made directly or by innuendo regarding a person's race, sex, sexual orientation, religion, national or ethnic background or disability.
11. **Vandalism** - damaging or defacing property owned by or in the rightful possession of another.
12. **Terrorism** - a threat to commit violence communicated with the intent to terrorize or with reckless disregard for the risk of creating such terror or to cause serious public inconvenience, such as the evacuation of a building.

Students shall be taught to recognize the warning signs of violent and aggressive behavior and All reports shall be taken seriously.

Acts of violence and aggression shall be well documented and communicated by the staff to the Building Principal and the Superintendent. The immediate involvement of the parents/guardians is also essential. Law enforcement officials shall be involved if there is any violation of law.

An act of violence and aggression is any expression, direct or indirect, verbal or behavioral, of intent to inflict harm, injury or damage to persons or property. A threat of violence and aggression carries with it implied notions of risk of violence and a probability of harm or injury.

(cf. 5114 - Suspension and Expulsion/due Process)

(cf. 5131 - Conduct)

(cf. 5131.92 - Bullying)

(cf. 5144 - Discipline/Punishment)

(cf. 5145.5 - Sexual Harassment)

(cf. 6114.7 - Safe Schools)

(cf. 6121.1 - Equal Educational Opportunity)

Legal References: Connecticut General Statutes
 10-222d; 10-233a through 10-233f
 PA 02-119, An Act Concerning Bullying Behavior in Schools and
 Concerning the Pledge of Allegiance
Kyle P. Packer PPA Jane Packer v Thomaston Board of Education.
 (SC 15862)
 PA 11-232 An Act Concerning The Strengthening of School Bullying Laws

Policy adopted:

WOODBIDGE PUBLIC SCHOOLS
 Woodbridge, Connecticut

An optional policy on this topic. The topic of "cyberbullying" is also covered in policy #5131.911 (Bullying).

Students

Bullying

Cyberbullying

The District's computer network and the Internet, whether accessed on campus or off campus, during or after school hours, may not be used for the purpose of harassment. All forms of harassment over the Internet, commonly referred to as cyberbullying, are unacceptable and viewed as a violation of this policy and the District's acceptable computer use policy and procedures.

Definitions

"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.

"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.

Malicious use of the District's computer system to develop programs or to institute practices that harass other users or gain unauthorized access to any entity on the system and/or damage the components of an entity on the network is prohibited. Users are responsible for the appropriateness of the material they transmit over the system. Hate mail, harassment, discriminatory remarks, or other antisocial behaviors are expressly prohibited.

Cyberbullying includes, but is not limited to the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another person by sending or posting inappropriate and hurtful e-mail messages, instant messages, text messages, digital pictures or images, or Web site postings, including blogs. It is also recognized that the author (poster or sender) of the inappropriate material is often disguised (logged on) as someone else.

Students and community members who believe they have been the victims of such misuses of technology, as described in this policy, should not erase the offending material from the system. A copy of the material should be printed and brought to the attention of the School Climate Specialist/Principal.

All reports of cyberbullying will be investigated promptly in compliance with the District's "Safe School Climate Plan."

Students

Bullying

Cyberbullying (continued)

In situations in which the cyberbullying originated from a non-school computer, but brought to the attention of school employees, any disciplinary action shall be based upon whether the conduct is determined to be severely disruptive of the educational process so that it markedly interrupts or severely impedes the day-to-day operations of a school. In addition, such conduct must also be violative of a publicized school policy. Such conduct includes, but is not limited to, threats, or making a threat off school grounds, to kill or hurt a teacher or student. A student who redistributes inappropriate content, as previously described, is also subject to disciplinary action.

Disciplinary action may include, but are not limited to, the loss of computer privileges, detention, suspension, or expulsion for verified perpetrators of cyberbullying. In addition, when any kind of threat is communicated or when a hate crime is committed, this shall be reported to local law officials.

For districts participating in the federal E-Rate program:

The District recognizes it's responsibility to educate students regarding appropriate behavior on social networking and chat room sites about cyberbullying. Therefore, students shall be provided instruction about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms and cyberbullying awareness and response."

(cf. 0521 – Nondiscrimination)

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

(cf. 5131 – Conduct)

(cf. 5131.21 – Threats or Acts of Violence)

(cf. 5131.8 – Off School Grounds Misconduct)

(cf. 5131.82 – Restrictions on Publications and Written or Electronic Material)

(cf. 5131.912 – Aggressive Behavior)

(cf. 5131.911 – Bullying)

(cf. 5144 – Discipline/Punishment)

(cf. 5145.4 – Nondiscrimination)

(cf. 5145.5 – Sexual Harassment)

(cf. 5145.51 – Peer Sexual Harassment)

Students

Bullying

Cyberbullying

Legal Reference:

Connecticut General Statutes

PA 02-119, An Act Concerning Bullying Behavior in Schools and Concerning the Pledge of Allegiance

Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education. (SC 15862)

Public Law 110-385 Broadband Data Improvement Act/Protecting Children in the 21st Century Act

Wisniewski v. Bd. Of Educ., 494 F.3d 34 (2nd Cir. 2007)

Doninger v. Niehoff, 257 F. 3d 41 (2nd Cir. 2008)

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

Policy adopted:

WOODBIDGE PUBLIC SCHOOLS
Woodbridge, Connecticut

Existing policy, number 5132 adopted 3/17/03, appropriate as written.

Students

Dress and Grooming

The Board of Education encourages students to dress in clean clothing appropriate to the school situation. Restrictions on freedom of student dress may be applied whenever the mode of dress in question is:

1. Unsafe either for the student or those around the student;
2. Disruptive of school operations and the education process in general; and
3. Contrary to law.

No restrictions on freedom of dress and adornment will be imposed which:

1. Reflect discrimination as to civil rights.
2. Enforce particular codes of morality or religious tenets.
3. Attempt to dictate or adjudicate style or taste.
4. Do not fall within the direct or implied powers of the Board of Education.

The administration is encouraged to establish any needed regulations consistent with this policy through cooperative planning with staff, students and parents.

Policy adopted:

WOODBRIIDGE PUBLIC SCHOOLS
Woodbridge, Connecticut

A revised sample policy to consider, which is the recommended replacement for existing policy #5141 adopted 7/17/06 which doesn't reflect most recent regulation.

Students

Student Health Services

School District Medical Advisor

The Board of Education (Board) shall appoint a school district medical advisor and appropriate medical support service personnel including nurses.

The school district medical advisor, in cooperation with the Board and the board of health/health department for the school district, shall:

1. Plan and administer each school's health program,
2. Advise on the provision of school health services,
3. Provide consultation on the school health environment, and
4. Perform any other duties as agreed between the advisor and the appointing board of education.

School health efforts shall be directed toward detection and prevention of health problems and to emergency treatment, including the following student health services:

1. Appraising the health status of student and school personnel;
2. Counseling students, parents, and others concerning the findings of health examination;
3. Encouraging correction of defects;
4. Helping prevent and control disease;
5. Providing emergency care for student injury and sudden illness;
6. Maintaining school health records.

Health Records

There shall be a health record for each student enrolled in the school district which will be maintained in the school nurse's room. For the purposes of confidentiality, records will be treated in the same manner as the student's cumulative academic record.

Student health records are covered by the Family Educational Rights and Privacy Act (FERPA) and are exempt from the Health Insurance Portability Accountability Act (HIPAA) privacy rule. However, it is recognized that obtaining medical information from health care providers will require schools to have proper authorization and to inform parents that such information once released by health care providers is no longer protected under HIPAA but is covered under FERPA.

Students

Student Health Services (continued)

Regular Health Assessments

Prior to enrollment in kindergarten, each child shall have a health assessment by one of the following medical personnel of the parents or guardians choosing to ascertain whether the student has any physical disability or other health problem tending to prevent him or her from receiving the full benefit of school work and to ascertain whether such school work should be modified in order to prevent injury to the student or to secure for the student a suitable program of education:

1. a legally qualified physician;
2. an advanced practice registered nurse;
3. a registered nurse;
4. a physician's assistant.
5. a school medical advisor.
6. a legally qualified practitioner of medicine, an advanced practice registered nurse, or a physician assistant stationed at any military base.

Such health assessment shall include:

1. Physical examination which shall include hematocrit or hemoglobin tests, height, weight, and blood pressure;
2. Updating of immunizations required under C.G.S. 10-204a as periodically amended;
3. Vision, hearing, postural, and gross dental screening;
4. If required by the school district medical advisor, testing for tuberculosis and sickle cell anemia or Cooley's Anemia;
5. Any other information including a health history as the physician believes to be necessary and appropriate.

Health assessments shall also be required in grades 6 or 7 and in grades 9 or 10 by a legally qualified physician of each student's parents or guardians own choosing, or by the school medical advisor, or the advisor's designee, to ascertain whether a student has any physical disability or other health problem. Such health assessments shall include:

1. Physical examination which shall include hematocrit or hemoglobin tests, height, weight, and blood pressure;
2. Updating of immunizations required under C.G.S. 10-204a and the Department of Public Health, Public Health Code, 10-204a-2a, 10-204-3a and 10-204a-4;
3. Vision, hearing, postural, and gross dental screening;

Students

Student Health Services

Regular Health Assessments (continued)

4. If required by the school district medical advisor and the local health department, testing for tuberculosis and sickle cell anemia or Cooley's Anemia; *OPTIONAL: Students born in high risk countries and entering school in Connecticut for the first time should receive either TST (tuberculin skin test) or IGRA (interferon gamma release assay). Any individual found to be positive shall have an appropriate medical management plan developed that includes a chest radiograph. Students not already known to have a positive test for tuberculosis shall be tested if they meet any of the risk factors for TB infection, as described in the administrative regulations accompanying this policy.*
5. Any other information including a health history as the physician believes to be necessary and appropriate.

A child will not be allowed, as the case may be, to begin or continue in district schools unless health assessments are performed as required. Students transferring into the district must provide evidence of required Connecticut vaccinations, immunizations, and health assessments at enrollment and prior to school attendance.

Health assessments will be provided by the school medical advisor or the advisor's designee without charge to all students whose parents or guardians meet the eligibility requirement of free and reduced priced meals under the National School Lunch Program or for free milk under the special milk program.

The Board of Education shall annually designate a representative to receive reports of health assessments and immunizations from health care providers.

Health assessment results and recommendations signed by the examining physician or authorized medical personnel shall be recorded on forms provided by the Connecticut State Board of Education and kept on file in the school the student attends. Upon written authorization from the student's parent or guardian, original cumulative health records shall be sent to the chief administrative officer of the school district to which such student moves and a true copy of the student's cumulative health records maintained with the student's academic records. The Superintendent of Schools, or designee, shall notify parents of any health-related problems detected in health assessments and shall make reasonable efforts to assure that further testing and treatment is provided, including advice on obtaining such required testing or treatment.

Students who are in violation of Board requirements for health assessments and immunizations will be excluded from school after appropriate parental notice and warning.

Students

Student Health Services (continued)

Vision Screening

All students in grades K-6, and grade 9 will be screened using a Snellen chart, or equivalent screening, by the school nurse or school health aide. Additional vision screening will also be conducted in response to appropriate requests from parents/guardians or professionals working with the student in question. Results will be recorded in the student's health record on forms supplied by the Connecticut State Board of Education, and the superintendent shall cause a written notice to be given to the parent or guardian of each student found to have any defect of vision, with a brief statement describing such defect.

As necessary, special educational provisions shall be made for students with disabilities.

Hearing Screening

All students will be screened for possible hearing impairments in grades K-3, grade 5, and grade 8. Additional audiometric screening will be conducted in response to appropriate requests from parents/guardians or professionals working with the student. Results will be recorded in the student's health record on forms supplied by the Connecticut State Board of Education, and the Superintendent shall cause a written notice to be given to the parent or guardian of each student found to have any defect of hearing, with a brief statement describing such defect.

As necessary, special educational provisions shall be made for students with disabilities.

Postural Screening

School nurses will screen all students in grades 5 through 9 inclusive for scoliosis or other postural problems. Additional postural screening will also be conducted in response to appropriate requests from parents/guardians or professionals working with the student. Results will be recorded in the student's health record on forms supplied by the Connecticut State Board of Education, and the Superintendent shall cause a written notice to be given to the parent or guardian of each student found to have any postural defect of problem, with a brief statement describing such defect or disease.

As necessary, special educational provisions shall be made for students with disabilities.

Tuberculin Testing

In addition to tuberculin testing required by the school district medical advisor as part of regular student health assessments, all new students, including preschool students, will be required to have at least one test for tuberculosis prior to entry in district schools.

Students

Student Health Services (continued)

Tuberculin Testing (continued)

A test for tuberculosis 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, Eastern Europe, Central South America, Dominican Republic, and Haiti see list of countries in Appendix) and do not have a record of a TST (tuberculin skin test) or IGRA (interferon-gamma release assay) performed in the United States;
2. travel to a high risk country staying at least a week with substantial contact with the indigenous population 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, or
5. lives with anyone who has been in a homeless shelter, jail or prison, uses illegal drugs or has an HIV infection.

The results of the risk assessment and testing, when done, should be recorded on the State of Connecticut Health Assessment Record (HAR-3) or directly in the student's Cumulative Health Record (CHR-1)

Immunizations/Vaccinations

No student will be allowed to enroll in any program operated as part of the district schools without adequate immunization against the following diseases:

1. Measles
2. Rubella
3. Poliomyelitis
4. Diphtheria
5. Tetanus
6. Pertussis
7. Mumps
8. Hemophilus influenza type B
9. Any other vaccine required by Section 19a-7f of Connecticut General Statutes.
10. Hepatitis B
11. Varicella (chickenpox)
12. Hepatitis A
13. Pneumococcal disease
14. Influenza
15. Meningococcal disease

Students

Student Health Services

Immunizations/Vaccinations (continued)

All students in grades K-12 are required to have received 2 doses of measles, mumps and rubella vaccine or serologic proof of immunity. Students entering kindergarten and seventh grade shall show proof of having received 2 doses of varicella vaccine, laboratory confirmation of immunity, or present a written statement signed by a physician, physician assistant or advanced practice registered nurse indicating the individual has had varicella based on family or medical history. (Varicella requirement effective August 1, 2011)

All seventh grade students must show proof of 1 dose of meningococcal vaccine and 1 dose of Tdap in addition to the completion of the primary DTP series.

All students in grades K-12 are required to have 3 doses of Hepatitis B vaccine or serologic evidence of immunity.

Students shall be exempt from the appropriate provisions of this policy when:

1. they present a certificate from a physician or local health agency stating that initial immunizations have been given and additional immunizations are in process under guidelines and schedules specified by the Commissioner of Health Services; or
2. they present a certificate from a physician stating that in the opinion of such physician, immunization is medically contraindicated because of the physical condition of such child; or
3. they present a statement from their parents or guardians that such immunization would be contrary to the religious beliefs of such child; or
4. in the case of measles, mumps or rubella, present a certificate from a physician, physician assistant or advanced practice registered nurse or from the Director of Health in such child's present or previous town of residence, stating that the child has had a confirmed case of such disease; or
5. in the case of Hemophilus influenza type B has passed his or her fifth birthday; or
6. in the case of diphtheria, tetanus and pertussis, has a medical exemption confirmed in writing by a physician, physician assistant or advanced practice registered nurse (per C.G.S. 19a-7f).

The school nurse will report to the local Director of Health any occurrence of State of Connecticut defined reportable communicable diseases.

Students

Student Health Services (continued)

Health Assessments/Interscholastic Sports Programs

Any student participating in an interscholastic sports program must have a health assessment, within the past thirteen months prior to the first training session for the sport or sports. After the initial examination, repeat examinations are required every two years. Each participant in a sport program must complete a health questionnaire before participating in each sport.

Parents are expected to use the services of their private physician. If a student is unable to obtain a health assessment from his/her personal physician for financial or other reasons, an examination can be arranged with school medical advisor. Health assessment results shall be recorded on forms provided by the Connecticut State Board of Education, signed by the examining physician, school medical advisor or advisor's designee, filed in the student's health folder, and maintained up to date by the school nurse.

Coaches and physical education staff shall insure appropriate monitoring of an athlete's physical condition.

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 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.

- (cf. 5125.11 - Health/Medical Records HIPAA)
- (cf. 5142 - Student Safety)
- (cf. 5141.3 - Health Assessments & Immunizations)
- (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)

Students

Student Health Services (continued)

Legal Reference: Connecticut General Statutes
 10-203 Sanitation.
 10-204a Required immunizations.
 10-204c Immunity from liability
 10-205 Appointment of school medical advisors.
 10-206 Health assessments, as amended by PA 07-58 and PA 11-179.
 10-206a Free health assessments.
 10-207 Duties of medical advisers, as amended by P.A. 12-198.
 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. (as amended by P.A. 03-211)
 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. (As amended by PA 96-229 An Act Concerning Scoliosis Screening)
 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. Department of Public Health, Public Health Code – 10-204a-2a, 10-204a-3a and 10-204a-4
 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:

rev 8/05
 rev 7/07
 rev 12/07
 rev 6/11
 rev 9/11
 rev 11/11
 rev 5/12

An optional policy to consider.

Students

Accidents

Accident record keeping's basic purpose is to provide information for and support to a comprehensive safety education program for all students and school employees.

Accident reports support the safe and efficient operation of the school system as well as the protection and education of the students. In addition, careful analysis and study of the reports have far-reaching implications for buildings, equipment, curriculum practices and administration.

Some specific goals of the accident reporting process shall be:

1. To protect students, teachers and administrators from physical deficiencies of the school buildings and grounds.
2. To measure uses of the school and grounds (such as movements of student groups during peak times and in certain areas of the school) and to modify conditions so as to reduce congestion and accidents.
3. To provide information on kinds of accidents and the areas in which they occur and to adjust safety instruction in an effort to reduce the number of future mishaps.
4. To reveal gaps in the instructional program which may be filled by well-planned safety educational experience.
5. To determine relationships between accident experiences and school population, i.e., are falls caused by faulty traffic patterns during class changes, or, are a few students having problems such as coordination or vision, which cause them to be unable to cope with the traffic patterns.
6. To protect the school and school personnel from suffering unfortunate publicity and from becoming involved in litigation arising out of accident cases.

Policy adopted:

cps 7/07

A sample policy to consider.

Students

Standing Orders

Management of Juvenile Diabetes

Section 7 of Public Act 03-211, effective July 1 2003, states:

- a. No local or regional board of education may prohibit blood glucose self-testing by children with diabetes who have a written order from a physician or an advanced practice registered nurse stating the need and the capability of such child to conduct self-testing.
- b. The Commissioner of Education, in consultation with the Commissioner of Public Health, shall develop guidelines for policies and practices with respect to blood glucose self-testing by children pursuant to subsection (a) of this section. Such guidelines shall not be construed as regulations within the scope of chapter 54 of the General Statutes.

In accordance with the law, an Individual Health Care Plan (IHCP) will be developed for each identified student.

These plans describe how the school intends to meet an individual child's daily health and safety needs in all contexts, while under the care of the school. IHCP's are developed by the school nurse, in conjunction with parents or guardians, the student, healthcare providers, and other school personnel. An IHCP includes:

1. A summary of health assessments; and
2. A nursing diagnosis, goals, and plans of action covering the range of possible concerns.

IHCP's should also address student needs outside the normal school routine. Considerations for students with diabetes include:

1. Meal times;
2. Changes in schedules;
3. School transportation;
4. Transitions to after school programs;
5. Athletic and extracurricular activities;
6. Accommodations for test-taking;
7. Field trips; and
8. Transitions to new schools or school buildings.

The IHCP is also used to document interventions and evaluate outcomes. IHCP's can and should be updated at least annually, and more frequently, as necessary to keep pace with changing student need and school environment.

Students

Standing Orders

Management of Juvenile Diabetes (continued)

Emergency Care Plans

Children with special health care needs should also have a written Emergency Care Plan (ECP) that provides specific directions about what to do in a medical emergency or safety emergency such as fire drills or lockdown. The ECP is often part of the IHCP. The written plan helps the school nurse, school personnel and emergency responders react to an emergency situation in a prompt, safe and individualized manner.

ECP's should provide emergency contacts and address what to do:

1. For high and low blood glucose levels;
2. If an insulin pump malfunctions or becomes dislodged; and
3. To ensure access to equipment and medication if not carried by student, e.g. during lockdown or fire drill.

Policy adopted:

cps 3/08

Students

Standing Orders

Management of Juvenile Diabetes

Symptoms of Insulin Reaction

Early Symptoms of Insulin Reaction are:

1. Pallor;
2. Excessive perspiration;
3. Hunger;
4. Headache;
5. Dizziness;
6. Blurring of vision;
7. Crying;
8. Confusion;
9. Inability to concentrate;
10. Drowsiness;
11. Lack of coordination;
12. Trembling;
13. Abdominal pain, nausea, irritability, vomiting, and rapid pulse.

Late Symptoms of Insulin Reaction are:

1. Confusion;
2. Poor coordination;
3. Restlessness;
4. Mood changes (aggression, crying, bizarre behavior).

Advanced Symptoms of Insulin Reaction are:

1. Convulsions;
2. Coma.

One or more of these symptoms may occur and not all of them will necessarily occur at once.

Treatment

1. Insulin reactions come on suddenly.
2. Provide sugar at once: granulated sugar, sugar cubes, fruit juice (orange juice), Cakemate, or Lifesavers. Student should improve in 10-15 minutes.
3. Notify parents/guardian and the School Medical Advisor.
4. **Call Ambulance Immediately – 911** – if there is no improvement after giving sugar.

Regulation approved:

A mandated policy to consider. Prior to adoption, a policy on this topic must be approved by the district's School Medical Advisor or other qualified licensed physician. This policy is the recommended replacement for existing policy 5141.4 adopted 12/16/02 which does not reflect recent situations and regulatory changes.

Students

Administering Medication

The purpose of this policy is for the Board of Education (Board) to determine who shall administer medications in a school and the circumstances under which self-administration of medication by students shall be permitted.

The Board of Education allows students to self-administer medication and school personnel to administer medication to students in accordance with the established procedures, and applicable state regulations, sections 10-212a-1 through 10-212a-10 inclusive. In order to provide immunity afforded to school personnel who administer medication, the Board of Education, with the advice and approval of the School Medical Advisor and the school nurse supervisor, shall review and/or revise this policy and regulation biennially concerning the administration of medications to District students by a nurse, or in the absence of a nurse, by qualified personnel for schools.. The District's School Medical Advisor (or other qualified physician) shall approve this policy, its regulations and any changes prior to adoption by the Board.

Definitions

Administration of medication means any one of the following activities: handling, storing, preparing or pouring of medication; conveying it to the student according to the medication order; observing the student inhale, apply, swallow, or self-inject the medication, when applicable; documenting that the medication was administered; and counting remaining doses to verify proper administration and use of the medication.

Authorized prescriber means a physician, dentist, optometrist, advanced practice registered nurse or physician assistant and for interscholastic and intramural athletic events only, a podiatrist.

Before- and after-school program means any child care program operated and administered by a local or regional Board of Education or municipality exempt from licensure by the Department of Public Health. Such programs shall not include public or private entities licensed by the Department of Public Health or Board of Education enhancement programs and extra-curricular activities.

Board of Education means a local or regional Board of Education, a regional educational service center, a unified school district, the regional vocational-technical school system, an approved private special education facility, the Gilbert School, the Norwich Free Academy, Woodstock Academy or a non-public school whose students receive services pursuant to Section 10-217a of the Connecticut General Statutes.

Students

Administering Medications

Definitions (continued)

Cartridge injector means an automatic prefilled cartridge injector or similar automatic injectable equipment used to deliver epinephrine in a standard dose for emergency first aid response to allergic reaction.

Controlled drugs means those drugs as defined in Connecticut General Statutes Section 21a-240.

Cumulative health record means the cumulative health record of a student mandated by Connecticut General Statutes Section 10-206.

Director means the person responsible for the operation and administration of any school readiness program or before- and after-school program.

Error means:

- (1) the failure to do any of the following as ordered:
 - (a) administer a medication to a student;
 - (b) administer medication within the time designated by the prescribing physician;
 - (c) administer the specific medication prescribed for a student;
 - (d) administer the correct dosage of medication;
 - (e) administer medication by the proper route; and/or
 - (f) administer the medication according to generally accepted standards of practice; or
- (2) the administration of medication to a student which is not ordered by an authorized prescriber, or which is not authorized in writing by the parent or guardian of such student.

Extracurricular activities means activities sponsored by local or regional Boards of Education that occur outside of the school day, are not part of the educational program, and do not meet the definition of before- and after-school programs and school readiness programs.

Guardian means one who has the authority and obligations of guardianship of the person of a minor, and includes: (1) the obligation of care and control; and (2) the authority to make major decisions affecting the minor's welfare, including, but not limited to, consent determinations regarding marriage, enlistment in the armed forces and major medical, psychiatric or surgical treatment.

Students

Administering Medications

Definitions (continued)

Intramural athletic events means tryouts, competition, practice, drills, and transportation to and from events that are within the bounds of a school district for the purpose of providing an opportunity for students to participate in physical activities and athletic contests that extend beyond the scope of the physical education program.

Interscholastic athletic events means events between or among schools for the purpose of providing an opportunity for students to participate in competitive contests which are highly organized and extend beyond the scope of intramural programs and includes tryouts, competition, practice, drills, and transportation to and from such events.

Investigational drug means any medication with an approved investigational new drug (IND) application on file with the Food and Drug Administration (FDA), which is being scientifically tested and clinically evaluated to determine its efficacy, safety and side effects and which has not yet received FDA approval.

Medication means any medicinal preparation including over-the-counter, prescription and controlled drugs, as defined in Connecticut General Statutes Section 21a-240. This definition includes Aspirin, Ibuprofen or Aspirin substitutes containing Acetaminophen.

Medication plan means a documented plan established by the school nurse in conjunction with the parent and student regarding the administration of medication in school. Such plan may be a stand-alone plan, part of an individualized health care plan, an emergency care plan or a medication administration form.

Medication order means the written direction by an authorized prescriber for the administration of medication to a student which shall include the name of the student, the name and generic name of the medication, the dosage of the medication, the route of administration, the time of administration, the frequency of administration, the indications for medication, any potential side effects including overdose or missed dose of the medication, the start and termination dates not to exceed a 12-month period, and the written signature of the prescriber.

Nurse means an advanced practice registered nurse, a registered nurse or a practical nurse licensed in Connecticut in accordance with Chapter 378 of the Connecticut General Statutes.

Occupational therapist means an occupational therapist employed full time by the local or regional board of education and licensed in Connecticut pursuant to Chapter 376 of the Connecticut General Statutes.

Students

Administering Medications

Definitions (continued)

Paraprofessional means a health care aide or assistant or an instructional aide or assistant employed by the local or regional Board of Education who meets the requirements of such Board for employment as a health care aide or assistant or instructional aide or assistant.

Physical therapist means a physical therapist employed full time by the local or regional Board of Education and licensed in Connecticut pursuant to Chapter 376 of the Connecticut General Statutes.

Physician means a doctor of medicine or osteopathy licensed to practice medicine in Connecticut pursuant to Chapters 370 and 371 of the Connecticut General Statutes, or licensed to practice medicine in another state.

Principal means the administrator in the school.

Qualified personnel for schools means (a) a full-time employee who meets the local or regional Board of Education requirements as a principal, teacher, occupational therapist or physical therapist and has been trained in the administration of medication in accordance with Section 10-212a-3 of the State regulations; (b) a coach and licensed athletic trainer who has been trained in the administration of medication pursuant to Section 10-212a-8 of the State regulations; or (c) a paraprofessional who has been trained in the administration of medication pursuant to Section 10-212a-9 of the State regulations. For school readiness programs and before- and after-school programs, Directors or Director's designee, lead teachers and school administrators who have been trained in the administration of medication may administer medications pursuant to Section 10-212a-10 of the State regulations.

Research or study medications means FDA-approved medications being administered according to an approved study protocol. A copy of the study protocol shall be provided to the school nurse along with the name of the medication to be administered and the acceptable range of dose of such medication to be administered.

School means any educational facility or program which is under the jurisdiction of the Board excluding extracurricular activities.

School nurse means a nurse appointed in accordance with Connecticut General Statutes Section 10-212.

School nurse supervisor means the nurse designated by the local or regional Board of Education as the supervisor or, if no designation has been made by the Board, the lead or coordinating nurse assigned by the Board.

Students

Administering Medications

Definitions (continued)

School readiness program means a program that receives funds from the State Department of Education for a school readiness program pursuant to subsection (b) of Section 10-16p of the Connecticut General Statutes and exempt from licensure by the Department of Public Health pursuant to subdivision (1) of subsection (b) of Section 19a-77 of the Connecticut General Statutes.

Self-administration of medication means the control of the medication by the student at all times and is self-managed by the student according to the individual medication plan.

Teacher means a person employed full time by a Board of Education who has met the minimum standards as established by that Board for performance as a teacher and has been approved by the School Medical Advisor and school nurse to be designated to administer medications pursuant to the Regulations of Connecticut State Agencies Sections 10-212a-1 through 10-212a-7.

General Policies on Administration of Medication

A child with diabetes may test his/her own blood glucose level per the written order of a physician stating the need and the capacity of such child to conduct self-testing along with written authorization of the parent/guardian. Such self-testing shall be pursuant to guidelines promulgated by the Commissioner of Education. The time or place where a student with diabetes may test his/her blood-glucose level on school grounds shall not be restricted provided the student has written parental/guardian permission and a written order from a physician licensed in Connecticut.

The school nurse or school principal shall select a qualified school employee to, under certain conditions, give a glucagon injection to a student with diabetes who may require prompt treatment to protect him/her from serious harm or death. The nurse or principal must have the written authority from the student's parent/guardian and a written order from the student's Connecticut-licensed physician. The authorization shall be limited to situations when the school nurse is absent or unavailable. No qualified school employee shall administer this medication unless he/she has annually completed any training required by the school nurse and school medical advisor in the administration of medication with injectable equipment used to administer glucagon, the school nurse and school medical advisor must attest that the qualified school employee has completed such training and the qualified school employee voluntarily agrees to serve as a qualified school employee. The injections are to be given through an injector or injectable equipment used to deliver an appropriate dose of glucagon as emergency first aid response to diabetes.

Students

Administering Medication

General Policies on Administration of Medication (continued)

A child diagnosed with asthma or an allergic condition, pursuant to State Board of Education regulations, may carry an inhaler or an Epipen or similar device in the school at all times if he/she is under the care of a physician, physician assistant, or advanced practice registered nurse (APRN) and such practitioner certifies in writing to the Board of Education that the child needs to keep an asthmatic inhaler or Epipen at all times to ensure prompt treatment of the child's asthma or allergic condition and protect the child against serious harm or death. A written authorization of the parent/guardian is also required.

A school nurse may administer medication to any student pursuant to the written order of an authorized prescriber (physician, dentist, optometrist, an advanced practice registered nurse, or a physician assistant and for interscholastic and intramural athletic events only, a podiatrist) and the written authorization of a parent or guardian of such child or eligible student and the written permission of the parent/guardian for the exchange of information between the prescriber and the school nurse necessary to ensure the safe administration of such medication.

In the absence of a school nurse, any other nurse licensed pursuant to the provisions of Chapter 378, including a nurse employed by, or providing services under the direction of the Board of Education at a school-based clinic, only qualified personnel for schools who have been properly trained may administer medications to students as delegated by the school nurse upon approval of the School Medical Advisor and the school nurse may administer medication to any student in the school following the successful completion of specific training in administration of medication and satisfactory completion of the required criminal history check.

Medications with a cartridge injector may be administered by qualified personnel for schools only to a student with a medically diagnosed allergic condition which may require prompt treatment to protect the student against serious harm or death. Qualified personnel for schools, as defined, may administer oral, topical, intranasal, or inhalant medication in the absence of a licensed nurse. Investigational drugs or research or study medications may not be administered by qualified personnel for schools.

Coaches and licensed athletic trainers during intramural and interscholastic events may administer medications pursuant to Section 10-212a-9 of the Regulations of Connecticut State Agencies and as described in this policy and in the administrative regulations to this policy.

In compliance with all applicable state statutes and regulations, parents/guardians may administer medications to their own children on school grounds.

Students

Administering Medication (continued)

Administration of Medication by Paraprofessionals

A specific paraprofessional, through a plan approved by a school nurse supervisor and School Medical Advisor, may administer medications including medications administered with a cartridge injector, to a specific student with a medically diagnosed allergic condition that may require prompt treatment in order to protect the student against serious harm or death pursuant to Section 10-212a-9 of the Regulations of Connecticut State Agencies and as described in the administrative regulations. The approved plan also requires the written authorization of the student's parent/guardian and pursuant to the written order from the student's authorized prescriber licensed to prescribe medication.

Administration of Medications in School Readiness Programs and Before- and After-School Programs

Directors, or their designees, who may include lead teachers or school administrators, who have been properly trained, may administer medications to students as delegated by the school nurse or other registered nurse, in school readiness programs and before- and after-school programs that are child care programs. Such programs must either be District-administered or administered by a municipality exempt from licensure by the Department of Public Health and are located in a District public school. Medicine may be administered pursuant to the Regulations of Connecticut State Agencies, Section 10-212a-10, to children enrolled in these programs.

Administration of medications shall be provided only when it is medically necessary for program participants to access the program and maintain their health status while attending the program. A child attending any before- or after-school program, defined as any child care program operated and administered by the Board in any building or on the grounds of any district school, upon the request and with the written authorization of the child's parent/guardian and pursuant to the written order from the student's authorized prescriber, will be supervised by the District staff member (Director or designee, lead teacher, school administrator) trained to administer medication including a cartridge injector. Such administration shall be to a particular student medically diagnosed with an allergy that may require prompt treatment to avoid serious harm or death.

Investigational drugs or research or study medications may not be administered by Directors or their designees, lead teachers or school administrators.

Properly trained Directors, Directors' designees, lead teachers or school administrators may administer medications to students as delegated by the school nurse or other registered nurse. They may administer oral, topical, intranasal, or inhalant medications. No medication shall be administered without the written order of an authorized prescriber and the written approval of the parent/guardian.

Students

Administering Medication

Administration of Medications in School Readiness Programs and Before- and After-School Programs (continued)

The selected staff member shall be trained in the use of a cartridge injector by either a licensed physician, physician's assistant, advanced practice registered nurse or registered nurse. *(Optional: The selected staff member is also required to complete a course in first aid offered by the American Red Cross, the American Heart Association, the National Ski Patrol, the Department of Public Health or any Director of Health.)*

The administration shall determine, in cooperation with the School Medical Advisor and school nurse [supervisor] whether additional school nursing services/nurses are required based on the needs of the program and the participants in the program. This determination shall include whether a licensed nurse is required on site. The recommendation shall be subject to Board approval.

The Board will allow students in the school readiness and before- and after-school programs to self-administer medication according to the student's individual health plan and only with the written order of an authorized prescriber, written authorization of the child's parent or guardian, written approval of the school nurse (The nurse has evaluated the situation and deemed it appropriate and safe and has developed a plan for general supervision of such self-medication.), and with the written permission of the parent or guardian for the exchange of information between the prescriber and the school nurse necessary to ensure the safe administration of such medication.

An error in the administration of medication shall be reported immediately to the school nurse, the parents/guardians and the prescribing physician. In case of an anaphylactic reaction or the risk of such reaction a school nurse may administer emergency oral and/or injectable medication to any child in need thereof on school grounds, or in the school building, according to the standing order of the School Medical Advisor or the child's private physician. However, in an emergency any other person trained in CPR and First Aid may administer emergency oral and/or injectable medication to any child in need on school grounds, or in the school building. In addition, local poison control center information shall be readily available at the sites of these programs. The Program Director or his/her designee shall be responsible for decision making in the absence of the nurse.

In the event of a medical emergency, the following will be readily available: (1) local poison information center contact information; (2) the physician, clinic or emergency room to be contacted in such an emergency; and (3) the name of the person responsible for the decision making in the absence of a school nurse.

All medications shall be handled and stored in accordance with the provisions of subsection (a) to (k) inclusive of the Regulations of Connecticut State Agencies, as outlined in the accompanying administrative regulation to this policy.

Students

Administering Medication

Administration of Medications in School Readiness Programs and Before- and After-School Programs (continued)

Where possible, a separate supply of the child's medication shall be stored at the site of the before- or after-school program or school readiness program. If this is not possible, a plan should be in place to ensure the timely transfer of the medication from the school to the program and back on a daily basis.

Documentation and record keeping shall be done in compliance with the stipulations outlined in the administrative regulation accompanying this policy.

THE PORTION OF THIS POLICY PERTAINING TO THE ADMINISTRATION OF MEDICATION IN SCHOOL READINESS PROGRAMS AND BEFORE- AND AFTER-SCHOOL PROGRAMS SHALL BE REVIEWED BY THE BOARD ON AN ANNUAL BASIS WITH INPUT FROM THE SCHOOL MEDICAL ADVISOR OR A LICENSED PHYSICIAN AND THE SCHOOL NURSE SUPERVISOR.

Administration of Medication by Coaches and Licensed Athletic Trainers During Intramural and Interscholastic Events

During intramural and interscholastic athletic events, a coach or licensed athletic trainer who has been trained in the general principles of medication administration applicable to receiving, storing, and assisting with inhalant medications or cartridge injector medications and documentation, may administer medication for select students for whom self-administration plans are not viable options as determined by the school nurse. The medication which may be administered is limited to: (1) inhalant medications prescribed to treat respiratory conditions and (2) medication administered with a cartridge injector for students with a medically diagnosed allergic condition which may require prompt treatment to protect the student against serious harm or death.

The school nurse is responsible for the student's individualized medication plan and shall provide the coach with a copy of the authorized prescriber's order and the parental/guardian permission form. Parents are responsible for providing the medication, such as the inhaler or cartridge injector, to the coach or licensed athletic trainer, which shall be kept separate from the medication stored in the school health office during the school day.

Medications to be used in athletic events shall be stored in containers for the exclusive use of holding medications; in locations that preserve the integrity of the medication; under the general supervision of the coach or licensed athletic trainer trained in the administration of medication; and in a locked secure cabinet when not in use at athletic events.

The agreement of the coach or licensed athletic trainer is necessary for the administration of emergency medication and the implementation of the emergency care plan.

Students

Administering Medication

Administration of Medication by Coaches and Licensed Athletic Trainers During Intramural and Interscholastic Events (continued)

Coaches and athletic trainers are required to fulfill the documentation requirements as outlined in the administrative regulations accompanying this policy. Errors in the administration of medication shall be addressed as specified in Section 10-212a-6 of the Regulations of Connecticut State Agencies, and detailed in the administrative regulation pertaining to this policy. If the school nurse is not available, a report may be submitted by the coach or licensed athletic trainer to the school nurse on the next school day.

(cf. 4112.5/4212.5 – Security Check/Fingerprinting)

(cf. 5141 – Student Health Services)

(cf. 5141.23 – Students with Special Health Care Needs)

Legal Reference: Connecticut General Statutes
 10-206 Health Assessment
 10-212 School nurses and nurse practitioners. Administration of medications by parents or guardians on school grounds. Criminal history; records check.
 10-212a Administration of medications in schools. (as amended by PA 99-2, and June Special Session and PA 03-211, PA 04-181, PA 07-241, PA 07-252, PA 09-155 and PA 12-198)
 10-220j Blood glucose self-testing by children. Guidelines. (as amended by PA 12-198)
 19a-900 Use of cartridge injector by staff member of before- or after-school program, day camp or day care facility.
 21a-240 Definitions
 29-17a Criminal history checks. Procedure. Fees.
 52-557b Immunity from liability for emergency medical assistance first aid or medication by injection. School personnel not required to administer or render. (as amended by PA 05-144, An Act Concerning the Emergency Use of Cartridge Injectors)
 Connecticut Regulations of State Agencies 10-212a-1 through 10-212a-10, inclusive
 Code of Federal Regulations: Title 21 Part 1307.2
 20-12d Medical functions performed by physician assistants. Prescription authority.
 20-94a Licensure as advanced practice registered nurse.
 PA 07-241 An Act Concerning Minor Changes to the Education Statutes
 29-17a Criminal history checks. Procedure. Fees.

Policy adopted:

rev. 8/09

rev. 4/11

rev 5/12

An updated regulation to consider. This should be approved by the district's medical advisor prior to approval, with the adopted policy.

Students

Administering Medication to Students

Regular School Day

The Board of Education (Board) allows students to self-administer medication and qualified personnel for schools to administer medication to students in accordance with the following established procedures. These procedures shall be reviewed and/or revised and approved by the School Medical Advisor, the school nurse and the Board of Education. The District's School Medical Advisor (or other qualified physician) will approve this policy, its regulations and any changes prior to submission to the Board of Education for its approval.

The administration of medication includes the activities of handling, storing, preparing or pouring of medication, conveying it to the student according to the medication order, observing the student inhale, apply, swallow, or self-inject the medication, when applicable; documenting that the medication was administered; and counting remaining doses to verify proper administration and use of the medication.

A student who is required to receive medication or wants to take aspirin, ibuprofen, or an aspirin substitute containing acetaminophen during school hours must provide:

1. The authorized prescriber's (physician, dentist, optometrist, advanced practice registered nurse, or physician assistant; and a podiatrist in the case of interscholastic or intramural athletic events) orders for medication or aspirin, ibuprofen, or an aspirin substitute containing acetaminophen on a school district form which specifies the student's name, condition for which the drug is being administered, name of drug and method of administration and dosage of drug. For students receiving medicine the time of administration and duration of the order, side effects to be observed (if any) and management of such effects, and student allergies to food and/or medicine is also required on the form. This medical order must be renewed yearly if a student is to be administered medication by school personnel.
2. Written authorization from his or her parent or guardian allowing school personnel to administer said medication. This authorization shall be renewed yearly and shall include parental consent for school personnel to destroy said medication if not repossessed by the parent or guardian within a seven (7) day period of notification by school authorities.
3. The medication must have its original correct label from the pharmacy or manufacturer.

Students

Administering Medications to Students

Regular School Day (continued)

Students who are able to self-administer medication may do so provided:

1. An authorized prescriber provides a written order for self-administration of said medication.
2. There is written authorization for self-administration of medication from the student's parent or guardian.
3. The school nurse has evaluated the situation and deemed it to be safe and appropriate; has documented this on the student's cumulative health record, and has developed a plan for general supervision.
4. The student and school nurse have developed a plan for reporting and supervision of self-administration and notification of teachers.
5. The principal and appropriate teachers are informed that the student is self-administering prescribed medication.
6. Such medication is transported to the school and maintained under the student's control within these guidelines.

In addition, the Board permits those students who have a verified chronic medical condition and are deemed capable to self-administer prescribed emergency medication, including rescue asthma inhalers and cartridge injectors for medically-diagnosed allergies, to self-administer such medications and may permit such students to self-administer other medications, excluding controlled drugs, as defined in Connecticut General Statute 21a-240. Such students must provide:

1. An authorized prescriber's written medication order including the recommendation for self-administration; and
2. A written authorization for self-administration of medication from the student's parent or guardian.

Further, the school nurse shall assess the student's competency for self-administration in the school setting and deem it to be safe and appropriate, including that a student:

1. is capable of identifying and selecting the appropriate medication by size, color, amount, or other label identification;
2. knows the frequency and time of day for which the medication is ordered;
3. can identify the presenting symptoms that require medication;
4. administers the medication properly;
5. maintains safe control of the medication at all times;
6. seeks adult supervision whenever warranted; and
7. cooperates with the established medication plan.

Students

Administering Medications to Students

Regular School Day (continued)

In the case of inhalers for asthma and cartridge injectors for medically-diagnosed allergies, the school nurse's review of a student's competency to self-administer inhalers for asthma and cartridge injectors for medically-diagnosed allergies in the school setting shall not be used to prevent a student from retaining and self-administering inhalers for asthma and cartridge injectors for medically-diagnosed allergies. Students may self-administer such medications only with the written authorization of an authorized prescriber and written authorization from the student's parent or guardian or eligible student.

The school nurse is responsible for:

1. Reviewing the medication order and parental authorizations;
2. Developing an appropriate plan for self-administration;
3. Documenting the medication plan in the student's or participant's health record; and
4. Informing qualified personnel for schools and other staff regarding the student's self-administration of prescribed medication.

The medication shall be transported to school by the student and maintained under the student's control in accordance with the District's policy on self-medication by students and the individual student plan.

Self-administration of controlled medication may be considered for extraordinary situations such as international field trips. Such self-administration must be approved by the school nurse supervisor and the School Medical Advisor in advance and an appropriate plan shall be developed.

Medication may be administered by a licensed nurse, or in absence of such licensed personnel, any other nurse licensed pursuant to the provisions of Chapter 378, including a nurse employed by, or providing services under the direction of the Board of Education at a school-based clinic, qualified personnel for schools (principals, teachers, licensed physical or occupational therapists and coaches and licensed athletic trainers during intramural and/or interscholastic athletics) trained in the administration of medication. They shall not be held liable for any personal injuries which may result from acts or omissions constituting ordinary negligence.

A licensed practical nurse may administer medications to students if he/she can demonstrate evidence of one of the following:

1. Training in administration of medications as part of their basic nursing program;
2. Successful completion of a pharmacology course and subsequent supervised experience;
3. Supervised experience in medication administration while employed in a health care facility.

Students

Administering Medications to Students

Regular School Day (continued)

Licensed practical nurses shall **not** train or delegate the administration of medication to another individual. Such nurses shall only administer medications after the medication plan has been established by the school nurse or registered nurse.

Medication will be administered according to the following procedures:

1. The school nurse will develop a medication administration plan for each student before medication may be administered by any staff member. The school nurse will also review regularly all documentation pertaining to the administration of medication for students.
2. The qualified personnel for schools approved by the School Medical Advisor and school nurse will be formally trained by the school nurse or School Medical Advisor prior to administering medication. The school nurse, acting as designee and under the direction of the School Medical Advisor, will annually instruct such staff members in the administration of medication. The training shall include, but not be limited to:
 - A. The generic principles of safe administration of medications.
 - B. Review of state statute and school regulations regarding administration of medication by school personnel.
 - C. Procedural aspects of the administration of medication, including the safe handling and storage of medication, and documentation.
 - D. Specific information related to each student's medication and each student's medication plan including the name and generic name of the medication, indications for medication, dosage, routes, time and frequency of administration, therapeutic effects of the medication, potential side effects, overdose or missed dose of the medication, and when to implement emergency interventions.
3. A list of qualified personnel successfully trained and approved to administer medication along with documentation of the annual update of trainees shall be submitted to the Superintendent by the nursing supervisor on October 31 of each year. All such individuals including school nurses and nurse practitioners must have also satisfactorily passed the criminal background check. The documentation shall include the dates of general and student-specific training, the content of the training, individuals who have successfully completed general and student-specific administration of medication training for the current school year, and names and credentials of the nurse or School Medical Advisor trainer or trainers.
4. A current list of those authorized to give medication shall be maintained in the school.

Students

Administering Medications to Students

Regular School Day (continued)

A child with diabetes may test his/her own blood glucose level per the written order of a Connecticut-licensed physician stating the need and the capacity of such child to conduct self-testing, along with the written authorization of the parent/guardian. The time and location of such blood glucose self-testing by a child with diabetes on school grounds shall not be restricted. Such self-testing shall be pursuant to guidelines promulgated by the Commissioner of Education.

The school nurse or school principal shall select a qualified school employee to, under certain conditions, give a glucagon injection to a student with diabetes who may require prompt treatment to protect him/her from serious harm or death. The nurse or principal must have the written authority from the student's parent/guardian and a written order from the student's Connecticut-licensed physician. The authorization shall be limited to situations when the school nurse is absent or unavailable. No qualified school employee shall administer this medication unless he/she has annually completed any training required by the school nurse and school medical advisor in the administration of medication with injectable equipment used to administer glucagon, the school nurse and school medical advisor must attest that the qualified school employee has completed such training and the qualified school employee voluntarily agrees to serve as a qualified school employee. The injections are to be given through an injector or injectable equipment used to deliver an appropriate dose of glucagon as emergency first aid response to diabetes.

A specific paraprofessional, in the absence of a school nurse, may only administer medications to a specific student in order to protect that student from harm or death due to a medically diagnosed allergic condition according to the following:

- A. only with the approval of the School Medical Advisor and school nurse, in conjunction with the school nurse supervisor, and under the supervision of the school nurse;
- B. with a proper medication authorization from the authorized prescriber in conformity with Connecticut General Statute 10-212a;
- C. with parental/guardian permission to administer the medication at school;
- D. only medication necessary for prompt treatment of an allergic reaction, including, but not limited to, a cartridge injector, and
- E. the paraprofessional shall have received proper training and supervision from the school nurse as detailed in Section 10-212a-3 and Section 10-212a-7 of the Regulations of Connecticut State Agencies.

Note: The use of a paraprofessional to administer medications, as described above, is not mandated by law or regulation. Such use is subject to Board of Education approval.

Students

Administering Medications to Students (continued)

Handling and Storage of Medications

All medication, except those approved for keeping by students for self-medication, must be delivered by the parent or other responsible adult and shall be received by the nurse assigned to the school or, in the absence of such nurse, by other qualified personnel for schools trained in the administration of medication and assigned to the school. The school nurse must:

- A. Examine on site any new medication, medication order and parent/guardian authorization to insure that it shall be properly labeled with dates, name of student, medication name, dosage and physician's name, and that the medication order and permission form are complete and appropriate.
- B. Develop an administration of medication plan for the student before any medication is given by qualified personnel for schools.
- C. Review all medication refills with the medication order and parent/guardian written authorization prior to the administration of medication.
- D. Except as indicated by a student's emergency care plan, emergency medications shall be stored in an unlocked, clearly labeled and readily accessible cabinet or container during school hours under the supervision of the nurse or the principal or principal's designee trained in the administration of medication.
- E. Emergency medications shall be locked beyond the regular school day or program hours except as otherwise determined by a student emergency care plan.
- F. Record on the Student's Individual Medication Record the date the medication is delivered and the amount of medication received.
- G. Store medication requiring refrigeration in a refrigerator at no less than 36 degrees Fahrenheit and no more than 46 degrees Fahrenheit. The refrigerator shall be located in a health office maintained for health service purposes with limited access. Non-controlled medications may be stored directly on the shelf of the refrigerator with no further protection needed. Controlled medications shall be stored in a locked box affixed to the refrigerator shelf.
- H. Store prescribed medicinal preparations in securely locked storage compartment. Controlled substances shall be contained in separate compartments, secured and locked at all times. At least two sets of keys for the medication containers or cabinets shall be maintained for each school building or before- and after-school programs and school readiness programs. The school nurse shall maintain one set of keys. The additional set shall be under the direct control of the Principal and, if necessary, the Program Director or lead teacher trained in the administration of medication shall also have a set of keys.

Students

Administering Medications to Students

Handling and Storage of Medications (continued)

All medication, except those approved for keeping by students for self-medication, shall be kept in a designated locked container, cabinet or closet used exclusively for the storage of medication.

In the case of controlled substances, they shall be stored separately from other drugs and substances in a separate, secure, substantially constructed, locked metal or wood cabinet.

No more than a three month supply of a medication for a student shall be stored at the school. All medications, prescriptions and non-prescription, shall be delivered and stored in their original containers and in such a manner as to render them safe and effective. No medication for a student shall be stored at a school without a current written order from an authorized prescriber.

Access to all stored medications shall be limited to persons authorized to administer medications. Each school or before- and after-school program and school readiness program shall maintain a current list of those persons authorized to administer medications.

Destruction/Disposal of Medication

At the end of the school year or whenever a student's medication is discontinued by the authorized prescriber, the parent or guardian is to be contacted and requested to repossess the unused medication within a seven (7) school day period. If the parent/guardian does not comply with this request, all medication (non-controlled drugs) is to be destroyed by the school nurse in the presence of at least one witness (school physician, principal, teacher) according to the following procedures:

1. Medication will be destroyed in a non-recoverable fashion. (*Procedure below recommended by Connecticut Department of Environmental Protection, Office of Pollution Prevention.*)
 - A. **Keep the medication in its original container.**
 - To protect privacy and discourage misuse of the prescription, cross out the patient's name with a permanent marker or duct tape or remove the label. (Chemotherapy drugs may require special handling. Work with your healthcare provider on proper disposal options for this type of medication.)
 - B. **Modify the medications to discourage consumption.**
 - For solid medications: such as pills or capsules: add a small amount of water to at least partially dissolve them.
 - For liquid medications: add enough table salt, flour, charcoal, or nontoxic powdered spice, such as turmeric or mustard to make a pungent, unsightly mixture that discourages anyone from eating it.
 - For blister packs: wrap the blister packages containing pills in multiple layers of duct or other opaque tape.

Students

Administering Medications to Students

Destruction/Disposal of Medication (continued)

- C. Seal and conceal.**
- Tape the medication container lid shut with packing or duct tape.
 - Place it inside a non-transparent bag or container such as an empty yogurt or margarine tub to ensure that the contents cannot be seen.
 - **Do not** conceal medicines in food products because animals could inadvertently consume them.
- D. Discard the container in your trash can.**
- E. Schools that want to dispose of controlled substances should call the Drug Control Division of the CT Department of Consumer Protection for assistance at 860-713-6055.**

2. The following information is to be charted on the student's health folder and signed by the school nurse and witness:
- A. Date of destruction.
 - B. Time of destruction.
 - C. Name, strength, form and quantity of medication destroyed.
 - D. Manner of destruction of medication.
3. Controlled substances shall not be destroyed by the school nurse. Controlled substances shall be destroyed pursuant to Section 21a-262-3 of the Regulations of the Connecticut State Agencies. In the event that any controlled substance remains unclaimed, the school nurse or Supervisor of Nursing shall contact the Connecticut Commissioner of Consumer Protection to arrange for proper disposition. Destruction may also be conducted by a Connecticut licensed pharmacist in the presence of another pharmacist acting as a witness.
4. Any accidental destruction or loss of controlled drugs must be verified in the presence of a second person, including confirmation of the presence or absence of residue and jointly documented on the student medication administration record and on a medication error form pursuant to Connecticut General Statute 10-212a(b). If no residue is present notification must be made to the Department of Consumer Protection (DEP) pursuant to Section 21a-262-3 of the Regulations of Connecticut State Agencies.
5. The completed medication administration record for non-controlled medications may be destroyed in accordance with Section M8 of the Connecticut Municipality Retention Schedule, provided it is superseded by a summary on the student health record.

Students

Administering Medications to Students

Documentation and Record Keeping

Record keeping of medication administration shall either be in ink and shall not be altered or shall be recorded electronically, in a record that cannot be altered, on the individual student's medication record form which, along with the parental authorization form and the authorized prescriber's order, becomes part of the student's permanent record. Records shall be made available to the Connecticut State Department of Education upon request, for review until destroyed pursuant to C.G.S. 11-8a and C.G.S. 10-212a(b) for controlled medications.

Each school readiness or before- and after-school program where medications are administered shall maintain an individual medication administration record for each student who receives medication during regular school or program hours. A medication administration record shall include the:

- A. Name of the student;
- B. Name of medication;
- C. Dosage of medication;
- D. Route of administration;
- E. Frequency of administration;
- F. Name of the authorized prescriber, or in the case of aspirin, ibuprofen, or an aspirin substitute containing acetaminophen being given to a student, the name of the parent or guardian requesting the medication to be given;
- G. Dates for initiating and terminating the administration of the medication, including extended year programs;
- H. Quantity received which shall be verified by the adult delivering the medication;
- I. Student allergies to food and/or medicine;
- J. Date and time of administration or omission including reason for omission;
- K. Dose or amount of drug administered;
- L. Full written or electronic signature of the nurse or qualified personnel for schools administering the medication; and
- M. For controlled medications, a medication count which shall be conducted and documented at least once a week and co-signed by the assigned nurse and a witness.

The completed medication administration record for controlled medications shall be maintained in the same manner as the non-controlled medications. In addition, a separate medication administration record needs to be maintained in the school for three years, pursuant to Connecticut General Statute 10-212a(b).

The written order of the authorized prescriber, the written authorization of the parent or guardian to administer the medication and the written parental/guardian permission for the exchange of information by the prescriber and school nurse to ensure the safe administration of such medication shall be filed in the student's cumulative health record or, for before- and after-school programs and school readiness programs, in the child's program record.

Students

Administering Medications to Students

Documentation and Record Keeping (continued)

Record of the medication administered shall be entered in ink on an individual student medication record form and filed in the student's cumulative health folder. If the student is absent, it shall be so recorded. If an error is made in recording, a single line shall be run through the error and initialed.

An authorized prescriber's verbal order, including a telephone order, for a change in any medication may be received only by a school nurse. Such verbal order must be followed by a written order within three (3) school days.

1. An error in the administration of medication shall be reported to the school nurse who will initiate appropriate action and documentation in a student incident report and on his/her cumulative record.
2. Untoward reactions to medication shall be reported to the school nurse, the parent, and the student's physician.
3. Records of controlled substances shall be entered in the same manner as other medications with the following additions:
 - A. The amount of controlled drug shall be counted and recorded on the individual student medication record form after each dose given.
 - B. A true copy (carbon or NCR) of the forms shall be retained by the school for 3 years and the original filed in the student's permanent health record.
 - C. Loss, theft or destruction of controlled substances shall be immediately, upon discovery, reported to the Supervisor of Nursing Services who will contact the Connecticut Commissioner of Consumer Protection.

In the absence of a licensed nurse, only qualified personnel for schools who have been properly trained may administer medication to students. Qualified personnel for schools may administer oral, topical, or inhalant medications. Medications with a cartridge injector(s) may be administered by qualified personnel only to a student with a medically diagnosed allergic condition which may require prompt treatment to protect the student against serious harm or death.

Investigational drugs may not be administered by qualified personnel for schools.

In the case of the administration of a medication with a cartridge injector in an after-school readiness program or child-care program, such administration shall be reported to the school nurse no later than the next school day.

Students

Administering Medications to Students

Medication Errors

An error in the administration of medication shall be reported immediately to the school nurse, the school nurse supervisor, the parent/guardian, and the authorized prescriber, verbally and followed by a written statement to all parties within one (1) school day.

A medication error includes any failure to administer medication as prescribed for a particular student, including failure to administer the medication:

- Within the appropriate timeframe.
- In the correct dosage.
- In accordance with accepted practice.
- To the correct student.

In the event of a medication error, the school nurse shall notify the parent or guardian. The nurse shall document the effort to reach the parent or guardian. If there is a question of potential harm to the student and medical treatment may be required, the nurse and/or building administrator shall also notify the student's authorized prescriber or the School Medical Advisor. In a severe emergency, 911 should be called. Contact the Poison Control Center as deemed necessary.

Any errors in the administration of a medication shall be documented by the nurse in the student's cumulative health record or, for before- and after-school programs and school readiness programs, in the child's program record. A written report shall also be made using a medication error form authorized by the Board of Education. The report must include any corrective action taken.

In case of an anaphylactic reaction or the risk of such reaction, a school nurse (or any other person trained in CPR and First Aid) may administer emergency oral and/or injectable medication to any student in need thereof on the school grounds, in the school building, or at a school function according to the standing order of the School Medical Advisor or the student's private physician.

Alternate language pertaining to "Medication Errors" to consider:

Whenever any error in medication administration occurs, the following procedures shall apply:

- A. the person making the error in medication administration shall immediately implement the medication emergency procedures in this regulation if necessary, and shall immediately notify the school nurse and the Principal (if the Principal was not the person who made the error);
- B. the school nurse shall immediately notify the authorized prescriber and the student's parent or guardian.

Students

Administering Medications to Students

Medication Errors (continued)

- C. the Principal shall notify the Superintendent or the Superintendent's designee, advising of the nature of the error and all steps taken or being taken to rectify the error, including contact with the authorized prescriber and/or any other medical action(s). (An incident report form is to be sent to the Superintendent or his/her designee.)

A report shall be completed using the authorized accident/incident report form.

Any error in the administration of medication shall be documented in the student's cumulative health record.

Administration of Emergency Medication under Connecticut General Statute 10-212a

In the absence of a school nurse, any other nurse licensed pursuant to provisions of Chapter 378 including a nurse providing services at a school-based health clinic, qualified personnel for schools may give emergency medication orally or by injection to students with a medically diagnosed allergic condition which would require such prompt treatment to protect the child from serious harm or death so long as the administrator or teacher has completed training in administration or such medication.

Whenever a student has an untoward reaction to administration of a medication, resolution of the reaction to protect the student's health and safety shall be the foremost priority. The school nurse and the authorized prescriber shall be notified immediately, or as soon as possible in light of any emergency medical care that must be given to the student.

Emergency medical care to resolve a medication emergency includes but is not limited to the following, as appropriate under the circumstances or: *(in the event of a medication emergency, the following will be readily available:)*

- A. The use of the 911 emergency response system;
- B. The contact of a local poison information center;
- C. The physician, clinic or emergency room to be contacted in such an emergency;
- D. The name of the person responsible for the decision-making in the absence of the school nurse;
- E. The application by properly trained and/or certified personnel of appropriate emergency medical care techniques, such as cardio-pulmonary resuscitation;
- F. Administration of emergency medication in accordance with policy #5141.21 and this administrative regulation; and
- G. Transporting the student to the nearest available emergency medical care facility that is capable of responding to a medication emergency.

Students

Administering Medications

Administration of Emergency Medication under Connecticut General Statute 10-212a (continued)

As soon as possible, in light of the circumstances, the Principal shall be notified of the medication emergency. The Principal shall immediately thereafter contact the Superintendent or the Superintendent's designee.

The school nurse is responsible for notifying the parent or guardian, advising of the existence and nature of the medication emergency and all steps taken or being taken to resolve the emergency and protect the health and safety of the student, including contact with the authorized prescriber and/or any other medical action(s) that are being or have been taken.

Supervision

The school nurse is responsible for general supervision of administration of medications in the school(s) to which that nurse is assigned. The school nurse's duty of general supervision includes, but is not limited to the following:

1. Availability on a regularly scheduled basis to:

- a. review orders or changes in orders, and communicate these to personnel designated to administer medication for appropriate follow-up;
- b. set up a plan and schedule to ensure medications are given;
- c. provide training to qualified personnel for schools and other licensed nursing in the administration of medications, and assess that the qualified personnel for schools are competent to administer medications;
- d. support and assist other licensed nursing personnel and qualified personnel for schools to prepare for and implement their responsibilities related to the administration of specific medications during school hours; and,
- e. provide consultation by telephone or other means of telecommunications. (In the absence of the school nurse, an authorized prescriber or other nurse may provide this consultation.)

2. In addition, the school nurse shall be responsible for:

- a. implementing policies and procedures regarding the receipt, storage, and administration of medications;
- b. reviewing, on a monthly basis, all documentation pertaining to the administration of medications for students;
- c. observing the competency to administer medication by qualified personnel for schools; and
- d. conducting periodic reviews, as needed, with licensed nursing personnel and qualified personnel for schools, regarding the needs of any student receiving medication.

Students

Administering Medications (continued)

Before - and After-School Programs and School Readiness Programs

Directors, or their designees, who may include lead teachers or school administrators, who have been properly trained, may administer medications to students as delegated by the school nurse or other registered nurse, in school readiness programs and before- and after-school programs that are child care programs. (Such programs must either be District-administered or administered by a municipality exempt from licensure by the Department of Public Health and are located in a District public school). Medicine may be administered pursuant to the Regulations of Connecticut State Agencies, Section 10-212a-10, to children enrolled in these programs.

Administration of medications shall be provided only when it is medically necessary for program participants to access the program and maintain their health status while attending the program. Investigational drugs or research or study medications may not be administered by Directors or their designees, lead teachers or school administrators. Properly trained Directors, Directors' designees, lead teachers or school administrators may administer medications to students as delegated by the school nurse or other registered nurse. They may administer oral, topical, intranasal, or inhalant medications. No medication shall be administered without the written order of an authorized prescriber and the written approval of the parent/guardian.

A child attending any before- or after-school program, as defined in policy #5141.21, upon the request and with the written authorization of the child's parent/guardian and pursuant to the written order from the student's authorized prescriber, will be provided medication and supervised by the District staff member (Director or designee, lead teacher, school administrator) trained to administer medication with a cartridge injector. Such administration shall be to a particular student who is medically diagnosed with an allergy that may require prompt treatment to avoid serious harm or death.

The selected staff member shall be trained in the use of a cartridge injector by either a licensed physician, physician's assistant, advanced practice registered nurse or registered nurse. *(Optional for protection under the Good Samaritan statute: The selected staff member is also required to complete a course in first aid offered by the American Red Cross, the American Heart Association, the National Ski Patrol, the Department of Public Health or any Director of Health.)*

The administration has determined, in cooperation with the School Medical Advisor and school nurse [supervisor], the level of nursing services that is/is not required on site based on the needs of the program and its participants.

Students

Administering Medications

Before - and After-School Programs and School Readiness Programs (continued)

Students in the school readiness and before- and after-school programs may self-administer medication according to the student's individual health plan and only with the written order of an authorized prescriber, written authorization of the child's parent or guardian, written approval of the school nurse. (*Note: It is a local decision whether to allow self-medication in these programs.*)

The nurse shall evaluate the situation and deem it appropriate and safe and has developed a plan for general supervision of such self-medication. The written permission of the parent or guardian for the exchange of information between the prescriber and the school nurse is required in order to ensure the safe administration of such medication.

Any error in the administration of medication shall be reported immediately to the school nurse, the parents and the prescribing physician. In case of an anaphylactic reaction or the risk of such reaction a school nurse (*Optional: or any other person trained in CPR and First Aid*) may administer emergency oral and/or injectable medication to any child in need thereof on school grounds, or in the school building, according to the standing order of the School Medical Advisor or the child's private physician. In addition, local poison control center information shall be readily available at the sites of these programs.

In the event of a medical emergency, the following will be readily available: (1) local poison information center contact information; (2) the physician, clinic or emergency room to be contacted in such an emergency; and (3) the name of the person responsible for the decision making in the absence of a school nurse.

All medications shall be handled and stored as outlined in this administrative regulation. Where possible, a separate supply of the child's medication shall be stored at the site of the before- or after-school program or school readiness program. If this is not possible, a plan must be developed and implemented to ensure the timely transfer of the medication from the school to the program and back on a daily basis.

Documentation and record keeping shall be done in compliance with the stipulations outlined in this administrative regulation.

A separate administration of medication record for each student in the program shall be maintained. All instances of the administration of medication shall be reported to the school nurse according to the student's individual plan or at least on a monthly basis. The administration of a medication with a cartridge injector shall be reported to the school nurse no later than the next school day. The administration of medication record shall be submitted to the school nurse at the end of the school year and filed in or summarized on the student's cumulative health record.

Students

Administering Medications

Before - and After-School Programs and School Readiness Programs (continued)

A child attending any before- and after-school programs or school readiness programs operated and administered by the Board or municipality in any building or on the grounds of any District school, upon the request and with the written authorization of the child's parent/guardian or eligible student and pursuant to the written order from the student's authorized prescriber, will be supervised by a District staff member trained to administer medication with a cartridge injector. Such administration shall be to a particular student diagnosed with an allergy that may require prompt treatment to avoid serious harm or death. The selected staff member shall be trained in the use of a cartridge injector by either a licensed physician, physician's assistant, advanced practice registered nurse or registered nurse. *(Optional for protection under the Good Samaritan statute: The selected staff member is also required to complete a course in first aid offered by the American Red Cross, the American Heart Association, the National Ski Patrol, the Department of Public Health or any Director of Health.)*

Supervision of the administration of medication in before- and after-school and school readiness programs shall be pursuant to the "Supervision" section of these administrative bylaws.

Administration of Medication During Intramural and Interscholastic Athletics

A coach or licensed athletic trainer, trained in the general principles of medication administration applicable to receiving, storing, and assisting with inhalant medications or cartridge injector medications and documentation, may administer medication for select students, according to the student's individualized medication plan, for whom self-administration plans are not viable options as determined by the school nurse.

The medication which may be administered is limited to: (1) inhalant medications prescribed to treat respiratory conditions and (2) medication administered with a cartridge injector for students with a medically diagnosed allergic condition which may require prompt treatment to protect the student against serious harm or death.

The school nurse, responsible for the student's individualized medication plan, shall provide the coach with a copy of the authorized prescriber's order and the parental/guardian permission form. Parents are responsible for providing the coach or licensed athletic trainer the medication, such as the inhaler or cartridge injector, which shall be kept separate from the medication stored in the school health office during the school day.

Medications to be used in athletic events shall be stored in containers for the exclusive use of holding medications; in locations that preserve the integrity of the medication; under the general supervision of the coach or licensed athletic trainer trained in the administration of medication; and in a locked secure cabinet when not in use at athletic events.

Students

Administering Medications

Administration of Medication during Intramural and Interscholastic Athletics (continued)

The coach or licensed athletic trainer's agreement is necessary for the administration of emergency medication and the implementation of the student's emergency care plan.

Coaches and licensed athletic trainers are required to fulfill the documentation requirements as outlined in these administrative regulations. A separate medication administration record for each student shall be maintained in the athletic area. Errors in the administration of medication shall be addressed as specified in Section 10-212a-6 of the Regulations of Connecticut State Agencies, and detailed in these administrative regulations. If the school nurse is not available, a report may be submitted by the coach or licensed athletic trainer to the school nurse on the next school day.

An administration of medication record shall be submitted to the school nurse at the end of each sport season and filed in the student's cumulative health record.

Legal Reference: Connecticut General Statutes
 10-206 Health assessment
 10-212 School nurses and nurse practitioners. Administration of medications by parents or guardians on school grounds. Criminal history; records check
 10-212a Administration of medicines by school personnel. (as amended by P.A. 03-211, PA 04-181 and PA 09-155)
 10-22j Blood glucose self-testing by children. Guidelines (as amended by PA 12-198)
 19a-900 Use of cartridge injector by staff member of before- or after-school program, day camp or day care facility
 21a-240 Definitions
 29-17a Criminal history checks. Procedure. Fees
 52-557b Immunity from liability for emergency medical assistance first aid or medication by injection. School personnel not required to administer or render. (as amended by PA 05-144 – An Act Concerning the Emergency Use of Cartridge Injectors)
 Connecticut Regulations of State Agencies
 10-212a-1 through 10-212a-10 Administration of Medication by School Personnel and Administration of Medication During Before- and After-School Programs and School Readiness Programs
 1307.21 Code of Federal Regulation

Regulation approved:

rev 7/09
 rev 4/11
 rev 5/12

PUBLIC SCHOOLS
_____, Connecticut

Authorization for the Administration of Medication by School Personnel

Connecticut State Law and Regulation require a written medication order of an authorized prescriber (physician, dentist, advanced practice registered nurse or physician's assistant) and parent's or guardian's authorization for a nurse to administer medications or in her absence, qualified personnel for schools (principal, teacher, occupational therapist, coach, licensed athletic trainer) to administer medications. Medications must be in pharmacy prepared containers and labeled with name of child, name of drug, strength, dosage, frequency, authorized prescriber's name and date of original prescription.

Authorized Prescriber's Order

Name of Student: _____ Date: _____

Address: _____ Date of Birth: _____

Condition for which drug is being administered during school hours, field trips, school readiness programs, before and after school programs, and during intramural and interscholastic events:

Medication (name, dose and administration): _____

Medication shall be administered from _____ to _____

Relevant side effects to be observed, if any _____

If there are side effects, plan for management: _____

I deem it medically appropriate for this patient to self-administer the medication _____
Name of Medication

during the regular school day, field trips, school readiness, before and after school programs and/or intramural or interscholastic sports. _____

Authorized Prescriber's Signature

Is this a Controlled Medication? _____ If yes, DEA number: _____

Authorized Prescriber Name: _____ Telephone #: _____

Authorized Prescriber Signature: _____ Date: _____

Address: _____

Nurse/Qualified
Personnel for Schools: _____ Date: _____

Authorization by Parent/Guardian for the administration of the above medication by qualified school personnel and for the release of medical information from/to the above name medical practitioner.

Does your child have any allergies to medication? Yes No

If yes, what? _____

Do you want medications given on early dismissal days? Yes No

Self-Administration of Medication Authorization/Approval

Self-administration of medication may be authorized by the authorized prescriber and parent/guardian and must be approved by the school nurse in accordance with Board policy.

Authorized prescriber's authorization for self-administration: Yes No

Signature _____ Date _____

Parent/Guardian authorization for self-administration: Yes No

Signature _____ Date _____

School nurse approval for self-administration: Yes No

Signature _____ Date _____

To School Personnel:

I hereby request that the above medication, order by the authorized prescriber for my child _____ be administered by qualified school personnel. I understand that I must supply the school with the prescribed medication in the original container dispensed and properly labeled by a physician or pharmacist and will provide no more than a three (3) month supply of said medication.

I understand that this medication will be destroyed if it is not picked up within one week following the termination of the order or one week beyond the close of school.

Parent/Guardian Name (print): _____

Signature: _____ Relationship to Child: _____

Address: _____ Telephone #: _____

School District: _____ School: _____ Grade: _____

Authorization for the Administration of Medicine by Authorized School Personnel

Connecticut State Law and Regulations 10-212(a) require a written medication order of an authorized prescriber, (physician, dentist, advanced practice registered nurse or physician's assistant) and parent/guardian written authorization, for the nurse, or in the absence of the nurse, qualified personnel for schools to administer medication. Medications must be in the original properly labeled container and dispensed by a physician/pharmacist.

Authorized Prescriber's Authorization

Name of Student: _____ Date of Birth: _____

Address: _____

Condition for which drug is being administered: _____

Drug name: _____ Dose: _____ Route: _____

Time of Administration: _____ If PRN, frequency: _____

Relevant side effects: None expected Specify: _____

Allergies: No Yes (specify): _____

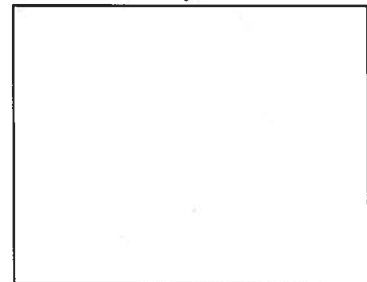
Medication shall be administered from: _____ to _____
Month/Day/Year Month/Day/Year

Authorized Prescriber's Name/Title: _____
(Type or Print)

Telephone: _____ Fax: _____

Address: _____

Authorized Prescriber's
Signature: _____ Date: _____



Use for Authorized Prescriber's Stamp

Parent/Guardian Authorization

I hereby request that the above ordered medication be administered by school personnel. I understand that I must supply the school with no more than a three (3) month supply of medication. I understand that this medication will be destroyed if not picked within one (1) week following termination of the order or the last day of school, whichever comes first.

Parent/Guardian Signature: _____ Date: _____

Parent's/Guardian's Home Phone #: _____ Work #: _____

Self-Administration of Medication Authorization/Approval

Self-administration of medication may be authorized by the authorized prescriber and parent/guardian and must be approved by the school nurse in accordance with Board policy.

Authorized prescriber's authorization for self-administration: Yes No _____
Signature Date

Parent/Guardian authorization for self-administration: Yes No _____
Signature Date

School nurse approval for self-administration: Yes No _____
Signature Date

MEDICATION ERROR OR INCIDENT REPORT

Date or Report: _____ School: _____ Prepared by: _____
 Name of Student: _____ Grade: _____
 Home Address: _____ Phone: _____
 Date error occurred: _____ Time noted: _____
 Person Administering Medication: _____
 Authorized Prescriber: _____
 Reason medication was prescribed: _____
 Date of Order: _____ Instructions for Administration: _____

Medication(s)	Dose	Route	Scheduled Time	Dispensing Pharmacy	Prescription Number

Describe the error and how it occurred (use reverse side if necessary)

Action Taken: *(by school nurse)*

Prescribing practitioner notified: Yes No Date _____ Time _____
 School Medical Advisor notified: Yes No Date _____ Time _____
 School Principal notified: Yes No Date _____ Time _____
 Superintendent of Schools notified (by Principal): Yes No Date _____ Time _____
 Parent/Guardian notified: Yes No Date _____ Time _____

Outcome: _____

Name: _____
 Print or Type Signature Title Date

Note: Any error in the administration of medication shall be documented in the student's cumulative health record, or for before- and after-school programs and school readiness programs in the child's program record.

Record of Training of Qualified Personnel for Schools** in the Administration of Medicines

School Building _____ Responsible School Nurse/School Medical Advisor _____

Date	Name Qualified Personnel for Schools	Generic Principles of Safe Administrations *	Review of State Statute & School Regulations Regarding Administration by Qualified School Personnel *	Procedural Safe Handling and Documentation *	Aspects Recording *	Specific Student Needs* (including name or generic name of medication, indications for medication, dosage, routes, time & frequency of administration, therapeutic effects of the medication, overdose, missed dose.)	Medication Idiosyncrasies *	Desired Effects *	Potential Side Effects Untoward Reactions, When to Implement Emergency Interventions *

***Directions: Check (x) when completed.**

** Qualified Personnel for Schools means (a) a full time employee as a principal, teacher, occupational therapist, or physical therapist who has been trained in the administration of medication pursuant to Section 10-212a-3 of the State regulations; (b) a coach and licensed athletic trainer trained in the administration of medication pursuant to Section 10-212a-8 of the State regulations; (c) a paraprofessional who has been trained in the administration of medication pursuant to Section 10-212a-9 of the State regulations. For school readiness programs and before- and after-school programs, directors, director's designee, lead teacher and school administrators trained in the administration of medication pursuant to Section 10-212a-10 of the State regulation.

_____, Connecticut
PUBLIC SCHOOLS

HIPAA-Compliant Authorization for Exchange of Health & Education Information

Patient/Student Name: _____ Date of Birth: _____

I hereby authorize _____ [insert health care provider name & title]
and
_____ [insert address & telephone of school/school district]
_____ [insert address & telephone of health care provider]

Description:

The health information to be disclosed consists of:

The education information to be disclosed consists of:

Purpose: This information will be used for the following purpose(s):

- Educational evaluation and program planning
- Health assessment and planning for health care services and treatment in school
- Medical evaluation and treatment
- Other: _____

Authorization

This authorization is valid for one calendar year. It will expire on _____ [insert date]. I understand that I may revoke this authorization at any time by submitting written notice of the withdrawal of my consent. I recognize that health records, once received by the school district, may not be protected by the HIPAA Privacy Rule, but will become education records protected by the Family Educational Rights and Privacy Act. I also understand that if I refuse to sign, such refusal will not interfere with my child's ability to obtain health care.

Parent Signature: _____ Date: _____

Student Signature*: _____ Date: _____

* If a minor student is authorized to consent to health care without parental consent under federal or state law, only the student shall sign this authorization form. In Connecticut, a competent minor, depending on age, can consent to outpatient mental health care, alcohol and drug abuse treatment, testing for HIV/AIDS, and reproductive health care services.

INDIVIDUALIZED HEALTH CARE PLAN

Name: _____ DOB: _____ Sex: _____ Allergies: _____ Physician: _____

Relevant Diagnosis(es): _____

Diet: _____ Mobility: _____ Equipment: _____

Medical History: _____

Medication/Treatment: _____

Signature: _____ (Parent) Signature: _____ (Student) Signature: _____ (School Nurse)

HEALTH CARE GOAL

DATE	HEALTH PROBLEM / NURSING DIAGNOSIS	STUDENT OBJECTIVES	INTERVENTION AND RESPONSIBLE PERSON	EVALUATION AND TIMELINE

5141.21
FORM #7
 (continued)

NAME: _____

DATE	HEALTH PROBLEM / NURSING DIAGNOSIS	STUDENT OBJECTIVES	INTERVENTION AND RESPONSIBLE PERSON	EVALUATION AND TIMELINE

Adapted from Hartford Public Schools for use in Connecticut Department of Education Guidelines for Students with Special Health Care Needs.

Connecticut Statewide School Health Services Report

Report of Epinephrine* Administration

Please mail or fax form to: Stephanie Knutson, Connecticut State Department of Education, 25 Industrial Park Road, Middletown, CT 06457
Fax number: (860) 807-2127

School District: _____ Name of School: _____ Public Non Public
Student/Staff DOB: _____ Gender: M F Ethnicity: Spanish/Hispanic/Latino: Yes No
Race: American Indian/Alaskan Native African American Asian Native Hawaiian/other Pacific Islander White
Diagnosis/History of Asthma: Yes No History of Anaphylaxis: Yes No Previous Epinephrine Use: Yes No

Incident:

Date/Time of occurrence: _____ Known allergen(s): _____

Trigger that precipitated this allergic episode: _____

Symptoms: _____

Location of individual when symptoms developed: _____

Location of individual when Epinephrine administered: _____

Location of Epinephrine storage: _____

Epinephrine administered by: RN Other If other, please specify: _____

If other than an RN, was this person formally trained? Yes No Date of training: _____

If epinephrine was self-administered by an individual at school or a school-sponsored function, did the individual follow school protocols to notify school personnel and activate EMS? Yes No NA

Approximate time between onset of symptoms and administration of Epinephrine: _____

Was Epinephrine administered under a patient specific order for a particular student? Yes No

Does school district have non-patient specific standing orders/protocols in place for Anaphylaxis? Yes No

Individual Health Care Plan (IHCP) in place? Yes No School Physician notified? Yes No

Written school district policy on management of life-threatening allergies in place? Yes No

Disposition:

Transferred to ER: Yes No Discharged after _____ hours Biphasic reaction: Yes No Unknown

Hospitalized: Yes No Discharged after _____ days

Outcome:

Recommendations for changes/improvements to current policy or procedures: _____ Debriefing meeting? Yes No

Form completed by: _____ (please print) Date: _____

Title: _____ Phone number: _____

Address: _____

*EpiPen®, or EpiPen® Jr. or Twinject™

Recommended and revised policy to consider in light of ADA.

Students

Communicable/Infectious Diseases

The Board of Education recognizes that all children in Connecticut have a constitutional right to a free, suitable program of educational experiences. The Board will establish reasonable health requirements as prerequisites to admission or attendance including the requirement that students undergo physical examination prior to admission.

Where it can be medically established that a student suffers from a serious infectious disease and there is a significant risk of transmission of the disease to others due to the nature of the disease or personal characteristics of the student carrier, it may be appropriate to exclude the student from the regular classroom. The determination of exclusion of any student will be made on a case by case basis with the appropriate procedural due process safeguards. Where the risk of transmission is relatively low or appropriate procedures can be adopted to reduce the risk of transmission exclusion is not warranted.

A child with an infectious disease may be considered handicapped, if the child presents such physical impairment that limits one or more major life activities. Therefore, Section 504 of the Rehabilitation Act may apply. The parent/guardian or the school administration may make a referral for determination whether the student is handicapped and entitled to protection under Section 504. The Planning and Placement Team will conduct an Individual Placement Program (IPP) to determine whether the student is handicapped or is "otherwise qualified" within the meaning of Section 504. The student will be educated in the least restrictive environment.

The District will include as part of its emergency procedure plan a description of the actions to be taken by District personnel in case of pandemic flu outbreak or other catastrophe that disrupts District Operations.

(cf. 5111 - Admission)
(cf. 5141.3 - Health Assessments and Immunizations)
(cf. 6159 - Individualized Education Program)

Legal Reference: Connecticut General Statutes

"Education for Children with Disabilities", 20 U.S.C. 1400, et seq. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 706(7)(b)

"Americans with Disabilities Act"

The Family Educational Rights and Privacy Act of 1974, (FERPA), 20 U.S.C. 1232g, 45 C.F.R. 99.

Students

Communicable/Infectious Diseases

Legal Reference: Connecticut General Statutes (continued)

10-76(d)(15) Duties and powers of boards of education to provide special education programs and services.

10-154a Professional communications between teacher or nurse and student.

10-207 Duties of medical advisors.

10-209 Records not to be public.

10-210 Notice of disease to be given parent or guardian.

19a-221 Quarantine of certain persons.

19a-581-585 AIDS testing and medical information.

Policy adopted:

rev 1/07

Recommended regulation.

Students

Communicable/Infectious Diseases

Exclusion Procedures

If it is determined that the interests of the student and the school are better served when a student with a communicable or infectious disease is excluded, procedural safeguards will establish such by extensive medical evidence which shall include, but not be limited to:

- A. The nature of the disease.
- B. Whether transmission may be controlled.
- C. Whether the personal characteristics of the student involved are such that exclusion of the affected student from the regular classroom is clearly necessary to protect the health of other students.
- D. As medical knowledge and circumstances may change rapidly, the school board administrator will monitor current medical information and assess the student's medical condition and the school's ability to accommodate that student in light of the most current medical information. New facts may warrant a different result from the one previously reached.
- E. Where a student or student's parents object to the Board's decision to exclude that student, the Board of Education will provide a hearing to adjudicate pertinent facts concerning the exclusion.

Medical Intervention

The school nurse or medical advisor will establish guidelines which will provide simple, effective precautions against transmission of communicable disease for all students and staff. Universal precautions will be used to clean up after a student has an accident or injury at school. Blood or bodily fluids emanating from any student should be treated cautiously. Such guidelines will be reviewed regularly in light of medical advances. Necessary reports will be made to health authorities consistent with state law.

If emergency exclusion of a student is warranted, regulation will provide procedures to take care of the emergency situation.

Consideration will be given to temporary removal of a student from school, if in the school population, a disease, flu, cold or childhood disease might negatively impact the infected student's health. Students with infectious diseases may be temporarily removed from school when that student is acutely ill.

Students

Communicable/Infectious Diseases (continued)

Classroom and educational programs will be established so that students, staff and the public are better informed of the risk and prevention of transmission of communicable diseases. The school nurse or other medical staff will be available to assist in any problem resolution, answer questions and coordinate services provided by other staff.

Confidentiality

The privacy rights of students with a communicable disease shall be strictly observed by school staff. No person who obtains confidential related medical information may disclose or be compelled to disclose such information except to the following:

1. The protected student or parent.
2. Any person who secures a release of the confidential related information.
3. A federal, state or local officer when such disclosure is mandated or authorized by federal state law.
4. A health care provider or health facility when knowledge of the related information is necessary to provide appropriate care treatment to the protected student and when confidential related information is already recorded in the medical chart or record or a health provider has access to such records for the purpose of providing medical care to that student.

When confidential information relating to communicable disease is disclosed, it should be accompanied by a statement in writing which shall include the following similar language;

"This information has been disclosed to you from records whose confidentiality is protected by state law. State law prohibits you from making any further disclosure without the specific written consent of the student or legal guardian to whom it pertains or as otherwise permitted by law. A general authorization for the release of medical or other information is not sufficient for this purpose."

A notation of all such disclosure shall be placed in the medical record or with any record related to a communicable disease test results of a protected student. Any person who willfully violates the provisions of this law will be liable in a private cause of action for injuries suffered as result of such violation. Damages may be assessed in the amount sufficient to compensate said student for such injury.

Students

Communicable/Infectious Diseases

Legal Reference: Connecticut General Statutes

"Education for Children with Disabilities", 20 U.S.C. 1400, et seq.

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 706(7)(b).

"Americans with Disabilities Act".

The Family Educational Rights and Privacy Act of 1974, (FERPA), 20 U.S.C. 1232g, 45 C.F.R. 99.

Connecticut General Statutes

10-15b Access of parent or guardian to student's records.

10-19 Teaching about alcohol, nicotine or tobacco, drugs and acquired immune deficiency syndrome.

10-66b Regional educational service centers. Operation and management. Board.

10-76(d)(15) Duties and powers of boards of education to provide special education programs and services.

10-154a Professional communications between teacher or nurse and student.

10-207 Duties of medical advisors.

10-209 Records not to be public.

10-210 Notice of disease to be given parent or guardian.

19a-221 Quarantine of certain persons.

19a-581-585 AIDS testing and medical information.

Regulation approved:

**PUBLIC SCHOOLS
COMMON COMMUNICABLE DISEASES**

DISEASE	EXCLUSION FROM SCHOOL POLICY
Chicken pox	6 days or until lesions are crusted
Conjunctivitis	Has received appropriate therapy for 24 hours and has permission from the physician to return to school
Elevated Temperature (100 degrees or over)	A full 24 hours after the child is afebrile (99.9 degrees or lower)
German Measles (Rubella)	7 days after onset of rash
Impetigo	Has received appropriate medically prescribed therapy for 24 hrs. and has permission from the physician to return to school
Hepatitis	Has physician's permission to return to school
Infectious Mononucleosis	No set time – only while illness lasts, has permission from physician to return to school
Measles	5 days after appearance of rash
Meningitis	No set time – only while illness lasts, has permission from physician to return to school
Mumps	Until swelling has subsided or not less than 9 days after onset of parotid swelling
Pediculosis	Until hair is clear – no appearance of live nits and has used prescribed shampoo or over-the-counter treatment, especially for the treatment of head lice
Ringworm of Scalp	None, if under proper treatment
Scabies	Has received appropriate medically prescribed treatment for 24 hrs. and has permission from physician to return to school
Streptococcal Infection	Has received appropriate therapy for 24 hours and has permission from physician to return to school
Fifth Disease	Excluding children from school is not recommended as a public health measure

Children excluded from school with any of the above health problems must be evaluated by the school nurse before returning to the classroom.

Existing policy, presently numbered 5141.1 adopted 10/16/06, appropriate as renumbered, except for update to legal reference.

Students

Tuberculosis Testing

All students upon entry into Beecher Road School must have an assessment performed of their risk of exposure to tuberculosis. The Woodbridge School District requires that any child determined to be at high risk be tested by their primary care provider.

Students who test positive must have an appropriate management plan developed by their primary care provider. The plan must be submitted to the school within 60 days of school entry in order for the student to be retained in school. The plan should include, but not be limited to, anticipated duration of therapy and date when completed.

Proper reporting of tuberculosis infection or disease should also be made to the state and local health departments as required by law.

Legal Reference: Connecticut General Statutes

Sections 10-206 (b) and (c), Health Assessments.

Existing regulation, presently numbered 5141.1 approved 10/16/06, appropriate as renumbered.

Students

Tuberculosis Testing

Tuberculosis - State Requirements for Screening and Testing

The Connecticut General Statutes Sections 10-206 (b) and (c) mandate that each student have a health assessment at three time periods during his/her primary and secondary school education: just before school entry, during grade 6 or 7, and during grade 10 or 11. The Statute states that: "this assessment shall include a test for tuberculosis when the local or regional Board of Education determines, after consultation with the school medical adviser and local health department, that such a test is necessary." The attached questionnaire should be used to assess if a student is considered high risk.

All health care providers conducting assessment for exposure to tuberculosis will be encouraged to use the "Risk Assessment Questionnaire for Tuberculosis Exposure" developed by the Department of Public Health and accompanying these regulations.

The intradermal injection test (Mantoux test) should be used for all students assessed to be at high risk for exposure to tuberculosis. Multipuncture tests should not be used since the amount and potency of antigen varies and testing techniques are not standardized, compromising both sensitivity and specificity.

The result of the risk assessment and testing, when done, should be recorded on the state health assessment record (HAR-3) or directly in the student's school health record (CHR).

Students who test positive must have an appropriate management plan developed by their primary care provider or, in the absence of one, the Winchester Chest Clinic at Yale-New Haven Hospital which offers free evaluation and treatment for anyone with TB without the means to pay for care. The plan must be submitted to the school within 60 days of school entry in order for the student to be retained in school. The plan should include, but not be limited to, anticipated duration of therapy and date when completed. Proper reporting of tuberculosis infection or disease should also be made to the state and local health departments as required by law.

Routine tuberculin testing of all students at school entry or for any of the required examinations is not recommended. The current low rates of transmission of tuberculosis in all parts of Connecticut do not justify it.

Students

Tuberculosis Testing

Tuberculosis - State Requirements for Screening and Testing (continued)

At each mandated health assessment, students not already known to have a positive test should be tested if they have any of the following risk factors for tuberculosis infection.

1. Any student born in a high risk country of the world (all countries in Africa, Asia, including former Soviet Union, Eastern Europe, Central and South America, Dominican Republic and Haiti), and do not have a record of a tuberculin skin test preformed in the U.S. A history of BCG vaccination is not a contraindication to testing nor should it be considered in interpretation of the skin test result.
2. If the student has traveled to a high-risk country, stayed at least a week with substantial contact with the indigenous population since the previously required examination.
3. If the student has had an extensive contact with persons who have recently come to the U.S. since the previously required examination.
4. If the student had contact with person(s) suspected to have tuberculosis.
5. If the student had contact with anyone who has been in a homeless shelter, jail or prison, uses illegal drugs or has HIV infection.

Reference

“Tuberculosis Control Screening Guidelines for Connecticut Schools”, dated May 2005 from the Department of Public Health, State of Connecticut.

Regulation approved:

WOODBRIIDGE PUBLIC SCHOOLS
Woodbridge, Connecticut

Risk Assessment Questionnaire For Tuberculosis Exposure

Was your child born outside the US? yes no

If yes, where was your child born? If born in Africa, Asia (including the former Soviet Union), Latin America (including Haiti and the Dominican Republic) or Eastern Europe, a TST should be placed.

Has your child traveled outside the US? yes no

If yes, where did the child travel, with whom did the child stay, and how long did the child travel? If the child traveled to any of the above continental areas, stayed for ≥ 1 week and interacted with the local people, including local friends or local family, then a TST should be placed.

Has your child been exposed to anyone with TB disease? yes no

If yes, determine whether the person has TB disease or LTBI, when the exposure occurred, and what the nature of the contact was. If confirmed that contact was with a person with known or suspected TB disease, a TST should be placed.

Does your child have close contact with someone with a positive TST? yes no

If yes, see previous question for follow-up questions.

1. **Has your child drunk raw milk or eaten unpasteurized cheese since the last tuberculin skin test?** yes no

If yes, then a TST should be placed.

2. **Does your child have a household member who was born outside the US?**
yes no

If yes, from what country? If country is one of the countries included in question 1, then a TST should be placed.

3. **Does your child have a household member who has traveled outside the US?**
yes no

Included as a household member are persons who take care of the child in the home. If yes, and the person is from one of the countries included in question 1, a TST should be placed.

Existing policy, presently numbered 5141.22 adopted 6/17/02, appropriate as renumbered, except for addition of legal reference.

Students

Prohibition for Psychotropic Drugs

The Board of Education prohibits school personnel from recommending the use of psychotropic drugs for any child. For the purposes of this policy, the term "recommend" shall mean to directly or indirectly suggest that a child should use psychotropic drugs.

However, the School Medical Advisor, School Physician, or School Nurse may recommend that an appropriate Medical Practitioner evaluate a child.

Nothing in this policy shall be construed to prohibit a Planning and Placement Team from discussing with parents and or/guardians of a child the appropriateness of consultation with, or evaluation by Medical Practitioners; or prohibit school personnel from consulting with appropriate Medical Practitioners with the consent of the parents and/or guardians of a child.

Legal Reference: Connecticut General Statutes
 10-212b Policies prohibiting the recommendation of psychotropic drugs by school personnel. (as amended by PA 03-211)
 46b-120. Definitions.
 10-76a Definitions. (as amended by PA 00-48)
 10-76b State supervision of special education programs and service.
 10-76d Duties and powers of boards of education to provide special education programs and services. (as amended by PA 97-114 and PA 00-48)
 10-76h Special education hearing and review procedure. Mediation of disputes. (as amended by PA 00-48)
 State Board of Education Regulations.
 34 C.F.R. 3000 Assistance to States for Education for Handicapped Children.
 American with Disabilities Act, 42 U.S.C. §12101 et seq.
 Individuals with Disabilities Education Act, 20 U.S.C. §1400 et seq.
 Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794.

Policy adopted:

WOODBRIIDGE PUBLIC SCHOOLS
 Woodbridge, Connecticut

A sample policy to consider.

Students

Students/Staff with HIV, ARC (AIDS Related Complex) or AIDS

Scientific studies show that the Human Immunodeficiency Virus (HIV), the virus which causes the acquired immune deficiency syndrome (AIDS) or ARC (AIDS Related Complex), is transmitted through sexual intercourse with an infected individual or through exposure to contaminated blood or needles. There is no evidence to support the notion that the HIV virus can be transmitted through ordinary school or household activities, e.g. coughing, sneezing, hugging, sharing of utensils or food, or shaking hands.

The anonymity of individuals with HIV infection or AIDS is protected by law. Moreover, individuals with HIV infection or AIDS are protected from discrimination by both federal and state laws. Neither attendance at school nor employment may be denied to an individual with HIV infection or AIDS. It is the policy of the District that no student or staff member with HIV infection or AIDS may be prohibited from attending school/employment unless there is an immediate risk of injury or harm to the individual or to others.

Because the diagnosis of HIV infection or AIDS is a confidential matter between the individual student or staff member and his or her physician, the District may be unaware of the diagnosis. Consequently, the Board of Education has adopted a policy of "universal precautions" which protects all students and staff from contact with blood and body fluids of others. These precautions are enumerated in the Bloodborne Pathogen policy.

(cf. - 4147.1/4247.1 Bloodborne Pathogens)

Legal Reference:

Connecticut General Statutes
10-76(d)(15) Duties and powers of boards of education to provide special education programs and services
10-154a Professional communications between teacher or nurse and student
10-207 Duties of medical advisors
10-209 Records not to be public
10-210 Notice of disease to be given parent or guardian
19a-221 Quarantine of certain persons
19a-581-585 AIDS testing and medical information
20 U.S.C. 7906, No Child Left Behind Act of 2001

Policy adopted:

cps 1/01

rev 5/03

Existing regulation, presently numbered 5141.4 date of approval unknown, appropriate as renumbered, except for addition of legal reference. A sample policy follows for consideration.

Students

AIDS Management

I. Rationale

The Woodbridge Board of Education is aware of the unique educational and health problems associated with the conditions of Acquired Immune Deficiency Syndrome (AIDS) and AIDS Related Complex (ARC) and with the significance of the presence of Human Immuno-deficiency Virus (HIV) antibody in the blood of an individual, each of which hereinafter referred to as an "HIV condition". The Board recognizes its responsibility to provide for every child an appropriate education in the least restrictive environment. At the same time, the Board must assure that a safe learning and working environment be provided for its students and employees. To this end, the Board directs the Superintendent to:

- A. Implement the following administrative regulation, should a current or prospective student, staff or faculty have an HIV condition.
- B. Convene, within two months of the passage of this regulation by the Board, an AIDS Panel consisting of the Director of Public Health, the Superintendent, the School Principal, the School Nurse, the School Physician, the Chairman of the Board of Education or his representative, the Town Counsel, and a member of the faculty.
- C. Charge the panel to develop guidelines for the Superintendent and the School Physician to determine the attendance at school of a student, faculty or staff member with an HIV condition. The guidelines shall be periodically revised as new medical knowledge develops regarding the epidemiology and communicability of this condition. The guidelines and each revision of them shall be distributed to members of the Board of Education.
- D. Implement immediately, in consultation with the School Physician, procedures for the handling of body fluids in the school appropriate to the prevention of transmission of HIV and other communicable infectious diseases.

II. Students

- A. It is the responsibility of the parent(s) or guardian of a child afflicted with an HIV condition, who is enrolled or to be enrolled in the Woodbridge Elementary School, to notify the Superintendent of the child's condition. The Superintendent shall develop a mechanism to convey this responsibility to parents.

Students

AIDS Management

II. Students (continued)

- B. Confidentiality of the afflicted child's name shall be a prime consideration and obligation of the Superintendent. The child's name shall be divulged initially only to the School Physician.
- C. The School Physician and the Superintendent shall decide on attendance in school of the child afflicted with an HIV condition based on the previously established guidelines under I(C). Should these guidelines not prove sufficient to make a reasonable decision, the student shall not be allowed to attend school until his or her case has been reviewed in detail by the Panel.
- D. The AIDS Panel shall be notified promptly by the Superintendent of the presence of a child afflicted with an HIV condition in school and shall convene within 14 days of notification. The Panel shall consider whether the decision reached by the Superintendent and School Physician on the attendance of a child is appropriate.
- E. If the AIDS Panel decides that additional review of a case is appropriate, the child's name may be divulged to the Panel as necessary so that it may meet with the child's parent(s), guardian, physician or other representative.
- F. At the discretion of the AIDS Panel, the child may not be allowed to attend school during its review of the child's condition. During this time, an afflicted child, if medically able, shall receive an appropriate educational program in an alternative environment.
- G. In the event an afflicted child is permitted to attend regular school sessions, the right of privacy of the individual shall continue to be respected. Only appropriate staff members, as determined by the AIDS Panel, shall be informed of the existing condition.
- H. Should the person(s) responsible for the child's care disagree with the recommendations of the AIDS Panel, they should file an appeal with the Woodbridge Board of Education for a review of findings. If the decision of the Board of Education does not meet with approval, parents or guardians have the right to further appeal by due process under State Regulations.

III. Staff

- A. It is the responsibility of any staff or faculty member afflicted with an HIV condition to notify the Superintendent of his or her condition.

Students

AIDS Management

III. Staff (continued)

- B. Upon learning of the affliction of any staff or faculty member by an HIV condition, from whatever source of information, the Superintendent shall notify the School Physician.
- C. The Superintendent and the School Physician shall decide on the continued presence in school of the afflicted staff or faculty member with an HIV condition based on the previously established guidelines under I. (C.). Should these guidelines not prove sufficient to make a reasonable decision, the staff or faculty member shall not be allowed to continue work until his or her case has been reviewed in detail by the AIDS Panel.
- D. The AIDS Panel shall be notified by the Superintendent of any staff or faculty member afflicted with an HIV condition without divulging the identity of that individual initially. The AIDS Panel shall meet within 14 days of notification to review the appropriateness of the decision made by the Superintendent and School Physician on the continued employment of the staff or faculty member afflicted with AIDS. If the name of the employee is needed to arrive at an appropriate decision, it shall be divulged.
- E. Appeal of the decision reached by the AIDS Panel shall be made by the afflicted individual or by his or her representative to the Woodbridge Board of Education.
- F. It is the responsibility of the AIDS Panel to insure that the identity of any afflicted staff or faculty member and information related to his or her condition remain confidential.

Legal Reference: Connecticut General Statutes

10-19b AIDS education.

10-76(d)(15) Duties and powers of boards of education to provide special education programs and services.

10-154a Professional communications between teacher or nurse and student.

10-207 Duties of medical advisors.

10-209 Records not to be public.

10-210 Notice of disease to be given parent or guardian.

Students

AIDS Management

Legal Reference: Connecticut General Statutes (continued)

19a-221 Quarantine of certain persons.

19a-581-585 AIDS testing and medical information. "Education for Children with Disabilities," 20 U.S.C. 1400, et seq. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 706 (7)(b).

Americans with Disabilities Act.

The Family Educational Rights and Privacy Act of 1974, (FERPA), 20 U.S.C. 1232g, 45 C.F.R. 99.

20 U.S.C. 7906, No Child Left Behind Act of 2001.

Regulation approved:

WOODBRIIDGE PUBLIC SCHOOLS
Woodbridge, Connecticut

Existing policy, presently numbered 5141.23 adopted 3/19/06, appropriate as renumbered, except for updates to legal reference. A sample follows for comparison and consideration.

Students

Students with Special Health Care Needs

Special Dietary Needs/Allergies

The Board of Education believes all students, through necessary accommodations where required, shall have the opportunity to participate fully in all school programs and activities. The Board recognizes the increased identification of potentially severe food allergies among children. Efficient management of food allergies within the school setting includes implementing a prevention plan with appropriate school personnel, parents, and students. The prevention plan would identify the offending food and create an emergency care plan for the child so that, in the event of exposure, prompt treatment may occur. The identification of the responsibilities of the student, family, and the school is an integral part of the overall management.

When the nature of a student's disability is a food related allergy or food related condition, a description of the dietary requirement as well as the specific dietary prescription and allowable substitutions, will be specifically described and noted in the child's health record. The district, in compliance with the USDA Child Nutrition Guidelines, will take suitable and acceptable precautions.

School administration, in conjunction with professional health staff, certified staff, and/or school medical advisor, are directed to develop and implement guidelines for the care of food allergic students. The risk of accidental exposure to food allergens can be reduced but not fully eliminated in the public school setting. School personnel will make every reasonable effort to minimize risks and provide a safe learning environment for food allergic students. Guidelines include:

1. Maintain the health and protect the safety of children who have life-threatening food allergies in ways that are developmentally appropriate, promote self-advocacy and competence in self-care and provide appropriate educational opportunities.
2. Insure that interventions and individual health care plans for students with life-threatening food allergies are based on medically accurate information and evidence-based practices.
3. Define a formal process for identifying, managing, and ensuring continuity of care for students with life-threatening food allergies across all transitions. (PreK-6).

It is the policy of the Board of Education to follow the guidelines developed and promulgated by the Connecticut Department of Health and Department of Education for students within the District with life-threatening food allergies. Such guidelines include:

1. Education and training for school personnel on the management of students with life-threatening food allergies, which may include training related to the administration of medication with a cartridge injector.

Students

Students with Special Health Care Needs

Special Dietary Needs/Allergies (continued)

2. Procedures for responding to life-threatening allergic reactions to food.
3. A process for the development of individualized health care and food allergy action plans for every student with a life-threatening food allergy.
4. Protocols to prevent exposure to food allergens.

It is the Board's expectation that specific building based guidelines/actions will take into account the health needs and well-being of all children without discrimination or isolation of any child. It is the Board's belief that education and open and informative communication are vital for the creation of an environment with reduced risks for all students and their families. In order to assist children with life-threatening allergies to assume more individual responsibility for maintaining their safety as they grow, it is the policy of the Board that guidelines shift as children advance through the Primary and Intermediate grades.

Legal Reference:	<p>Connecticut General Statutes</p> <p>10-15b Access of parent or guardian to student's records.</p> <p>10-154a Professional communications between teacher or nurse and student.</p> <p>10-207 Duties of medical advisors.</p> <p>10-212a Administrations of medications in schools.</p> <p>10-212c Life threatening food allergies; Guidelines; district plans.</p> <p>10-212a(d) Administration of medications in schools by a paraprofessional.</p> <p>10-220i Transportation of students carrying cartridge injectors.</p> <p>19a-900 Use of cartridge injectors by staff members of before or after school programs, day camp or day care facility.</p> <p>52-557b Good Samaritan Law. Immunity from liability for emergency medical assistance, first aid or medication by injection.</p> <p>The Regulation of Connecticut State Agencies section 10-212a through 10-212a-7, Administration of Medication by School Personnel.</p> <p>Guidelines for Managing Life-Threatening Food Allergies in Connecticut Schools, Connecticut State Department of Education (2006).</p>
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Students

Students with Special Health Care Needs

Legal Reference:	Connecticut General Statutes (continued)
	Federal legislation.
	Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794 § 504; 34 C.F.R. § 104 et seq.)
	Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. §12101 et seq.; 29 C.F.R. §1630 et seq.)
	The Family Education Rights and Privacy Act of 1974 (FERPA)
	<i>Land v. Baptist Medical Center</i> , 164F3d423 (8 th Cir. 1999)
	The Individuals with Disabilities Education Act of 1976 (IDEA) (20 U.S.C. § 1400 et seq.); 34 C.F.R. § 300 et seq.
	FCS Instruction 783-2, Revision 2, Meal substitution for medical or other special dietary reasons.
	P.A. 09-155 An Act Concerning the Use of Asthmatic Inhalers and Epinephrine Auto-Injectors While at School.

Policy adopted:

WOODBRIIDGE PUBLIC SCHOOLS
Woodbridge, Connecticut

A version of this policy developed by Shipman and Goodwin update to reflect new legislation.

Students

Students with Special Health Care Needs

Food Allergy Management Plan and Guidelines

The _____ Public Schools recognize that food allergies may be life threatening. For this reason, the District is committed to developing strategies and practices to minimize the risk of accidental exposure to life threatening food allergens and glycogen storage disease and to ensure prompt and effective medical response should a child suffer an allergic reaction while at school. The district further recognizes the importance of collaborating with parents and appropriate medical staff in developing such practices and encourages strategies to enable the student to become increasingly proactive in the care and management of his/her food allergy, or glycogen storage disease as developmentally appropriate. To this end, the _____ Public Schools adopt the following guidelines related to the management of life threatening food allergies for students enrolled in district schools.

I. Identifying Students with Life-Threatening Food Allergies

Early identification of students with life-threatening food allergies is important. The district therefore encourages parents/guardians of children with a life-threatening food allergy to notify the school of the allergy, providing as much information about the extent and nature of the food allergy as is known, as well as any known effective treatment for the allergy.

II. Individualized Health Care Plans and Emergency Care Plans

1. If the District determines that a child has a life-threatening food allergy, the district shall develop an individualized health care plan (IHCP) for the child. Each IHCP should contain information relevant to the child's participation in school activities, and should attempt to strike a balance between individual, school and community needs, while fostering normal development of the child.
2. The IHCP should be developed by a group of individuals, which shall include the parents, and appropriate school personnel. Such personnel may include, but are not limited to, the school nurse, school or food service administrator(s); classroom teacher(s); and the student, if appropriate. The school may also consult with the school's medical advisor, as needed.

Students

Students with Special Health Care Needs

Food Allergy Management Plan and Guidelines

II. Individualized Health Care Plans and Emergency Care Plans (continued)

3. IHCPs are developed for students with special health needs or whose health needs require daily interventions. The IHCP describes how to meet the child's health and safety needs within the school environment and should address the student's needs across school settings. Information to be contained in an IHCP should include a description of the functional health issues (diagnoses); student objectives for promoting self care and age appropriate independence; and the responsibilities of parents, school nurse and other school personnel. The IHCP may also include strategies to minimize the student's risk for exposure, such as considerations regarding:
 - a. classroom environment, including allergy free considerations;
 - b. cafeteria safety;
 - c. participation in school nutrition programs;
 - d. snacks, birthdays and other celebrations;
 - e. alternatives to food rewards or incentives;
 - f. hand-washing;
 - g. location of emergency medication;
 - h. risk management during lunch and recess times;
 - i. special events;
 - j. field trips;
 - k. extracurricular activities;
 - l. school transportation;
 - m. staff notification; and
 - n. transitions to new classrooms, grades and/or buildings.
4. The IHCP should be reviewed annually, or whenever there is a change in the student's emergency care plan, changes in self-monitoring and self-care abilities of the student, or following an emergency event requiring the administration of medication or the implementation of other emergency protocols.
5. In addition to the IHCP, the district shall also develop an Emergency Care Plan (ECP) for each child identified as having a life threatening food allergy. The ECP is part of the IHCP and describes the specific directions about what to do in a medical emergency. The ECP should include the following information:

Students

Students with Special Health Care Needs

Food Allergy Management Plan and Guidelines

II. Individualized Health Care Plans and Emergency Care Plans (continued)

6. An individualized health care plan and glycogen storage disease action plan shall also be developed for any student with glycogen storage disease. Such plan shall include, but is not limited to, the provision of food or dietary supplements by the school nurse or by an employee approved by the school nurse to a student with glycogen storage disease. Such plan may not prohibit a parent/guardian or a person they so designate, for providing food or dietary supplements to the affected student on school grounds during the school day.
 - a. The child's name and other identifying information, such as date of birth, grade and photo;
 - b. The child's specific allergy;
 - c. The child's signs and symptoms of an allergic reaction;
 - d. The medication, if any, or other treatment to be administered in the event of exposure;
 - e. The location and storage of the medication;
 - f. Who will administer the medication (including self-administration options, as appropriate);
 - g. Other emergency procedures, such as calling 911, contacting the school nurse, and/or calling the parents or physician;
 - h. Recommendations for what to do if the child continues to experience symptoms after the administration of medication; and
 - i. Emergency contact information for the parents/family and medical provider.
7. In developing the ECP, the school nurse should obtain current health information from the parents/family and the student's health care provider, including the student's emergency plan and all medication orders. If needed, the school nurse or other appropriate school personnel, should obtain consent to consult directly with the child's health care providers to clarify medical needs, emergency medical protocol and medication orders.
8. A student identified as having a life-threatening food allergy is entitled to an IHCP and an ECP, regardless of his/her status as a child with a disability, as that term is understood under 504, or the IDEA.
9. The District shall ensure that the information contained in the IHCP and ECP is distributed to any school personnel responsible for implementing any provisions of the IHCP and/or ECP.

Students

Students with Special Health Care Needs

Food Allergy Management Plan and Guidelines

II. Individualized Health Care Plans and Emergency Care Plans (continued)

10. Whenever appropriate, a student with a life-threatening food allergy should be referred to a Section 504 Team for consideration if/when there is reason to believe that the student has a disability that substantially limits a major life activity, as defined by Section 504. Whenever appropriate, students with life-threatening food allergies should be referred to a PPT for consideration of eligibility for special education and related services if there is reason to suspect that the student has a qualifying disability and requires specialized instruction.
11. When making eligibility determinations under Section 504 and/or the IDEA, schools must consider the student's needs on an individualized, case-by-case basis.

III. Training/Education

1. The District shall provide appropriate education and training for school personnel regarding the management of students with life threatening food allergies and glycogen storage disease. Such training shall include, as appropriate for each school (and depending on the specific needs of the individual students at the school) training in the administration of medication with cartridge injectors (i.e., epi-pens) and/or preventative strategies to minimize a child's risk of exposure to life-threatening allergens. School personnel will be also be educated on how to recognize symptoms of allergic reactions, and what to do in the event of an emergency. Staff training and education will be coordinated by [insert name of appropriate administrator/school nurse]. Any such training regarding the administration of medication shall be done accordance with state law and Board policy.
2. Each school within the district shall also provide age-appropriate information to students about food allergies, how to recognize symptoms of an allergic reaction and the importance of adhering to the school's policies regarding food and/snacks.

IV. Prevention

Each school within the district will develop appropriate practices to minimize the risk of exposure to life threatening allergens. Practices which may be considered may include, but are not limited to:

1. Encouraging hand-washing;
2. Discouraging students from swapping food at lunch or other snack/meal times;
3. Encouraging the use of non-food items as incentives, rewards or in connection with celebrations.

Students

Students with Special Health Care Needs

Food Allergy Management Plan and Guidelines (continued)

V. Communication

1. As described above, the school nurse shall be responsible for coordinating the communication between parents, a student's individual health care provider and the school regarding a student's life threatening allergic condition. School staff responsible for implementing a student's IHCP will be notified of their responsibilities and provided with appropriate information as to how to minimize risk of exposure and how to respond in the event of an emergency.
2. Each school will ensure that there are appropriate communication systems available within each school (i.e. telephones, cell phones, walkie-talkies) and for off-site activities (i.e. field trips) to ensure that school personnel are able to effectively respond in case of emergency.
3. The District shall develop standard letters to be sent home to parents, whenever appropriate, to alert them to food restrictions within their child's classroom or school.
4. All district staff are expected to follow district policy and/or federal and state law regarding the confidentiality of student information, including medical information about the student.

VI. Monitoring the District's Plan and Procedures

The District should conduct periodic assessments of its Food Allergy Management Plan and Procedures. Such assessments should occur at least annually and after each emergency event involving the administration of medication to determine the effectiveness of the process, why the incident occurred, what worked and what did not work.

Legal Reference: Connecticut General Statutes

10-15b Access of parent or guardian to student's records.

10-154a Professional communications between teacher or nurse and student.

10-207 Duties of medical advisors.

10-212a Administrations of medications in schools

10-212c Life threatening food allergies; Guidelines; district plans

Students

Students with Special Health Care Needs

Accommodating Students with Special Dietary Needs (Food Allergy Management) (continued)

Legal Reference: Connecticut General Statutes (continued)

10-212a(d) Administration of medications in schools by a paraprofessional.

10-212c Life threatening food allergies; Guidelines; district plans, as amended by P.A. 12-198)

10-220i Transportation of students carrying cartridge injectors

19a-900 Use of cartridge injectors by staff members of before or after school programs, day camp or day care facility.

52-557b Good Samaritan Law. Immunity from liability for emergency medical assistance, first aid or medication by injection

The Regulations of Connecticut State Agencies section 10-212a through 10-212a-7, Administration of Medication by School Personnel.

Guidelines for Managing Life-Threatening Food Allergies in Connecticut Schools, Connecticut State Department of Education (2006)

Federal Legislation

Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794 § 504; 34 C.F.R. § 104 et seq.)

Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. §12101 et seq.; 29C.F.R. §1630 et seq.

The Family Education Rights and Privacy Act of 1974 (FERPA)

Land v. Baptist Medical Center, 164F3d423 (8th Cir. 1999)

The Individuals with Disabilities Education Act of 1976 (IDEA) (20 U.S.C. § 1400 et seq.); 34 C.F.R. § 300 et seq.

FCS Instruction783-2, Revision 2, Meal substitution for medical or other special dietary reasons.

P.A. 09-155 An Act Concerning the Use of Asthmatic Inhalers and Epinephrine Auto-Injectors While at School.

Policy adopted:

cps 8/09

rev 5/12

A sample regulation to consider, based upon the CSDE's "Guidelines for Managing Life-Threatening Food Allergies in Connecticut Schools". This is limited to the issue of food allergies only.

Students

Students with Special Health Care Needs

Accommodating Students with Special Dietary Needs (Food Allergy Management)

Identification of Students with Life-Threatening Food Allergies

Strategies to be used to identify students with life-threatening food allergies may include using school newsletters, kindergarten registration, school nurse communications with families (i.e., new student health history form), and communication with community nursery schools and preschools. These strategies for identification of students with life-threatening food allergies facilitate proper planning prior to the beginning of the school year.

Process for Annual Development of Individualized Health Care Plan

A formalized process will be used for the development of an individualized health care plan for students with life-threatening food allergies. This process includes a standardized template for the development of both the Individualized Health Care Plan (IHCP) and the Emergency Care Plan (ECP), recommendations of team members who are involved in the development of the IHCP, a process to obtain medical information and proper authorizations to administer medication from the student's health care provider, and a process to develop other accommodations within the IHCP such as allergen-free zones in the classroom or cafeteria.

Administration of Medications

Medication administration for students with life-threatening food allergies must follow District policy and procedures regarding medication administration. Medication administration at schools and at school activities must be in compliance with CGS, Section 10-212a and Sections 10-212a - 1 through 10-212a -7 of the Regulations of the Connecticut State Agencies.

Administration of medications during the school day: In the absence of a school nurse, administration of an epinephrine cartridge auto-injector may be administered by a principal, teacher, occupational therapist (OT) or physical therapist (PT) with proper training by the school nurse. An individual paraprofessional who has been properly trained in medication administration may administer an epinephrine auto-injector to a specific child with life-threatening food allergies if approved by the school nurse and the School Medical Advisor with proper authorization from the parent and health care provider.

Training for medication administration: The school nurse shall provide the training on administration of medication to all school personnel to whom they delegate the administration of medications. This training must include the medication, the desired effects, when and how to administer the medication, the potential side effects, and the emergency response plan.

Students

Students with Special Health Care Needs

Accommodating Students with Special Dietary Needs (Food Allergy Management)

Administration of Medications (continued)

Supervision: The school nurse is responsible for the supervision of the other school personnel who are delegated responsibility for administering medications.

Other considerations: Other considerations include the following:

- Obtaining proper medication authorizations from the student's health care provider [licensed physician, APRN or Physician's Assistant (PA)];
- Parental permission to administer medication at school;
- Ensuring medication is provided by the parent for use in the school setting;
- Determination of where medications will be stored (i.e., in the health room, in the classroom carried by the student on their person);
- Safety considerations including storage during and beyond the school day; and
- Determination of competence of an individual student's ability to self-administer their own medication by the authorized health care provider, the parent, and the school nurse.

Standing Orders: A standing order from the School Medical Advisor for the school nurses to administer epinephrine to students who are not known to have a life-threatening food allergy, do not have their own medication order and have their first anaphylactic reaction in school. This standing order shall include an order to administer a second dose of epinephrine if the symptoms of an anaphylactic reaction have not subsided within a specified number of minutes with the first dose of epinephrine. These orders shall be reviewed and signed by the School Medical Advisor on an annual basis.

Communication Plans

The expectations for communication and privacy issues between relevant school staff (such as school nurses, teachers, administrators, etc), families and the student's health care providers (such as physicians, nurses, and EMS) include:

- Obtaining documentation by the student's health care provider (licensed physician or Advanced Practice Registered Nurse [APRN]) of the life threatening allergies, which may include the proper authorizations for medications and emergency response protocols.
- A communication process with the student's health care providers and parents regarding individual student's prevention and management plans.
- Establishing communication systems within the school (i.e., walkie-talkies) and during off-site activities (i.e., cell phones or radios on school transportation and field trips).

Students

Students with Special Health Care Needs

Accommodating Students with Special Dietary Needs (Food Allergy Management)

Communication Plans (continued)

- Determining a communication processes between school and parents of children without life-threatening food allergies including standard parental notification letters regarding allergen classrooms.
- Establishing procedures that ensure the appropriate people (such as all teachers, paraprofessionals, custodian, bus driver and substitute staff) are familiar with the IHCP and emergency plan.

Provisions for Initial and Ongoing Education for School Community (including clinical updating to school nurses and school medical advisors)

The District will need to answer questions based upon their local needs, such as:

- Why are we doing this education and who will conduct it?
- Will this education be offered on a school or districtwide basis?
- Who will attend these educational opportunities?
- What are the key messages that need to be delivered?
- How often will this education occur?

Education and professional development opportunities: The school nurse may need to update clinical knowledge and skills related to severe food allergy in school settings. This would include information pertaining to: allergies; individualized health care plans; emergency care plans; transportation plans and issues; accommodations within regular education; requirements of Section 504, appropriate school district policies and procedures; collaborating with families; and implications of normal development in drafting care plans.

The school nurse in collaboration with the parent(s) of students with life-threatening food allergies and School Medical Advisor shall provide education to relevant school staff such as classroom teacher/specialist, substitutes, students, school administrators, school food service staff, custodians, bus drivers, coaches and other on-site persons in charge of conducting after school activities. This education may include: overview of life-threatening food allergies; prevention strategies; emergency care plans; medication training; food safety; sanitation; and specific accommodations, such as field trips.

Students

Students with Special Health Care Needs

Accommodating Students with Special Dietary Needs (Food Allergy Management)

Education and professional development opportunities: (continued)

The school nurse in collaboration with school administration may provide education to parents of students with life-threatening food allergies. This education may include: general information (anaphylaxis, epinephrine, etc); school medication policies and procedures; and school policies and procedures related to the development of school plans to manage life-threatening food allergies.

The school nurse in collaboration with school administration, the School Medical Advisor and parent(s) of students with life-threatening food allergies should provide education to the school and community partners (including parents of children without life-threatening food allergies, health care providers and parent volunteers). This education may include: general terms (anaphylaxis, epinephrine etc.); prevention strategies; and school policies and procedures.

The school nurse in collaboration with school administration and food allergy educators may provide education to peers of students with life-threatening food allergies. Peer education is a critical component of food allergy management at school. As students with life-threatening food allergies and their peers mature, it is often the children themselves that first recognize a reaction and summon help. This education may include general terms (anaphylaxis, epinephrine, etc); school policies on prevention strategies, such as prohibiting food swapping and allergen free zones; and school policies on bullying and teasing.

In addition to education of the school community, education efforts should also include education for the individual student to promote self-advocacy and competence in self-care. Strategies may include:

- Collaborating to help families and school staff define reasonable (and unreasonable risks) for children at each developmental stage. These risks may include self-carrying and self-administration of medication, making food choices in the school cafeteria, educating peers about life-threatening food allergies, etc.
- Determining appropriate steps for safety in the context of children's needs to take risks in order to learn and develop.

Prevention Measures

Prevention measures shall include:

- Effective sanitation and cleaning measures, such as cleaning of lunch table and classroom surfaces with disposable paper towels and cleaning products known to effectively remove food proteins.

Students

Students with Special Health Care Needs

Accommodating Students with Special Dietary Needs (Food Allergy Management)

Prevention Measures (continued)

- Promotion of hand-washing practices following eating to prevent cross-contact using recommended procedures of soap and water or hand wipes when soap and water are not available. Hand sanitizers are not effective for removing food allergens or dirt.
- Enforcement of safe practices among students, such as prohibiting meal/snack swapping, utensil swapping among students, and prohibiting eating on school transportation.
- Consideration of allergen-free zones such as the classroom, lunch tables, or cafeteria zone to decrease exposure to allergen.
- Consider options for food-free common areas (such as libraries, music and art rooms, etc.)
- Development of common practices for alerting and assigning substitute staff for school nurses and teachers.
- Provide supervision in the cafeteria and on the playground by trained and knowledgeable staff in recognition of symptoms of anaphylaxis and emergency plans.
- Plan for celebrations (birthdays, school parties, holidays, and other school events) which may include alternatives to food for celebrations, provisions for allergy-free foods for celebrations, etc.)
- Plan for fire drills, lockdowns, or shelter in place which may include considerations for access to medications, allergy free foods, etc.
- Plan for PTO/PTA sponsored events for students including those with life-threatening food allergies.
- Discuss use of classrooms and other school facilities by outside groups and safety considerations necessary.
- Adhere to OSHA and Universal Precautions Guidelines for disposal of epinephrine auto-injectors after use.

Food Service and Food Safety Considerations

School Meals: Generally, children with food allergies or intolerances that are not life-threatening do not have a disability as defined under either Section 504 of the Rehabilitation Act or IDEA. Therefore, school food services may, but are not required to, make food substitutions. Any substitutions made would require a completed “Medical Statement for Children *without* Disabilities” to be on file.

However, if a licensed physician determines the food allergy is severe enough to result in a life-threatening (anaphylactic) reaction, the school food service program must make the substitutions prescribed by the physician, even if the child is not considered disabled under Section 504 or IDEA. In this case, the “Medical Statement for Children *with* Disabilities” form must be completed and on file.

Students

Students with Special Health Care Needs

Accommodating Students with Special Dietary Needs (Food Allergy Management)

Food Service and Food Safety Considerations (continued)

The school nurse has the lead in obtaining appropriate documentation such as medical statements. It is essential that this information is communicated to the School Food Service Director.

Collaboration with food service staff is essential to assist the student with life-threatening food allergies to participate in the school meal program. With documentation from the student's health care provider, meal substitutions can be made to ensure that students are provided with food choices that avoid certain foods. To the extent possible, school food service staff should provide parents with food labels so that they can identify and approve which foods that their child may select for meals in school.

Food Safety: The School Food Service Director has the responsibility to insure school food service facilities are operated in compliance with state and local regulations. School food service employees are to be provided annual training on the issues and concerns in regards to food allergies in the school environment.

School food service allergy awareness training may include: identifying the major allergens; label reading; cleaning and separating to avoid cross contact with allergens; personal hygiene to avoid cross contact with allergens; and developing standard operating procedures to document and monitor allergen free measures and preparation areas within the kitchen.

(Note: The Food Allergy & Anaphylaxis Network, in cooperation with the National Restaurant Association, has developed training program guidelines for food service employees that may be obtained through the Food Allergy & Anaphylaxis Network at (800-929-4040). Special procedures for handling meal accommodations for children with life-threatening food allergies and other special dietary needs can be obtained by contacting the Connecticut State Department of Education. Information regarding the U.S. Department of Agriculture's requirements can be found in *Accommodating Children with Special Dietary Needs in the School Nutrition Programs: Guidance for School Food Service Staff* at:

http://www.fns.usda.gov/cnd/Guidance/special_dietary_needs.pdf

Students

Students with Special Health Care Needs

Accommodating Students with Special Dietary Needs (Food Allergy Management) (continued)

Monitoring Effectiveness of District Plan and Procedures

Ensure periodic assessments of the effectiveness of the District plan and procedure. Assessments should occur:

- At least annually with the school district team;
- After each emergency event involving the administration of medication to determine the effectiveness of the process, why the incident occurred, what worked and did not work in the District plan and procedures; and
- Include new research and practices in the annual review of the plan and procedures.

Development of Individualized Health Care Plans (IHCP) for Students

Children with life-threatening food allergies should have an Individualized Health Care Plan (IHCP) and an Emergency Care Plan (ECP) to address how that child's health and safety needs will be met while in school.

Emergency Care Plans (ECP): The written Emergency Care Plan (ECP) for students with life-threatening food allergies may sometimes be called an Allergy Action Plan (AAP). An ECP provides specific directions about what to do in a medical emergency such as an accidental exposure to the allergen or safety emergency such as a fire drill or lockdown. The ECP is often part of the IHCP. This written plan helps the school nurse, school personnel and emergency responders react to an emergency situation in a prompt, safe and individualized manner. The ECP includes:

1. The child's name and other identifying information, such as date of birth and grade and photo;
2. The child's specific allergy;
3. The child's signs and symptoms of an accidental exposure to the allergen;
4. The medication to be administered in the event of an accidental exposure to the allergen;
5. The location and storage of epinephrine auto-injector(s);
6. Who will administer the medication (including self-administration options);
7. Follow-up plan (i.e., calling 911);

Students

Students with Special Health Care Needs

Accommodating Students with Special Dietary Needs (Food Allergy Management)

Emergency Care Plans (ECP) (continued)

8. Recommendation that if the child continues to experience symptoms after the administration of epinephrine auto-injector, especially if drop in blood pressure (BP), dizziness or lightheadedness occurs, then place the student lying on his/her back (supine position) with their legs elevated above their head; and
9. Emergency contacts for parents/family and medical provider.

In order to develop the ECP, the school nurse should obtain current health information from the family and the student's health care provider(s), including student's emergency plan and all medication orders and consult with the health care provider as indicated to clarify emergency medical protocol and medication orders.

Individualized Health Care Plans and the Essential Components

In addition to the development of the ECP, students with life-threatening food allergies should also have an Individualized Health Care Plan (IHCP). In order for this to happen, it is necessary to determine a process for developing and implementing an individualized plan for the student. This process should include:

- Identification of a core team to establish the plan. The school nurse should have the lead role on this team. In addition to the school nurse, this team should include, at a minimum, parent(s), guardian(s) or other family members; school administrator(s); classroom teacher and the student (if appropriate). Other possible members include the School Medical Advisor, school-based health clinics, student's health care provider, special teachers such as culinary arts, and other school staff such as the school food service manager.
- Collaboration between the school nurse and parent to consider developmentally and age appropriate accommodations and draft language for consideration at the core team meeting.
- Meeting of team members to finalize IHCP. While the health care providers can offer recommendations for the types of accommodations needed in the school setting, it is the core team's responsibility for the development of these recommendations based on the student's needs and the school environment for the student (e.g., IHCP or Section 504 plan). If the team determines that a student does meet the eligibility requirements for Section 504, the IHCP may be considered one and the same as the Section 504 plan.

Students

Students with Special Health Care Needs

Accommodating Students with Special Dietary Needs (Food Allergy Management)

Individualized Health Care Plans and the Essential Components (continued)

- Based on the student's health status, determine the minimum frequency with which health information will be reviewed and the plan updated accordingly.
- Clarify the roles and responsibilities of each member of the core team. Ensure that all team members' opinions are considered equally.

Note: See CSDE's *Guidelines for Managing Life-Threatening Food Allergies in Connecticut Schools, Appendix A* for suggested roles and responsibilities of team members.

IHCP's are usually developed for students with special health needs or whose health needs require daily intervention. These plans describe how to meet an individual child's daily health and safety needs in the school setting. An individual health care plan includes functional health issues (nursing diagnoses), student objectives (expected outcomes) for promoting self-care and age appropriate independence, responsibilities of parents, school nurse, teacher, student and administration as appropriate.

Individualized health care plans should address student needs both during the normal school day and situations outside of the normal school routine. This information may be distributed to all school staff who have responsibility for the student with life-threatening food allergies. Considerations to be included in the individual health care plan and accommodation plans for students with life-threatening food allergies may include:

- classroom environment, including allergy free considerations;
- cafeteria safety, including allergy free tables or zones;
- participation in school nutrition programs;
- snacks, birthday and other celebrations;
- alternatives to food rewards and incentives;
- hand-washing;
- location(s) of emergency medication;
- risk management during lunch and recess times;
- classroom projects (e.g., science activities that may involve food or allergen products);
- classroom jobs (e.g., feeding fish, washing tables, etc.);
- specials, such as music and art;
- special events (e.g., cultural programs, science programs);
- field trips, fire drills, and lockdowns;
- staff education;
- substitute staff notification and training (including nurses, teachers, specials, student teachers, cafeteria staff, and others as appropriate);

Students

Students with Special Health Care Needs

Accommodating Students with Special Dietary Needs (Food Allergy Management)

Individualized Health Care Plans and the Essential Components (continued)

- school transportation;
- transitions to after-school programs;
- athletic and extracurricular activities;
- individualized adaptations of district parental notification letter (if necessary);
- PTO or PTA sponsored events for students; and
- transitions to new grades and school buildings in the District.

Additional considerations for middle and high school students include:

- transportation on sports team bus;
- school dances;
- biology labs;
- open campus and extended study periods;
- vending machine options; and
- culinary arts programs.

The Individualized Health Care Plan (IHCP) may also include a summary of nursing assessments. The Individual Health Care Plan is also used to document interventions and evaluate outcomes.

IHCP's should be updated at least annually, and more frequently as necessary to keep pace with changing student needs and school environment. During this update, a review of the student's competency levels, self-care plans, and changes in the school environment should be considered.

Reviews should occur:

- at least annually with the school team, including the parents or guardians, and when appropriate, the student;
- more frequently if there are changes in the student's emergency care plan, changes in the self-monitoring and self-care abilities of the student, or whenever an adjustment to the plan is appropriate; and
- after each emergency event involving the administration of an EpiPen® a (summative evaluation) to determine the effectiveness of the process, why the incident occurred, what worked and did not work and person(s) involved.

Regulation approved:

cps 3/06

EMERGENCY HEALTH CARE PLAN

Place
Child's
Picture
Here

ALLERGY TO:	
Student's Name:	
DOB:	
Teacher	
Asthmatic	Yes <input type="checkbox"/> * No <input type="checkbox"/>
* Denotes HIGH RISK for severe reaction	

SIGNS OF AN ALLERGIC REACTION INCLUDE	
Systems:	Symptoms:
MOUTH	itching & swelling of the lips, tongue, or mouth
THROAT	itching and/or a sense of tightness in the throat, hoarseness, and hacking cough
SKIN	hives, itchy rash, and/or swelling about the face or extremities
GUT	nausea, abdominal cramps, vomiting, and/or diarrhea
LUNG	shortness of breath, repetitive coughing, and/or wheezing
HEART	"thready" pulse, "passing out"
<p>The severity of symptoms can quickly change. *All above symptoms can potentially progress to a life-threatening situation!</p>	

Action:

- If ingestion is suspected, give (*medication/dose/route*) _____ and _____ **immediately!**
- CALL RESCUE SQUAD: _____
- CALL: Mother _____ Father _____
or emergency contacts.
- CALL: Dr. _____ at _____

**DO NOT HESITATE TO ADMINISTER MEDICATION OR CALL RESCUE SQUAD
EVEN IF PARENTS OR DOCTOR CANNOT BE REACHED!**

Parent Signature *Date* *Doctor's Signature* *Date*

Emergency Contacts		Trained Staff Members	
1.		1.	
<i>Name/Relation</i>	<i>Phone</i>	<i>Name</i>	<i>Room</i>
2.		2.	
<i>Name/Relation</i>	<i>Phone</i>	<i>Name</i>	<i>Room</i>
3.		3.	
<i>Name/Relation</i>	<i>Phone</i>	<i>Name</i>	<i>Room</i>

For children with multiple food allergies, use one form for each food.

SELF-MEDICATION ASSESSMENT

Student: _____ School: _____

D.O.B.: _____ Age: _____ Grade: _____

Physical/behavioral limitations: _____

Name of medication: _____

Self-Medication Criteria:

A. Student is capable of identifying individual medication. Yes No
Comments: _____

B. Student is knowledgeable of purpose of individual medication. Yes No
Comments: _____

C. Student is able to identify/associate specific symptom occurrence and need for medication administration. Yes No
Comments: _____

D. Student is capable/knowledgeable of medication dosage. Yes No
Comments: _____

E. Student is knowledgeable about method of medication administration. Yes No
Comments: _____

F. Student is able to state side effects/adverse reactions to medication. Yes No
Comments: _____

G. Student is knowledgeable of how to access assistance for self if needed in an emergency. Yes No
Comments: _____

H. An Individual Health Care Plan has been developed for the student which will monitor and evaluate the student's health status. Yes No

Based on assessment:

_____ The student is not a candidate for a self-medication program at this time.

_____ The student is a candidate for a self-medication program with supervision.

_____ The student has successfully completed self-medication training and has demonstrated appropriate self-administration.

Comments: _____

Principal/Teacher notified Yes No

Nurse's Signature _____ Date _____

**Medical Statement for Children *without* Disabilities
Requiring Special Meals in Child Nutrition Programs**

Part I (To be filled out by School)

Date: _____ Name of Child: _____
School Attended by Child: _____

Part II (To be filled out by Medical Authority)

Patient's Name: _____ Age: _____

Diagnosis: _____

Describe the medical or other special dietary needs that restrict the child's diet:

List food(s) to be omitted from the diet and food(s) to be substituted (Diet Plan):

List foods that require a change in texture:

Cut up or chopped to bite-size pieces: _____
Finely ground: _____
Pureed: _____

Special Equipment Needed:

Date _____ Signature of Medical Authority _____

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**Medical Statement for Children *with* Disabilities
Requiring Special Meals in Child Nutrition Programs**

Part I (To be filled out by School)

Date: _____ Name of Child: _____
School Attended by Child: _____

Part II (To be filled out by Physician)

Patient's Name: _____ Age: _____

Diagnosis: _____

Describe the patient's disability and the major life activity affected by the disability:

Does the disability restrict the individual's diet? Yes No
If yes, list food(s) to be **omitted** from the diet and food(s) to be **substituted** (Diet Plan):

List foods that require a change in texture:

Cut up or chopped to bite-size pieces: _____
Finely ground: _____
Pureed: _____

Special Equipment Needed:

Date _____ Signature of Physician _____

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, age, or disability. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternate means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202)720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

**FOOD ALLERGY TREATMENT PLAN AND
PERMISSION FOR THE ADMINISTRATION OF MEDICATIONS BY SCHOOL PERSONNEL**

PATIENT'S NAME: _____ DATE OF BIRTH: _____

PATIENT'S ADDRESS: _____ TELEPHONE: _____

CAAC PHYSICIAN'S NAME: _____ PATIENT'S PCP: _____

ASTHMA YES NO

SPECIFIC FOOD ALLERGY: _____

IF PATIENT INGESTS OR THINKS HE/SHE HAS INGESTED THE ABOVE NAMED FOOD:

- _____ Observe patient for symptoms of anaphylaxis** for 2 hours
- _____ Administer **adrenaline** before symptoms occur, IM EpiPen Jr. Adult
- _____ Administer **adrenaline** if symptoms occur, IM EpiPen Jr. Adult
- _____ Administer **Benadryl** _____ tsp. or Atarax _____ tsp. Swish & Swallow
- _____ Administer _____
- _____ Call 911, transport to ER if symptoms occur for evaluation, treatment and observation for 4 hours

IF REACTION OCCURS,
PLEASE NOTIFY THIS OFFICE! Physician's Signature _____ Today's Date _____

1. Is this a controlled drug? Yes No Time of administration: _____
2. Medication shall be administered from _____ to _____ (dates)
3. Relevant side effects, if any, to be observed: _____
4. Other Suggestions: Please allow child to self-administer medication if able to _____

Signature: _____ M.D. Date: _____

****SYMPTOMS OF ANAPHYLAXIS**

- Chest tightness, cough, shortness of breath, wheezing
- Tightness in throat, difficulty swallowing, hoarseness
- Swelling of lips, tongue, throat
- Itching mouth, itchy skin
- Hives or swelling
- Stomach cramps, vomiting, or diarrhea
- Dizziness or faintness

I have received, reviewed, and understand the above information.

Patient/parent/guardian signature
CAAC/DMC Food Allergy Treatment Plan 01/05
cps 3/06

Date

An updated sample policy to consider reflecting new legislation. The district is advised, when considering placement of these devices in the school setting, to involve the medical advisor.

Students

First Aid/Emergency Medical Care

Use of Automatic External Defibrillators (AEDs)

The _____ School District strives to provide a safe environment for students, staff, parents and community as they learn and recreate in school facilities. In achieving a safe environment, automatic external defibrillators (AEDs) shall be placed at each school within the District by July 1, 2010, if funding is available. The AED and trained personnel shall be available during (1) the school's normal operational hours, (2) school-sponsored athletic events and practices on school grounds, and (3) school-sponsored events not taking place during normal school operational hours. The automatic external defibrillators shall be used in emergency situations when sudden cardiac arrest occurs (*or shall be used in emergency situations warranting its use*). Each school shall also have school staff trained in the use of AEDs and in cardiopulmonary resuscitation (CPR). Such training shall be in accordance with the standards set forth by the American Red Cross or the American Heart Association. Only individuals who have completed the required initial training and recurrent training as specified by state law and regulations and as advised by the District's Medical Advisor will administer the device.

Optional language to consider: Two or more persons in each building including the school nurse or nurse's assistant, will be trained and certified in the use of an AED.

The AED will be stored in an accessible location in each school. The defibrillators shall be maintained and tested in accordance with the operational guidelines of the manufacturer and monitored by the school nurse. (or medical advisor, athletic director, safety coordinator, etc.)

Students who inappropriately access and/or use an AED will be deemed to have violated the school's conduct code and subject to disciplinary action.

Optional language to consider: Automatic external defibrillators will be maintained according to manufacturers' specifications on the premises of each building in the District by July 1, 2010 if funding is available. The AED will be used in emergency situations warranting its use by individuals specifically trained in the application of the device (AED) and in cardiopulmonary resuscitation (CPR) through a training program meeting standards set forth by the American Red Cross or the American Heart Association and the Connecticut Department of Public Health.

Students

First Aid/Emergency Medical Care

Use of Automatic External Defibrillators (AEDs) (continued)

The Emergency Medical Service System is to be activated immediately upon discovery of a situation in which the use of an AED is anticipated, as required. Activation will be via the 911 emergency telephone system. The activation of the Emergency Medical Service System must not be delayed due to the actual or anticipated use of an AED.

Each AED within the District shall be registered with the Town's Emergency Medical Service provider and with the Connecticut Office of Emergency Medical Services. A report shall be forwarded to the local EMS provider for medical review (*and to the District's Medical Advisor*) each time an AED is activated.

The [Medical Advisor, Principal, Superintendent, etc.] may specify that an authorized user may bring an AED to other areas of a school or its grounds for the purpose of standing by at specific events or activities. A communication mechanism will be established for the purpose of notifying trained authorized users within each building of the relocation of an AED from its usual place of storage.

A regulation will delineate the procedures to be followed when using an AED. The procedure constitutes a physician's order and is to be written by the District's Medical Advisor.

Alternative language to consider: The Superintendent of Schools shall establish administrative guidelines that will outline the specific responsibilities, training, management and procedures for the use of the District's automatic external defibrillators.

or

The Superintendent is directed to promulgate such procedures/regulations as are necessary to provide for the installation and maintenance of such defibrillators and for the training of District personnel whose duties include operation of such devices.

Teachers and other school personnel, who have fulfilled the training requirements of this policy, providing emergency first aid involving the use of an AED shall be immune from liability if they meet the statutory requirements for immunity, which include a course in first aid that includes CPR and training in the use of AEDs provided in accordance with the standards of the American Red Cross or the American Heart Association.

The Board recognizes that in accordance with applicable legislation, it does not have to comply with these provisions if state, federal, or private funding is not available to it for AED purchasing and for school personnel training.

Students

First Aid/Emergency Medical Care

Use of Automatic External Defibrillators (AEDs) (continued)

The Board recognizes that it may, in lieu of purchasing an AED, accept an AED donation provided the donated AED meets the U.S. Food and Drug Administration standards and the device is in compliance with the manufacturer's maintenance schedule. The Board may also accept gifts, grants, and donations, including in-kind donations, designated for an AED purchase and the costs of (1) inspecting and maintaining the device and (2) training staff in its use.

Emergency Action Response Plans

Not later than July 1, 2010, each school shall develop an emergency action response plan addressing the appropriate use of school personnel to respond to incidents involving an individual experiencing sudden cardiac arrest or a similar life-threatening emergency while on school grounds. Also by July 1, 2010, each school with an athletic department or organized athletic program shall develop an emergency action response plan addressing appropriate school personnel response to the same circumstances while attending or participating in an athletic event or practice on school grounds.

(cf. 5141 - Student Health Services)
 (cf. 5141.1 - Care of Accidents)
 (cf. 5141.26 - Emergency Situation with No Nurse in School)
 (cf. 5141.3 - Health Assessments and Immunizations)
 (cf. 5142 - Safety)

Legal Reference: Connecticut General Statutes

10-221 Boards of education to prescribe rules.
 52-557b "Good Samaritan law." Immunity from liability for emergency medical assistance, first aid or medication by injection. School personnel not required to administer or render (as amended by P.A. 09-59).
 P.A. 09-59 An Act Concerning Automatic External Defibrillators.
 P.A. 09-94 An Act Concerning the Availability of Automatic External Defibrillators in Schools.
 Public Law 106-505 Cardiac Arrest Survival Act.
 Public Law 105-170 Aviator Medical Assistance Act.
 Public Law 107-188 The Public Health Security and Bioterrorism Response Act.

Policy adopted:

cps 3/03

rev 7/09

Registry# _____

State of Connecticut
Department of Public Health
Office of Emergency Medical Services
(860) 509-7975

PSAP# _____

AUTOMATIC EXTERNAL DEFIBRILLATOR (AED) REGISTRY FORM
(Required by Public Act 98-62 – Please Print or Type – Use One Form Per AED)

1. Name of Owner _____
2. Mailing Address _____

3. Name of Contact Person _____
4. Telephone# _____ Fax# _____
5. AED Manufacturer _____ Model _____ Serial# _____
6. Name of Prescribing Physician _____
7. If AED is situated at a fixed location, please include town, street address, building name or number, and floor location. Note: Be as specific as possible.

8. If AED will not be in a fixed location, please describe how and where it will be deployed:

Mail completed form to: State of Connecticut
Department of Public Health
OEMS – AED REGISTRY
410 Capitol Avenue MS#12-EMS
P.O. Box 340308
Hartford, CT 06134-0308

An optional sample regulation to consider. This should serve as the basis for developing an administrative regulation to meet local district needs which should have the input of the district's medical advisor, nurses, and attorney.

Students

First Aid/Emergency Medical Care

Use of Automatic External Defibrillators (AEDs)

Purpose:

This regulation is to provide guidance in the management or administration of a school-based AED program.

Definitions:

An **Automatic External Defibrillator (AED)** placed in each District school by July 1, 2010 if funding is available, is a device that: (1) is used to administer an electric shock through the chest wall to the heart; (2) contains internal decision-making electronics, microcomputers or special software that allows it to interpret physiologic signals, make medical diagnosis and, if necessary, apply therapy; (3) guides the user through the process of using the device by audible or visual prompts; and (4) does not require the user to employ any discretion or judgment in its use.

Sudden Cardiac Arrest (SCA) is a condition that occurs when the electrical impulses of the human heart malfunction causing a disturbance in the hearts electrical rhythm called ventricular fibrillation (VF). This erratic and ineffective electrical heart rhythm causes complete cessation of the heart's normal function of pumping blood resulting in sudden death. The most effective treatment of this condition is the administration of an electrical current to the heart by a defibrillator, delivered within a short time at the onset of VF.

AED Equipment and Location:

1. Any AED device purchased or received as a gift for placement in District facilities must meet the definition outlined above.
2. AEDs shall be placed in all District schools by July 1, 2010 subject to the availability of funding.
3. During school hours, the AED will be at designated locations. These locations shall be specific to each school but should allow the device to be easily seen or accessed by staff. The locations should allow staff members to retrieve the device outside of normal school hours.
4. Consideration should be given to placing the devices near/outside the nurse's office in a wall mount cabinet with alarm and wired EMS alarm.

Students

First Aid/Emergency Medical Care

Use of Automatic External Defibrillators (AEDs) (continued)

5. After school hours, the AED may be moved from its designated location by an AED-trained athletic trainer/coach/staff member to support athletic department activities. A trained staff member or trained volunteer would have to be available and willing to support this effort during non-school hours. A visible sign must be left in the place of the AED, with the phone number of the individual having possession of the AED and the location.
6. Contracted and other community activities utilizing school facilities are not guaranteed access to the AED as part of standard rental contracts.
7. All District AEDs must be registered with the local EMS provider and with the Connecticut Office of Emergency Medical Services.
8. Location of AEDs:
 - _____
 - _____
 - _____
 - _____

Required Training:

1. The District will provide on-site training to interested staff members. Certified American Red Cross or American Heart Association certified CPR/First Aid/AED instructors will do the training. School personnel interested in such training shall be trained in the operation of such automatic external defibrillator and the use of cardiopulmonary resuscitation.
2. Initial and annual refresher training is required by the Connecticut Department of Public Health requirements.

Recommended Employees for Training:

The following groups are recommended to be trained and certified in the use of an AED:

1. District **coaches**.
2. At least one building **custodian** per shift in each school.
3. At least one building **secretary** in each school.
4. The **nurse** and **nurse's aide** (when applicable) in each school.
5. A minimum of one **food service personnel** in each school.
6. **Teachers** and **administrators** as they seek initial or recertification in CPR and First Aid.
7. **Security staff** in each school.

Students

First Aid/Emergency Medical Care

Use of Automatic External Defibrillators (AEDs) (continued)

Medical Control:

The District's School Medical Advisor is the medical advisor of the AED program. He/She has ongoing responsibility for:

- Providing medical direction for use of the AEDs.
- Writing a prescription for AEDs.
- Reviewing and approving guidelines for emergency procedures related to use of AEDs and CPR.
- Arrangement for required training/retraining.
- Evaluation of post-event review forms and digital files downloaded from the AED.
- A report must be completed and forwarded to the local EMS provider each time an AED is activated.

AED Trained Staff Member Responsibilities:

- Activating internal emergency response system and providing prompt basic life support including AED and first aid according to training and experience.
- Understanding and complying with requirements of this policy and regulation.
- Following the more detailed procedures and guidelines of the AED program.

School Office Staff Responsibilities: (*Consideration should be given to assigning these responsibilities to school nursing staff*)

The school office staff (or nurse) is responsible for:

- Receiving emergency medical calls from internal locations.
- Using an established 911 checklist to assess emergency and determine appropriate level of response.
- Contacting the external community 911 response team (EMS) if required (**The state's 911 system must be activated each time an AED is used.**)
- Deploying AED trained employees to emergency location.
- Assigning someone to meet responding EMS aid vehicle and direct EMS personnel to site of medical emergency.

Students

First Aid/Emergency Medical Care

Use of Automatic External Defibrillators (AEDs) (continued)

Maintenance and Testing:

- All AEDs in District schools must be maintained according to the manufacturer's specifications.
- The _____ will check the status indicator on a weekday basis, during the school day when school is in session. The Head Custodian of each school will check the AED status indicator on all non-school days when a building custodian is scheduled to work.
- All problems shall be reported to the building Principal or his/her designee.

Protocol for Use of AED: *(To be reviewed/developed by District's Medical Advisor)*

Response System:

- Assess scene for safety.
- Determine unresponsiveness.
- Activate EMS system (Dial 911).
- Designate a individual to wait at building entrance to direct the EMS to victim's location.
- Open airway.
- Check for breathing. If no breathing, give two breaths. (Initiate CPR if required while the AED is brought to the victim's side).
- Check for pulse and/or signs of life.
- AED is **not** to be used on children less than 55 pounds or less than eight (8) years of age.
- If no pulse or signs of life, apply AED immediately.
- Turn on AED.
- Apply electrodes (according to diagram on back of electrodes) to victim's bare chest. Shave chest hair if it is so excessive that it prevents a good seal between electrodes and skin. Dry skin if wet. Press pads to skin.
- Stand clear of victim while machine analyzes heart rhythm.

Shock Advised:

- Clear area, making sure no one is touching the victim.
- Push shock button when instructed. Device will analyze and shock up to three times.
- After 3 shocks device will prompt to check pulse, signs of life and if absent, start CPR.
- Perform CPR for one minute. Device will count down one minute of CPR and will analyze whether CPR time is over.

Students

First Aid/Emergency Medical Care

Use of Automatic External Defibrillators (AEDs) (continued)

Protocol for Use of AED: (continued)

No Shock Advised:

- Device will prompt to check pulse, signs of life, and if absent, start CPR.
- If pulse/signs of life are absent, do CPR for one minute.
- If pulse/signs of life are present, check breathing. If victim is not breathing or breathing abnormally, give rescue breaths at a rate of 12 per minute. AED will re-analyze after one minute.
- Continue cycles of analysis, shocks (if advised) and CPR until professional help arrives.
- Victim must be transported to hospital. Leave the AED attached to victim until EMS arrives and disconnects the AED.
 - EMS will take charge of victim.
 - Provide victim information: name, age, medical problems, and time of incident, if known.
 - Provide information as to current condition and number of shocks administered.
- As soon as practical after the EMS arrives, the school staff member who administered the AED will immediately notify a building administrator. If another person is at the scene at the onset of the emergency, the person should be directed to notify the building authorities.

Follow-up:

- AED data will be downloaded within 24 hours with copies sent to: EMS, authorizing physician, person who received care of their physician, school nurse and District Medical Advisor.
- After use:
 - AED is to be wiped clean by the school nurse.
 - Electrodes will be replaced and reconnected to device.
 - Contents of attached resuscitation kit will be replaced if used.
 - The school nurse will complete and file an incident report.

Students

First Aid/Emergency Medical Care

Use of Automatic External Defibrillators (AEDs) (continued)

Emergency Action Response Plans

1. By July 1, 2010, each school within the District shall develop an emergency action response plan.
2. Whenever a school district facility is used for a school-sponsored or school-approved curricular or extracurricular event and whenever a school-sponsored athletic contest is held at any location, the Principal or designee responsible for such school facility or athletic contest shall ensure that AED equipment is provided on-site and that there is present during such event, activity, or contest at least one staff person who is trained in accordance with applicable Connecticut statutes in the use of an AED. School-sponsored or school-approved curricular or extracurricular events or activities mean events or activities of the District that are, respectively, associated with its instructional curriculum or otherwise offered to its students. A school sponsored athletic contest means an interscholastic or intramural activity of instruction, practice, or competition.
3. Where a school-sponsored competitive athletic event is held at a site other than a District facility, the Principal or his/her designee shall assure that AED equipment is provided on-site by the sponsoring or host District and that at least one staff person who is appropriately trained is present during such athletic event.
4. Each middle school and high school shall maintain the AED in a central location within the building and ensure its availability for those athletic events in which the District school is the home team and for any practice or intramural athletic events that occur at the school.
5. The District requires that the athletic trainer, coach, other designated staff member, or a first aid, ambulance or rescue squad member is available to respond as necessary at school sporting events in which the District school is the home team, or at any team practice or intramural athletic events that occur at the school.

Regulation approved:

CABE's suggested policy.

Students

Health Assessments and Immunizations

The Board of Education recognizes the importance of periodic 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. 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.

The Board of Education shall annually designate a representative to receive reports of health assessments and immunizations from health care providers.

Parents 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.

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.

Students born in high risk countries and entering school in Connecticut for the first time, should receive either TST (tuberculin skin test) or IGRA (interferon-gamma release assay). Any individual found to be positive shall have an appropriate medical management plan developed that includes a chest radiograph. Students not already known to have a positive test for tuberculosis should be tested if they meet any of the risk factors for TB infection, as described in the administrative regulations accompanying this policy.

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

Students

Health Assessments and Immunizations (continued)

As required, the District will annually report to the Department of Public Health and to the local health director the asthma data, pertaining to the total number of students per school and for the district, obtained through the required asthma assessments, including student demographics. Such required asthma diagnosis shall occur at the time of mandated health assessment at the time of enrollment, in either grade six or seven, and in either grade nine or ten. Such asthma diagnosis shall be reported whether or not it is recorded on the health assessment form, at the aforementioned intervals. The District, as required, will also participate in annual school surveys conducted by the Department of Public Health pertaining to asthma.

(cf. 5111 - Admission)

(cf. 5141.31 - Physical Examinations for School Programs)

(cf. 5125 - Student Records)

(cf. 5125.11 - Health/Medical Records – HIPAA)

(cf. 5141 - Student Health Services)

Legal Reference: Connecticut General Statutes
 10-204a Required immunizations
 10-204c Immunity from liability
 10-205 Appointment of school medical adviser
 10-206 Health assessments
 10-206a Free health assessments
 10-207 Duties of medical advisors
 10-208 Exemption from examination or treatment
 10-208a Physical activity of student restricted; board to honor notice
 10-209 Records not to be public. Provision of reports to schools.
 10-212 School nurses and nurse practitioners
 10-214 Vision, audiometric and postural screenings. When required.
 Notification of parents re defects; record of results.
 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:

cps rev. 4/00

cps rev. 11/01

cps rev. 5/03

cps rev. 6/03

cps rev. 7/05

cps rev. 7/07

cps rev. 6/11

cps rev. 9/11

CABE's sample regulation to consider.

Students

Health Assessments and Immunizations

In accordance with Connecticut General Statutes 10-206, as amended, 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 DTP/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) given on or after the first birthday, 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. Children five and older do not need proof of Hib vaccination.

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) 1 dose on or after the 1st birthday or 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.

Note: The National Advisory Committees on Immunization Practices (ACIP) changed the recommendation for routine vaccination against chicken pox (Varicella) from a single dose for all children beginning at 12 months of age to two doses, with the second dose given just prior to school entry. The ACIP also recommends that all school-aged children, up to 18 years of age, who have only had a single dose of Varicella vaccine to be vaccinated with a second dose.

- * 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.

Note: The Connecticut Department of Public Health has indicated that a school-aged child, 13 years of age or older, will only be considered fully immunized if he/she has had two doses of the Varicella vaccine, given at least 4 weeks apart.

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)**
- 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.
 - 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.

Students

Health Assessments and Immunizations (continued)

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 (1st) birthday, or laboratory confirmation of immunity confirmed in writing by a physician, physician assistant or advanced practice registered nurse.

- 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 at least 4 weeks after the first. (Students entering 7th grade must show proof of having received 2 doses of measles-containing vaccine)

- 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, or
 - (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 three doses 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:

Students

Health Assessments and Immunizations (continued)

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

- Proof of Diphtheria-Pertussis-Tetanus Vaccination (Adolescent Tdap Vaccine Requirement for Grade 7 Students) (continued)
 - (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.

- 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 Advisor Committee on Immunization Practices because of the physical condition of the child;
 - (iv) presents a statement from the parents or guardian of the child that such immunization would be contrary to religious beliefs of the child;
 - (v) he/she has had a natural infection confirmed in writing by a physician, physician assistant, advanced practice registered nurse or laboratory.

Students

Health Assessments and Immunizations (continued)

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.

- 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, gross dental and posture shall be required for all new school enterers, and students in grade 6 and grade 9 or 10. This health assessment must be completed either prior to school entry or 30 calendar days after the beginning of school for new school enterers. This assessment must be conducted within the school year for students in grade 6 or grade 9 or 10. Parents of students in grade 6 or grade 9 or 10 shall be notified, in writing, of the requirement of a health assessment and shall be offered an opportunity to be present at the time of assessment.

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.

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, Eastern Europe, Central and South America, Dominican Republic and Haiti, see list of countries in Appendix B) and do not have a record of a TST (tuberculin skin test) or IGRA (interferon-gamma release assay) performed in the United States.
2. travel to a high risk country staying at least one week with substantial contact with the indigenous population since the previously required examination;
3. extensive contact with persons who have recently come to the United States from high risk countries since the previously required examination;
4. contact with persons suspected to have tuberculosis; or
5. lives with anyone who has been in a homeless shelter, jail or prison, uses illegal drugs or has HIV infection.

Students

Health Assessments and Immunizations (continued)

The results of the risk assessment and testing, when done, should be recorded on the State of Connecticut Health Assessment Record (HAR-3) or directly in the student's Cumulative Health Record (CHR-1).

Health assessments completed within two calendar years of new school entry or grades 6 or grade 9 or 10 will be accepted by the school system. Failure of students to satisfy the above mentioned health assessment timeliness and/or requirements shall result in exclusion from school.

(*Note: As an alternative health assessment could be held in grade 7.)

The District shall annually report to the Department of Public Health and to the local health director the asthma data pertaining to the total number of students per school and in the district obtained through school assessments, including student demographics. Such required asthma diagnosis shall occur at the time of mandated health assessment at the time of enrollment, in either grade 6 or 7, and in either grade 9 or 10. Such asthma diagnosis shall be reported whether or not it is recorded on the health assessment form, at the aforementioned intervals.

- 3) Parents or guardians of students being excluded from school due to failure to meet health assessment requirements shall be given a thirty calendar day notice in writing, prior to any effective date of school exclusion. Failure to complete required health assessment components within this thirty day grace period shall result in school exclusion. This exclusion shall be verified, in writing, by the Superintendent of Schools or his/her designee. Parents of excluded students may request administrative hearing of a health assessment-related exclusion within five days of final exclusion notice. An administrative hearing shall be conducted and a decision rendered within fifteen calendar days after receipt of request. A subcommittee of the Board of Education shall conduct an administrative hearing and will consider written and/or oral testimony offered by parents and/or school officials.
- 4) Health screenings shall be required for all students according to the following schedule:

Vision Screening	Grades K-6, 9
Audiometric Screening	Grades K-3, 5, 8
Postural Screening	Grades 5, 6, 7, 8, 9

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.

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

Students

Health Assessments and Immunizations (continued)

- 5) Parents of students failing to meet standards of screening or deemed in need of further testing shall be notified by the Superintendent of Schools.

Students eligible for free health assessments shall have them provided by the health services staff. Parents of these students choosing to have a health assessment conducted by medical personnel outside of the school system shall do so at no cost to the school system.

- 6) Health records shall be maintained in accordance with Policy #5125.
- 7) All candidates for all athletic teams shall be examined annually by the designated school physician at a time and place determined by the Director of Athletics and/or coach.

No candidate will be permitted to engage in either a practice or a contest unless this requirement has been met, and he or she has been declared medically fit for athletics.

An athlete need not be re-examined upon entering another sport unless the coach requests it.

If a student is injured, either in practice, a contest, or from an incident outside of school activities at requires him or her to forego either a practice session of contest, that student will not be permitted to return to athletic activity until the school physician examines the student and pronounces him/her medically fit for athletics.

- Legal Reference: Connecticut General Statutes
- 10-204a Required immunizations
 - 10-204c Immunity from liability
 - 10-205 Appointment of school medical adviser
 - 10-206 Health assessments (as amended by June Special Session PA 01-4, PA 01-9, PA 05-272 and PA 07-58)
 - 10-207 Duties of medical advisers
 - 10-206a Free health assessments (as amended by June Special Session PA 01-1)
 - 10-208 Exemption from examination or treatment
 - 10-208a Physical activity of student restricted; board to honor notice
 - 10-209 Records not to be public. Provision of reports to schools.

Students

Health Assessments and Immunizations

Legal Reference: Connecticut General Statutes (continued)
10-212 School nurses and nurse practitioners
10-214 Vision, audiometric and postural screenings. When required. Notification of parents re defects; record of results, as amended by PA 96-229, An Act Concerning Scoliosis Screening.
Department of Public Health, Public Health Code, 10-204a-2a, 10-204a-3a and 10-204a-4
20 U.S.C. Section 1232h, No Child Left Behind Act

Regulation approved:

rev 2/97
rev 4/00
rev 11/01
rev 3/03
rev 5/03
rev 7/05
rev 7/07
rev 12/09
rev 7/10
rev 6/11
rev 9/11

STATE OF CONNECTICUT
Department of Public Health

**IMMUNIZATION REQUIREMENTS FOR ENROLLED STUDENTS IN
CONNECTICUT SCHOOLS FOR 2011-2012 SCHOOL YEAR**

PRESCHOOL

(Children entering after age 3 but before age 5)

DTaP:	4 doses
Polio:	3 doses
MMR:	1 dose on or after the 1 st birthday
Hep B:	3 doses, last one on or after 24 weeks of age
Varicella:	1 dose on or after the 1 st birthday or verification of disease
Hib:	1 dose on or after the 1 st birthday
Pneumococcal	1 dose on or after the 1 st birthday
Influenza:	1 dose administered each year between Aug. 1-Dec. 31 st (2 doses separated by at least 28 days required for those receiving flu for the first time)
Hepatitis A	2 doses given six months apart, 1 st dose on or after 1 st birthday

KINDERGARTEN

DTaP:	At least 4 doses. The last dose must be given on or after 4 th birthday
Polio:	At least 3 doses. The last dose must be given on or after 4 th birthday
MMR:	2 doses separated by at least 28 days, 1 st dose on or after the 1 st birthday
Hep B:	3 doses, last dose on or after 24 weeks of age
Varicella:	2 doses separated by at least 3 months-1 st dose on or after the 1 st birthday; or verification of disease
Hib:	1 dose on or after 1 st birthday for children less than 5 years old

GRADES 1-6

DTaP /Td/Tdap:	At least 4 doses. The last dose must be given on or after 4 th birthday. Students who start the series at age 7 or older only need a total of 3 doses.
Polio:	At least 3 doses. The last dose must be given on or after 4 th birthday
MMR:	2 doses separated by at least 28 days, 1 st dose on or after the 1 st birthday
Hep B:	3 doses, last dose on or after 24 weeks of age
Varicella:	1 dose on or after the 1 st birthday; or verification of disease

GRADE 7

Tdap/Td	1 dose for students who have completed their primary DTaP series Students who start the series at age 7 or older only need a total of 3 doses of tetanus-diphtheria containing vaccine, one of which must be Tdap
Polio:	At least 3 doses. The last dose must be given on or after 4 th birthday

GRADE 7 (continued)

MMR:	2 doses separated by at least 28 days, 1 st dose on or after the 1 st birthday
Meningococcal	1 dose
Hep B:	3 doses, last dose on or after 24 weeks of age
Varicella:	2 doses separated by at least 3 months-1 st dose on or after the 1 st birthday; or verification of disease

GRADE 8-12

Td/Tdap:	At least 3 doses. The last dose must be given on or after 4 th birthday. Students who start the series at age 7 or older only need a total of 3 doses one of which should be Tdap.
Polio:	At least 3 doses. The last dose must be given on or after 4 th birthday
MMR:	2 doses separated by at least 28 days, 1 st dose on or after the 1 st birthday
Hep B:	3 doses, last dose on or after 24 weeks of age
Varicella:	For students <13 years of age, 1 dose given on or after the 1 st birthday; for unvaccinated students 13 years of age or older, 2 doses given at least 4 weeks apart; or verification of disease

Important Reminders:

- DTaP vaccine is not given on or after 7th birthday
- DTaP may be given for all doses in the primary series
- Tdap can be given in lieu of Td vaccine for children 7 years and older unless contraindicated. Tdap is only licensed for one dose
- Hib is not given or required for children 5 years of age or older
- Pneumococcal is not required for children 5 years of age or older. Pneumococcal is required for all Pre-K students born on or after 1/1/2007. The vaccine will be required for any K student less than 5 years of age and born on or after 1/1/2007 in the 2012-13 school year
- Hepatitis A is required for all Pre-K students born on or after 1/1/2007. The vaccine will be required for all Kindergarten students born on or after 1/1/2007 in the 2012-13 school year
- Hep B requirement for school year 2011-2012 applies to all students in grades K-12. Spacing intervals for a valid Hep B series are at least 4 weeks between dose #1 and dose #2; 8 weeks between dose #2 and dose #3; at least 16 weeks between dose #1 and dose #3; dose #3 should not be given before 24 weeks of age
- Second MMR for school year 2011-2012 applies to all students in grades K-12
- Laboratory confirmation of immunity is **only** acceptable for Hepatitis B, Measles, Mumps, Rubella, Hepatitis A, and Varicella
- **VERIFICATION OF VARICELLA DISEASE:** Confirmation in writing by a MD, PA, or APRN that the child has a previous history of disease, based on family or medical history

New Entrant Definition:

*New entrants are any students who are new to the school district, including preschoolers and all students coming in from Connecticut private, parochial and charter schools located in the same or another community. All students entering kindergarten, including those moving from any public or private pre-school program, even in the same school district, are considered new entrants. The one exception is students returning from private approved special education placements-they are not considered new entrants.

Risk Assessment Questionnaire for Tuberculosis Exposure

1. Was your child born outside the United States?

If yes, where was your child born? If born in any of the countries on the attached list, a TST or IGRA should be performed. (Note: IGRAs are not recommended for children under five years of age.)

2. Has your child traveled outside the United States?

If the child traveled to any of the listed countries, stayed for one week or more and interacted with the local population, including friends or local family, then a TST or IGRA should be performed.

For most children, testing, after evaluation for possible signs and symptoms of TB disease or exposure to a person with contagious pulmonary TB can take place 8-10 weeks after return to the United States.

3. Has your child been exposed to anyone with TB disease?

If yes, determine whether the person had TB disease or latent TB infection, when the exposure occurred, and what the nature of the contact was. If confirmed that contact was with a person with known or suspected TB disease, a TST or IGRA should be performed.

4. Does your child have close contact with someone with a positive TST or IGRA?

If yes, see the previous question for follow-up information needed.

5. Does your child live with anyone who has been in jail, prison or a shelter, who injects illegal drugs, or has HIV?

If yes, then a TST or IGRA should be performed.

6. Has your child eaten unpasteurized cheese from Mexico or Central American since the last TST or IGRA?

If yes, then a TST or IGRA should be performed.

TST: a tuberculin skin test;

IGRA: an interferon-gamma release assay

STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION
Health Assessment Record

To Parent or Guardian:

In order to provide the best educational experience, school personnel must understand your child's health needs. This form requests information from you (Part I) which will also be helpful to the health care provider when he or she completes the medical evaluation (Part II).

State law requires complete primary immunization and a health assessment by a legally qualified practitioner of medicine, an advanced practice registered nurse or registered nurse, a physician assistant or the school medical advisor prior to school entrance in Connecticut (C.G.S. Secs. 10-204a and 10-206). An immunization update and additional health assessments are required in the 6th or 7th grade and in the 10th or 11th grade. Specific grade level will be determined by the local board of education.

Name of Student (Last, First, Middle)	Social Security No.	Birth Date	Sex
Address (Street)		Home Telephone Number	
Town and Zip Code	School	Grade	
Parent/Guardian (Last, First, Middle)			
Medicaid Number*		Health Insurance Company Number*	

*If applicable

PART I – To be Completed by Parent

Important: Complete Part I before your child is examined.

Take this form with you to the health care provider's office.

(Please check answers to the following questions in columns on the left.

(Explain all "yes" answers in the space provided below.)

1. Yes No Do you have any concerns about your child's general health (eating and sleeping habits, weight, teeth, etc.)?
2. Yes No Does your child have any other specific illness or problem?
3. Yes No Does your child have any allergies (food, insects, medication, etc.)?
4. Yes No Does your child have take any medication (daily or occasionally)?
5. Yes No Does your child have any problems with vision, hearing or speech (glasses, contacts, ear tubes, hearing aids)?
6. Yes No Has your child had any hospitalization, operation, or major illness (specify problem)?
7. Yes No Has your child had any significant injury or accident (specify problem)?
8. Yes No Would you like to discuss anything about your child's health with the school nurse?

(Please explain any "yes" answers here. For illnesses/injuries/etc., include the year and/or your child's age at the time)

I give permission for release of information on this form for confidential use in meeting my child's health and educational needs in school.

Signature of Parent/Guardian _____ Date _____

PART II – Medical Evaluation To the Health Care Provider: Please Complete and Sign

_____ has had a complete history and physical exam on _____

Student's Name _____

Birth Date _____

Month/Day/Year _____

Findings for this student are as follows:

Screening/Test Results					
Note: *Mandated Screening/Tests/Immunizations under Connecticut State Law.					
*Height	*Vision		*Auditory		
*Weight	With glasses	R 20/	L 20/	R	Pass/Fail
*B/P	Without glasses	R 20/	L 20/	L	
Pulse:					
*HCT/HGB					
Urinalysis:	Type of Screening:	Type of Screening:			

*Gross dental (teeth and gums)

*Postural: Normal Abnormal Referral

Min. _____
Slight _____
Mod. _____
Marked _____

Other Test Results (TB, Sickle Cell, etc.)		
Test	Date	Results

Immunization Record						
Vaccine (Month/Day/Year) Note: *Minimum requirements prior to school enrollment. At subsequent exams, note booster shots only.						
	Dose 1	Dose 2	Dose 3	Dose 4	Dose 5	Dose 6
DTP	*	*	*	*		
DTP/Hib						
DtaP						
DT/Td						
OPV	*	*	*			
IPV						
MMR						
Measles	*				Booster for entry into 7 th grade	
Mumps	*					
Rubella	*					
HIB	*				For students younger than age 5	
HBV	*	*	*		For students born 1-9-94 or later	
Varicella						
Other Vaccines (Specify)						
Disease Hx _____ (Specify) _____ (Date) _____ (Confirmed by)						
Exemption						
Religious _____ Medical: Permanent _____ Temporary _____ Date _____						
Recertify Date _____ Recertify Date _____ Recertify Date _____						

This student has the following problems which may adversely affect his or her educational experience:

- Vision Auditory Speech/Language Physical Dysfunction Emotional/Social Behavior

The student has a health condition which may require emergency action at school e.g., seizures, allergies. *Specify below.*

The student is on long-term medication. *Specify below.*

Comments and recommendations (attach additional sheet if necessary): _____

This student may participate fully in the school program, including physical education activities.

This student may participate in the school program and physical education with the following restriction/adaptation. *(specify this reason and restriction)*

Yes No Based on this comprehensive health history and physical examination, this student has maintained his/her level of wellness.

I would like to discuss information in this report with the school nurse.

Signature of health care provider	Name (Please type or print.)	Phone Number
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PUBLIC SCHOOLS
_____, Connecticut

Medical Exemption Form

Children with medical exemptions shall be permitted to attend school except in the case of a vaccine-preventable disease outbreak in the school. All susceptible students will be excluded from school based on public health officials' determination that the school is a primary site for disease exposure, transmission and spread into the community. Students excluded from school for this reason will not be able to return to school until (1) the danger of the outbreak has passed as determined by public health officials, (2) the student becomes ill with the disease and completely recovers, or (3) the student is immunized. For example, for measles the complete incubation period is 18 days from the onset of symptoms for the last case in the community. Outbreaks like measles may last for several months.

According to State statutes (Connecticut General Statutes Sections 19a-7f and 10-204a), no child may be admitted to school without proof of immunization or a statement of exemption. Parents or guardians seeking an exemption on the basis that a given immunization is medically contraindicated should attach to this form a statement signed by their physician stating that in the physician's opinion, such immunization is medically contraindicated and why it is contraindicated (e.g., hypersensitivity to a vaccine component, demonstrated reaction to vaccine, etc.). In addition, the parents/guardians should complete the following statement and return it to the school nurse.

To Whom It May Concern:

As the parent(s)/guardian(s) of _____
(Name of Student)

I/we are submitting the enclosed documentation from a physician that immunization of this child is medically contraindicated. Therefore, this child is exempt from receiving the required immunization as specified by physician, and shall be permitted to attend school except in the case of a vaccine-preventable disease outbreak in the school.

Signature of Parent(s)/Guardian(s) / Date

Signature of Parent(s)/Guardian(s) / Date

Address

Telephone #

_____ PUBLIC SCHOOLS
_____, Connecticut

Religious Exemption from Immunizations Certificate

Children with religious exemptions shall be permitted to attend school except in the case of a vaccine-preventable disease outbreak in the school. All susceptible students will be excluded from school based on public health officials' determination that the school is a primary site for disease exposure, transmission and spread into the community. Students excluded from school for this reason will not be able to return to school until (1) the danger of the outbreak has passed as determined by public health officials, (2) the student becomes ill with the disease and completely recovers, or (3) the student is immunized. For example, for measles the complete incubation period is eighteen (18) days from the onset of symptoms for the last case in the community. Outbreaks like measles may last for several months.

According to state statutes (Connecticut General Statutes Sections 19a-7f and 10-204a), no child may be admitted to school without proof of immunization or a statement of exemption. Parents or guardians seeking an exemption on the basis that immunizations would be contrary to religious beliefs of the child should complete the following statement and return it to the school nurse.

To Whom It May Concern:

As the parent(s)/guardian(s) of _____
Name of student

I/we hereby assert that the immunization of this student would be contrary to the religious beliefs of this child. Therefore, this child shall be exempt from the required immunizations under Section 10-204a of the Connecticut General Statutes and shall be permitted to attend school except in the case of a vaccine-preventable disease outbreak in the school.

Date

Signature of Parent(s)/Guardian(s)

Date

Signature of Parent(s)/Guardian(s)

Street Address

City, State, Zip Code

Telephone Number

CABE Policy Service

Connecticut Association of Boards of Education, Inc.

81 Wolcott Hill Road • Wethersfield, CT 06109-1242 • (860) 571-7446 • Fax (860) 571-7452

August 13, 2012



Dr. Guy F. Stella
Superintendent of Schools
Woodbridge Public Schools
40 Beecher Street South
Woodbridge, CT 06525-2006

Dear Guy:

Enclosed is the first draft of Series 5000 (Students) to be reviewed by the policy committee. I have included a three page handout "*Check-Off List of Required and Good Practice Policies*" which will assist the committee to understand which policies and regulations are required by law or advisable to adopt. The advisable (or good practice) policies are self explanatory.

Series 5000 was developed by reviewing all existing board policies. Some of the existing policies were not used. You will note on the attached handout titled "*CABE Policy Review of Existing Material*" the policies were reviewed and used by CABE in this draft.

I have also included, in a number of areas, sample policies and regulations from CABE to consider as alternatives to Woodbridge's existing material or as material to consider where the District does not presently have a policy and/or regulation. Sample policies from other districts are also included to consider as alternatives to existing language.

I recognize that the size of this packet may be overwhelming. This section represents the largest section of the manual. You may decide that the sample policies CABE provided are not necessary for a particular issue. If this is the case, simply remove the sample policies from this packet before it is copied for the committee members. Consider handling this packet in stages with the review committee.

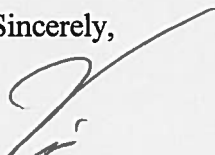
This packet of material should be copied and disseminated to the members of the policy committee. There are notes at the top of all policies where sample policies are provided.

Dr. Guy F. Stella
August 13, 2012
Page 2

Please have the individual responsible for health services review policies and regulations numbered 5141, 5141.1, 5141.21, 5141.22, 5141.221, 5141.3, 5141.4 and 5141.5.

If you have any questions regarding this material please call me.

Sincerely,



Vincent A. Mustaro
Senior Staff Associate
for Policy Service

Enclosure

esp

**THE GOVERNANCE MANUAL: What It Should
Contain in Students - Series 5000**

The major topics in Series 5000 includes the issue of attendance, progress and records, student conduct, and the health, safety and welfare. The rights of the students is another topic which is important to this Series. In Connecticut, students have many rights - the right to public education, equal educational opportunity, the right of confidentiality of records, the right to a thorough and efficient system of education. All of these require local Board of Education policy consistent with the law.

Many matters dealing with students are covered by law or rules of the State Board, such as required immunizations, age of attendance, and access to student records. Others are partially covered, for example, the process in which to suspend or expel a student is defined by state statutes but the Board may decide the actions which lead to such disciplinary action. Another example is the legislative requirement to have a truancy policy, which allows the local Board to define an "unexcused absence". State agency regulations can govern the Board's actions, such is the case with the administration of medication which requires school districts to submit biennially the policy and procedures to the Department of Health Services. Then there are other issues which are not covered by state or federal law or agency regulation and thus the Board may decide whether or not to adopt a policy on student dress code, student vehicles on campus, and questioning and apprehension of students.

As citizens, students also have a whole body of civil and legal rights. The Board must guarantee students basic Constitutional rights-speech, assembly, religion. The grievance procedure should provide students with channels to the administration and the Board of Education through which they may protest alleged violations of these rights. Certain parameters can be established in policy which keep one student's rights from infringing on another's'. The courts consistently recognize the need to maintain a suitable educational atmosphere in the schools. This allows a Board to set limits to activities that disrupt this the educational atmosphere and to punish the offender.

Connecticut Association of Boards of Education

Guide for the Woodbridge Policy Committee

List of Required and Good Practice Policies

Required Policies Related to Series 5000 - Students

Below is a list of the required policies and/or regulations for Series 5000. Following the topic is the state statute citation or the federal law.

Related Policy:

- 1. Nondiscrimination, Title IX of the Education Amendments of 1972** 5000 and 5145.6

Establish School Board policies related to Title IX compliance, including approval of a nondiscrimination policy statement and grievance procedures for students and employees. The implementing regulations for Title IX, published in 1975, require that the policy must be well-publicized and in direct written communication with students, parents and employees on at least a yearly basis. Schools must carry a statement of nondiscrimination on the basis on sex in bulletin, handbooks, announcements, applications forms, and any material which is used to recruit (86.9).
- 2. Grievance Procedures, Title IX of the Education Amendments of 1972** 5145.6

Each school system must adopt and publish grievance procedures to provide for prompt and equitable resolution of student and employee complaints of discrimination on the basis of sex.
- 3. Student Educational Records** 5125

Federal Family Educational Rights and Privacy Act (FERPA) of 1974
A policy is required to cover the five areas mentioned below. Here is a synopsis:

 - A. Annual notice to parents and students to inform them of rights under FERPA, the regulations, and local policy adopted and where copies of the policy may be obtained; and the right to file complaints concerning alleged failures by the school to comply with FERPA and the regulations.*
 - B. Permit parents or eligible students to inspect and review the education records including at least a statement of the procedures to be followed; a description of the circumstances in which the school feels it has a legitimate cause to deny a request for a copy of the records (access, however, cannot be denied); a schedule of fees for copies; and a listing of the types and locations of education records maintained by the schools and the titles and addresses of the officials responsible for those records. R-99.5(a)(2) The types of records must be specified so that parents and eligible students are able to decide which education records they want to inspect and review.*
 - C. Not disclosing personal identifiable information without the prior written consent of the parent or eligible student, except as permitted by R-99.31 and 99.37. This policy must include at least the designated as directory information; and a statement of whether the school will disclose personally identifiable information to other school officials within the school who have been determined to have legitimate education interest. Rather than requiring a listing of the names, the regulations require a specifications of the criteria for determining which, if any, parties are "school officials" and what the school considers to be "legitimate educational interest."*
 - D. Maintaining a record of disclosure (the log) is required and permitting a parent or an eligible student to inspect that record.*
 - E. Providing a parent or eligible student with an opportunity to seek correction of the education records by a request to amend the records or for a hearing, and permitting a parent or eligible student to place a statement in the education records.*

Required Policies Related to Series 5000 - Students (continued)

	Related Policy
<p>4. Smoking GOALS 2000 and C.G.S. 31-40q <i>Smoking is not permitted within any indoor facility owned, leased or contracted to provide regular or routine K-12 education or library services. Also CGS 31-40q (PA 93-304) prohibits smoking within public school buildings while school is in session or student activities are being conducted.</i></p>	<p>1331, 4118.231, 4218.231, 5131.6</p>
<p>5. Attendance Section 10-221 <i>"Board of Education shall develop, adopt and implement written policies concerning ... attendance ..."</i></p>	<p>5112</p>
<p>6. Truancy Section 10-221</p>	<p>5113</p>
<p>7. Student Discipline Section 10-221 and 10-233a-233f <i>"Boards of Education shall prescribe rules for the ... discipline of the public schools..."</i></p>	<p>5114/5144</p>
<p>8. Homeless Students (required by NCLB Act 2001) McKinney-Vento Homeless Assistance Act, (PL 107-110-Sec 1032)</p>	<p>5118.1</p>
<p>9. Promotion and Retention Section 10-221 <i>"Board of Education shall develop, adopt and implement written policies concerning ... promotion and retention ..."</i></p>	<p>5123</p>
<p>10. Drug and Alcohol Use or Possession on School Property Section 10-221(d) <i>"Each ... Board of Education shall develop, adopt and implement policies and procedures in conformity with ... dealing with the use, sale or possession of alcohol or controlled drugs ... by public school students on school property, including a process for coordination with, and referral of such student to, appropriate agencies and cooperating with law enforcement officials."</i></p>	<p>5131.6</p>
<p>11. Weapons, GOALS 200: Educate America Act, Public Law 103-227</p>	<p>5131.7</p>
<p>12. Hazing, PA 02-119, An Act Concerning Bullying Behavior in Schools and Concerning the Pledge of Allegiance</p>	<p>5131.911</p>
<p>13. Administration of Medication, Connecticut General Statute State Agency Regulations 10-212a-1 to 10-212a-7</p>	<p>5141.21</p>
<p>14. Psychotropic Drug Use (PA 01-124)</p>	<p>5141.231</p>
<p>15. Reporting by School Employees of Suspected Child Abuse Section 17a-101 <i>"Each local and regional Board of Education to adopt a written policy regarding the reporting, by school employees, of suspected child abuse."</i></p>	<p>5141.4</p>
<p>16. Youth Suicide Prevention and Youth Suicide Attempts Section 10-221(e) <i>"Each local and regional Board of Education shall adopt a written policy and procedures for dealing with youth suicide prevention and youth suicide attempts"</i></p>	<p>5141.5</p>
<p>17. Recruitment Policy Section 10-221b <i>"Local Boards of Education (with a high school) ... shall establish a written uniform policy for the treatment of all recruiters ..."</i></p>	<p>5145.14</p>

Good Practice Policies in Series 5000

• Suspension/Expulsion.....	5114
• Suspension of Students with Disabilities	5114.3
• Interdistrict Choice.....	5117.2
• Video Cameras/Video Surveillance.....	5131.11, 5131.111
• Terroristic Acts/Threats	5131.21
• Off-School Grounds Misconduct.....	5131.8
• Use of Beepers and Cellular Telephones.....	5131.81
• Gang Activity/Association.....	5131.9
• Hazing	5131.91
• Dress and Grooming	5132
• Communicable Diseases	5141.22
• Students with HIV/ARC or AIDS	5141.24
• Accommodating Students with Special Dietary Needs.....	5141.25
• Crisis Response	5141.6
• Student Safety	5142
• Discipline and Students with Disabilities.....	5144.3
• Questioning and Apprehension.....	5145.11
• Student Search/Seizure	5145.12
• Review of Student Publications.....	5145.2
• Nondiscrimination and Affirmative Action (10-15c, 46a-60)	5145.4
• Exploitation: Sexual Harassment.....	5145.5

Advised to have a policy/regulation concerning communicable disease and disabilities pursuant to the Americans with Disabilities Act and confidentiality laws in Connecticut regarding HIV.

Constitutional Considerations

The chief constitutional limitations affecting School Boards are:

1. Freedom of speech, association and expression under the First Amendment
2. The right to due process of law under the First, Fifth and Fourteenth Amendments.
3. The right to privacy under the Fourteenth Amendment.
4. The right to freedom from unreasonable searches and seizures under the Fourth and Fourteenth Amendments.
5. Equal Protection of laws under the Fourteenth Amendment.

CABE's Policy Review of Woodbridge Existing Policy Material
Series 5000 Students
 Page 1

Policy Topic Title	Number	Former Number	Former /Taken/Action Taken			Sample provided		Date Adopted
			Appropriate as written	Same Modified	Not Used	Policy	Regulation	
Concept and Roles in Student Policies	5000	5000	X					5/17/05
Goals and Objectives	5010					X		
Elementary and Secondary	5100							
Attendance	5110	5111.1	X					6/21/04
Admission	5111	5111			X	X		3/17/03
Foreign Exchange Students	5111.1							
Kindergarten Session	5111.2							
**Ages of Attendance	5112	5112			X	X		10/20/03
Exemptions	5112.1							
Exclusions	5112.2							
Dropouts	5112.3							
Disenrollment	5112.4					X	X	
Attendance and Excuses	5113	5113	X					2/23/04
Work Permits	5113.1							
School Employment	5113.11							
Outside Employment of Students	5113.12							
Work-Study Student Employment	5113.13							
Senior Privileges	5113.14							
Truancy	5113.2					X		
***Suspension/Expulsion; Student Due Process	5114	5114			X	X	X	9/16/96
Suspension from Athletic/Co-Curricular and Extra-curricular Activities	5114.1							
Student Handbooks	5114.12					X		
Suspension From Interscholastic Athletics	5114.2							
Conduct Code for Participation in Extracurricular Activities	5114.21							
Attendance Records; Registers	5115							
School Census	5116					X		

rev 4/10

***Bolded line indicates policies which boards of education must have due to federal or state law**

****5112, 5113.2 at least one of these must be in place to fulfill legal requirement**

*****5114, 5131, 5144 at least one of these must be in place to fulfill legal requirement**

CABE's Policy Review of Woodbridge Existing Policy Material
Series 5000 Students
 Page 2

Policy Topic Title	Number	Former Number	Former/Taken/Action Taken				Sample provided		Date Adopted
			Appropriate as written	Same Modified	Not Used	Policy	Regulation		
School Attendance Areas	5117								
Intra-district Choice/Open Enrollment	5117.1								
Enrollment Distribution Among Schools	5117.11								
Inter-district Choice	5117.2								
Unsafe School Choice Option	5117.21								
New Housing	5117.3								
Intra-district Transfer Students	5117.4								
Nonresident Attendance	5118					X			
Homeless Students	5118.1	5118.1	X					11/20/06	
Correctional School District Students	5118.11								
Tuition for Faculty Children	5118.111								
Educational Opportunities for Military Children	5118.2					X			
Transfers; Withdrawals	5119								
Progress/Records	5120								
Examination/Grading/Rating	5121	5121		X				5/17/05	
High School Mid-Year and Final Examinations	5121.1								
Honor Roll	5121.2								
Academic Dishonesty/Plagiarism	5121.3					X	X		
Assignment to Teachers and Classes	5122								
Choices of Studies/Academic Load	5122.1								
Pupil Placement Team	5122.2								
Assignment of Former Home-Schooled Students to Classes	5122.3					X	X		
Staff Teaching Servicing His/Her Own Child	5122.4								
*Promotion/Retention	5123								
Supervision Required for Schools Designated as Needing Improvement	5123.1								

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CABE's Policy Review of Woodbridge Existing Policy Material
Series 5000 Students

Page 3

Policy Topic Title	Number	Former Number	Former /Taken/Action Taken				Sample provided		Date Adopted
			Appropriate as written	Same Modified	Not Used	Policy	Regulation		
Summer School Work For Credit	5123.2								
Graduation Ceremonies	5123.3								
Reporting to Parents	5124	5124	X					8/20/01	
District/School Report Cards	5124.1								
Release of Report Cards	5124.2								
*Student Records; Confidentiality	5125	5125			X	X	X	2/24/03	
Health/Medical Records	5125.11					X			
Photographing of Students	5125.2								
Awards for Achievement	5126					X			
Diplomas-Standard and Individually Prescribed Programs	5127								
Scholarship	5128								
Plagiarism	5128.1								
Activities	5130								
***Conduct	5131	5131	X					8/20/01	
Bus Conduct	5131.1					X	X		
Video Cameras on School Buses	5131.11								
Video Surveillance	5131.111					X			
Notification of Behavior Code	5131.2	5131.2	X					unknown	
Terroristic Acts/Threats	5131.21								
Student Driving/Parking	5131.3								
School Ground Disturbances	5131.4								
In-School Disturbances	5131.41								
Vandalism	5131.5	5131.5	X					3/29/93	
*Drugs, Tobacco, Alcohol	5131.6	5131.6	X			X	X	9/17/02	
Inhalant Abuse	5131.61								
Steroid Use	5131.62								

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CABE's Policy Review of Woodbridge Existing Policy Material
Series 5000 Students

Page 4

Policy Topic Title	Number	Former Number	Former /Taken/Action Taken			Sample provided		Date Adopted
			Appropriate as written	Same Modified	Not Used	Policy	Regulation	
Surrender of Physical Evidence Obtained From Students	5131.612					X	X	
* Weapons and Dangerous Instruments	5131.7					X	X	
Out of School Grounds Misconduct	5131.8					X		
Use of Electronic Devices (Beepers, cell phones)	5131.81	5131.81	X					7/21/08
Gang Activity or Association	5131.9							
Hazing	5131.91							
Bullying	5131.911	5131.3			X	X	X	2/23/04
Aggressive Behavior	5131.912	5131.712	X					4/26/06
Cyberbullying	5131.913					X		
Corporal Punishment	5131.92							
Dress and Grooming	5132	5132	X					3/17/03
School Uniforms	5132.1							
Behavior of Participants in Athletic Events	5133							
Married/Pregnant Students	5134							
Academic Eligibility	5135							
Foreign Students Attending Schools	5136							
Interscholastic Sport vs. Club Determination	5138							
Participation Fees for School Activities	5139							
Welfare	5140							
Health	5141	5141			X	X		7/17/06
Care of Accidents	5141.1					X		
Illness	5141.2							
* Administering Medication	5141.21	5141.21			X	X	X	12/16/02
Management of Juvenile Diabetes	5141.207					X		
Glucose Self-Monitoring	5141.211							
Student Use of Inhalers	5141.212							

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CABE's Policy Review of Woodbridge Existing Policy Material
Series 5000 Students

Page 5

Policy Topic Title	Number	Former Number	Former/Taken/Action Taken			Sample provided		Date Adopted
			Appropriate as written	Same Modified	Not Used	Policy	Regulation	
Communicable/Infections Diseases	5141.22					X	X	
Pediculosis	5141.221							
Tuberculosis Testing	5141.222	5141.222	X					10/16/06
*Psychotropic Drug Use	5141.231	5141.22	X					6/17/02
Students With HIV/ARC or AIDS	5141.24	5141.24	X(reg)					unknown
Students with Special Health Care Needs/Food Allergy Management	5141.25	5141.25	X			X	X	3/19/06
Emergency Situation with No Nurse in School	5141.26							
First Aid/Emergency Medical Care – Use of Automatic External Defibrillators	5141.27					X	X	
Health Assessments & Immunizations	5141.3					X	X	
Physical Examination for School Programs	5141.31							
Postural Screening	5141.32							
Health Records	5141.33							
*Reporting of Child Abuse and Neglect	5141.4	5141.4			X	X		8/26/97
*Suicide Intervention and Prevention	5141.5	5141.5	X				X	3/29/93
Crisis Management	5141.6							
Dealing With The Effect Of A Death	5141.61							
Student Sports – Concussion and Head Injuries	5141.7							
Safety	5142	5142	X				X	3/18/02
Relations with Non-Custodial Parent	5142.1	5124.1	X					2/26/01
Student Dismissal Precautions	5142.2	5124.2	X					2/26/01
Skateboard/Rollerblade/Scooter Use	5142.3							
School Resource Officers	5142.4							
Cheating	5143							
Student Insurance	5143.1					X		

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CABE's Policy Review of Woodbridge Existing Policy Material
Series 5000 Students

Page 6

Policy Topic Title	Number	Former Number	Former /Taken/Action Taken			Sample provided		Date Adopted
			Appropriate as written	Same Modified	Not Used	Policy	Regulation	
***Discipline/Punishment	5144	5144		X				3/29/93
Use of Physical Force	5144.1					X		
Detention	5144.11							
Physically Touching Students	5144.111							
Social Services	5144.2							
Discipline of Students with Disabilities	5144.3					X		
Civil & Legal Rights & Responsibilities	5145	5147			X	X		11/20/06
Invasion of Privacy	5145.1							
Questioning and Apprehension/Police in Courts	5145.11	1411.1	X					12/16/02
Probation/Police/Courts	5145.111					X		
Search and Seizure	5145.12					X	X	
Vehicle Searches on School Grounds	5145.121							
Use of Dogs to Search School Property	5145.122							
Use of Metal Detectors	5145.123							
Breathalyzer Testing	5145.124							
Drug Testing-Extracurricular Activities	5145.125							
*On-Campus Recruitment	5145.14	Not applicable						
Directory Information	5145.15					X		
Freedom of Speech/Expression	5145.2					X		
Student Government	5145.21							
Freedom of Assembly	5145.3							
*Nondiscrimination	5145.4					X		
School Symbols	5145.41							
Racial Harassment of Students	5145.42							
Human Dignity	5145.43							
Exploitation; Sexual Harassment	5145.5					X	X	

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CABE's Policy Review of Woodbridge Existing Policy Material
Series 5000 Students

Page 7

Policy Topic Title	Number	Former Number	Former /Taken/Action Taken				Date Adopted
			Appropriate as written	Same Modified	Not Used	Sample provided Policy Regulation	
Peer Sexual Harassment	5145.51						
Harassment	5145.52	5131.4	X				2/23/04
*Student Grievance Procedure	5145.6					X	X
Due Process	5145.7						
Surrogate Parent Program	5145.71	5145.71	X				5/17/05
Emancipation of Minors	5145.8						
Social Services	5146						
Child Identification	5151						
Research Involving Students	5156					X	

POLICIES/REGULATIONS LISTED IN EXISTING MANUAL BUT NOT USED:

FORMER CODING	TOPIC TITLE	ADOPTION DATE	REPLACEMENT POLICY NUMBER
• 5111	Admission	3/17/03	5111
• 5112	Ages of Attendance	10/20/03	5112
• 5114	Suspension/Expulsion	9/16/96	5114
• 5125	Student Records	2/24/03	5125
• 5131.3	Bullying	2/23/04	5131.911
• 5141	Health	7/17/06	5141
• 5141.21	Administration Medication	12/16/02	5141.21
• 5141.4	Reporting of Child Abuse	8/26/97	5141.4
• 5147	Section 504	11/20/06	5145

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WOODBRIIDGE PUBLIC SCHOOLS

STUDENTS

SERIES 5000

		Number	Policy or Regulation
0.	Concept and Roles in Student Policies.....	5000	P
A.	Goals and Objectives.....	5010	P
1.	Elementary and Secondary		
A.	Attendance.....	5110	P
(1)	Admission.....	5111	P
(2)	**Ages of Attendance	5112	P
(a)	Disenrollment.....	5112.4	P/R
(3)	Attendance and Excuses.....	5113	P/R
(a)	**Truancy	5113.2	P
(4)	***Suspension/Expulsion; Student Due Process	5114	P/R
(5)	Student Handbooks.....	5114.12	P
(6)	School Census.....	5116	P
(7)	Nonresident Attendance.....	5118	P
(8)	Homeless Students	5118.1	P/R
(9)	Educational Opportunities for Military Children.....	5118.2	P
B.	Progress/Records		
(1)	Examination/Grading/Rating.....	5121	P
(a)	Academic Dishonesty/Plagiarism.....	5121.3	P/R
(2)	Assignment to Teachers and Classes		
(a)	Assignment of Former Home-Schooled Students to Classes.....	5122.3	P/R
(3)	*Promotion/Retention	5123	P
(4)	Reporting to Parents.....	5124	P
(5)	*Student Records; Confidentiality	5125	P
(a)	Health/Medical Records.....	5125.11	P
(6)	Awards For Achievement.....	5126	P
C.	Activities		
(1)	***Conduct	5131	P
(a)	Bus Conduct.....	5131.1	P/R
(b)	Video Surveillance.....	5131.111	P/R
(c)	Vandalism.....	5131.5	P
(d)	*Drugs, Tobacco, Alcohol	5131.6	P/R
(e)	Surrender of Physical Evidence Obtained From Students.....	5131.612	P
(f)	*Weapons and Dangerous Instruments	5131.7	P/R
(g)	Off-School Grounds Misconduct.....	5131.8	P
(h)	Use of Electronic Devices.....	5131.81	P
(i)	Restrictions on Electronic Devices.....	5131.82	P
(j)	Bullying	5131.911	P/R
(k)	Aggressive Behavior.....	5131.912	P
(l)	Cyberbullying.....	5131.913	P
(2)	Dress and Grooming.....	5132	P

WOODBRIIDGE PUBLIC SCHOOLS

STUDENTS

SERIES 5000

		Number	Policy or Regulation
D.	Welfare		
(1)	Health.....	5141	P
	(a) Care of Accidents.....	5141.1	P
	(b) Illness		
	(i) *Administering Medication	5141.21	P/R
	(ii) Management of Juvenile Diabetes.....	5141.207	P/R
	(iii) Communicable/Infectious Diseases.....	5141.22	P/R
	(iv) Tuberculosis Testing	5141.222	P/R
	(v) *Psychotropic Drugs	5141.231	P
	(vi) Students With HIV, ARC, AIDS.....	5141.24	P
	(c) Students with Special Health Care Needs/ Food Allergy Management.....	5141.25	P/R
	(d) First Aid/Emergency Medical Care Use of Automatic External Defibrillators (AEDs).....	5141.27	P/R
	(e) Health Assessments & Immunizations	5141.3	P/R
	(f) *Child Abuse and Neglect	5141.4	P
	(g) *Suicide Prevention/Intervention	5141.5	P/R
(2)	Safety.....	5142	P/R
	(a) Relations with Non-custodial Parents.....	5142.1	P
	(b) Dismissal Precautions	5142.2	P
(3)	Insurance	5143.1	P
(4)	***Discipline/Punishment	5144	P
(5)	Use of Physical Force	5144.1	P
(6)	Discipline of Students with Disabilities	5144.3	P/R
(7)	Civil & Legal Rights and Responsibilities.....	5145	P/R
	(a) Invasion of Privacy		
	(i) Questioning and Apprehension/ Police in Schools.....	5145.11	P
	(ii) Probation/Police/Courts.....	5145.111	P
	(iii) Search and Seizure.....	5145.12	P/R
	(iv) Directory Information	5145.15	P
	(b) Freedom of Speech/Expression.....	5145.2	P
	(c) *Nondiscrimination..	5145.4	P
	(d) Exploitation: Sexual Harassment.....	5145.5	P/R
	(e) Harassment	5145.52	P/R
	(f) *Student Grievance Procedure	5145.6	P/R
	(g) Due Process	5145.7	P
	(i) Surrogate Parent Program.....	5145.71	P
	(ii) Emancipation of Minors	5145.8	P
	(h) Research Involving Students.....	5156	P

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Existing policy, number 5000 adopted 5/17/05, appropriate as written.

Students

Concepts and Roles in Student Policies

The focus of the school system is on the learner, the student. The student's educational development toward the school's goals is the central concern of the Board of Education's policies and administrator's regulations.

Each child shall be given equal opportunity. But since children vary widely in capacities, interests, social and economic background, no two can be treated exactly alike if the fullest development of each is to be achieved.

The Board of Education will attempt to erase any limitations of facilities and means that stand in the way of our school's availability to all who wish to learn in this school system.

Discrimination among students applying for admission to or attending our schools with respect to race, color, religious creed, age, national origin, sex or physical disability is prohibited.

Legal Reference: Connecticut General Statutes
 10-15 Town to Maintain Schools
 10-15c Discrimination in Public Schools Prohibited. School Attendance by
 Five-Year Olds.
 10-184 Duties of Parents. (Re: Mandatory Schooling of Children Seven
 Years of Age and Over and Under Sixteen)
 10-186 Duties of Local and Regional Boards of Education Re: School
 Attendance. Hearings. Appeals to State Board.
 10-226a Students of Racial Minorities
 Title IX of the Education Amendments of 1972.
 Section 504, U. S. Rehabilitation Act of 1973, 29 U.S.C. @ 794

Policy adopted:

WOODBRIIDGE PUBLIC SCHOOLS
 Woodbridge, Connecticut

An optional policy to consider.

Students

Goals and Objectives

The Board of Education believes that all students have a right to an education which is based on standards of excellence, which stresses rigorous demands and which serves to expand students' personal horizons. The Board believes that the education of each student is the shared responsibility of students, parents, faculty, and administrators. The Board also recognizes that students differ in their interests and abilities and therefore the district offers a comprehensive program consisting of a variety of learning experiences.

The Board believes that an important function of the school is to prepare students for participation in our American democratic society. The Board seeks to improve the intellectual, emotional, social, and physical capacities of all students. The Board encourages the development of thinking and communication skills, the tolerance of and responsibility for others, and the understanding of varied cultures and life styles.

In order to implement this philosophy, recognizing that elementary, middle and high school education are important steps in a lifelong process, the Board of Education establishes the following objectives:

- A. To teach the essential skills traditionally associated with the various disciplines.
- B. To develop the four communication skills of listening, speaking, reading, and writing.
- C. To extend and refine the students' ability to comprehend, interpret, and evaluate printed, visual, and aural material.
- D. To develop critical thinking.
- E. To further the students' development of self-awareness, self-discipline, and self-esteem.
- F. To promote the physical well being of all students.
- G. To promote creativity and appreciation of the arts, humanities, and sciences.
- H. To encourage students to consider both the alternatives to and the consequences of their actions in the decision making process.
- I. To present career options and to assist students in setting tentative goals.
- J. To help the student appreciate that learning is integrated and continuous.

Policy adopted:

Existing policy, presently numbered 5111.1 adopted 6/21/04 appropriate as written except for addition of legal reference.

Students

Attendance Eligibility

All children who are residents of Woodbridge and who meet legislated age requirements may attend the Woodbridge Public Schools. Non-resident tuition students will not be accepted, except as noted below.

When doubt arises as to whether a child is residing in the school district, the burden of proof of residence shall rest with the family.

A student whose family intends to become residents of Woodbridge by December 31 of a given school year may enroll in the Woodbridge Public Schools at the start of that school year by presenting evidence that such residence will be established. Evidence shall include ownership of property approved as a building site and a signed construction contract which states that the home will be ready for occupancy prior to December 31; or a binding lease agreement to rent a home in Woodbridge with occupancy prior to December 31; or a binding agreement to purchase a home in Woodbridge which clearly states "closing" to occur prior to December 31. In each case such evidence shall be presented as a sworn or notarized affidavit.

Failure to establish residence by December 31 means that the family is liable for payment of full tuition costs from the date of entry in the school. Tuition must be paid monthly in advance for the child to be eligible to continue in school until residency occurs, including the payment of any delinquent or liable tuition. In such circumstances, a child will not be continued as a tuition student for a period greater than ten (10) months.

Per pupil cost is defined as the previous year's total district budget minus transportation costs and out-of-district special education costs divided by the previous year's enrollment as of June first.

Students of non-resident employees may attend the Woodbridge Public Schools as per benefits provided by the employee bargaining unit contract. Handicapped students from other public school systems may attend the Woodbridge Public Schools in accordance with terms agreed to by the Woodbridge Board of Education and the respective school system at a tuition appropriate for the services provided.

A student whose family moves from Woodbridge after February first of a given school year may complete that year in the Woodbridge Public Schools, but must provide his/her own transportation to and from school.

Students

Attendance Eligibility

Legal Reference: Connecticut General Statutes

4-176e through 4-185 Uniform Administrative Procedure Act.

10-186 Duties of local and regional Boards of education re school attendance. Hearings. Appeals to state Board. Establishment of hearing board.

10-253 School privileges for students in certain placements and temporary shelters.

Policy adopted:

WOODBRIAGE PUBLIC SCHOOLS
Woodbridge, Connecticut

Students

Attendance Eligibility-Resident and Non-Resident Students

I. Resident Students

A. Children of school age who are bona fide residents of Woodbridge are entitled to school accommodations provided by the Woodbridge Board of Education without payment of tuition.

B. A bona fide resident for purposes of this policy is defined as:

Any child who is residing with his or her parents or parent who is a bona fide resident of Woodbridge; or

Any child who is permanently residing with a legally appointed guardian who is a bona fide permanent resident of Woodbridge.

A legally emancipated minor or a student eighteen (18) years of age or older who is a bona fide resident of Woodbridge.

C. A student who resides in a dwelling located in more than one town shall be considered, for purposes of school attendance, a resident of each town in which the dwelling is located and may attend school in any one of such towns. "Dwelling" means a single, two or three family house or a condominium unit.

II. Non-Resident Students

Children of school age who are not residents of Woodbridge but who are permanent residents with adult relatives or non-relatives who are bona fide residents of Woodbridge, shall be entitled to free school accommodations provided by the Woodbridge Board of Education provided that the child's residence is in Woodbridge: (1) is to be permanent; (2) is provided by the Woodbridge relative or non-relative without payment or compensation by the child's parent or legal guardian and; (3) not for the sole purpose of attending Woodbridge Public Schools.

Connecticut General Statute 10-253d addresses the circumstances of children who are permanent residents in the homes of relatives or non-relatives citing conditions of residence as being permanent, provided without pay and not for the sole purpose of obtaining school accommodations. The statute also provides that the local Board of Education may require documents from the parent or guardian the relative or non-relative, emancipated minor or student 18 years of age or older, in the form of an affidavit attesting to residency under conditions not in conflict with Connecticut General Statute 10-253(d). The transportation of a child to Woodbridge from a parent's residence in another community does not qualify as residency (if the child actually resides in the other parent's community).

Students

Attendance Eligibility-Resident and Non-Resident Students

II. Non-Resident Students (continued)

The Superintendent shall require that affidavits shall be executed by both the child's parent or legal guardian and the Woodbridge relative or non-relative attesting to the child's residence in Woodbridge. The Superintendent may also require any other supporting documentation as he/she deems necessary. For the purposes of this policy, the term "permanent" shall be defined as the intent by the non-resident student, the Woodbridge relative or non-relative, and the student's parent or guardian that said student intends to reside in Woodbridge indefinitely.

The Superintendent shall require that parents or guardians of a child provide appropriate proof of residency in Woodbridge prior to enrollment of their child in the Woodbridge Public Schools. The Superintendent may also require that parents or guardians of a child already enrolled in the Woodbridge Public Schools provide appropriate proof of residency in Woodbridge from time to time.

The Superintendent shall also require that emancipated minors produce appropriate documentation of their emancipated status, and of their residency.

In the event it is determined by the Superintendent of Schools that a child is not a legal resident of Woodbridge and is not entitled to be provided free school accommodations by the Woodbridge Board of Education, the parent or guardian of the child has a right to request a hearing before the Woodbridge Board of Education regarding this issue (Connecticut General Statute Section 10-186).

In the event it is determined that a child is not legally entitled to be provided school accommodations by the Woodbridge Board of Education, the Woodbridge Board of Education may, pursuant to Connecticut General Statute 10-186, assess the child's parent or guardian for tuition for that period of time that the child was not legally entitled to attend Woodbridge Public Schools and may seek civil remedies to collect any unpaid assessments of tuition.

If a child is placed out by the Department of Children and Families or any other State agency with a bona fide resident of Woodbridge, the child shall be entitled to free school accommodations in Woodbridge. Payment for such services shall be provided by the Board of Education of the school district under whose jurisdiction such child would otherwise be attending school where such school district is identified (Connecticut General Statute 10-253(d)). The Superintendent shall require documentation of such placement, in addition to proof of residency.

Students

Attendance Eligibility-Resident and Non-Resident Students

II. Non-Resident Students (continued)

Children in temporary shelters in Woodbridge shall be entitled to free school accommodations from either Woodbridge, or the school district in which the child would otherwise reside. Upon notification from Woodbridge, the school district in which the child would otherwise reside shall either pay tuition to Woodbridge or shall continue to provide educational services, including transportation, to such child. (Connecticut General Statute 10-253(d)). The Superintendent shall require proof of residency in the temporary shelter.

III. Future Residents

Children of parents or guardians who have contracted for the occupancy of a home in Woodbridge, in which these children will be domiciled, may be admitted to the schools if the parents show proof of contract. For purposes of this condition only, registration of a child(ren) at Beecher Road School prior to the issuance of a Certificate of Occupancy will require a tuition assessment in the amount of the annual per pupil expenditure prorated and assessed on a monthly basis. The family must show proof of expected occupancy prior to December 31st of the year of admission. If the Woodbridge Building Inspector has not issued a certificate of occupancy to the family by December 31st, at the discretion of the Board of Education, tuition will be charged and assessed for the period extending from the last monthly assessment through the last day of the school year. A payment of the full amount for the balance of the year will be due on the first business day of January following December 31.

The privilege, in no case, shall extend beyond one school year (September 1 to June 30).

Parents or guardians shall provide transportation for these students until the family takes residence in Woodbridge.

IV. Former Residents

Regularly enrolled children of families who have moved out of the school district after February 1 of the current school year may complete that school year. Parents are to provide transportation for any period in which the child does not reside in Woodbridge.

No former resident will be required to pay tuition during the remainder of the school year during which the parent pays local property taxes on his/her former residence.

Students

Attendance Eligibility-Resident and Non-Resident Students (continued)

V. Special Education

The Planning and Placement Team may accept into the special education program a non-resident student sponsored by a public school system subject to space availability and subject also to the sponsoring town assuming the pro-rata expenses for transportation and education of such a student, including some minor provision for administrative expense.

Legal References: Connecticut General Statutes

10-186 Duties of local and regional Boards of Education re: school attendance. Hearings. Appeals to State board. Establishment of hearing board.

10-253 School privileges for children in certain placements, non-resident children and children in temporary shelters.

P.A. 97-31 An Act Concerning Residences Located in Two Towns and Responsibility for Education.

**AFFIDAVIT OF RESIDENT FOR ENROLLMENT IN THE
WOODBIDGE SCHOOL DISTRICT**

To be Completed by Custodial Parent or Legal Guardian

I, (We) _____, being duly sworn, hereby declare that I am (we are) legal resident(s) of the Town of Woodbridge and I am (we are) currently sharing a legal residence at _____ Woodbridge with the family who are also legal residents of the Town of Woodbridge. My child _____ is also residing with me at this residence. I swear that this address is my bona fide residence and that my child is not residing at the above address for the sole purpose of attending the Woodbridge Public Schools.

I hereby certify that all of the statements contained in this statement are true and correct to the best of my knowledge and belief.

I (we) hereby agree, that pursuant to Connecticut General Statute Section 10-186, if it is determined that my child is not entitled to be provided school accommodations in Woodbridge without payment, I agree to pay to the Woodbridge Board of Education tuition for the period that my child was attending Woodbridge Public Schools and was not entitled to school accommodations in Woodbridge.

Date

Signature of Parent or Guardian

STATE OF CONNECTICUT)

) SS _____, 20_____

COUNTY OF _____)

Personally appeared

_____ and made oath to
the truth of the foregoing statement.

Subscribed and sworn to before me this _____ day of
_____, 20____

Notary Public
My Commission Expires _____

A new affidavit must be executed annually in cases where lease agreements are for 1 year only.

**AFFIDAVIT OF RESIDENT FOR ENROLLMENT IN THE
WOODBIDGE SCHOOL DISTRICT**

To be Completed by Custodial Parent or Legal Guardian

I, (We) _____, being duly sworn, hereby declare that I am (we are) the custodial parent(s), or legal guardian of _____ and that we reside at _____ Woodbridge. I approve the arrangement whereby my child will reside with _____ on a permanent basis and that no compensation or other financial reimbursement will be paid to _____ for the care and/or support of my child and that my child is not residing with _____ for the sole purpose of attending Woodbridge Public Schools.

I (We) hereby certify that all of the statements contained in this statement are true and correct to the best of my knowledge and belief.

I (We) hereby agree, that pursuant to Connecticut General Statute 10-186, if it is determined that my child is not entitled to be provided school accommodations in Woodbridge without payment, I agree to pay to the Woodbridge Board of Education tuition for the period that my child was attending Woodbridge Public Schools and was not entitled to school accommodations in Woodbridge.

_____ Date _____ Signature of Parent or Guardian

STATE OF CONNECTICUT)
)SS _____, 20____
COUNTY OF)

Personally appeared _____ and made oath to the truth of the foregoing statement.

Subscribed and sworn to before me this _____ day of _____, 20____

Notary Public

My Commission Expires _____

**AFFIDAVIT OF RESIDENT FOR ENROLLMENT IN THE
WOODBIDGE SCHOOL DISTRICT**

To be Completed by Bona Fide Legal Resident

I, (We) _____, being duly sworn, hereby declare that I am (we are) bona fide legal resident(s) of the Town of Woodbridge, and reside on a permanent basis at the home I (we) own at _____ that _____ will be residing with me (us) on a permanent basis; and I (we) will not receive any compensation or other financial reimbursement for housing the above named child so (s)he can attend Woodbridge Public Schools; and that the above named child is not living with us for the sole purpose of attending the Woodbridge Public Schools.

I (We) hereby certify that all of the statements contained in this statement are true and correct to the best of my (our) knowledge and belief.

Date

Signature

Signature

STATE OF CONNECTICUT)

)SS _____, 20 _____

COUNTY OF)

Personally appeared

_____ and made oath to
the truth of the foregoing statement.

Subscribed and sworn to before me this _____ day of
_____, 20 _____

Notary Public

My Commission Expires _____

**Non-Resident Student Living With Resident of Woodbridge
Bona Fide Legal Resident Must Sign**

**AFFIDAVIT OF RESIDENT FOR ENROLLMENT IN THE
WOODBRIDGE SCHOOL DISTRICT**

To be Completed by Bona Fide Legal Resident

I, (We) _____, being duly sworn, hereby declare that I am (we are) bona fide legal resident(s) of the Town of Woodbridge, at _____ and residing on a permanent basis under a Residential Lease Arrangement at the above stated address. In support of this affidavit, (I, we) submit a notarized copy of the Lease Agreement and rent receipts reflected by the most recent three (3) months.

I (We) hereby certify that all of the statements contained in this statement are true and correct to the best of my (our) knowledge and belief.

_____ Date _____ Signature

_____ Signature

STATE OF CONNECTICUT)
) SS _____, 20_____
COUNTY OF)

Personally appeared _____ and made oath to the truth of the foregoing statement.

Subscribed and sworn to before me this _____ day of _____, 20____

_____ Notary Public

My Commission Expires _____

**Lease/Rental Arrangement
Bona Fide Legal Resident Must Sign**

**AFFIDAVIT OF RESIDENT FOR ENROLLMENT IN THE
WOODBRIDGE SCHOOL DISTRICT**

To be Completed by Landlord

I, (We) _____, being duly sworn, hereby declare that I am (we are) the Landlord of the property located in the Town of Woodbridge, at _____ and that _____ is residing on a permanent basis under a Residential Lease Arrangement at the above stated address. In support of this affidavit, (I, we) submit a notarized copy of the Lease Agreement and rent receipts reflected by the most recent three (3) months. I agree to notify the Woodbridge School District when the above stated individual(s) vacate these premises or cease to reside at the above stated location.

I (We) hereby certify that all of the statements contained in this statement are true and correct to the best of my (our) knowledge and belief.

Date

Signature

Signature

STATE OF CONNECTICUT)

COUNTY OF)

)SS _____, 20____

Personally appeared

_____ and made oath to the truth of the foregoing statement.

Subscribed and sworn to before me this _____ day of _____, 20____

Notary Public

My Commission Expires _____

Lease/Rental Arrangement – Landlord Must Sign

WOODBIDGE BOARD OF EDUCATION
Woodbridge, Connecticut 06525

POSSIBLE ILLEGAL RESIDENT

TO: Superintendent

FROM: Principal

DATE:

Name of Student: _____

Parent/Guardian: _____

Stated Address: _____

Telephone: _____

PLEASE CHECK WHERE APPROPRIATE AND IMMEDIATELY FORWARD TO
CENTRAL OFFICE

Parent/Guardian has failed to comply with the request for residency verification information.

I have concluded that the above named student may be a nonresident student. Attached is all of the information and/or evidence that supports my position.

WOODBRIAGE BOARD OF EDUCATION
Woodbridge, Connecticut 06525

REPORT OF NON-RESIDENT STUDENT

TO: Principal

FROM: Superintendent

DATE:

On _____ it was reported to me that
_____ of _____ may be non-resident student attending the
Woodbridge Public Schools.

The information acquired is as follows:

Please investigate and report your findings back to me

by _____

WOODBRIAGE BOARD OF EDUCATION
Woodbridge, Connecticut 06525

PROOF OF RESIDENCY FOR PURPOSE OF SCHOOL ATTENDANCE

As evidence of residency, a registrant shall provide the school official with two or more of the most recent documents.

- A. Court Document _____
- B. Mortgage Receipt _____
- C. Rent Receipt (and Pertinent Provisions of Lease) _____
- D. If the student living with you is from another town, you must call the school principal and ask for Forms B & C, which must be filled out by you and the parents/guardians of the student. Both forms must be notarized and returned to the school promptly.
- E. If your family is living with or sharing the same residence with a Woodbridge resident, you must call the school principal and ask for Form A.

ATTACH ABOVE DOCUMENTS TO THIS FORM AND RETURN DIRECTLY TO THE SCHOOL PRINCIPAL. ALL DOCUMENTATION PROVIDED WILL BE HELD CONFIDENTIAL.

Date

Signature of Parent/Guardian

CHILDREN ATTENDING WOODBRIDGE SCHOOLS: (Name, Age, School)

To the School Principal:

Please verify all attached documents, sign this form, and place into student's permanent Record files.

Date

Verify By _____
School Principal

WOODBRIAGE BOARD OF EDUCATION
Woodbridge, Connecticut 06525

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

LETTER 1

Date:

Dear:

This letter is to advise you that after investigation, I have determined that your child(ren) _____ is (are) not a legal resident of the Town of Woodbridge and is (are) not entitled to be provided with free school accommodations by the Woodbridge Board of Education. Further, since you are a legal resident of _____, your child is entitled to free public school accommodations in _____.

Please be advised that pursuant to Section 10-186 of the Connecticut General Statutes, you are entitled to request in writing a hearing before the Woodbridge Board of Education with respect to this issue. The Board will hold the hearing within ten days after receipt of your written request.

If I do not receive a written request for a hearing within ten days from receipt of, or refusal to receive, this letter, I will assume that you are not proceeding with a hearing. You should make arrangements promptly for the transfer of your child from the Woodbridge Public Schools.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Superintendent

cc: Superintendent of Schools
(School system child should be attending)

Date:

Dear Parents/Guardians:

The Woodbridge Board of Education has a Proof of Residency Policy. The purpose of this policy is to ensure that the educational programs offered by the Board reach those students who are legitimately entitled to receive them.

It is not our intent to deprive any student of his/her educational rights, but it is our responsibility to make sure that the educational programs paid for by the tax dollars of Woodbridge are offered only to legal residents of Woodbridge. We respectfully request your assistance to carry out this mandate. Attached you will find several items as follows:

A description of the policy (this is for your records).

A Proof of Residency Form which lists several items that can be submitted as proof of our residency (you only have to submit copies of two items). Please feel free to black out any information on the utility bill, rent receipt, mortgage receipt, etc. that you wish to maintain as private information. Please sign this form.

Only one form per family is necessary, but all children attending Woodbridge Public Schools should be listed.

This letter and attached information is being mailed to your home address to make sure that you receive it promptly. If you have any questions about the information requested, please do not hesitate to call your school principal.

I want to thank you for your cooperation and understanding.

Sincerely yours,

Superintendent

Date:

Dear Parents/Guardians:

The Woodbridge Board of Education has a Proof of Residency Policy. The purpose of this policy is to ensure that the educational programs offered by the Board reach those students who are full-time residents of the Town of Woodbridge. (Full-time means a child is domiciled in the Town of Woodbridge day and night). Legal exceptions will be considered on a case-by-case basis.

It is not our intent to deprive any student of his/her educational rights, but it is our responsibility to make sure that the educational programs paid for by the tax dollars of Woodbridge are offered only to those entitled to them. The Superintendent shall also require that parents or guardians of a child already enrolled in the Woodbridge Public Schools provide appropriate proof of residency in Woodbridge prior to January 1st of the year in which their child is enrolled in third grade.

Please complete the enclosed forms and return to the Principal's Office within two weeks of your receipt of this letter.

I want to thank you for your cooperation and understanding.

Sincerely yours,

Superintendent

Enclosures

Sample policy to consider, as the recommended replacement for existing policy #5111 adopted 3/17/03.

Students

Admission/Placement

Admission

District schools shall be open to all children five years of age and over who reach age five on or before the first day of January of any school year. Each such child shall have, and shall be so advised by the appropriate school authorities, an equal opportunity to participate in the program and activities of the school system without discrimination on account of race, color, sex, religion, national origin or sexual orientation. Students who are classified as homeless under federal law, and therefore do not have a fixed residence, will be admitted pursuant to federal law and policy 5118.1. Exceptions from routine admission may be made by the school Principal on the basis of supporting evidence from physical and psychological examinations.

The parent or person having control of a child five years of age shall have the option of not sending the child to school until the child is six years of age. The parent or person having control of a child six years of age shall have the option of not sending the child to school until the child is seven years of age.

The parent or person shall exercise such option by personally appearing at the school district office and signing an option form. The district shall provide the parent or person with information on the educational opportunities available in the school system.

According to Connecticut General Statute 10-76d (b2), special education will be provided for children who have attained the age of three and who have been identified as being in need of special education, and whose educational potential will be irreparably diminished without special education. If a special education student is being considered for an exception, the Planning and Placement Team (PPT) will make a recommendation to the administrator in charge of special education.

Each child entering the district schools for the first time must present a birth certificate or offer legal evidence of birth data, as well as proof of a recent physical examination and required immunizations. If the parents or guardians of any children are unable to pay for such immunizations, the expense of such immunizations shall on the recommendation of the Board, be paid by the town. Proof of domicile may also be requested by the Building Principal.

Any child entering or returning to the district from placement in a juvenile detention school, the Connecticut Juvenile Training School, or any other residential placement, shall have the educational records of such child provided to the Superintendent of Schools by the Department of Children and Families (DCF) and the Judicial Department. Such information will be shared with the Principal of the school to which the student is assigned. The Principal can disclose them to the staff who teach or care for the child.

Students

Admission/Placement

The District will immediately enroll any student who transfers from Unified District No. 1 or Unified District No. 2. A student transferring from the Unified School Districts who had previously attended school in the local District shall be enrolled in the school such student previously attended, provided such school has the appropriate grade level for the student.

The parent or person having control of a child sixteen or seventeen years of age may consent to such child's withdrawal from school. For the school year commencing July 1, 2011, and each school year thereafter, the parent or person having control of a child seventeen years of age shall exercise this option by personally appearing at the school district office to sign a withdrawal form. Such withdrawal form shall include an attestation from a guidance counselor or school administrator of the school that the district has provided the parent or person with information on the educational options available in the school system and in the community.

Children who have attained the age of seventeen and who have terminated enrollment in the district's schools with parental permission as described previously and subsequently seeks readmission may be denied readmission for up to ninety school days from the date of such termination, unless such child seeks readmission to a district school not later than ten days after such termination. In such case the child will be provided school accommodations not later than three days after the requested readmission.

Note: *When a student is enrolling in a new school district or new state charter school, written notification of such enrollment shall be provided to the previous school district or charter school not later than two business days after the student enrolls.*

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

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

- (cf. 0521 - Nondiscrimination)
- (cf. 5112 - Ages of Attendance)
- (cf. 5118.1 - Homeless Students)
- (cf. 5141 - Student Health Services)
- (cf. 6171 - Special Education)
- (cf. 6146 - Graduation Requirements)

Students

Admission/Placement

Legal Reference: Connecticut General Statutes
 10-15 Towns to maintain schools
 10-15c Discrimination in public schools prohibited. School attendance by five-year olds, as amended by PA 97-247
 10-76a - 10-76g re special education
 10-184 Duties of parents (re mandatory schooling for children ages five to sixteen, inclusive) - as amended by PA 98-243, PA 00-157 and PA 09-6 (September Special Session)
 10-186 Duties of local and regional boards of education re school attendance. Hearings. Appeals to state board. Establishment of hearing board. Readmission, as amended.
 10-220h Transfer of student records, as amended.
 P.A. 11-115 An Act Concerning Juvenile Reentry and Education
 10-233a - 10-233f Inclusive; re: suspend, expel, removal of pupils
 10-233c Suspension of pupils
 10-233d Expulsion of pupils
 10-233k Notification of school officials of potentially dangerous students. (as amended by PA 01-176)
 10-261 Definitions
 State Board of Education Regulations
 10-76a-1 General definitions (c) (d) (q) (t)
 10-76d-7 Admission of student requiring special education (referral)
 10-204a Required immunizations (as amended by PA 98-243)
 McKinney-Vento Homeless Assistance Act, 42 U.S.C. §11431 et seq.
Plyler vs. Doe, 457 U.S. 202 (1982)

Policy adopted:

rev 6/00
 rev 7/01
 rev 10/02
 rev 11/07
 rev 11/09
 rev 7/11

Sample policy to consider as the recommended program for existing policy #5112 adopted 10/20/03.

Students

Ages of Attendance

In accordance with Connecticut General Statute 10-186, the Board of Education shall provide education for all persons five years of age and older, having attained age five on or before the first day of January of any school year, and under twenty-one years of age who is not a graduate of a high school or vocational school, except as provided in Connecticut General Statutes 10-233c and 10-233d. Additionally, according to Connecticut General Statute 10-76d (b2), special education will be provided for children who have attained the age of three and who have been identified as being in need of special education, and whose educational potential will be irreparably diminished without special education.

Parents and those who have the control of children five years of age and over and under eighteen years of age, are obligated by Connecticut law to require their children to attend public day school or its equivalent in the district in which such child resides, unless such child is a high school graduate or the parent or person having control of such child is able to show that the child is elsewhere receiving equivalent instruction in the studies taught in the public schools. The parent or person having control of a child sixteen or seventeen years of age must consent to such child's withdrawal from school. For the school year commencing July 1, 2011 and each school year thereafter, the parent or person having control of a child seventeen years of age may consent to such child's withdrawal from school. The parent or person shall exercise this option by personally appearing at the school district office to sign a withdrawal form. Such withdrawal form shall include an attestation from a guidance counselor or school administrator of the school that this district has provided the parent or person with information on the educational opportunities options available in the school system and in the community.

The parent or person having control of a child five years of age shall have the option of not sending the child to school until the child is six years of age. The parent or person having control of a child six years of age shall have the option of not sending the child to school until the child is seven years of age.

The parent or person shall exercise such option by personally appearing at the school district office and signing an option form. The district shall provide the parent or person with information on the educational opportunities available in the school system.

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

A child who has attained the age of nineteen or older may be placed in an alternative school program or other suitable educational program if he/she cannot acquire a sufficient number of credits for graduation by age twenty-one.

Students

Ages of Attendance (continued)

(cf. 5111 - Admission/Placement)

(cf. 5112 - Ages of Attendance)

(cf. 6146 - Graduation Requirements)

Legal Reference: Connecticut General Statutes

10-15 Towns to maintain schools

10-15c Discrimination in public schools prohibited. School attendance by five-year-olds

10-76a - 10-76g re special education

10-184 Duties of parents (re mandatory schooling for children ages five to sixteen, inclusive) as amended by PA-98-243, PA 00-157 and PA 09-6 (September Special Session)

10-186 Duties of local and regional boards of education re school attendance. Hearingsents and Readmission and Placement of Older Students)

. (Amended by PA 96-26 An Act Concerning Graduation Requirem Appeals to State Board. Establishment of hearing board

10-233a - 10-233f Inclusive; re: suspend, expel, removal of pupils

10-233c Suspension of pupils

10-233d Expulsion of pupils

State Board of Education Regulations

10-76a-1 General definitions (c) (d) (q) (t)

Policy adopted:

rev 5/98
rev 6/00
rev 11/09
rev 7/11

_____ PUBLIC SCHOOLS
_____, Connecticut

**ACKNOWLEDGMENT OF OPTION TO EXEMPT ATTENDANCE OF
CHILD FIVE OR SIX YEARS OF AGE FROM SCHOOL**

Pursuant to Section 10-184 of the Connecticut General Statutes,

I _____, of _____
Name of Parent, Guardian or Other *Address*

the parent, guardian or other person charged with the care of the following minor child

_____, of _____ who was
Name of Child *Address*

born on _____ do hereby choose not to send my child to public
Date

school during the _____.
School Year

Furthermore, before signing this form, a representative of the _____
Name of District

school district met with me and provided me with information concerning the educational opportunities and school accommodations available in the school system.

ACKNOWLEDGED BY:

Signature of Parent, Guardian or Other

Date

_____ **PUBLIC SCHOOLS**
_____, **Connecticut**

**ACKNOWLEDGMENT OF OPTION TO WITHDRAW CHILD
SEVENTEEN YEARS OF AGE FROM SCHOOL**

Pursuant to Section 10-184 of the Connecticut General Statutes,

I _____, of _____
Name of Parent, Guardian or Other *Address*

the parent, guardian or other person charged with the care of the following minor child

_____, of _____
Name Child *Address*

born on _____ do hereby elect to withdraw from public school.
Date of birth

Furthermore, before signing this form, a representative of the _____
Name of District

school district met with me and provided me with information concerning the educational options available in the school system and the community.

ATTESTMENT BY:

Signature of School Counselor *Date*

OR

Signature of School Administrator *Date*

ACKNOWLEDGED BY:

Signature of Parent, Guardian or Other *Date*

A child seventeen years of age or older who voluntarily terminates enrollment in a school district and subsequently seeks readmission, the local or regional board of education for the school district may deny school accommodations to the child for up to ninety school days from the date of such termination. Unless the child seeks readmission to the school district not later than ten school days after the termination in which case the board shall provide school accommodations to the child not later than three school days after the child seeks readmission.

An optional sample policy to consider.

Students

Disenrollment

The Board of Education views regular and uninterrupted school attendance as the legal responsibility of each student and his/her parent/guardian(s). Classroom learning experiences are important to the learning process and vital to student success.

The Board encourages and appreciates the need for accurate student enrollment counts/data at the district and individual school levels. Such counts are crucial to the appropriate fulfillment of the Board's responsibilities related to current and long term budget, personnel and facility planning. District enrollment data, as required to the State Department of Education, must also be current and accurate to facilitate the timely, correct and equitable calculations of grant entitlements supportive of district efforts.

The Superintendent of Schools or his/her designee is authorized to develop and implement administrative guidelines necessary to ensure the accuracy of District enrollment counts through the timely removal from District rolls of those students no longer attending and/or eligible for services in the District.

- (cf. 5111 - Admission)
- (cf. 5112 - Ages of Attendance)
- (cf. 5112.3 - Dropouts)
- (cf. 5113 - Attendance and Excuses)
- (cf. 5113.2 - Truancy)

Legal Reference: Connecticut General Statutes

10-15 Towns to maintain schools

10-15c Discrimination in public schools prohibited. School attendance by five-year olds, as amended by PA 97-247

10-76a - 10-76g re special education

10-184 Duties of parents (re mandatory schooling for children ages five to sixteen, inclusive) - as amended by PA 98-243, and PA 00-157

10-186 Duties of local and regional boards of education re school attendance. Hearings. Amended by PA 96-26, An Act Concerning Graduation Requirements and Placement of Older Students

Students

Disenrollment

Legal Reference: Connecticut General Statutes (continued)

- Appeals to state board. Establishment of hearing board
- 10-198a Policies and procedures concerning truants, as amended by PA 00-157
- 10-199 through 10-202 Attendance, truancy -in general.
- 10-221 (b) Board of education to prescribe rules.
- 10-233a - 10-233f Inclusive; re: suspend, expel, removal of pupils
- 10-233c Suspension of pupils
- 10-233d Expulsion of pupils
- 10-261 Definitions
- State Board of Education Regulations
- 10-76a-1 General definitions (c) (d) (q) (t)
- 10-76d-7 Admission of student requiring special education (referral)
- 10-204a Required immunizations (as amended by PA 98-243)

Policy adopted:

rev. 1/01
rev 1/10

Westport's version of this regulation.

Students

Enrollment/Disenrollment

Guidelines For Enrollment/Disenrollment

Enrollment

Resident Students Being Enrolled by Parent or Legal Guardian

- **Documents Required:** proof of residence, proof of the child's birth date, and custody papers, if applicable. (Health assessment (blue form, which includes immunization records) and prior school records should also be obtained).

For proof of residence: a document (deed or lease) showing that the student's family owns or rents a home in Westport and another proof such as a utility bill addressed to them at that address, or a current driver's license or auto registration showing that address. If the student's parents are living with someone in Westport without payment or renting without a lease, refer them to the Executive Assistant to the Superintendent at the Town School Office (TSO).

For proof of age: in the absence of a birth certificate, other documents showing date of birth such as a passport, baptismal certificate or adoption papers are acceptable.

- **Problems:** If there are any questions about birth date, custody or residence, enrollment should not be finalized; parents should be referred to TSO. Student's data should not be entered into the computer (eSchool) until residency, birth date and/or custody issues are resolved and TSO gives approval to enroll student. When enrollment is complete, information should be entered *immediately* into eSchool so that student will be assigned bus transportation, if applicable.
- **Health Records:** Although a student may be officially enrolled, students are not permitted to *attend* school until health assessment form and immunization records are up-to-date, and forms are returned to school nurse. Forms should be returned *before* the first day of school.
- **Data Base:** All enrollments made on or before Oct. 1 must be recorded in the database (eSchool) *immediately* so that students will be included in Oct. 1 State enrollment report (ED006). Incoming students are only to be counted on the Oct. 1 report if the student's first actual day at school in Westport occurs on or before Oct. 1.

Unusual Cases:

Project Open Choice Students:

- Principal is informed of names of prospective students. Student is not to be not entered into database until an actual contact has been made and the family has reconfirmed that the student is coming.

Students

Enrollment/Disenrollment

Unusual Cases (continued)

- If a student does not show up, contact the Project Open Choice Coordinator.
- Decision about how to proceed will be made in consultation with TSO.

Non-Resident, Tuition-Paying Students, e.g., Children of Non-Resident BOE Employees.

They are not to be considered enrolled each year unless tuition is paid in full prior to start of school. TSO will inform principal when a student is to be added to or removed from the rolls.

Transfers within Westport

Families moving to a different address within Westport, must provide the same proof of residence as new registrants. Families moving out of Westport may not use the address of a compliant friend or relative to permit their children to continue attending Westport schools.

Disenrollment

There are several categories of student for whom disenrollment procedures are to be followed.

Student Previously in Attendance

- Parent asks that records be forwarded to another school. Parent fills out withdrawal form (attached.) School keeps a copy of records, noting where and when they were sent. Student is made inactive in the computer database on his or her last day in Westport.

or

- Parents inform school of intent to withdraw a student 16 years old or older from further schooling. State law requires parent to fill out the applicable form and appear *personally* at the guidance office.

or

- Parents inform school of intent to home school the student, with date as to when home schooling is to begin. State law requires parent to fill out the withdrawal form *and* be referred to Pupil Services Administration office to fill out a formal “intent to home school” as required by the State. On the date that form is filed, student is made inactive in the computer database.

or

Students

Enrollment/Disenrollment

Guidelines For Enrollment/Disenrollment

Student Previously in Attendance (continued)

- Student does not show up at school for 10 consecutive days.
 1. Attempt should be made to reach parent by telephone *every day*.
 2. If no telephone contact is made within 10 days, principal sends registered letter. (Sample below.)
 3. If letter is undeliverable, principal assumes family moved; student is made inactive in database.

or

- No parent contact is made but another school informs us student has enrolled and requests records:

If parental release form accompanies the request, applicable records are forwarded; student is removed from database that day.

If no parental release form accompanies the request, records may still be sent, but the principal should attempt to reach the parents by phone or registered mail to inform them that the records have been sent. The school should keep a copy of the records and notation of where and when the records are sent. The student's file becomes inactive in the database the day the records are sent.

- If *neither* the parent *nor* another school district has made contact, but Westport school personnel hear that the student is in another school district, school administration should attempt to contact the other district to establish that the student is in school so that Westport is not charged with a "drop-out" on the annual state mobility report.
- **Out-Placed Students: SPED Or Alternative Program Such As The Wilton Night School:**
- PPT or counselor: notifies principal specifying *the first day* the student is to be enrolled elsewhere.
- These students are *not counted as enrolled* in a Westport school from that day because they are reported *elsewhere* on the ED006. School personnel should check for changes on or around Oct. 1.

Students

Enrollment/Disenrollment

Guidelines For Enrollment/Disenrollment (continued)

New Registrant No Shows:

Student for whom enrollment papers *had been completed* does not show up.

- If no contact by parent, principal should attempt to reach the family by telephone and then by mail.
(See sample letter below).
- If no response is received within 10 days, principal assumes child is not coming to Westport and removes from database.

Student about whom parent had made contact, but enrollment documents *not* completed.

Student is *not* to be considered enrolled for state reporting purposes.

School should keep a record of all students removed from database, including date and reason removed. Note whether the school has had confirmation that the student has enrolled elsewhere, because the State requires this data for the annual dropout report.



NOTICE OF WITHDRAWAL TO ATTEND OTHER SCHOOLING

I _____, of _____
(Print Name of Parent or Legal Guardian) (Address & Phone)

The parent, guardian or other person charged with the care of the following minor child
_____ of _____
(Print Name of Student) (Birth date) (Address & Phone)

School _____ Grade: _____ Teacher (K-5) _____ or
Guidance Counselor (Grades 6-12) _____

I elect to withdraw my child from the Westport Public Schools, effective date: _____

My child will be enrolled in: *(Please check appropriate blank):*

- _____ 02 Public School in Connecticut
- _____ 03 Public school in a different state
- _____ 04 Private School Non-religiously affiliated in Westport
- _____ 05 Private School Non-religiously affiliated in Connecticut (not Westport)
- _____ 06 Private School Non-religiously affiliated in another state
- _____ 07 Private school Religiously affiliated in Westport
- _____ 08 Private School Religiously affiliated in Connecticut (not Westport)
- _____ 09 Private School Religiously affiliated in another state
- _____ 10 School outside the United States
- _____ 11 Transfer to a Hospital or other Institution
- _____ 12 Charter School
- _____ 23 GED Program
- _____ 24 Post Secondary Education prior to graduation
- _____ 26 State-Approved Magnet School
- _____ 27 Adult High School Credit Diploma Program
- _____ 13 Home Schooling (State form must be completed. Law requires parent to appear in person at the Pupil Services Office.)

If moving out of Westport: Date of Move: _____ New Address/Phone _____
Name/Address of Public or Private School, Program or Institution to receive records:

As part of this process I understand that all textbooks and other educational materials lent to the student must be returned upon withdrawal. I understand that I am responsible for the cost of textbooks and other educational materials that are not returned, and that the school district may withhold grades, transcripts or report cards until the materials are returned or paid for.

(Signature of Parent or Guardian) (Date)

School Official: (Principal, Guidance Director or designee): _____
(Print Name/Position)

Signature: _____ Date: _____

Existing policy, number 5113 adopted 2/23/04, appropriate as written, except for update to legal reference.

Students

Attendance/Excuses

Connecticut state law requires parents to ensure their children attend school regularly during the hours and terms the public school is in session. It has been well-demonstrated that regular attendance is a key factor in the success a student achieves in school. The Board of Education requires that accurate records be kept of the attendance of each child. A student should not be absent from school without the parents' knowledge and consent by the parent or guardian upon the student's return to school. A determination will then be made whether the absence should be deemed excused or unexcused.

An absence shall be excused when a child does not attend school because of illness or injury, death in the family, religious obligation, an emergency or other exceptional circumstances. All other absences, with or without an explanation from a parent or guardian, will be considered unexcused. Excessive absences due to illness may also be considered an unexcused absence unless a doctor's note is provided.

The Board of Education shall annually submit to the State Department of Education a report on the number of students enrolled in grades kindergarten to six who are habitual truants.

The Superintendent shall establish such procedures as deemed necessary to determine the causes of habitual truancy, including medical verification for excessive absence, and shall cooperate with other private and governmental agencies in correcting the causes thereof.

The administration will establish regulations to carry out the intent of this policy.

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.)

10-199 to 10-202 Attendance, truancy – in general

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

Policy adopted:

WOODBRIIDGE PUBLIC SCHOOLS
Woodbridge, Connecticut

Existing regulation, presently numbered 5113.1 approved 2/23/04, modified and renumbered.

Students

Attendance/Excuses

Definitions:

Length of School Day - The school day at Beecher Road School begins at 8:35 AM and ends at 3:10 PM. Arrival and/or departure after 8:35 and prior to 3:10 significantly impacts on a student's academic instruction.

Truant - means a child between the ages of 5 and 18 enrolled-in a public or private school who has four unexcused absences from school in a month or ten unexcused absences in any school year.

~~**Habitual Truant** - means any child between the ages of 5 and 18 enrolled in a public or private school who has twenty or more unexcused absences from school in a school year.~~

Tardy Student - refers to a student who arrives at school after 8:35 AM. The school day at Beecher Road School begins at 8:35 AM and ends at 3:10 PM. Students who arrive at school after 8:35 AM four or more times per month will be considered "truant."

Habitually Tardy Student - refers to a student who is tardy four times or more within a month without a written legal excuse, i.e., illness/injury, doctor's appointment, religious observation or to attend the funeral of a family member or friend.

Early Pick-up - refers to a student who leaves school prior to 3:10 PM. The school day at Beecher Road School begins at 8:35 AM and ends at 3:10 PM. Students who leave prior to 3:10 PM four or more times per month will be considered "truant."

Absence/Unexcused Absence - An absence shall be excused when a child does not attend school because of illness or injury, death in the family, religious obligation, or an emergency. The parent or guardian is expected to give the school an excuse for any such absence. All other absences, with or without an explanation from a parent or guardian, will be considered unexcused. Excessive absences due to illness may not be considered excused unless a doctor's note is provided.

1. The Principal must conduct a meeting within ten school days after the fourth unexcused absence in one month or within 10 school days after the 10th unexcused absence in one year with the parent of each child who is a truant, or other person having control of such child, and appropriate school personnel to review and evaluate the reasons for the child being a truant.

The Principal and/or the Special Services Director will, when deemed appropriate, coordinate services with and referrals of children to community agencies providing child and family services.

Students

Attendance/Excuses

Absence/Unexcused Absence (continued)

2. The Superintendent or his/her designee will annually, at the beginning of the school year and upon any enrollment during the school year, notify the parent or other person having control of each child in writing, of the obligations of the parent or such person (pursuant to Section 10-184 (3) of their obligation relative to a child's attendance at school.
3. Annually, at the beginning of the school year, and upon any enrollment during the school year, the Principal will obtain from a parent or other person having control of the child, a telephone number or other means of contacting such parent or legal guardian during the school day.
4. The Principal will establish a procedure which provides that whenever a child in any grade, kindergarten to six, fails to report to school on a regularly scheduled school day, and no indication has been received by school personnel that the child's parent or other person having control of the child is aware of the students's absence, a reasonable effort to notify, by telephone and by mail. The parent or such person shall be made by school personnel or volunteer under the direction of the Principal. The required mail notice shall include a warning that two unexcused absences from school in one month or five unexcused absences in a school year may result in a complaint filed with the Superior Court alleging the belief that the acts or omissions of the child are such that the child's family is a family with service needs. Any person who in good faith gives or fails to give notice as specified above, shall be immune from any liability, civil or criminal, which might otherwise be incurred or imposed and shall have the same immunity with respect to any judicial proceedings which result from such notice.
5. The school's mandated reporters (teachers, principals, guidance counselors, school psychologists, physical therapists, athletic coaches, paraprofessionals and social workers), must report suspected educational neglect to the Department of Children and Families.
6. The Principal shall refer a child to the Planning and Placement Team for evaluation for a possible disability if the student is excessively absent without excuse (Connecticut State Regulations, Section 10-76d-7).
7. The Superintendent of Schools is required to file a truancy petition with respect to all students who are absent without excuse four (4) days in any given month or ten (10) days in any year, whose parents/legal guardian fail to attend the meeting held to discuss the attendance issues or otherwise refuse to cooperate.

Students

Attendance/Excuses

Absence/Unexcused Absence (continued)

Tardy/Habitual Tardiness

1. Parents are responsible for accompanying their child(ren) and signing him/her in and for turning in written excuses for students arriving after 8:35 AM or leaving prior to 3:10 PM. Acceptable excuses for arriving late or leaving early include: illness/doctor's appointment; religious observance; family emergency.
2. Students having four unexcused "tardies" shall be counted as having one unexcused absence.

A sample policy to consider.

Students

Truancy

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.

"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.

"In attendance" shall mean a student 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.

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 when a child does not arrive at school and there has been no previously approval or other indication which indicates parents are aware of the absence. *(Note: Persons who in good faith give or fail to give notice pursuant to this section shall be immune from any liability, civil or criminal, which might otherwise be incurred or imposed and shall have immunity with respect to any judicial proceeding which results from such notice or failure to give notice.)*

The required mailed notice shall include a warning that two unexcused absences form school in one month or five unexcused absences in a school year may result in a complaint filed with the Superior Court alleging the belief that the acts or omissions of the child are such that the child's family is a family with service needs.

5. Identify a student as "truant" when the student accumulates four unexcused absences in any month or ten in a school year.

Students

Truancy (continued)

6. Appropriate school staff meet with parents of a child identified as truant, to review and evaluate the situation, within ten days of such designation.

Students so identified may be subject to:

- (a) retention in the same grade to acquire necessary skills for promotion or promotion
 - (b) a requirement to complete a summer school program successfully before being promoted to the next grade.
7. File a written complaint with the Superior Court, not later than fifteen calendar days after the failure of a parent/guardian to attend the meeting (item #6) or upon the failure to cooperate with the school attempting to solve the truancy problem, alleging that the acts or omissions of a child identified as "truant" are such that the student's family is a "family with service needs", if the parent or other person having control of the child fails to attend the required meeting with appropriate school personnel to evaluate why the child is truant or fails to cooperate with the school in trying to solve the child's truancy problem.
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 child and family services.

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 and P.A. 11-136)
 10-199 through 10-202 Attendance, truancy in general. (Revised, 1995, PA 95-304)
 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."

Policy adopted:

rev 6/00
 rev 3/08
 rev 1/10
 rev 7/11

CABE's newest version of this policy is the recommended replacement for existing policy #5114 last amended 9/16/96, which is not reflective of legislative changes.

Students

Suspension and Expulsion/Due Process

It is the goal of the Board of Education to ensure the safety and welfare of all students in attendance, and to maintain an atmosphere conducive to learning. In keeping with this goal, students are expected to comply with school rules and regulations, as well as Board policies. Students may be disciplined for conduct on school grounds or at any school-sponsored activity that endangers persons or property, is seriously disruptive of the educational process, or that violates a publicized policy of the Board. Students may be disciplined for conduct off school grounds if such conduct is seriously disruptive of the educational process and violates a publicized policy of the Board.

In working with students, emphasis shall be placed upon developing effective self-discipline as the most effective disciplinary approach.

A. Definitions

1. **"Exclusion"** shall be defined as any denial of public school privileges to a student for disciplinary purposes.
2. **"Removal"** shall be defined as an exclusion from a classroom for all or a part of single class period, provided such exclusion shall not extend beyond ninety (90) minutes.
3. **"In-School Suspension"** shall be defined as an exclusion from regular classroom activity for no more than ten consecutive school days, but not exclusion from school, provided such exclusion shall not extend beyond the end of the school year in which such in-school suspension was imposed. Such suspensions shall be served in the school attended by the student. (or: Such suspensions may be served in any school building under the jurisdiction of the Board of Education. The Board has determined that in-school suspensions shall be served in the following District schools: _____.)
4. **"Suspension"** shall be defined as an exclusion from school privileges or from transportation services for no more than ten (10) consecutive school days, provided such exclusion shall not extend beyond the end of the school year in which such suspension was imposed. Suspensions shall be in-school suspensions unless the administration determines that (1) the student being suspended poses such a danger to persons or property or such a disruption of the educational process that the student shall be excluded from school during the period of suspension, or (2) that an out-of-school suspension is appropriate based on evidence of previous disciplinary problems that have led to suspensions or expulsion of the student and efforts by the administration to address such disciplinary problems through means other than out-of-school suspension or expulsion, including positive support strategies.

Students

Suspension and Expulsion/Due Process

A. Definitions (continued)

5. **“Expulsion”** shall be defined as an exclusion from school privileges for more than ten (10) consecutive school days and shall be deemed to include but not be limited to, exclusion from the school to which such student was assigned at the time such disciplinary action was taken, provided that assignment to a regular classroom program in a different school in the district shall not constitute a suspension or an expulsion. Such period of exclusion may extend to the school year following the school year in which the exclusion was imposed, up to one calendar year.
6. **“Emergency”** shall be defined as a situation under which the continued presence of the student in the school imposes such a danger to persons or property or such a disruption of the educational process that a hearing may be delayed until a time as soon after the exclusion of such student as possible.
7. **“Days”** is defined as days when school is in session.
8. **“School-sponsored activity”** is defined as any activity sponsored, recognized or authorized by the Board of Education and includes activities conducted on or off school property.
9. **“Possess”** means to have physical possession or otherwise to exercise dominion or control over tangible property.
10. **“Deadly weapon”** means any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon, or metal knuckles.
11. **“Firearm”** means 1) any weapon (including a starter gun) which will or is designed to or readily be converted to expel a projectile by the action of an explosive; 2) the frame or receiver of any such weapon; 3) any firearm muffler or firearm silencer; or 4) any destructive device. Firearm does not include any antique firearm. For purposes of this definition “destructive device” means any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than 4 ounces, missile having an explosive or incendiary charge of more than ¼ ounce, mine, or device similar to any of the weapons described herein.
12. **“Vehicle”** means a **“motor vehicle”** as defined in Section 14-1 of the Connecticut General Statutes, snow mobile, any aircraft, or any vessel equipped for propulsion by mechanical means or sail.

Students

Suspension and Expulsion/Due Process

A. Definitions (continued)

13. **“Martial arts weapon”** means a nunchakum kama, kasari-fundo, octagon sai, tonfa or chinese star.
14. **“Dangerous Drugs and Narcotics”** is defined as any controlled drug in accordance with Connecticut General Statutes §219-240.

B. Removal From Class

1. All teachers are hereby authorized to remove a student from class when such student causes a serious disruption of the educational process within the classroom.
2. Such teacher shall send the student to a designated area and shall immediately inform the building Principal or his/her designee as to the name of the student and the reason for removal.
3. No student shall be removed from class more than six (6) times in any year nor more than twice in one week, unless such student is referred to the Building Principal or his/her designee and granted an informal hearing in accordance with the provisions of this policy, as stated in G(3).

C. Exclusion from Co-Curricular and Extra-Curricular Activities

Participation in co-curricular and extra-curricular activities is a privilege and not an entitlement. Students involved in such programs are expected to follow all school rules and demonstrate good citizenship. Failure to do so may result in partial or complete exclusion from said activities and programs. Activities include, but are not limited to, athletic programs, musical or drama productions, clubs, field trips, and school trips out-of-state and abroad.

D. Suspension and Expulsion

1. A student may be suspended or expelled for conduct on school property or at a school-sponsored activity that endangers persons or property, is violative of a publicized policy of the Board, or is seriously disruptive of the educational process, including but not limited to one or more of the following reasons:

Students

Suspension and Expulsion/Due Process

D. Suspension and Expulsion (continued)

- a. Conduct causing danger to the physical well-being of himself/herself or other people that is not reasonably necessary for self-defense;
- b. Intentionally causing or attempting to cause physical injury to another person that is not reasonably necessary for self-defense;
- c. Intentionally causing or attempting to cause damage to school property or material belonging to staff (private property);
- d. Stealing or attempting to steal private or school property or taking or attempting to take personal property or money from any other person;
- e. The use, either spoken or written on clothing, of obscene or profane language or gestures on school property or at a school-sponsored activity;
- f. Deliberate refusal to obey the directions or orders of a member of the school staff;
- g. Harassment and/or hazing/bullying on the basis of that person's race, religion, ethnic background, gender or sexual orientation;
- h. Open defiance of the authority of any teacher or person having authority over the student, including verbal abuse;
- i. Threatening in any manner, including orally, in writing, or via electronic communication, a member of the school including any teacher, a member of the school administration or any other employee, or a fellow student;
- j. Blackmailing a member of the school community, including any teacher, member of the school administration or any other employee or fellow student;
- k. Possession of a firearm, deadly weapon, dangerous instrument, or martial arts weapon, as defined in Section 53a-3, such as a pistol, knife, blackjack, etc.;
- l. Possession of any weapon or weapon facsimile, including but not limited to knife, pistol, pellet guns and/or air soft pistols.
- m. Possession, transmission, distribution, selling, use or consumption of alcoholic beverages, dangerous drugs or narcotics or intoxicant of any kind or any facsimile of a dangerous drug, narcotic or intoxicant of any kind;

Students

Suspension and Expulsion/Due Process

D. Suspension and Expulsion (continued)

- n. Knowingly being in the presence of those who are in possession of using, transmitting, or being under the influence of any dangerous drug, narcotic, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind;
- o. Participation in any unauthorized occupancy by any group of students or others of any part of any school, school premises or other building owned by any school district after having been ordered to leave said school premises or other facility by the Principal or other person then in charge of said school building or facility;
- p. Participation in any walkout from a classroom or school building by any group of students and refusing to immediately return to said classroom or school building after having been directed to do so by the Principal or other person then in charge of said classroom or school building;
- q. Intentional incitement which results in an unauthorized occupation of, or walkout from, any school building, school premises, facility or classroom by any group of students or other persons;
- r. Repeated unauthorized absence from or tardiness to school;
- s. Intentional and successful incitement of truancy by other students;
- t. The use or copying of the academic work of another and the presenting of it as one's own without proper attribution;
- u. Violation of school rules and practices or Board policy, regulation or agreement, including that dealing with conduct on school buses and the use of school district equipment;
- v. Violation of any federal or state law which would indicate that the violator presents a danger to any person in the school community or to school property;
- w. Lying, misleading or being deceitful to a school employee or person having authority over the student;
- x. Unauthorized leaving of school or school-sponsored activities;
- y. Unauthorized smoking.

Students

Suspension and Expulsion/Due Process

E. Suspension for Conduct Off School Grounds

1. Students are subject to suspension for conduct off school property and outside of school-sponsored activities in accordance with law, for conduct that violates a publicized policy of the Board and is seriously disruptive of the educational process, including but not limited to the following:
 - a. Conduct leading to a violation of any federal or state law if that conduct is determined to pose a danger to the student himself/herself, other students, school employees or school property.
 - b. Adjudication as a delinquent or a youthful offender as the result of a felony if the conduct leading to the adjudication is determined to pose a danger to the student himself/herself, other students, school employees or school property.
2. In making a determination as to whether conduct is “seriously disruptive of the educational process,” the administration, Board of Education or impartial hearing board may consider, but such consideration shall not be limited to; (1) whether the incident occurred within close proximity of a school; (2) whether other students from the school were involved or whether there was any gang involvement; (3) whether the conduct involved violence, threats of violence or the unlawful use of a weapon as defined in Section 29-38 and whether any injuries occurred, and (4) whether the conduct involved the use of alcohol, narcotic drug, hallucinogenic drug, amphetamine, barbiturate or marijuana.

F. Mandatory Expulsion

It shall be the policy of the Board to expel a student for one full calendar year if:

1. The student, on grounds or at a school-sponsored activity, was in possession of a firearm, as defined in 18 U.S.C. 921*, as amended from time to time, or deadly weapon, dangerous instrument or martial arts weapon, as defined in C.G.S. 53A-3; or the student, off school grounds, did possess such firearm in violation of C.G.S. 29-35 or did possess and use such a firearm, instrument or weapon in the commission of a crime; or the student, on or off school grounds offered for sale or distribution a controlled substance, as defined in subdivision (9) of C.G.S. 21a-240, whose manufacture, distribution, sale, prescription, dispensing, transporting or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under C.G.S. 21-277 and 21a-278.

*A firearm; currently defined by 18 U.S.C. 921, is any weapon that can expel a projectile by an explosive action and includes explosive devices, incendiaries, poison gases, and firearm frames, receivers, mufflers or silencers.

Students

Suspension and Expulsion/Due Process

F. Mandatory Expulsion (continued)

2. Such a student shall be expelled for one calendar year if the Board of Education or impartial hearing board finds that the student did so possess or so possess and use, as appropriate, such a weapon or firearm, instrument or weapon or did so offer for sale or distribution such a controlled substance.
3. The Board may modify the period of a mandatory expulsion on a case-by-case basis.
4. A firearm, as defined by C.G.S. 53a-3 includes any sawed-off shotgun, machine gun, rifle, shotgun, pistol, revolver, or other weapon, whether loaded or unloaded from which a shot may be discharged, or a switchblade knife, a gravity knife, billy, black jack, bludgeon or metal knuckles.

G. Suspension Procedure

1. The administration of each school shall have the authority to invoke suspension for a period of up to ten days or to invoke in-school suspension for a period of up to ten school days of any student for one or more of the reasons stated in paragraph C, above, in accordance with the procedure outlined in this paragraph. Suspensions shall be in-school suspensions unless the administration determines that the student being suspended poses such a danger to persons or property or such a disruption of the educational process that the student shall be excluded from school during the period of suspension. The administration may also consider a student's previous disciplinary problems when deciding whether an out-of-school suspension is warranted, as long as the school previously attempted to address the problems by means other than an out-of-school suspension or an expulsion.

The administration is expected to use the guidelines developed and promulgated by the Commissioner of Education to help determine whether a student should receive an in-school or out-of-school suspension.

The administration shall also have the authority to suspend a student from transportation services whose conduct while awaiting or receiving transportation violates the standards set forth in paragraph C, above. The administration shall have the authority to immediately suspend from school any student when an emergency exists as that term is defined in paragraph A, above.

If an emergency situation exists, the hearing outlined in paragraph G(3) shall be held as soon as possible after the exclusion of the student.

Students

Suspension and Expulsion/Due Process

G. Suspension Procedure (continued)

2. In the case of suspension, the administration shall notify the student's parents and the Superintendent of Schools not later than twenty-four (24) hours of the suspension as to the name of the student who has been suspended and the reason therefore. Any student who is suspended shall be given an opportunity to complete any class work including, but not limited to, examinations which such student missed during the period of his/her suspension.
3. Except in the case of an emergency, as defined in paragraph A, above, a student shall be afforded the opportunity to meet with the administration and to respond to the stated charges prior to the effectuation of any period of suspension or in-school suspension. If, at such a meeting the student denies the stated charges, he/she may at that time present his/her version of the incident(s) upon which the proposed suspension is based. The administration shall then determine whether or not suspension or in-school suspension is warranted. In determining the length of a suspension period, the administration may receive and consider evidence of past disciplinary problems which have led to removal from a classroom, in-school suspension, or expulsion.
4. For any student who is suspended for the first time and who has never been expelled, the school administration may shorten the length of or waive the suspension period if the student successfully completes an administration-specified program and meets any other administration-required conditions. Such program shall be at no expense to the student or his/her parents/guardians.
5. No student shall be suspended more than ten times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless a hearing as provided in paragraph H(5) is first granted.
6. No student shall be placed on in-school suspension more than fifteen times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless a hearing as provided in paragraph H(5) is first granted.

H. Expulsion Procedures

1. The Board of Education may, upon recommendation of the Superintendent of Schools, expel any student for one or more of the reasons stated in this policy if in the judgment of the Board of Education, such disciplinary action is in the best interest of the school system.

Students

Suspension and Expulsion/Due Process

H. Expulsion Procedures (continued)

2. Upon receipt of a recommendation for expulsion from the Superintendent of Schools the Board shall, after giving written notice to the student and his parents or guardian, if said student is less than 18 years of age, conduct a hearing prior to taking any action on the expulsion of said student, provided however, that in the event of an emergency as defined in this policy, the student may be expelled prior to the hearing but in such case even a hearing shall be held as soon after the expulsion as possible. The notice shall include information concerning legal services that are provided free of charge or at a reduced rate that are available locally (CT Legal Service a source of such services) and how to access such services.
3. Three members of the Board of Education shall constitute a quorum for an expulsion hearing. A student may be expelled if a majority of the Board members sitting in the expulsion hearing vote to expel and provided at least three affirmative votes for expulsion are cast.
4. A special education student's handicapping conditions shall be considered before making a decision to expel. A Planning and Placement Team (PPT) meeting must be held to determine whether the behavior or student actions violative of Board of Education standards set forth in policy governing suspension and expulsion are the result of the student's handicapping condition.
5. The procedure for any hearing conducted under this paragraph shall at least include the right to:
 - a. Notice prior to the date of the proposed hearing which shall include a statement of the time, place and nature of the hearing; a statement of the legal jurisdiction under which the hearing is to be held; and a statement that the board is not required to offer an alternative educational opportunity to any student between 16 and 18 who was previously expelled or who is found to have engaged in conduct endangering persons which involved (1) possession of a firearm, deadly weapon, dangerous instrument or martial arts weapon on school property or school transportation or at a school sponsored activity or (2) offering for sale or distribution on school property or at a school sponsored activity a controlled substance, as defined in Section 21a-240(a) of the Connecticut General Statutes.

Students

Suspension and Expulsion/Due Process

H. Expulsion Procedures (continued)

- b. A short and plain statement of the matters asserted, if such matters have not already been provided in a statement of reasons requested by the student;
 - c. The opportunity to be heard in the student's own defense;
 - d. The opportunity to present witnesses and evidence in the student's defense;
 - e. The opportunity to cross-examine adverse witnesses;
 - f. The opportunity to be represented by counsel at the parents'/student's own expense; and
 - g. Information concerning legal services provided free of charge or at a reduced rate that are available locally and how to access such services;
 - h. The opportunity to have the services of a translator, to be provided by the Board of Education whenever the student or his/her parent or legal guardian do not speak the English language;
 - i. The prompt notification of the decision of the Board of Education, which decision shall be in writing if adverse to the student concerned.
6. The record of the hearing held in any expulsion case shall include the following:
- a. All evidence received and considered by the Board of Education;
 - b. Questions and offers of proof, objections and ruling on such objections;
 - c. The decision of the Board of Education rendered after such hearing; and
 - d. A copy of the initial letter of notice of proposed expulsion, a copy of any statement of reasons provided upon request, a statement of the notice of hearing and the official transcript, if any or if not transcribed, any recording or stenographic record of the hearing.

Students

Suspension and Expulsion/Due Process

H. Expulsion Procedures (continued)

7. Rules of evidence at expulsion hearings shall assure fairness, but shall not be controlled by the formal rules of evidence, and shall include the following:
 - a. Any oral or documentary evidence may be received by the Board of Education but, as a matter of policy, irrelevant, immaterial or unduly repetitious evidence may be excluded. In addition, other evidence of past disciplinary problems which have led to removal from a classroom, in-school suspension, suspension, or expulsion may be received for considering the length of an expulsion and the nature of the alternative educational opportunity, if any, to be offered;
 - b. The Board of Education shall give effect to the rules of privilege by law;
 - c. In order to expedite a hearing, evidence may be received in written form, provided the interest of any party is not substantially prejudiced thereby;
 - d. Documentary evidence may be received in the form of copies or excerpts;
 - e. A party to an expulsion hearing may conduct cross-examination of witnesses where examination is required for a full and accurate disclosure of the facts;
 - f. The Board of Education may take notice of judicially cognizable facts in addition to facts within the Board's specialized knowledge provided, however, the parties shall be notified either before or during the hearing of the material noticed, including any staff memoranda or data, and an opportunity shall be afforded to any party to contest the material so noticed;
 - g. A stenographic record or tape-recording of any oral proceedings before the Board of Education at an expulsion hearing shall be made provided, however, that a transcript of such proceedings shall be furnished upon request of a party with the cost of such transcript to be paid by the requesting party. Findings of fact made by the Board after an expulsion hearing shall be based exclusively upon the evidence adduced at the hearing.
 - h. Decisions shall be in writing if adverse to the student and shall include findings of fact and conclusions necessary for the decision. Findings of fact made by the Board after an expulsion hearing shall be based exclusively upon the evidence adduced at the hearing.

Students

Suspension and Expulsion/Due Process

H. Expulsion Procedures (continued)

8. For any student expelled for the first time and who has never been suspended, the Board of Education may shorten the length of or waive the expulsion period if the student successfully completes a Board specified program and meets any other conditions required by the Board. Such a Board specified program shall not require the student or the parent/guardian of such student to pay for participation in the program.

I. Notification

1. All students and parents within the jurisdiction of the Board of Education shall be informed, annually, of Board Policy governing student conduct by the delivery to each said student of a written copy of said Board Policy.
2. The parents or guardian of any minor student either expelled or suspended shall be given notice of such disciplinary action no later than 24 hours of the time of the institution of the period of expulsion or suspension.
3. The notice of an expulsion hearing to the student and his/her parents or guardians, if said student is less than 18 years of age shall include information concerning legal services that are provided free of charge or at a reduced rate that are available and how to access such services.

J. Students with Disabilities

A special education student's IEP and/or 504 disability shall be considered before making a decision to suspend. A student with disabilities may be suspended for up to ten school days in a school year without the need for the district to provide any educational services.

A disabled student may be additionally removed (suspended) for up to ten school days at a time for separate acts of misconduct as long as the removals do not constitute a pattern.

During any subsequent suspension of ten days or less of a student with disabilities, the district shall provide services to the disabled student to the extent determined necessary to enable the student to appropriately advance in the general education curriculum and toward achieving his/her IEP goals. In cases involving removals for ten days or less, school personnel (school administration) in consultation with the child's special education teacher, shall make the service determination.

Students

Suspension and Expulsion/Due Process

J. Students with Disabilities (continued)

If the disabled student's suspensions beyond ten school days in a school year constitute a pattern because of factors such as the length of each removal, the total amount of time the child is removed and the proximity of the removals to one another, the IEP team (PPT) shall conduct a manifestation determination. Meetings of a student's IEP team (PPT) are required to develop a behavioral assessment plan or to review and modify as necessary one previously developed when the disabled student has been removed (suspended) from his/her current placement for more than ten school days in a school year and when commencing a removal (suspension) that constitutes a change in placement.

Whenever a student is suspended, notice of the suspension and the conduct for which the student was suspended shall be included on the student's cumulative educational record. Such notice shall be expunged from the record by the Board if the student graduates from high school.

Notwithstanding the foregoing, the following procedures shall apply to students who have been identified as having one or more disabilities under the IDEA and/or Section 504 of the Rehabilitation Act (a "student with disabilities"):

1. If a student with disabilities engages in conduct that would lead to a recommendation for expulsion, the district shall promptly convene an IEP team (PPT) meeting to determine whether the misconduct was caused by or had a direct and substantial relationship to the student's disability or if the conduct in question was the direct result of the District's failure to implement the IEP. A student may be suspended for up to ten days pending the IEP team (PPT) determination.
2. If the District, parent and relevant members of the IEP team (PPT) determine that the misconduct was not caused by the disability, the Superintendent may proceed with a recommendation for expulsion. During any period of expulsion, a student with disabilities under the IDEA shall receive an alternative educational plan consistent with the student's educational needs as determined by the IEP team (PPT) in light of such expulsion and the student's IEP. The services must continue to the extent determined necessary to enable the disabled student to appropriately advance in the general education curriculum and to advance toward achieving the goals of his/her IEP, and be provided a free appropriate public education.

Students

Suspension and Expulsion/Due Process

J. Students with Disabilities (continued)

3. If the District, parent and relevant members of the IEP team (PPT) determine that the misconduct was caused by or had a direct and substantial relationship to the disability, or the conduct in question was the direct result of the District's failure to implement the student's IEP, the Superintendent shall not proceed with the recommendation for expulsion. The IEP team (PPT) shall consider the student's misconduct and revise the IEP to prevent a recurrence of such misconduct and to provide for the safety of the other students and staff. A functional behavioral assessment shall be conducted, if not previously done, and a behavioral intervention plan implemented or revised, if in existence. The student shall be returned to the placement from which he/she was removed unless agreed otherwise by the District and parent.
4. Should a parent of a student with disabilities who is eligible for services under the IDEA (or the student himself/herself if eighteen years of age or older) file a request for a due process hearing to contest an expulsion under subparagraph (2) above or a proposed change in placement under subparagraph (3), unless the parents (or student if eighteen years of age or older) and the Board otherwise agree, the child shall stay in the interim alternate educational setting, if so placed by student authorities, pending decision in said due process hearing and any subsequent judicial review proceedings.
5. Notwithstanding the provisions of the preceding subparagraph (4), a student with disabilities may be assigned to an interim alternative educational setting for not more than forty-five (45) school days if the student brings a weapon to school or to a school function or knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function, or has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function. For purposes of this paragraph, "weapon" means a device instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, but excludes a pocket knife with a blade of less than 2 ½ inches in length. "Serious bodily injury" is defined as bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty. The interim alternative placement shall be determined by the IEP team (PPT). If a due process hearing is requested, the student shall remain in said interim alternative placement pending a decision in the due process hearing, unless the Board and the parents otherwise agree, or the Board obtains a court order.

Students

Suspension and Expulsion/Due Process

J. Students with Disabilities (continued)

6. In order for the district to unilaterally obtain a 45 day change in placement from a federal judge of Connecticut hearing officer, it must prove by substantial evidence, that maintaining the current placement of the student is substantially likely to result in injury to the child or others. The school must also prove that it has made reasonable efforts to minimize the risk of harm the student presents in the current placement.

K. Alternative Educational Opportunity

The Board of Education recognizes its obligation to offer any student under the age of sixteen (16) who is expelled an alternative educational opportunity during the period of expulsion. Any parent or guardian of such student who does not choose to have his or her child enrolled in an alternative educational program shall not be subject to the provision of Section 10-184 of the Connecticut General Statutes. Any expelled student who is between the ages of sixteen (16) and eighteen (18) not previously expelled and who wishes to continue his or her education shall be offered an alternative educational opportunity if he or she complies with conditions established by the Board of Education. Such alternative educational opportunity may include, but shall not be limited to, the assignment of a student (who is sixteen years of age or older) to an adult education program or placement of such student in a regular classroom program of a school other than the one from which the student has been excluded. Any student participating in an adult education program during a period of expulsion shall not be required to withdraw from school under C.G.S. 10-184. In determining the nature of the alternative education opportunity to be offered under this Section, the Board of Education may receive and consider evidence of past disciplinary problems which have led to removal from a classroom, suspension, or expulsion.

The Board of Education is not obligated to provide such alternative educational opportunity to any student eighteen years of age or older. The Board of Education is not required to offer such alternative educational opportunity to any student between the ages of sixteen and eighteen who is expelled because of conduct which endangers person, if it was determined at the expulsion hearing that the conduct for which the student was expelled involved (a) carrying on or introducing onto school property a firearm, deadly weapon or dangerous instrument as defined in C.G.S. 53a-3 or (b) offering for sale or distribution on school property or at a school sponsored activity a controlled substance, as defined in subdivision (8) of C.G.S. 21a-240, whose manufacture, distribution, sale, prescription, dispensing, transporting, or possessing with the intent to sell or dispense, offering, or administration is subject to criminal penalties under C.G.S. 21a-277 and 21a-278. If the Board expels a student for the sale or distribution of such a controlled substance, the Board shall refer the student to an appropriate state or local agency for rehabilitation, intervention or job training, or any combination thereof, and inform the agency of its action. If a student is expelled for possession of a firearm or deadly weapon, the Board shall report the violation to the local police department.

Students

Suspension and Expulsion/Due Process

K. Alternative Educational Opportunity (continued)

This provision shall not apply to students requiring special education who are described in subdivision (1) of sub-section (e) of C.G.S. 10-76a. The alternative educational opportunity for any such student shall be established by the IEP team (PPT) in accordance with the procedures described above.

Whenever the Board notifies a student between the ages of sixteen and eighteen or the parents/guardians of such student, that an expulsion hearing will be held, the notification shall include a statement that the Board is not required to offer an alternative educational opportunity to any student who is found to have engaged in conduct including possession of a martial arts weapon, firearms, deadly weapons or dangerous instruments on school property or at a school function.

L. Other Considerations

1. If a student is expelled, notice of the expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record by the Board if the student graduates from high school unless the expulsion notice is based on possession of a firearm or deadly weapon.
2. If a student's expulsion is shortened or the expulsion period waived based upon the fact that the student was expelled for the first time, had never been suspended, and successfully completed a Board specified program and/or met other conditions required by the Board, the notice of expulsion shall be expunged from the cumulative educational record if the student graduates from high school or, if the Board so chooses, at the time the student completes the Board specified program and meets any other conditions required by the Board.
3. The Board may adopt the decision of a student expulsion hearing conducted by another school district provided such Board of Education held a hearing pursuant to C.G.S.10-233d(a). Adoption of such a decision shall be limited to a determination of whether the conduct which was the basis for the expulsion would also warrant expulsion under the policies of this Board. The student shall be excluded from school pending such hearing. The excluded student shall be offered an alternative education opportunity in accordance with item K above.
4. Whenever a student against whom a expulsion hearing is pending withdraws from school and after notification of such hearing but before the hearing is completed and a decision rendered, (1) notice of the pending expulsion hearing shall be included on the student's cumulative educational record and (2) the Board shall completed the expulsion hearing and render a decision.

Students

Suspension and Expulsion/Due Process

L. Other Considerations (continued)

5. A student expelled for possession of a firearm or deadly weapon shall have the violation reported to the local police department.
6. The period of expulsion shall not extend beyond a period of one calendar year. A period of exclusion may extend into the next school year.
7. An expelled student may apply for early readmission to school. Such readmission shall be at the discretion of the Board of Education/Superintendent of Schools (choose which). Readmission decisions shall not be subject to appeal to Superior Court. The Board or Superintendent, as appropriate, may condition such readmission on specified criteria.
8. Any student who commits an expellable offense and is subsequently committed to a juvenile detention center, The Connecticut Juvenile Training School or any other residential placement for such offense may be expelled by the local board of education. The period of expulsion shall run concurrently with the period of commitment to a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement.

Readmission of Student from a Residential Placement

A District student who has committed an expellable offense who seeks to return to a District school, after having been in a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement, for one year or more, in lieu of expulsion from the District, shall be permitted to return to the appropriate school setting within the District. Further, the District shall not expel the student for any additional time for the offense(s).

Students and parents shall be notified of this policy annually.

Legal Reference: Connecticut General Statutes
 4-176e through 4-180a. Contested Cases. Notice. Record, as amended
 10-233a through 10-233f Suspension, removal and expulsion of students, as amended by PA 95-304, PA 96-244, PA 98-139, PA 07-66, PA 07-122, PA 08-160, PA 09-82, PA 09-6 (September Special Session), PA 10-111 and PA 11-126.
 53a-3 Definitions.
 53a-217b Possession of Firearms and Deadly Weapons on School Grounds.
 PA 94-221 An Act Concerning School Discipline and Safety.
 GOALS 2000: Educate America Act, Pub. L. 103-227.

Students

Suspension and Expulsion/Due Process

Expulsion

Legal Reference	Connecticut General Statutes (continued)
	18 U.S.C. 921 Definitions.
	Title III - Amendments to the Individuals with Disabilities Education Act. Sec. 314 (Local Control Over Violence)
	Elementary and Secondary Act of 1965 as amended by the Gun Free Schools Act of 1994
	P.L. 105-17 The Individuals with Disabilities Act, Amendments of 1997.
	<i>Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education.</i>
	20 U.S.C. Section 7114, No Child Left Behind Act
	P.L. 108-446 The Individuals with Disabilities Education Improvement Act of 2004

Policy adopted:

cps 5/99
rev 5/03
rev 8/05
rev 7/07
rev 6/08
rev 7/09
rev 12/09
rev 7/10
rev 7/11

Suggested sample regulation.

Students

Suspension and Expulsion/Due Process

Suspension

When the Principal or designee has determined that there is cause for suspension of a student, the following procedures shall be observed:

1. The student shall be given a hearing before the Principal or designee, at which time the charges against the student will be stated and the student will be given an opportunity to respond to the charge. This hearing must be granted except when an emergency situation exists, in which case the hearing must be held as soon after the suspension as possible. Nothing in the informal hearing shall be taken to prevent a more formal hearing from being held if the circumstances warrant.
2. The Principal or designee may receive and consider evidence of past disciplinary problems which have led to removal from a classroom, suspension or expulsion of the student.
3. The Principal or designee shall make every possible attempt to reach the parent or guardian of the student stating the charges against the student and the terms and conditions of the suspension.
4. Whether the telephone contact is made or not the Principal or designee shall forward a letter to the parent or guardian at the last known address according to school records (unless a newer address is determined) not later than twenty four hours of the suspension, and offering the parent or guardian the opportunity for a conference to discuss the suspension.
5. Notice of the suspension shall be transmitted by the Principal to the Superintendent of Schools by the close of the school day following the commencement of the suspension, but no later than twenty four hours of the commencement of the suspension.
6. Following a conference with the Principal or designee the parent or guardian may request the Superintendent to review the Principal's decision. Such review shall be completed and a written report issued to the student and parent or guardian, and to the Board of Education, within three (3) days of the receipt of such request. In examining the Principal's decision to suspend, the Superintendent shall obtain oral or written statements from the Principal or designee, the student, and the person(s) who witnessed and reported the incident(s) which resulted in the suspension. The Superintendent may call all concerned parties together for a conference, and take whatever other action is needed to determine the true facts of the matter.
7. If a student is eighteen or older, any notice required by Board policy and this regulation shall be given to the student.

Students

Suspension and Expulsion/Due Process (continued)

Suspension (continued)

8. Textbooks and homework are to be provided each student for the duration of the suspension period and the student shall be allowed to complete any classwork, including examinations, without penalty, which was missed during suspension.
9. The Superintendent shall report any unusually serious cases of student suspension to the Board of Education at the first meeting following such action.
10. Notice of a suspension for conduct endangering persons or property or seriously disruptive of the educational process and a description of the conduct leading to such suspension shall be included on the student's cumulative educational record. Such notice shall be expunged from the cumulative record by the Board if the student graduates from high school, except if such notice of expulsion is based on possession of a firearm or deadly weapon.
11. Suspensions shall be in-school suspensions unless the administration (1) determines that the student being suspended poses such a danger to persons or property or such a disruption of the educational process that the student shall be excluded from school during the period of suspension or (2) that an out-of-school suspension is appropriate based on evidence of previous disciplinary problems that have led to suspensions or expulsion of the student and efforts by the administration to address such disciplinary problems through means other than out-of-school suspension or expulsion, including positive support strategies.
12. The administration will use the guidelines developed and promulgated by the Commissioner of Education to help determine whether a student should receive an in-school or out-of-school suspension.
13. In-school suspension will be served in the school attended by the student. (or: In-school suspensions will be served by assigning the suspended student to one of the following schools: _____.)
14. For any student who is suspended for the first time and who has never been expelled, the school administration may shorten the length of or waive the suspension period if the student successfully completes an administration-specified program and meets any other administration-required conditions. Such program shall be at no expense to the student or his/her parents/guardians.

The foregoing procedure will be followed unless the student has had a total of ten (10) suspensions during the current school year, or has been suspended for a total of fifty (50) days during the current school year. If the student's proposed suspension would exceed either figure the suspension shall not take effect until so ordered by the Board of Education after a formal hearing such as that required for expulsion. If the Principal has reason to believe that the student's conduct endangers persons or property, is seriously disruptive of the educational process or is in violation of a Board policy, expulsion may be recommended.

Students

Suspension and Expulsion/Due Process (continued)

Expulsion

The Board of Education or an impartial hearing board, as defined in C.G.S. 10-233d, may expel any student whose conduct on school grounds or at a school sponsored activity endangers persons or property or whose conduct is seriously disruptive of the educational process, or is violative of the publicized policies of the Board of Education. A student's conduct off school grounds may be considered for expulsion if such conduct is seriously disruptive of the educational process and violative of a publicized Board policy.

In making a determination as to whether conduct is "seriously disruptive of the educational process," the administration, Board of Education or impartial hearing board may consider, but such consideration shall not be limited to; (1) whether the incident occurred within close proximity of a school; (2) whether other students from the school were involved or whether there was any gang involvement; (3) whether the conduct involved violence, threats of violence or the unlawful use of a weapon as defined in Section 29-38 and whether any injuries occurred, and (4) whether the conduct involved the use of alcohol.

The procedures leading to expulsion are as follows:

1. Requests for expulsion are to be directed to the Board of Education through the Superintendent of Schools.
2. Upon receipt of an expulsion request the Superintendent will conduct an inquiry within two (2) school days.
3. If after the inquiry the Superintendent or designee determines that the student ought to be expelled, the Superintendent shall forward such request to the Board of Education within five days after receipt of the request to expel.
4. Except in an emergency situation requiring the student's immediate removal, the Board shall conduct a hearing to be governed by the following procedures:
 - A. The student and parent or legal guardian must be given notice at least five days prior to the date of the hearing.
 - B. The notice shall contain:

The date, time and place of the scheduled hearing.

The details of the grounds for the expulsion, including a narrative of the events leading to the expulsion, the names of any witnesses against the student, copies of any statements or affidavits of those witnesses, a detailed summary of any other information to be used in support of expulsion, including any record of past offenses or misbehavior, and whether any prior warnings or suspensions have been given, and the proposed penalty.

Students

Suspension and Expulsion/Due Process (continued)

Expulsion (continued)

A statement of the student's rights.

A statement that the Board is not required to offer an alternative educational opportunity to any student between 16 and 18 who was previously expelled or who has been expelled for conduct endangering persons which involved (1) carrying a dangerous instrument or weapon including a martial arts weapon on, or introducing a dangerous instrument or weapon on to school property or at a school-sponsored activity or (2) offering for sale or distribution on school property or at a school-sponsored activity a controlled substance, as defined in Section 21a-240(9) of the Connecticut General Statutes.

- C. At the hearing the student shall have the right to testify and produce witnesses and other evidence in his/her defense and shall have the right to demand that any witnesses against him/her appear in person to answer questions.

In exceptional circumstances the Board or the impartial hearing panel may refuse to allow a witness against the accused student to appear, when the Board or panel believes that fear on the part of the witness would prevent the giving of accurate testimony. In such cases a verbatim statement of the witness's testimony must be given to the student.

A witness's unsubstantiated desire to remain anonymous is not such an exceptional circumstance as to justify dispensing with confrontation and questioning by the student.

- D. A student may be represented by any third party of his/her choice, including an attorney.
- E. A student is entitled to the services of a translator, to be provided by the Board of Education, whenever the student or his/her parent or legal guardian do not speak the English language.
- F. The Board or impartial hearing panel shall keep verbatim record of the hearing and the student or his/her parent or legal guardian shall be entitled to a copy of that record at his/her own expense.
- G. The Board or impartial hearing panel shall report its final decision in writing to the student, stating the reasons on which the decision is based, and the penalty to be imposed. Said decision shall be based on evidence produced and derived at the hearing.

Students

Suspension and Expulsion/Due Process (continued)

Expulsion (continued)

- H. Except under unusual circumstances the parent or a minor student shall be notified of the Board action within twenty-four hours.
 - I. Whenever an emergency exists, the hearing provided for the above procedure shall be held as soon as possible after the expulsion.
5. Whenever the Board of Education or impartial hearing panel expels a student it shall offer an alternative education program to students under the age of sixteen. The parent or guardian of such student has the legal right to reject such a program without being subject to the truancy law. The Board of Education shall make provisions for an alternative educational opportunity to expelled students between the ages of sixteen and eighteen, conditional upon the desire of the student to continue his/her education and compliance with conditions established by the Board. A student age 16 or older may be placed in an adult education program as an alternative educational opportunity. Any student participating in an adult education program during a period of expulsion shall not be required to withdraw from school under C.G.S. 10-184. However, the Board is not required to offer such alternative to any student between the ages of sixteen and eighteen who is expelled because of conduct which endangers persons, and it was determined at the expulsion hearing that the conduct for which the student was expelled involved carrying on or introducing on to school property, on school transportation, or at a school-sponsored activity, a dangerous instrument or weapon including a martial arts weapon or offering for sale or distribution on school property or at a school sponsored activity a controlled substance, as defined in Section 21a-240(9) of the Connecticut General Statutes. Any special education student expelled for a misconduct not caused by the student's disability must be offered an alternative educational opportunity consistent with the student's needs during the period of expulsion.
 6. If the Board expels a student for the sale or distribution of a controlled substance, the Board shall refer the student to an appropriate state or local agency for rehabilitation, intervention or job training, or any combination thereof, and shall inform the agency of its action.
 7. Notice of the expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record by the Board if the student graduates from high school, unless the expulsion notice is based on possession of a firearm or deadly weapon.
 8. The Board may adopt the decision of a student expulsion hearing conducted by another school district provided such Board of Education held a hearing pursuant to C.G.S. 10-233d(a). Adoption of such a decision shall be limited to a determination of whether the conduct which was the basis for the expulsion would also warrant expulsion under the policies of this Board. The student shall be excluded from school pending such hearing. The excluded student shall be offered an alternative education opportunity in accordance with the provisions of 5 and 6 above.

Students

Suspension and Expulsion/Due Process (continued)

Expulsion (continued)

9. Whenever a student against whom a expulsion hearing is pending withdraws from school and after notification of such hearing but before the hearing is completed and a decision rendered, (1) notice of the pending expulsion hearing shall be included on the student's cumulative educational record and (2) the Board shall completed the expulsion hearing and render a decision.
10. The Superintendent shall recommend an expulsion hearing if there is reason to believe a student possessed a firearm or other dangerous instrument in or on real property, comprising any public school or at any school activity as defined in C.G.S. 10-233a or in conduct displayed off school grounds.
11. If a student is found to have possessed a firearm, dangerous instrument, dangerous weapon or martial arts weapon in or on the real property or a school or at any school function as defined in Section 10-233a, or on or off school property offered for sale of distribution a dangerous drug, he or she must be expelled for one calendar year. The expulsion period may be modified on a case by case basis by the Board of Education or hearing board.
12. A student expelled for possession of a firearm or deadly weapon shall have the violation reported to the local police department or State Police if the student is enrolled in a regional vocational-technical school.
13. The Board will report annually to the Commission of Education, as prescribed, information pertaining to expulsions for weapons and/or dangerous instruments.
14. An expelled student may apply for early readmission to school. Such readmission shall be at the discretion of the Board of Education (*alternative language* - "*at the discretion of the Superintendent of Schools*") Readmission decisions shall not be subject to appeal to Superior Court. The Board or Superintendent, as appropriate, may condition such readmission on specified criteria.
15. For any student expelled for the first time and who has never been suspended, the Board of Education may shorten the length of or waive the expulsion period if the student successfully completes a Board specified program and meets any other conditions required by the Board. Such a Board specified program shall not require the student or the parent/guardian of such student to pay for participation in the program.
16. If a student's expulsion is shortened or the expulsion period waived based upon the fact that the student was expelled for the first time, had never been suspended, and successfully completed a Board specified program and/or met other conditions required by the Board, the notice of expulsion shall be expunged from the cumulative educational record if the student graduates from high school or, if the Board so chooses, at the time the student completes the Board specified program and meets any other conditions required by the Board.

Students

Suspension and Expulsion/Due Process (continued)

Prior Notice

The Superintendent shall provide for an effective means of informing all students and their parents or guardians of the Board's policy and this regulation at the beginning of each school year, or when the student enrolls or transfers during the school year.

Legal Reference: Connecticut General Statutes

4-176e through 4-185 Uniform Administrative Procedure Act, as amended.

10-233a through 10-233f Suspension, removal and expulsion of students, as amended by PA 95-304, PA 96-244, PA 98-139, PA 07-66, PA 07-122, PA 08-160, PA 09-82, PA 09-6 (September Special Session), PA 10-111 and PA 11-126.

53a-3 Firearm and deadly weapons

53a - 217b Possession of firearm and deadly weapons on school grounds.

PA 94-221 An Act Concerning School Discipline and Security.

GOALS 2000: Educate America Act Pub. L. 103-227.

18 U.S.C. 921 Definitions.

Title III - Amendments to the Individuals with Disabilities Education Act
Sec. 314 (Local Control Over Violence)

Elementary and Secondary, Education Act of 1965 as amended by the Gun Free Schools Act of 1994.

Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education.

20 U.S.C. Section 7114, No Child Left Behind Act

Regulation approved:

rev 5/98

rev 5/03

rev 8/05

rev 7/07

rev 7/08

rev 12/09

rev 7/10

rev 7/11

EXPULSION HEARING CHECK LIST

Student Name _____ Parent/Guardian Name _____ Home Phone _____
 School _____ Id # _____ Grade _____ Parent Work Phone _____

- _____ 1) Obtain Student Discipline Incident Report and other relevant documentation
- _____ 2) Is the student a Special Education student? Was he/she ever in Special Education?
- _____ 3) Set up the file
- _____ 4) Call Hearing Officer or BOE Members to set a hearing date _____
- _____ 5) Get an attorney to represent the BOE (if BOE members conducting hearing) _____
- _____ 6) Get 4 Board members to participate in hearing (if not Hearing Officer) _____
- _____ 7) Get an attorney to represent Central Office Administration _____
- _____ 8) Notify the Town Clerk in writing and then e-mail notice to all Board of Education members Superintendent, and two Assistant Superintendents
- _____ 9) Line up witnesses (i.e. principal/assistant principal, security officer, police officer).
- _____ 10) Hand deliver & send via regular mail initial letter to parent/guardian (& copy to student) which includes copies of Board of Education Suspension/Expulsion Policy & Regulations and the student's disciplinary record. Deliver or mail copies of letter and all documentation to both attorneys.
- _____ 11) Prepare Proof of hand-delivery & mailing of documents to parent/guardian and have courier sign.
- _____ 12) Prepare Superintendent's recommendation
- _____ 13) Prepare sets of copies (five (5) if hearing officer / nine (9) if BOE members)

a) _____ BOE Policy & Regulations	g) _____ Student academic record
b) _____ Student Handbook	h) _____ Student attendance record
c) _____ Letter/attachments to parent/guardian	i) _____ Posted Meeting Notice
d) _____ Proof of Delivery receipt	j) _____ Arrest report if applicable
e) _____ Incident Report	Other: _____
f) _____ Student disciplinary record	

- _____ 14) Arrange for any evidence (weapon, etc.) to be brought to hearing and/or make copies of photo(s).
- _____ 15) Manifestation Letter (PPT) (if applicable)
- _____ 16) Prepare DRAFT of Minutes for hearing officer or Board Secretary
- _____ 17) Set up room (tape recorder, pads/pencils, coffee, etc.)
- _____ 18) Keep small conference room free for breakout meetings

AFTER HEARING:

- _____ 19) Obtain hearing minutes from Hearing Officer OR finalize Board Secretary's minutes
- _____ 20) Prepare outcome letter from Superintendent to parent/guardian outlining disposition
- _____ 21) If Board presided, prepare outcome letter from Board Chair to parent/guardian. If Hearing Officer presided, obtain copy of Hearing Officer's outcome letter to parent/guardian for file.
- _____ 22) If tutoring and/or counseling to be provided, prepare memo to Asst. Superintendent for Curriculum/Instruction requesting services to be arranged for student.

Expulsion Hearings - Order of Copies

If presided over by Hearing Officer make five (5) sets

If presided over by Board Members nine (9) sets

PHASE I

Initial letter to Parent(s), Proof of delivery of initial letter to Parent(s), and Posted Meeting Notice (stapled together in this order)

Policy and Regulations (Policy/Regs #5114)

Student Handbook (one original and 5 or 9 copies depending on who is presiding)

Incident Report (redacted)

Statements (redacted)

Photo of weapon/instrument (and actual weapon/instrument) (if applicable)

PHASE II

Discipline Records (current year first followed by previous years)

Attendance Records (current year first followed by previous years)

Transcript (Report Card) (current year first followed by previous years)

A sample policy to consider.

Students

Student Handbooks

The administration shall publish and annually revise a handbook containing information about the District and about the individual schools and the rules and regulations with which students are expected to conform. The administration is responsible to ensure that the handbook does not conflict with any district policies or state or federal law. The handbook shall be distributed to all students the first week of each school year and to new students when they enroll.

The administration shall have the handbook and any revisions reviewed by legal counsel.

Policy adopted:

A sample policy to consider.

Students

School Census

The school district will conduct an annual census to ascertain and identify the number of school age children in the district in grades kindergarten through twelve.

Alternate language to consider:

The Board of Education shall annually determine by age the number of children of compulsory school age who reside within the jurisdiction of the school district as of January 1 of each year.

If any child of compulsory school age is not attending school within the jurisdiction of the Board of Education, the Superintendent or his/her designee shall make a reasonable effort to ascertain the reason for such non-attendance.

Annually, the Superintendent shall file with the Commissioner of Education a report, on a form and at a time prescribed by the state, showing the number of children of compulsory school age residing within the jurisdiction of such school district determined in accordance with the provisions of Section 10-249 of the Connecticut General Statutes.

Another version:

In accordance with State Statute, each year the school district shall determine the number of children of compulsory school age who reside within _____.

Legal Reference: Connecticut General Statutes

10-249 Enumeration of children of compulsory school age in school districts and by state departments having jurisdiction over such children

10-250 Report showing number of children

10-251 Penalty for refusing to give age of child

Policy adopted:

cps 7/00

rev 7/01

A sample with necessary forms to consider.

Students

Nonresident Students

Definition

A nonresident student is a student who:

1. resides outside of the school district; or
2. resides within the school district on a temporary basis; or
3. resides within the school district on a permanent basis but with pay to the person(s) with whom the student is living; or
4. resides within the school district for the sole purpose of obtaining school accommodations; or is
5. a child placed by the Commissioner of Children and Youth Services or by other agencies in a private residential facility. However, under this circumstance, children may attend local schools with tuition paid by the home district unless special education considerations make attendance in local schools and programs inappropriate. Children not requiring special education who live in town as a result of placement by a public agency (other than another Board of Education and except as provided otherwise in this paragraph) are resident students; those requiring special education may attend local schools (with special education cost reimbursements in accordance with statutes) unless special education considerations make attendance in local schools and programs inappropriate.

Nonresident Attendance Without Tuition

Upon written parental request, nonresident students may be allowed by the Superintendent of Schools to attend district schools without tuition under one or more of the following conditions:

1. A family moves from the district after January 1st of the school year; however, if parents so request, a child may complete the marking period regardless of when the family moves from town;
2. A family residing outside of a district has firm plans to move into the school district within the current school year as evidenced by a contract to buy, build, rent, or lease;
3. A twelfth grade student wishes to complete his or her education in the district;

Students

Nonresident Students (continued)

4. Children reside temporarily within the district because of family changes or children attending local schools residing temporarily outside of the district because of family circumstances. Approval shall not exceed three (3) calendar months; if subsequent approval is necessary, it shall be considered based upon information available at that time.
5. Necessary child care in the district by grandparents or other relatives.
6. Mental or physical health of the child as certified by a physician, school psychologist, or other appropriate school personnel.

Exchange Students

No tuition is required for foreign students living within the district under the American Field Service Program or under other programs or circumstances approved by the Board. Exchange students will be accorded all the rights and privileges of a resident student during the period of enrollment.

Nonresident Attendance With Tuition

Nonresident students who do not meet one or more criteria under previous sections of this policy, may attend local schools only with tuition payment. The Superintendent may approve nonresident student attendance with tuition if class size, transportation, and other considerations permit, and shall notify the Board of Education of all tuition approvals. Nonresident approval with tuition shall be for one (1) school year or less. Tuition rates shall be established by the Board annually.

Attendance by a nonresident tuition student may be terminated by Board of Education action, upon recommendation of the Superintendent of Schools, if the Board deems such termination in the best interest of the school district. An adjustment of tuition on a per diem basis will be made in this instance.

Evidence of Residency

The Superintendent of Schools or his/her designee may require documentation of family and/or student residency, including affidavits, provided that prior to a request for evidence of residency the parent or guardian, relative or non-relative, emancipated minor, or student eighteen (18) years of age or older shall be provided with a written statement of why there is reason to believe such student may not be entitled to attend school in the district. An affidavit may require a statement or statements with documentation that there is bona fide student residence in the district, that the residence is intended to be permanent, that it is provided without pay, and that it is not for the sole purpose of obtaining school accommodations.

Students

Nonresident Students (continued)

Removal of Nonresident Student From District Schools

If after a careful review of affidavits and other available evidence, the Superintendent of Schools or his/her designee believes a student is not entitled to attend local schools, the parent or guardian, the student if an emancipated minor, or a student eighteen (18) years of age or older shall be informed in writing that, as of a particular date, the student may no longer attend local schools, and the Superintendent shall notify the Board of Education, (if known), where the child should attend school. If after review district residency is established by the evidence, the parent or guardian, the student if an emancipated minor, or a student eighteen (18) years of age or older shall be so informed.

If a student is removed from a district school for residency reasons the Superintendent of Schools or his/her designee shall: 1) inform the parent, guardian, emancipated minor, or student eighteen (18) years of age or older of hearing rights before the Board of Education and that the student/s may continue in local schools pending a hearing before the Board of Education if requested in writing by the parent, guardian, emancipated minor, or student eighteen (18) years of age or older 2) that upon request, a transcript of the hearing will be provided 3) that a local Board of Education decision may be appealed to the State Board and that the student/s may continue in local schools pending a hearing before the State Board if requested in writing by the parent, guardian, emancipated minor, or student eighteen (18) years of age or older 4) that if the appeal to the State Board of Education is lost, a per diem tuition will be assessed for each day a student attended local schools when not eligible to attend.

Board of Education Hearing

Upon written request, the Board of Education shall provide a hearing within ten (10) days after receipt of such request. If there is a hearing, the Board shall make a stenographic record or tape recording of the hearing; shall make a decision on student eligibility to attend local schools within ten (10) days after the hearing; and shall notify the parent, guardian, emancipated minor, or student eighteen (18) years of age or older of its findings. Hearings shall be conducted in accordance with the provisions of Sections 4-177 to 4-180 inclusive of Connecticut General Statutes.

The Board shall, within ten (10) days after receipt of notice of an appeal, forward the hearing record to the State Board of Education.

Legal Reference: Connecticut General Statutes
 4-176e through 4-185 Uniform Administrative Procedure Act.
 10-186 Duties of local and regional Boards of education re school attendance. Hearings. Appeals to state Board. Establishment of hearing board.
 10-253 School privileges for students in certain placements and temporary shelters.

Policy adopted:

PUBLIC SCHOOLS
, Connecticut

AFFIDAVIT FOR PURPOSES OF RESIDENCY
(Local Resident)

STATE OF CONNECTICUT)
)ss:
COUNTY OF _____)

Personally appeared _____, who made oath to the following:

1. I am a resident of the Town of _____, State of Connecticut.
My residence is located at _____.
(street address)
2. A child by the name of _____ currently resides with me at the address stated above.
3. I receive _____ *(pay) (no pay)* _____ for provided such residence.
(cross out inapplicable response)
4. I intend such residence to be _____ *(temporary) (permanent)*.
(cross out inapplicable response)

(L.S.
Student

Subscribed and sworn to
before me, this _____
day of _____, 20____

Notary Public Signature

Notary Seal

PUBLIC SCHOOLS
_____, Connecticut

**AFFIDAVIT FOR PURPOSES OF RESIDENCY
(Parent or Guardian)**

STATE OF CONNECTICUT)
)ss:
COUNTY OF _____)

1. I am a (parent) (guardian) of _____.
(cross out inapplicable response) (name of child)

2. I reside at _____ in the Town of _____
(street address) _____, State of Connecticut.

3. _____ currently (does not) (does)
(name of child) (cross out inapplicable response)
reside with me.

4. It is my intention that _____ reside with _____
_____ of the Town of _____, State of
(name of person) Connecticut, and that such residence be (permanent) temporary.
(cross out inapplicable response)

5. I (do) (do not) now pay nor do I intend to pay
(cross out inapplicable response) _____
_____ for allowing _____
(name of person) to reside with _____ (him/her).

(L.S.
Parent or Guardian

Subscribed and sworn to
before me, this _____
day of _____, 20____

Notary Public Signature

Notary Seal

_____ Public Schools
_____, Connecticut

RESIDENTIAL STATUS REPORT AND APPLICATION

School: _____

Date: _____

FOR: 1. Students whose residency in _____ is newly established.
2. Students who are applying to attend _____ Public Schools, and whose families do not live in the Town of _____

COMPLETED BY: (1) The student applying; (2) The parent; and (3) The _____-based Guardian, "Legal or Consenting."

WHERE: Administrative offices of the school requested with the Unit Administrator present.

FORWARDED TO: The Superintendent of Schools

1. Name of student: _____
Last First Middle

2. (Town) Address: _____
No. Street Town (Apt. No.)

3. Student's Home Telephone Number in _____ : _____
Name under which telephone is listed in (Town): _____

4. When did student move into (Town)? _____

5. Former Address: _____
No. Street Town Apt. No. (if applicable)

6. Where did student attend school last? _____
Date last attended: _____

7. Name of student's father: _____
Last First Middle
Father's address _____
No. Street Town Telephone No.

8. Name of student's mother: _____
Last First Middle
Mother's address _____
No. Street Town Telephone No.

9. Name of student's guardian: _____
(if applicable) Last First Middle

10. Name of person with whom student is living: _____
Address of such person in (Town): _____
No. Street Town Telephone No.

11. Names of all brothers and/or sisters with ages and addresses (last name need be listed only if different than that of student's last name):

First	Age	Address
_____	_____	_____
_____	_____	_____

12. To be completed only when student is living in (Town) with a person other than a parent. Replies will be confidential.

Why are you not living with your parents? (Please do not omit, and be specific.)

(If additional space is required, please continue below.)

Do you live with this person seven days a week, twelve months a year, without payment of any kind?
_____ Yes _____ No If no, explain where else you live and during what times of the year:

I UNDERSTAND THAT ESTABLISHING RESIDENCY FOR THIS STUDENT COULD POSSIBLY MEAN VISITS TO HOME ON SATURDAYS AND/OR RECESS PERIODS FROM SCHOOL, INCLUDING THE SUMMER SEASON.

13. Student's Statement: I hereby declare under the penalties of perjury that all of the information supplied on this form by me is correct to the best of my knowledge. I understand that if any of the information is incorrect, I may be withdrawn from the _____ Public School requested.

Student's Signature: _____
(Omit if elementary school)

Date: _____
Month Day Year

14. State of Parent, Guardian and Person with whom student is residing in Clinton:

I hereby declare under the penalties of perjury that all of the information supplied on this form is correct to the best of my knowledge. I understand that if any of the information is incorrect, and the student is not entitled to enroll tuition-free as a _____ resident, the student shall be immediately discharged from enrollment in the _____ Public Schools, and the prevailing tuition charge assessed against me and/or us for each day the student was so enrolled. I understand that in order to establish residency the attendance officer will visit starting at 7:00 a.m.

Signature of Guardian - Legal or Consenting

Signature of Parent of student applying

Signature of Person "consenting"

Date: _____
Month Day Year

Extra Space for questions 11 and 12 if needed.

TO BE REVIEWED AND RENEWED EACH SCHOOL YEAR

DO NOT WRITE BELOW THIS LINE. FOR OFFICE USE ONLY

Received: _____
Month Day Year

Approved by: _____
Superintendent of Schools

Students

Nonresident Students

FORM LETTERS QUESTIONING STUDENT RESIDENCE IN DISTRICT

Date:

To: Parents, Guardian, Emancipated Minor or Student eighteen (18) years of age or older

Dear _____:

We believe that the following student/s may not meet residency requirements to attend district schools. Connecticut State Statutes and Board of Education policies require students to reside within the town and that local student residence is intended to be permanent, provided without pay, and not for the sole purpose of obtaining school accommodations.

NAME	SCHOOL	GRADE

The student/s listed above may not meet residency requirements for the following reason or reasons:

Within five (5) days, we will send you a request to document residency for the student/s named above, including an affidavit of residency to be completed by the parent or guardian, the relative or non-relative with whom the student resides, and the student if an emancipated minor or eighteen (18) years of age or older. **If a student does not meet residency requirements as outlined in the first paragraph of this letter, you should withdraw the student from the (name) school system immediately and enroll him/her in the school district of actual residence.**

Sincerely,

Students

Nonresident Students

Date:

To: Parents, Guardian, Emancipated Minor or Student eighteen (18) years of age or older

Dear _____:

Enclosed are an affidavit or affidavits and a questionnaire to be completed to show legal residence in the Town of *(Name)* for the following student/s.

NAME	SCHOOL	GRADE

The student/s named may continue in schools pending review of information furnished by you. You will be notified in writing of the administrative decision and, if necessary, the date on which the student/s will be withdrawn from schools. If by _____ we do not receive the
(date within 10 days of mailing this letter)
completed affidavits and other information requested, school accommodations will be denied as of that date.

Sincerely,

Enclosures

Students

Nonresident Students

Date:

To: Parents, Guardian, Emancipated Minor or Student eighteen (18) years of age or older

Dear _____:

I have reviewed the affidavits and other documentation (*if applicable*) and concur that the student/s named below meet/s residency requirements established by Connecticut Statutes and Board of Education Policies and may continue in _____ Public Schools.

We appreciate your cooperation.

Sincerely,

Students

Nonresident Students

Date:

To: Parents, Guardian, Emancipated Minor or Student eighteen (18) years of age or older

Dear

Effective _____, school accommodations will no longer be provided in the Town
(date within 10 days of this letter)
of _____ for the student/s named below:

NAME	SCHOOL	GRADE

The reason for denial of further school attendance is:

- ___ You have informed us that your child no longer resides in town
- ___ No written response received to our request for completion of affidavits and/or other documentation
- ___ Affidavit and/or documentation is not adequate to prove residence in accordance with Connecticut Statutes and Board of Education policy.

You have the following rights when student attendance is denied for reasons of residence:

1. A hearing before the Board of Education. If prior to *(Date specified for student/s withdrawal)* you request in writing a hearing by the Board of Education, the Board will provide you a hearing within ten (10) days of its receipt of the written request.
2. If you make a timely request for Board hearing, the student/s named may continue in schools pending the outcome of the Board of Education hearing.
3. If you so request, following the Board of Education hearing you will be provided a transcript of the hearing within thirty (30) days of your request.
4. Within twenty (20) days of the Board of Education mailing its finding/s and decision, you may appeal the Board's decision to the State Board of Education.
5. Upon your written request, the student/s may continue in _____ Public Schools pending the outcome of an appeal to the State Board of Education. *(Such written request must be received by the Superintendent of Schools within twenty (20) days of the Board of Education mailing its finding/s and decision to you.)*

If the decision by the State Board of Education supports a Board of Education denial of student accommodations, you will be liable for a per diem payment of tuition for each day the student/s attended schools. *(Currently \$ _____ per day)*

Sincerely,

Students

Nonresident Students

Date:

To: Parents, Guardian, Emancipated Minor or Student eighteen (18) years of age or older

Dear _____:

Upon receipt of your request for a hearing before the Board of Education on a student residency issue, the Board of Education has scheduled a hearing as outlined in the attachment entitled **Board of Education Notice of Hearing**.

Sincerely,

Enclosure

Students

Nonresident Students

Date:

TO: Parents, Guardian, Emancipated Minor or Student eighteen (18) years of age or older

BOARD OF EDUCATION NOTICE OF HEARING

<p>1. Person/s requesting Hearing:</p>	<p>Name:</p> <p>Address:</p> <p>Telephone:</p>
<p>2. Date and time of Hearing:</p>	
<p>3. Place of Hearing:</p>	
<p>4. Nature of Hearing</p>	<p>Determination of student/s residency</p>
<p>5. Statutes and Regulations involved:</p> <p>Section 10-186 CGS Duties of local and regional boards of education re school attendance. Hearings. Appeals to state board. Establishment of hearing board.</p> <p>Section 10-187 CGS Appeal from finding of hearing Board</p> <p>Section 4-177 CGS Contested cases. Notice. Record.</p> <p>Section 4-178 CGS Evidence in contested cases</p> <p>Section 4-179 CGS Proposal for decision.</p> <p>Section 4-180 CGS Final decision to be rendered within ninety days.</p>	
<p>4. A short plain statement of the matters asserted:</p>	

Students

Nonresident Students

Date:

To: Parents, Guardian, Emancipated Minor or Student eighteen (18) years of age or older

Dear _____:

Following the recent hearing by the Board of Education on a residency question involving:

NAME	SCHOOL	GRADE

the _____ Board of Education found the following:

In accordance with the findings of the _____ Board of Education, the student/s named above:

_____ may continue as a student in _____ Public Schools

_____ must be withdrawn from the _____ Public Schools no later than _____ unless an appeal is filed with the Connecticut
(date within 20 days of mailing this letter) State Board of Education prior to that time.

Sincerely,

Existing policy, presently numbered 5118 adopted 11/20/06, appropriate as renumbered.

Students

Homeless Students

The Board shall make reasonable efforts to identify homeless children within the district, encourage their enrollment and eliminate existing barriers to their education, which may exist in district policies or practices, in compliance with all applicable federal and state laws.

Further, it is the policy of the Board of Education that no child or youth shall be discriminated against or stigmatized in this school district because of homelessness. Homeless students, as defined by federal and state statutes, residing within the district or residing in temporary shelters in the district are entitled to free school privileges.

Homeless students within the district not placed in a shelter remain the district's responsibility to provide continued educational services. Such services for the child may be:

Continued in the school ("school of origin") that the student attended when permanently housed or the school of last enrollment; or provided in the school that is attended by other students living in the same attendance area where the homeless child lives.

To the extent feasible, a homeless child will be kept in the school of origin, unless it is against the wishes of the parent/guardian.

Homeless children shall be provided educational services that are comparable to those provided to other students enrolled in the district, including but not limited to, Title I, transportation services, compensatory educational programs, gifted and talented, special education, ELL, health services and food and nutrition programs.

The Superintendent of Schools shall refer identified homeless children under the age of eighteen who may reside within the school district, unless such children are emancipated minors, to the Connecticut Department of Children and Families.

The district administration shall attempt to remove existing barriers to school attendance by homeless emancipated minors:

1. The selected school for the homeless child shall enroll the child, even in the absence of records normally required for enrollment. The last school enrolled shall be contacted to obtain records.
2. Other enrollment requirements that may constitute a barrier to the education of the homeless child or youth may be waived at the discretion of the Superintendent. If the district is unable to determine the student's grade level due to missing or incomplete records, the district shall administer tests or utilize other reasonable means to determine the appropriate grade level for the child.

Students

Homeless Students (continued)

3. Fees and charges, which may present a barrier to the enrollment or transfer of a homeless child or youth, may be waived at the discretion of the Superintendent.
4. Transportation services must be comparable to those provided other students in the selected school. Transportation shall be provided to the student's school of origin in compliance with federal and state regulations.
5. Official school records policies and regulations shall be waived at the discretion of the Superintendent, in compliance with federal statutes.
6. The district shall make a reasonable effort to locate immunization records from information available. The District's liaison shall assist the parent/guardian in obtaining the necessary immunizations and records. The District shall arrange for students to receive immunizations through health agencies and at District expense if no other recourse is available. Immunizations may, however, be waived for homeless youth only in accordance with provisions of Board of Education policy on immunizations.
7. Other barriers to school attendance by homeless children or youth may be waived at the discretion of the Superintendent of Schools.

The District's educational liaison for homeless children is the Director of Special Services.

Students residing in a temporary shelter are entitled to free school privileges from the district in which the shelter is located or from the school district where they would otherwise reside if not for the placement in the temporary shelter. The district in which the temporary shelter is located shall notify the district where the student would otherwise be attending. The district so notified may choose to either:

1. Continue to provide educational services, including transportation between the temporary shelter and the school in the home district; or
2. Pay tuition to the district in which the temporary shelter is located.

The Superintendent shall develop administrative regulations, to ensure compliance with applicable statutes in the implementation of this policy.

(cf. 5143 Student Health Assessments and Immunizations)
(cf. 5146 Child Abuse and Neglect)

Students

Homeless Students

Legal Reference: Connecticut General Statutes

- 10-253(d) School privileges for children residing permanently with relatives or non-relatives.
- 10-253(e) School privileges for children in certain placements, non-resident children and children in temporary shelters.
- 17a-101 Protection of children from abuse. Reports required of certain professional persons. When child may be removed from surrounding without court order.
- 17a-102 Report of danger of abuse.
- 17a-103 Reports by others.
- 17a-106 Cooperation in relation to prevention, identification and treatment of child abuse and neglect.
- 46b-120 Definitions.
- McKinney-Vento Homeless Assistance Act, (PL 107-110-Sec 1032)

Policy adopted:

WOODBRIIDGE PUBLIC SCHOOLS
Woodbridge, Connecticut

Existing regulation, presently numbered 5118 approved 11/20/06, appropriate as renumbered, except for addition of legal reference.

Students

Homeless Students - Guidelines

In order to implement the policy pertaining to homelessness, the following guidelines are established:

Definitions:

Homeless students are federally defined as “individuals who lack a fixed, regular, and adequate nighttime residence.” This definition includes the following types of students who are:

1. Sharing the housing of other persons due to loss of housing, economic hardship, or similar reason;
2. Living in motels, hotels, trailer parks or camping grounds due to lack of adequate alternative accommodations;
3. Living in emergency or transitional shelters;
4. Abandoned in hospitals;
5. Awaiting foster care placement;
6. Residing at nighttime in a public or private place not designated for or ordinarily used as a regular sleeping accommodation for human beings;
7. Living in cars, parks, public spaces, abandoned buildings, bus or train stations, or similar settings; and
8. Migratory children living in the above described circumstances.

District Obligations Regarding Placement of Homeless Students:

1. The District must continue the student’s education in the “school of origin” which is the school the child attended when permanently housed or the school of last enrollment, or
2. The District must enroll the homeless student in any public school that non-homeless students, regardless of the area where the child is actually living, are eligible to attend.
3. The District is required, “to the extent feasible” to keep the homeless child in the school of origin unless it is against the wishes of the parent/guardian.
4. The homeless child’s right to attend the school of origin extends for the duration of homelessness.

Students

District Obligations Regarding Placement of Homeless Students (continued)

5. If a child becomes permanently housed during the academic year, he/she is entitled to stay in the school of origin until the end of the school year.
6. A child who becomes homeless in between academic years is entitled to attend his/her school of origin in the following academic year.
7. The District must provide written explanation, including the right to appeal, whenever the school district sends the homeless child to a school other than the school of origin or the school requested by the parent/guardian.
8. With an “unaccompanied youth,” the District’s homeless liaison must assist in the placement/enrollment decisions while considering the youth’s wishes, and provide notice of appeal under the Act’s enrollment dispute provision. (See below.)
9. Identified homeless children who may reside in the District, and who are under eighteen years of age and not emancipated, shall be referred to the Connecticut Department of Children and Families.

Appeal Procedure

1. C.G.S. 10-186 currently defines the process for resolving issues involving homeless students.
2. Federal law requires school districts to allow homeless students to “stay put.” The child shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute.
3. The District’s homeless liaison shall carry out the dispute resolution process expeditiously and in the case of an unaccompanied youth, ensure that the youth is immediately enrolled in school pending the resolution of the dispute.

Educational Services to be Provided to Homeless Students

1. Educational services are to be comparable to those received by other student in the school.
2. Such students may be entitled to such services as Title 1, state/local remedial programs, special education, limited English proficiency, vocational education, gifted/talented and school nutrition programs.

Students

Educational Services to be Provided to Homeless Students (continued)

3. Homelessness alone is not to be considered a sufficient reason to separate students from the mainstream school environment.
4. Homeless students may be segregated for short periods of time only for health and safety emergencies to provide temporary, special, or supplemental services.

Transportation Obligations of the School District for Homeless Students

1. Services must be comparable to those provided other students in the selected school.
2. Homeless students must be provided transportation to the school of origin, if requested by the parent/guardian, if the school is within the school district.
3. If the school of origin is in a different school district from where the child is currently living, both districts are to agree on a method for sharing the responsibility and costs or share the costs equally.

Enrollment Requests from Homeless Parents

1. The selected school is required to immediately enroll the child, even in the absence of records normally required for enrollment. Parents/guardians may be required to submit contact information.
2. The last school attended must be contacted to obtain records.
3. If the child lacks immunizations or immunization/medical records, the enrolling school **MUST** refer the parent/guardian to the liaison in order to get help obtaining immunizations and records.

District Liaison for Homeless Students

The District's liaison for homeless students is the Director of Special Services.

The duties of the local liaison are to ensure that:

1. Homeless children and youth are identified by school personnel and through coordination with other agencies and entities.
2. Homeless children enroll in and have a full and equal opportunity to succeed in the school district's schools.

Students

District Liaison for Homeless Students (continued)

3. Homeless families and children have access to educational services and referrals to health care services, dental services, mental health services, and other appropriate services for which they are eligible.
4. Parents/guardians are informed of educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.
5. Public notice of the educational rights of homeless children is disseminated where such children require services. (For example, family shelters, soup kitchens, and schools.)
6. Enrollment disputes are mediated.

Parent/guardian is fully informed of all transportation services, including to the school of origin, and assisted in accessing those services.

Unaccompanied youth are assisted in placement/enrollment decisions, including considering the wishes in those decision, and providing notice to the youth of the right to appeal such decisions.

Children, who do not have immunizations, or immunization or medical records, are assisted in obtaining the necessary immunizations, or immunization or medical records.

Legal Reference: Connecticut General Statutes
 10-253(e) School privileges for children in certain placements non-resident children and children in temporary shelters.
 17a-101 Protection of children from abuse. Reports required of certain professional persons. When child may be removed from surrounding without court order.
 17a-102 Report of danger of abuse.
 17a-103 Reports by others.
 17a-106 Cooperation in relation to prevention, identification and treatment of child abuse and neglect.
 46b-120 Definition.
 McKinney-Vento Homeless Assistance Act, (PL 107-110-Sec 1032) 42 U.S.C.§11431-11435

Regulation approved:

WOODBRIIDGE PUBLIC SCHOOLS
 Woodbridge, Connecticut

Sample form to consider.

_____ Public Schools
_____, Connecticut

Homeless Students Questionnaire

The following questions are intended to address the McKinney-Vento Homeless Education Assistance Act, 42 U.S.C. § 11431, *et seq.* Your answers to the following questions will aid school district staff to determine whether your child may be eligible for services under this Act.

- 1. Is your child's current address a temporary living arrangement? Yes No
- 2. Is this temporary living arrangement due to loss of housing or economic hardship?
Yes No

If you answered yes to the above questions, please complete the remainder of this form.

- 3. Where is the student presently living? (Please check one)
 - In a hotel/motel
 - In a shelter
 - With more than one family in a house or apartment
 - Moving from place to place
 - In a place not designed for ordinary sleeping accommodations, such as a car, park or campsite
 - Other: (please specify) _____

- 4. When do you anticipate that your child's temporary living arrangement will change?

In signing this document, I understand and acknowledge that I am representing that my child is entitled to free school accommodations from the Town/City of _____ by virtue of their having a legal residence at the above-named address. I understand that if the information provided in connection with this questionnaire is determined to be false or misleading, resulting in the child/children named above to not be legally entitled to attendance in the _____ Public Schools, the school district may take legal action to recoup valid tuition charges and legal fees. I understand that if it is determined that I have defrauded the _____ Public Schools, I may also be subjected to the pains and penalties of perjury and false statement and such other remedies as may be available under law.

Signature of Parent/Guardian

Date

Signature of Witness

An optional policy for your consideration.

Students

Educational Opportunities for Military Children

In an effort to facilitate the placement, enrollment, graduation, data collection and provision of special services for students transferring into or out of the District because of their parents being on active duty in the U.S. Armed Services, the District supports and will implement its responsibilities as outlined in the *Interstate Compact on Educational Opportunity for Military Children*. The Board of Education believes it is appropriate to remove barriers to educational success imposed on children of military families because of their parents' frequent moves and deployment.

Definitions

Children of military families means school aged children, enrolled in kindergarten through 12th grade, in the household of an active duty member of the uniformed service of the United States, including members of the National Guard and Reserve.

Deployment means the period one month before the service members' departure from their home station on military orders through six months after return to their home station.

Education(al) records means official records, files, and data directly related to a student and maintained by the school including, but not limited to, records encompassing all the material kept in the student's cumulative folder.

The requirements, applicable to eligible students, which must be fulfilled, are listed below. Eligible students are those who are children of active duty personnel, active duty personnel or veterans who have been severely injured and medically discharged, and active duty personnel who die on active duty within one year of service. Students are not eligible for the provisions of the *Compact* if they are children of inactive Guard or Reserves, retired personnel, veterans not included above or U.S. Department of Defense personnel and other federal civil service employees and contract employees.

The District's responsibilities to eligible children include the following:

- Sending schools must send either official or unofficial records with the moving students and District receiving schools must use those records for immediate enrollment and educational placement.
- Simultaneously, the receiving school must request official records and the sending schools shall respond within 10 days with the records.
- Immunization requirements of the District may be met within 30 days from the date of enrollment (or be in progress).

Students

Educational Opportunities for Military Children (continued)

- Receiving schools must honor placement of students in all courses from the sending school. These include, but are not limited to, Honors, International Baccalaureate, Advanced Placement, vocational-technical, and career pathway courses if those courses are offered in the receiving school.
- In compliance with federal law, special education students must be placed by the existing IEP with reasonable accommodations in the receiving school.
- The District will exercise, as deemed appropriate, the right to waive prerequisites for all courses and programs, while also maintaining its right to re-evaluate the student to ensure continued enrollment, as deemed appropriate.
- Students of active duty personnel shall have additional excused absences at the discretion of the District for visitations relative to leave or deployment.

Alternate language for above:

- A one day absence is provided for students when their parent/guardian is deployed into active military service.
- A one day absence is provided for students when their parent/guardian returns from active military service or deployment.
- A student whose parent or legal guardian has been called to duty for, is on leave from, or immediately returned from deployment to; a combat zone or combat support posting shall be granted additional excused absences at the discretion of the Superintendent or his/her designee.
- Absences related to a student visiting with his/her parent related to leave or deployment activities may be excused by the District. The district will permit no more than ___ excused absences per year for this purpose. (*Note: The local district may specify in their policy how many excused absences are permitted*)
- An eligible student living with a noncustodial parent or other person standing in loco parentis shall be permitted to attend the school in which he or she was enrolled while living without the custodial parent without any tuition fee imposed.
- The District high school will accept exit or end-of-year exams required from the sending state, national norm-referenced tests, or alternate testing instead of testing requirements for graduation in the District (receiving state.) If this is not possible, the alternative provision of the Interstate Compact shall be followed in order to facilitate the on-time graduation of the student in accordance with Compact provisions.

Students

Educational Opportunities for Military Children (continued)

- (cf. 5111 – Admission)
- (cf. 5113 – Attendance and Excuses)
- (cf. 5123 – Promotion/Retention)
- (cf. 5125 – Student Records; Confidentiality)
- (cf. 5141.3 – Health Assessments and Immunizations)
- (cf. 6146 – Graduation Requirements)
- (cf. 6171 – Special Education)

Legal Reference: Connecticut General Statutes

10-15f Interstate Compact on Educational Opportunity for Military Children

Policy adopted:

cps 6/08

rev 11/11

Existing policy, number 5121 adopted 5/17/05, modified.

Students

Examination/Grading/Rating

Through instructional performance objectives, the district shall establish student standards which promote educational achievement and excellence.

The issuance of grades on a regular basis serves to promote a process of continuous evaluation of student performance, to inform the student and the student's parents/legal guardian of his/her progress, and to provide a basis for bringing about change in student performance

Students in grades three, ~~four, five a six~~ **through eight, inclusive**, shall take Connecticut Statewide Mastery Tests provided by and administered under the supervision of the State Board of Education. Satisfactory achievement on the Mastery Tests shall be only one criterion for promotion or graduation.

(cf. 6141 - Curriculum Design/Development)

(cf. 6154 - Graduation Requirements)

(cf. 6156 - Statewide Proficiency/Mastery Examinations)

(cf. 6180 - Evaluation of the Instructional Program)

Legal Reference: Connecticut General Statutes
~~10-14m Development and submission of educational evaluation and remedial contents of plan.~~
 10-14n Ninth grade statewide proficiency exam.
~~10-140 Compensatory education grant. Financial statement of expenditures.~~
 10-14p Reports by local and regional Boards re: Instructional improvement and student progress.
 10-14q Exceptions. (Students to whom provisions do not apply).
 10-221a High school graduation requirements.

Policy adopted:

WOODBRIIDGE PUBLIC SCHOOLS
 Woodbridge, Connecticut

New Hartford's recent version of this policy.

Students

Cheating/Academic Honesty

The New Hartford Board of Education seeks to promote personal and academic integrity in all members of the school community through its Academic Honesty policy and the accompanying regulations published in the Academic Honesty Regulations. The Board considers cheating and plagiarism of all types as well as disregard for copyright law and fair use guidelines to be violations of its Academic Honesty policy. Cheating, plagiarism, and copyright law/fair use expectations are fully defined in the Academic Honesty Regulations. In addition, developmentally appropriate minimum and maximum consequences for students are also delineated for any violation of the Academic Honesty policy.

All members of the New Hartford school community – which includes students, teachers, administrators, support staff, and parents – shall be familiar with the Academic Honesty Regulations and the individual responsibilities contained therein. Teachers and administrators at all grade levels shall instruct students in what cheating, plagiarism, and copyright/fair use violations are and what the consequences are for these violations. They will help students understand the importance of personal and academic integrity, and they will model the teacher and administrator responsibilities as defined in the Academic Honesty Regulations. In addition, students will be expected to demonstrate the student responsibilities that are part of the Academic Honesty Regulations. Administrators and teachers will also communicate to parents what their responsibilities are relative to academic honesty.

Legal Reference: Connecticut General Statutes

52-572 Parental liability for torts of minors. Damage defined.

Policy adopted:

NEW HARTFORD PUBLIC SCHOOLS
New Hartford, Connecticut

A sample regulation.

Students

Academic Dishonesty: Cheating/Plagiarism

Any student who gives or receives information during a test shall receive a zero. Depending on the seriousness of the violation, the student may be kept after class for counseling or may be given no credit for the grade period or for the semester.

District principals shall encourage teachers to arrange seating in the least crowded way possible and to monitor tests as actively as possible.

Principals shall encourage teachers to give essay questions and oral, individual tests insofar as practicable. When using true-false or multiple-choice tests, teachers shall be advised to randomly distribute different versions of the test within the classroom.

Principals shall also encourage teachers to give open-book or open-note tests. Such tests may be made more analytical and more difficult in order to compensate for the use of the book or notes. Where space permits, teachers shall be urged to discourage plagiarism by keeping a file of term papers for up to five years and by asking students to submit outlines before their papers are due.

The possession or use of a cellular telephone, video recording device, personal digital assistant (PDA) or any other electronic device to cheat is considered a violation of the academic dishonesty policy and the student code of conduct and is subject to discipline in accordance with Board policy and administrative regulations.

Regulation approved:

A sample policy to consider.

Students

Assignment of Former Home-Schooled Students to Classes

Placement of resident home-schooled students who seek to be readmitted to the District's schools will be determined by the Principal who shall consult with members of the professional staff to the extent appropriate. The Principal may direct that a test or tests be administered to help determine grade level. In addition, the Principal is authorized to collect from parents/guardians actual samples of coursework as he/she deems necessary in order to make the determination that the requisite academic standards have been met. The decision of the Principal may be appealed to the Superintendent. In the event that the parent/guardian is still dissatisfied, the assignment may be appealed in writing to the Board of Education. (*Alternate language:* The Superintendent's decision will be final.)

A home-schooled student seeking admission to a District school must meet all residency, age, health examination, immunization and other eligibility prerequisites as mandated by State law and regulations.

Alternate language to consider:

Home-schooled students who wish to attend school in the District must be tested by an appropriate guidance counselor/teacher/department chairperson/etc., to determine grade level placement. The school officials shall make grade placement after consultation with the parents/guardians, guidance personnel, involved staff members and the Principal or designee. Criteria for final placement shall include past educational experience and successful performance and/or examination at the level of initial assignment. Grades earned during home-schooling shall not be used in determining grade point average, National Honor Society Membership, or valedictorian/salutatorian honors.

A previously home-schooled high school level student may be awarded credits towards high school graduation by demonstrating mastery of the course outcomes by:

- Successfully passing an appropriate challenge examination;
- Providing portfolio/work sample evidence which demonstrates equivalent knowledge or skill;
- Providing documentation of prior learning activities or experiences (e.g., certification of training, hours of instruction, letters, etc.); and/or
- Passing a performance instrument or test administered by the respective Department Chairperson. The standards for designing and passing the performance instrument shall be set sufficiently high to ensure credits earned by such means shall be equivalent to those offered by the District in the framework of the Carnegie unit. Commercially available instruments may be used if they adequately cover course objectives. Credit for such classes shall be awarded only on a pass/fail basis.

Students

Assignment of Former Home-Schooled Students to Classes (continued)

Credit approval shall be granted when the student has demonstrated by clear and convincing evidence that he/she has achieved the same level of knowledge or skill as would have been accomplished by successful completion of the District's course(s) for which credit has been requested.

(cf. 5111 – Admission)

(cf. 5122 – Assigning Students to a Teacher and Classes in Grades K-12)

(cf. 5123 – Promotion/Retention)

(cf. 6146 – Graduation Requirements)

Legal Reference: Connecticut General Statutes

10-221(b) Boards of education to prescribe rules

Policy adopted:

A sample administrative regulation to consider.

Students

Assignment of Former Home-Schooled Students to Classes

When a student enters the District from home-schooled instruction, the District is required to determine the appropriate grade level and course level placement for the student. In order to make such determination, when a student seeks entry, the following procedures/guidelines listed below shall be followed.

The District retains the absolute right for assignment of all students. The parent/guardian, teacher, student (when appropriate), and the Building Principal; shall meet to consider appropriate placement at grade level.

Elementary and Middle School (K-8) Students

At the elementary and middle school levels, the grade placement shall depend upon the age of the student, physical maturity, social adjustment, performance in relation to student learning objectives for grade level and a review of the course work completed during home instruction, as submitted by the parent/guardian as proof of achievement. This may include a portfolio of completed assignments, essays, tests, reports or other materials. The use of placement tests, achievement tests, or other assessments as deemed necessary for evaluation, administered by school staff, shall also be appropriate in determining grade placement.

(cf. 5111 – Admission)

(cf. 5122 – Assigning Students to a Teacher and Classes in Grades K-12)

(cf. 5123 – Promotion/Retention)

(cf. 6146 – Graduation Requirements)

Legal Reference: Connecticut General Statutes

10-221(b) Boards of education to prescribe rules

Regulation approved:

A sample policy to consider.

Students

Promotion/Acceleration/Retention

The Board of Education is dedicated to the best total and continuous development of each student enrolled in its schools. Therefore, the District will establish and maintain the highest standards required for each grade and monitor student performance in a continuous and systematic manner. The administration and faculty shall establish a system of grading and reporting academic achievement to students and their parents and guardians. The system shall also determine when promotion and graduation requirements are met. The decision to promote a student to the next grade level shall be based on demonstrated and assessed successful completion of the curriculum, attendance, performance on the CMT and CAPT statewide assessments and other testing instruments. Any necessary retention should take place as early in a student's educational career as possible.

Students shall be promoted only on the basis of academic achievement. Students who, on the basis of objective measures of academic proficiency, can reasonably be expected to meet the instructional/learning objectives at the next educational level may be promoted.

The Board of Education shall approve the grading and reporting systems as developed by the administration and faculty upon the recommendation of the Superintendent of Schools.

The Board desires to minimize/eliminate the practice of promoting students to the next grade level for social reasons even though they are failing academically. The Board expects students to progress through each grade usually within one school year. To accomplish this, instruction should accommodate the varying interests and growth patterns of individual students and include strategies for addressing academic deficiencies when needed. Students shall progress through the grade levels by demonstrating growth in learning and meeting grade-level standards of expected student achievement. The student's readiness for work at the next grade level shall be required before he/she is promoted. Students who have mastered the appropriate skills will be promoted; those who have not will be retained.

Progress toward high school graduation shall be based on the student's ability to pass the required subjects and electives necessary to earn the required number of credits necessary for graduation, meeting the credit distribution requirement. The student must also satisfactorily demonstrate the district's performance standards, assessed in part by the Connecticut Academic Performance Test (CAPT). Students who have not successfully completed the assessment criteria shall participate in a course of study designed to assist them attain a satisfactory level of competency prior to graduation. When high academic achievement is evident, the Superintendent or his/her designee may approve a student for acceleration into a higher grade level. The student's social and emotional growth shall be taken into consideration in making a determination to accelerate a student.

Students

Promotion/Acceleration/Retention (continued)

Schools shall identify students in danger of failing and being at risk for retention. This identification shall also include those students who fail to meet the remedial standards of the CMT and CAPT statewide assessment programs. Prior to deciding on retention for a student not mastering the appropriate skills, the district shall provide and may require the student to attend one or more alternatives for remedial assistance. Opportunities, provided for supplemental and remedial instruction to assist the student in overcoming his/her academic deficiencies, may include but are not limited to, after-school tutorial programs, Saturday tutorial programs, summer school, Reading Recovery, instruction during school vacations or during week-end programs, cross-age tutoring or student mentoring.

*Note: Priority school districts are **required** to evaluate the reading level of students in grades one to three, inclusive, and to develop and implement a personal reading plan for students found to be substantially deficient in reading on measures established by the State Board of Education.*

The personal reading plan shall include additional instruction, within available appropriations, such as tutoring, an after-school, school vacation, or weekend program or a summer reading program.

Promotion of students with personal reading plans from first, second or third grade shall be based on documented progress in achieving the goals of the personal reading plan or demonstrated reading proficiency. A decision to promote a student who is substantially deficient in reading from first, second, or third grade must be justified in writing by the school principal to the Superintendent.

Within available appropriation, students in grades one to three, inclusive, who based on an end of the year evaluation, are determined to be substantially deficient in reading, shall be required to attend school the summer following such evaluation. The Superintendent may exempt an individual student from such requirement upon the recommendation of the school principal based on the student's progress with the student's personal reading plan. If a student does not receive such an exemption, has been offered the opportunity to attend summer school, the Board shall not promote the student to the next grade.

Students in grades four, five and six, judged deficient in reading and provided with personal reading plans and additional instruction, who fail to make progress shall attend summer school; within available appropriations, the summer following the school year in which they failed to make such progress. The Superintendent may exempt an individual student from such requirement based upon the school principal's recommendation. If the student does not receive such an exemption, and has been offered the opportunity to attend a summer school program and fails to attend summer school, he/she shall not be promoted to the next grade.

Students

Promotion/Acceleration/Retention (continued)

In all cases of promotion or retention, the parent/guardian is to be fully involved and informed throughout the promotion/retention decision-making process. Parents will be notified as early as possible that retention is being considered and except in very unusual circumstances, no later than March 15. The Principal shall be responsible for making the final decision as to retention and assignment.

Alternative language to consider:

The administration and professional staff shall establish a system of grading and reporting academic achievement to students and their parents and guardians. The system shall also determine when promotion and graduation requirements are met. The decision to promote a student to the next grade level shall be based on successful completion of the curriculum, attendance, performance on the statewide CMT and CAPT testing program and on other standardized tests, meeting the statewide reading standards in the primary grades, maturity, academic potential and student aptitude. A student shall not be promoted based upon age or any other social reason not related to academic performance. The district shall provide alternatives to promotion such as, but not limited to transitional programs and may require students whose academic performance jeopardizes their promotion or graduation to attend after-school, summer school or other programs the district offers that are designed to help them. The administration shall determine remedial assistance for a student who is not promoted.

(cf. 5124 - Reporting to Parents)

(cf. 6146 - Graduation Requirements)

(cf. 6146.1 - Grading System)

Legal Reference: Connecticut General Statutes

P.A. 99-288 An Act Concerning Education Accountability

10-221(b) Boards of education to prescribe rules.

10-265g Summer reading programs required for priority school districts. Evaluation of student reading level. Personal reading plans. (as amended by PA 01-173 and PA 06-135)

10-265l Requirements for additional instruction for poor performing students in priority school districts; exemption. Summer school required; exemption (as amended by PA 99-288, PA 01-173, PA 03-174 and PA 06-135)

Policy adopted:

rev. 7/01

rev 6/03

rev 6/06

Existing policy, number 5124 adopted 8/20/01, appropriate as written, except for addition of legal references.

Students

Reporting to Parents

The Board of Education believes that good communication between parent and teacher is important in the educational process.

With this in mind, the Board of Education believes that the communication between parent and teacher should be as varied and frequent as reasonably necessary to provide essential information about each student's progress and needs. All forms and methods of communications, such as parent-teacher conferences, mail, telephone, and school visitation by parents may be utilized by parents and teachers.

Written progress reports should reflect the educational growth of the student in relationship to the student's ability, attitudes, interests, conduct or citizenship, and achievement and should be in the form and frequency prescribed by the administration in collaboration with the teaching faculty.

Legal Reference: Connecticut General Statutes

10-15b Access of parent or guardian to student's records.

46b-56 Access to records of minor children by non-custodial parent.

Policy adopted:

WOODBIDGE PUBLIC SCHOOLS
Woodbridge, Connecticut

A version of this policy developed by Shipman and Goodwin and revised to reflect the latest changes in the federal regulations. (This version contains detail usually placed in an administrative regulation). This is recommended to replace the existing policy adopted 2/24/03 which does not reflect the changes in FERPA resolutions.

Students

Confidentiality and Access to Student Records

I. Policy

The Board of Education ("Board") complies with the state and federal regulations regarding confidentiality, access to and amendment of student records. The Board shall implement procedures that protect the privacy of parents and students while providing proper access to records. Availability of these procedures shall be made known annually to parents of students currently in attendance and eligible students currently in attendance.

II. Definitions

- A. **Access** is defined as the right to inspect or review a student's education records or any part thereof. Access may include the right to receive copies of records under limited circumstances.
- B. **Biometric record**, as used in the definition of personally identifiable information, means a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual, such as fingerprints, retina and iris patterns, voiceprints, DNA sequence; facial characteristics and handwriting.
- C. **De-identified education records** means education records or information from education records from which all personally identifiable information has been removed, and for which the district has made a reasonable determination that a student's identity is not personally identifiable, whether through single or multiple releases, taking into account other reasonably available information.
- D. **Directory Information** includes information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to, the parent's name, address and/or email address, the student's name, address, telephone number, e-mail address, photographic, computer and/or video images, date and place of birth, major field(s) of study, grade level, enrollment status (full-time; part-time), participation in school-sponsored activities or athletics, weight and height (if the student is a member of an athletic team), dates of attendance, degrees, honors and awards received, and the most recent previous school(s) attended.
Directory information does not include a student's social security number, student identification number or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems unless the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN or password.

Students

Confidentiality and Access to Student Records

II. Definitions (continued)

- E. **Disciplinary action or proceeding** means the investigation, adjudication or imposition of sanctions by an educational agency or institution with respect to an infraction or violation of internal rules of conduct applicable to students.
- F. **Disclosure** means to permit access to or to release, transfer, or other communication of personally identifiable information as contained in education records by any means, including oral, written or electronic means, to any party except the party identified as the party that provided or created the record.
- G. **Education Records**
1. **Education records** means any information directly related to a student that is recorded in any manner (e.g., handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche) and that is maintained by the school system or persons acting for the school system.
 2. **Education records does not include:**
 - a) private, personal, or working notes in the sole possession of the maker thereof and which are not accessible or revealed to any other individual except a "substitute";
 - b) records maintained by a law enforcement unit of the school district that were created by that unit for the purpose of law enforcement;
 - c) employment records used only in relation to the student's employment by the school district that are 1) made and maintained in the normal course of business, 2) relate exclusively the student's capacity as an employee, and 3) are not made available for any other purpose;
 - d) records on an eligible student (i.e. over 18 or attending a postsecondary educational institution) that are considered "treatment records" as they meet the following criteria: 1) the records are maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity, 2) the records are made in connection with the treatment of the student and 3) the records are disclosed only to individuals providing such treatment (treatment does not include remedial educational activities or activities that are part of the program or instruction of the school district); however, the school district must, upon request, permit an eligible student to have a physician or other appropriate professional of the student's choice review his/her treatment records;

Students

Confidentiality and Access to Student Records

II. Definitions (continued)

- e) records created or received by the school district after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student; and
- f) grades on peer-graded papers before they are collected and recorded by a teacher.

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

[If the district maintains a law enforcement unit, the district should include this definition within the policy.]

- I. Law Enforcement Unit** is an individual, office, department, division, or other component of an educational agency or institution, that is officially authorized or designated by that agency or institution to 1) enforce laws or refer matters of law enforcement to appropriate authorities or 2) maintain the physical security and safety of the agency or institution.
- J. Legitimate Educational Interest** means the need for a school official to review an education record in order to fulfill his or her professional responsibilities.
- K. Parent** is defined as a parent or parents of a student including a natural parent, a guardian, or surrogate parent, or an individual acting as a parent in the absence of a parent or guardian. The rights of a parent shall transfer to an eligible student; however, a parent of a student who claims that student as a dependent under Section 152 of the Internal Revenue Code of 1954 is entitled to access to the student's education records without the eligible student's consent.
- L. Personally Identifiable Information** includes, but is not limited to, the student's name; the name of the student's parent or other family members; the address of the student or his/her family; a personal identifier, such as the student's social security number, student number or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the school district reasonably believes knows the identity of the student to whom the education record relates.

Students

Confidentiality and Access to Student Records

II. Definitions (continued)

- M. **School Official** is a person employed by the District as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board of Education; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.
- N. **Signed and Dated Written Consent** to disclose personally identifiable student information from a student's education records must specify the records to be disclosed, the purpose of disclosure and the party to whom such records should be provided. Consent may include a record and signature in electronic form provided that the consent identifies and authenticates a particular person as the source of electronic consent.

III. Annual Notification of Rights/Release of Directory Information

- A. On an annual basis, the school district will notify parents and/or eligible students currently in attendance of their rights regarding a student's education records. This notice will be published in all student handbooks in the District and will also be published in the school district's guide to Pupil Personnel [or Special Education] Services and will be published in any other manner "reasonably likely" to inform such parents and eligible students of their rights. The school district will take steps to ensure that parents or eligible students whose primary or home language is not English or who are disabled will also be notified of their rights regarding a student's education records.
- B. On an annual basis, the school district will also notify parents and/or eligible students currently in attendance of any categories of information designated as directory information. This notice will provide such individuals with an opportunity to object to such disclosure. An objection to the disclosure of directory information shall be good for only one school year.
- C. In the annual notification, the school districts will also provide notice to parents and/or eligible students that the district is legally obligated to provide military recruiters or institutions of higher education, upon request, with the names, addresses and telephone numbers of secondary school students, unless the secondary student or the parent of the student objects to such disclosure in writing. Such objection must be in writing and shall be effective for one school year.

Students

Confidentiality and Access to Student Records (continued)

IV. Confidentiality of Education Records

- A. All school staff are directed to maintain the confidentiality of personally identifiable information contained in a student's education records. Each person who has access to education records is responsible for ensuring personally identifiable information is protected from disclosure at collection, storage, disclosure, and destruction stages. Disclosure of information is permitted only in accordance with Board policy and consistent with state and federal law.
- B. Education records are not public records and any disclosure other than to persons authorized to receive the records without prior consent of a parent or an eligible student violates the law and Board policy, except as provided in federal and state statutes.
- C. The school district shall use reasonable methods, including administrative policies and procedures, as well as physical and technological access controls, to ensure that school officials obtain access to only those education records in which they have a legitimate educational interest.
- D. The district shall use reasonable methods to identify and authenticate the identity of parents, students, school officials and other parties to whom the district discloses personally identifiable information from education records.

V. Access to Education Records

- A. Parents and/or an eligible student have the right to inspect and review all education records of the student unless such rights have been waived under Section XI, below. Parents' rights of inspection and review are restricted to information dealing with their own child. In the case of an eligible student, the right to inspect and review is restricted to information concerning the student. All requests for access to education records must be in writing.
- B. When submitting a written request to inspect or review education records, the request must identify the record or records being sought. The school district will notify the parent or eligible student of the date, time, and location where the records may be inspected and reviewed.
- C. The parents or eligible students may designate in writing a representative to inspect and review the records. Consent for disclosure of education records to a designated representative must be signed and dated by the parent or eligible student.

Students

Confidentiality and Access to Student Records

V. Access to Education Records (continued)

- D. A school professional shall be present at all such inspections and reviews and shall respond to reasonable requests for explanations and interpretations of the records.
- E. For the records of regular education students, the Board will make education records available for inspection and review by parents or eligible students within a reasonable period of time, but in any event, no more than forty-five (45) calendar days from the receipt of a written request.
- F. For students requiring special education, the Board will comply with a request to inspect and review a student's education records within ten (10) days of the request; or within three (3) days of the request if the request is in order to prepare for a meeting regarding an IEP meeting (planning and placement team meeting) or any due process proceeding.
- G. Parents of students eligible to receive special education and related services (or the eligible student) have the right to receive one free copy of their child's (his/her) education records. The request for the free copy must be in writing and the Board shall comply with the written request within five (5) school days of the request. Notwithstanding the fact that a test instrument or portion of a test instrument may meet the criteria of an "education record" under the Family Educational Rights and Privacy Act, 20 USC 1232g, any test instrument or portion of a test instrument for which the test manufacturer asserts a proprietary or copyright interest in the instrument shall not be copied. The parent or eligible student retains the right to review and inspect such information and the Board of Education shall respond to reasonable requests from the parent or eligible student for explanations and interpretations of the student's education record, which may include reviewing copyrighted testing instruments.
- H. Aside from a parent or eligible student, staff members, school employees and other school officials may access a student's educational records only if they have been determined by the school system to have a legitimate educational interest in accessing the information contained in such records. Disclosures to any other parties may only be made in accordance with the exemptions and provisions set forth in Section VII, below.
- I. Pursuant to the procedures set forth in Section VI, below, the district maintains a record of all parties that have requested access to education records, including access to education records found in computer memory banks.

Students

Confidentiality and Access to Student Records

V. Access to Education Records (continued)

J. Non-custodial Parents:

A parent does not lose his or her right to access to education records upon divorce. Non-custodial parents retain their rights to review their child's education records unless the school district has been provided with evidence that there is a court order, state statute, or legally binding document relating to such matters as divorce, separation, or custody that specifically revokes the non-custodial parent's rights. School notices shall be mailed to the non-custodial parent/guardian requesting the notices at the same time that they are provided to the custodial parent/guardian. Any requests by the non-custodial parent/guardian to receive school notices shall be effective for as long as the child remains in the school the student is attending at the time of the request.

K. Copies of Education Records/Fees:

- 1) The school district cannot charge a fee to search for or to retrieve the education records of a student. As noted above, if a student has been identified as requiring special education and related services, the parents' (or eligible student's) right to inspect and review the child's records shall include the right to receive one free copy of those records. The request for the free copy shall be made in writing. The Board of Education shall comply with such request as stated above. A charge will be levied for additional copies; in no case will the charge exceed [50 cents] per page.
[Please note that the district may or may not charge for copies, provided such fee is consistent with its policy for charging for copies of records for regular education students and provided that such fee does not effectively prohibit the parent/student from exercising their rights to access records].
- 2) In addition to the provision above regarding special education students, if circumstances effectively prevent the parent or eligible student from exercising the right to inspect and review the student's education records, the district shall:
 - a. provide the parent or eligible student with a copy of the records requested, or
 - b. make other arrangements for the parent or eligible student to inspect and review the requested records.

Students

Confidentiality and Access to Student Records

V. Access to Education Records (continued)

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

- 3) *The Board reserves the right to charge for copies of a student's education records. Such charge will not exceed 50 cents per page.]*

VI. Record Keeping Requirements/Documentation of Access To Education Records

- A. The school district will appoint an individual to be responsible for the care and upkeep of all education records. Education records are kept by categories, each of which encompasses a specific type of data collected during a student's educational career. These categories also determine how long the school district must maintain the records. The school district will provide to parents, on request, a list of the categories and locations of education records collected, maintained, or used by the school district.
- B. Except as provided below, a record (log) will be kept documenting each request for, and disclosure of, personally identifiable information from the education records of each student, including information found in computer memory banks. The record log shall contain:
 - 1) the name of any individual, agency, or organization that requested or obtained access to the student's records;
 - 2) the date of the request for access;
 - 3) whether access was given;
 - 4) the purpose for which the party was granted access to the records;
 - 5) the names of additional parties to whom the receiving party may disclose the information on behalf of the school district; and
 - 6) the legitimate educational interest in obtaining the information.
- C. The record (log) requirement does not apply to requests from, or disclosure to:
 - 1) a parent or eligible student;
 - 2) a party seeking directory information;
 - 3) a party who has a signed and dated written consent from the parent and/or eligible student;
 - 4) school officials from the school district in which the student is currently enrolled who have a legitimate educational interest in the information contained in the students record; or

Students

Confidentiality and Access to Student Records

VI. Record Keeping Requirements/Documentation of Access To Education Records (continued)

- 5) persons seeking or receiving the information as directed by a Federal grand jury, other law enforcement subpoena, or ex parte order of the Attorney General of the United States (provided that the information requested is not to be redisclosed).
- D. The record (log) is a permanent part of the student's education records and must be available to the parent or eligible student upon request.
- E. If the district makes a release of education records without consent in a health and safety emergency, the district must record:
 - 1) the articulable and significant threat to the health and safety of a student or other individuals that formed the basis for disclosure; and
 - 2) the parties to whom the district disclosed the information.

VII. The Release of Records or Personally Identifiable Information

- A. The school system or its designated agent(s) may not permit release of education records or any information from such records which contains personally identifiable student information to any outside individual, agency, or organization without the signed and dated written consent of the parents or eligible student, except as indicated in Section VII.C below. Personally identifiable information contained in the education record, other than directory information, will not be furnished in any form (i.e., written, taped, person-to-person, statement over the telephone, on computer disk, e-mailed, etc.) to any person other than those listed below, unless prior written consent has been obtained.
- B. To be effective, the written consent must be signed and dated and must specify the records that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made.
- C. Personally identifiable information may be released without consent of the parents, or the eligible student, only if the disclosure meets one of the criteria set forth below:
 1. The disclosure is to other school officials within the district, including teachers, who have been determined by the school district to have legitimate educational interests in the education records.

Students

Confidentiality and Access to Student Records

VII. The Release of Records or Personally Identifiable Information (continued)

2. The disclosure is to a contractor, consultant, volunteer, or other party to whom an agency or institution has outsourced institutional services or functions, provided that the outside party (a) performs an institutional service or function for which the district would otherwise use employees, (b) is under the direct control of the district with respect to the use and maintenance of education records, and is subject to the requirements of FERPA with respect to the use and redisclosure of personally identifiable information from education records.
3. The disclosure is to officials of another school, including other public schools, charter schools, and post-secondary institutions, in which the student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer. Disclosure of personally identifiable information will be made only upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record pursuant to Section X.
4. The disclosure is to authorized representatives of the Comptroller General of the United States; the Attorney General of the United States; the Secretary of Education; or State and local educational authorities, under the following conditions: the school shall provide such authorized representatives access to student or other records that may be necessary in connection with the audit, evaluation, or enforcement of state and federally supported education programs, but shall not permit such representatives to collect personally identifiable information unless specifically authorized to do so by state and federal law or if the parent or eligible student has given written consent for the disclosure.
5. The disclosure is made in connection with a student's application for, or receipt of, financial aid, if such information is necessary to determine eligibility for, the amount of, or the conditions for financial aid, or to enforce the terms and conditions of financial aid.

Students

Confidentiality and Access to Student Records

VII. The Release of Records or Personally Identifiable Information (continued)

6. The disclosure is to state and local officials or authorities within the juvenile justice system as long as the officials and authorities to whom the records are disclosed certify in writing to the school district that (a) the information is required by the court, (b) will not be disclosed to any other party without the prior, written consent of the parent of the student, except as provided under State law, Disclosure shall be permitted for information relating to the student's school attendance, adjustment and behavior, as well as the student's individualized education program (IEP) and related documents if the student receives special education services. If a student is placed on probation by the juvenile court, school officials may issue their own recommendation concerning the conditions of the student's probation.
7. The disclosure is to organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, so long as (a) the study does not permit personal identification of parents or students by individuals other than representatives of the organization, (b) the information is destroyed after it is no longer needed for the purposes for which the study was conducted, and (c) the district enters into a written agreement with the organization conducting the study that ensures that the study protects the confidentiality of personally identifiable student information consistent with FERPA requirements.
8. The disclosure is to accrediting organizations in order to carry out their accrediting functions.
9. The disclosure is to parents of an eligible student who claim that student as a dependent student as defined in Section 152 of the internal Revenue Code of 1986.
10. The disclosure is to comply with a judicial order or lawfully issued subpoena, provided that the educational agency makes a reasonable effort to notify the parent or the eligible student in advance of compliance, unless such disclosure is in compliance with (a) a federal grand jury subpoena and the court has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed; or (b) any other subpoena issued for a law enforcement purpose and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed; or (c) an ex parte order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning the investigation or prosecution of terrorism crimes specified in sections 2332b(g)(5)(B) and 2331 of title 18, U.S. Code.

Students

Confidentiality and Access to Student Records

VII. The Release of Records or Personally Identifiable Information (continued)

11. If the school district initiates legal action against a parent or student, the school district may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the school district to proceed with the legal action as plaintiff.
12. If a parent or eligible student initiates legal action against the school district, the school district may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the school district to defend itself.
13. The disclosure is to appropriate parties, including parents of an eligible student, in connection with a health and safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. In making a determination regarding the disclosure of education records without consent in a health and safety emergency, the district may take into account the totality of the circumstances pertaining to the threat to the health or safety of a student or other individuals. If the district reasonably determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals, provided, however, that the district record such disclosure in accordance with Section VI. D, above.
14. The disclosure is to the parent of a student who is under 18 years of age or to the student.
15. The disclosure concerns sex offenders and other individuals required to register under Section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 14071, and the information was provided to the district under 42 U.S.C. 14071 and applicable federal guidelines.

D. Directory Information

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

Students

Confidentiality and Access to Student Records

VII. The Release of Records or Personally Identifiable Information (continued)

D. Directory Information (continued)

2. School districts are legally obligated to provide military recruiters or institutions of higher education, upon request, with the names, addresses and telephone numbers of secondary school students, unless the secondary student or the parent of the student objects to such disclosure in writing. Such objection must be in writing and shall be effective for one school year.
3. In all other circumstances, information designated as directory information will not be released when requested by a third party unless the release of such information is determined by the administration to be in the educational interest of the school district and is consistent with the district's obligations under both state and federal law.
4. The school district may disclose directory information about students after they are no longer in enrollment in the school district. Notwithstanding the foregoing, the district will continue to honor any valid objection to the disclosure of directory information made while a student was in attendance unless the student rescinds the objection.
5. An objection to the disclosure of directory information shall not prevent the school district from disclosing or requiring a student to disclose the student's name, identified or institutional email address in a class in which the student is enrolled.
6. The school district will not use the student's social security number or other non-directory information alone or combined with other elements to identify or help identify the student or the student's records.

E. De-identified Records and Information

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

Students

Confidentiality and Access to Student Records

VII. The Release of Records or Personally Identifiable Information (continued)

E. De-identified Records and Information (continued)

2. The school district may release de-identified education records including student level data from education records for the purpose of education research by attaching a code to each record that may allow the recipient to match information received from the same source, provided that:
 - a) the district does not disclose any information about how it generates and assigns a record code, or that would allow a recipient of the information to identify a student based on the record code;
 - b) the record code is used for no purpose other than identifying a deidentified record for the purposes of education research and cannot be used to ascertain personally identifiable information about a student; and
 - c) the record code is not based on a student's social security number or other personal information.

F. Disciplinary Records:

Nothing in this policy shall prevent the school district from:

1. Including in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community.
 2. Disclosing appropriate information concerning disciplinary action taken against a student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community, to teachers and school officials who have been determined to have legitimate educational interests in the behavior of the student.
- G. In accordance with state and federal law, the district will facilitate the transfer of records of suspension and expulsion of a student to officials of any private elementary or secondary school in which the student is subsequently enrolled or seeks, intends or is instructed to enroll.

Students

Confidentiality and Access to Student Records

VII. The Release of Records or Personally Identifiable Information (continued)

H. Records of the Department of Children and Families (“DCF”)

1. Documents related to any Department of Children and Families (“DCF”) child abuse and/or neglect investigations that are maintained by the Board are considered education records under the Family Educational Rights and Privacy Act (“FERPA”). As such, they are subject to the confidentiality and disclosure requirements set forth in this policy and in corresponding provisions of state and federal law. Such records should be kept in a confidential location, with restricted access and shall be disclosed only as authorized by law. In addition to meeting the requirements under FERPA, should the Board receive a request to disclose confidential DCF records to an outside third party, the Board shall redact the name or other personally identifiable information concerning the individual suspected of being responsible for the alleged abuse and/or neglect unless the requested records are being released to the individual named in the DCF records.
2. In addition, the district shall redact the name or any personally identifiable information related to the identity of any individual responsible for making a report of alleged child abuse and/or neglect before releasing or transferring any DCF records containing such reports.

VIII. RedisDisclosure of Education Records

- A. The school district may disclose personally identifiable information from an education record only on the conditions that:
 1. the party to whom the information is disclosed will not subsequently redisclose the information to any other party without the proper consent of the parent or eligible student, and
 2. the officers, employees, and agents of a party that receives such information may only use the information for the purposes for which disclosure was made.
- B. Notwithstanding the provisions of Section A. above, the school district may disclose personally identifiable information from an education record with the understanding that the information may be redisclosed by the recipient of the information as long as prior written consent for disclosure is not required, for one of the reasons listed in Article VII, Section C. above, and at least one of the following conditions is met.

Students

Confidentiality and Access to Student Records

VIII. Redisclosure of Education Records (continued)

1. The record of the original disclosure includes the names of the parties to whom redisclosure is being made and the legitimate interests each such party has in requesting or obtaining the information.
 2. In the case of disclosures made pursuant to a court order or lawfully issued subpoena, the district has made a reasonable effort to notify the parent or eligible student in advance of compliance with the subpoena (except if such subpoena meets the criteria set forth above in Article VII, Section C. (10)).
 3. Disclosure is made to a parent, and eligible student, or the parent of an eligible student.
 4. The information is considered directory information.
- C. In the event that the Family Policy Compliance Office determines that a third party outside of the school district has improperly redisclosed personally identifiable information from education records in violation of FERPA, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years.

IX. Amendment of Education Records

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

Students

Confidentiality and Access to Student Records (continued)

X. Hearing Rights and Procedures

A. Rights

1. Upon written request of a parent or eligible student to the Superintendent, an opportunity for a hearing shall be provided to challenge the content of a student's education records on the grounds that the information contained in the education records is inaccurate, misleading, or otherwise in violation of the privacy rights of the student.
2. If, as a result of the hearing, the school district decides that information contained in the education records of a student is inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the records shall be amended, and the parent or eligible student shall be informed in writing.
3. If, as a result of the hearing, the school district decides that information contained in the education records of a student is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the parent or eligible student shall be informed of the right to place in the student's education records a statement commenting on the contested information or stating why he or she disagrees with the district's decision, or both.
 - a. Any statement placed in the records of the student shall be maintained by the school system as part of the records of the student as long as the record or contested portion is maintained by the school system.
 - b. If the contested portion of the education record is disclosed by the school system, the statement of disagreement by the parents and/or eligible student shall also be disclosed.

B. Procedures

1. The hearing shall be held within a reasonable time after the school system has received the request, unless the parent or eligible student requests a delay.
2. The parent or eligible student shall be given notice of the date, place, and time of the hearing, within a reasonable time in advance of the hearing.

Students

Confidentiality and Access to Student Records

X. Hearing Rights and Procedures

B. Procedures (continued)

3. The hearing will be conducted by a person or persons appointed by the Superintendent of Schools. This person(s) shall be knowledgeable of the policies relating to confidentiality and shall not have a direct interest in the outcome of the hearing.
4. The parent or eligible student and the school system shall have the right to be represented by person(s) of their choosing at their own expense, to cross-examine witnesses, to present evidence, and to receive a written decision of the hearing.
5. The decision reached through the hearing shall be made in writing within a reasonable period of time after the hearing. The decision will be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

XI. Waiver of Rights

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

Students

Confidentiality and Access to Student Records

XII. Special Confidentiality Procedures for HIV-Related Information

A. **The following definitions shall apply to Section XII of this policy:**

1. Confidential HIV-Related Information

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

2. Health Care Provider

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

3. Protected Individual

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

4. Release of confidential HIV-related information

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

Students

Confidentiality and Access to Student Records

XII. Special Confidentiality Procedures for HIV-Related Information

A. The following definitions shall apply to Section XII of this policy: (continued)

5. School Medical Personnel

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

B. Confidentiality of HIV-related Information

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

C. Accessibility of Confidential HIV-related Information

1. No school staff member who obtains confidential HIV-related information may disclose or be compelled to disclose such information, except to the following:
 - a. the protected individual, his/her legal guardian or a person authorized to consent to health care for such individual;
 - b. any person who secures a release of confidential HP/-related information;
 - c. a federal, state or local health law officer when such disclosure is mandated or authorized by federal or state law;
 - d. a health care provider or health facility when knowledge of the HIV-related information is necessary to provide appropriate care or treatment to the protected individual or when confidential HIV-related information is already recorded in a medical chart or record and a health care provider has access to such record for the purpose of providing medical care to the protected individual;
 - e. a medical examiner to assist in determining cause of death; or
 - f. any person allowed access to such information by a court order.

Students

Confidentiality and Access to Student Records

XII. Special Confidentiality Procedures for HIV-Related Information (continued)

D. Procedures

1. If a school staff member, other than school medical personnel, is given confidential HIV-related information regarding a protected individual who is also a student from the student's legal guardian or the student, the school staff member shall attempt to secure a release of confidential HIV-related information for the sole purpose of disclosing such information to school medical personnel.
2. If a school medical personnel member is given confidential HIV-related information regarding a protected individual, who is also a student, by a student's legal guardian, or by the student, and the legal guardian or the student requests accommodations to the student's program for reasons related thereto, the school medical personnel member shall inform the legal guardian or the student, if an eligible student, that a release of confidential HIV-related information is necessary before such information may be disclosed to other educational personnel capable of assessing the need for and implementing appropriate accommodations to the student's program.
3. Any school staff member who obtains confidential HIV-related information from a source other than the protected individual or his/her legal guardian shall keep such information confidential and shall not disclose such information.
4. No school staff member may disclose confidential HIV-related information to other school staff members without first obtaining a release of confidential HIV-related information.
5. Any record containing confidential HIV-related information shall be maintained in a separate file, and shall not be subject to the provisions of this policy regarding accessibility of general student records.
6. If school medical personnel determine that the health and safety of the student and/or others would be threatened if a release of confidential HIV-related information is not obtained, the school medical personnel may seek a court order authorizing disclosure. In such cases, such confidential HIV-related information may be disclosed as set forth in and subject to any limitation of such court order.

Students

Confidentiality and Access to Student Records

XII. Special Confidentiality Procedures for HW-Related Information (continued)

B. Disclosures Pursuant to a Release

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

XIII. Child Abuse Reporting

Nothing in this policy shall limit a mandated reporter's responsibility to report suspected child abuse or neglect under the Board's Child Abuse and Neglect Reporting Policy [reference policy number]

XIV. Right To File A Complaint

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

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

Students

Confidentiality and Access to Student Records

Legal Reference: Connecticut General Statutes
 1-19(b)(11) Access to public records. Exempt records.
 7-109 Destruction of documents.
 10-15b Access of parent or guardians to student's records.
 10-154a Professional communications between teacher or nurse & student.
 10-209 Records not to be public.
 10-221b Boards of education to establish written uniform policy re:
 treatment of recruiters.
 11 -8a Retention, destruction and transfer of documents
 11 -8b Transfer or disposal of public records. State Library Board to adopt
 regulations.
 17a-28 Definitions. Confidentiality of and access to records; exceptions.
 Procedures for aggrieved persons. Regulations.
 17a-101k Registry of findings of abuse or neglect of children maintained
 by Commissioner of Children and Families. Notice of finding of abuse or
 neglect of child. Appeal of finding. Hearing procedure. Appeal after
 hearing. Confidentiality. Regulations.
 19a-581 et. seq. AIDS Testing and Medical Information
 Regulations of Connecticut State Agencies §10-76d-18
 46b-56 (e) Access to Records of Minors.
 Office of the Public Records Administrator, Retention Schedule M8
 Education Records (Revised 2/2005)
 Federal Family Educational Rights and Privacy Act of 1974 (section 438
 of the General Education Provisions Act, as amended, added by section
 513 of P.L. 93-568, codified at 20 U.S.C.1232g.).
 Dept. of Educ. 34 C.F.R. Part 99 (May 9, 1980 45 FR 30802) regs.
 implementing FERPA enacted as part of 438 of General Educ. provisions
 act (20 U.S.C. 1232g)-parent and student privacy and other rights with
 respect to educational records, as amended 11/21/96, and Final Rule 34
 CFR Part 99, December 9, 2008)
 USA Patriot Act of 2001, PL 107-56, 115 Stat. 272, Sec 507, 18 U.S.C.
 §2332b(g)(5)(B) and 2331
 PL 107-110 "No Child Left Behind Act of 2001" Sections 5208 and 9528
Owasso Independent Sch. Dist. No.1 -011 v. Falvo, 534 U.S.426 (2002)

Policy adopted:

Shipman and Goodwin's revised version of this optional regulation to consider.

Students

Confidentiality and Access to Student Records

Classification of Student Records

The school district will appoint a Custodian of Records who will ensure that student education records are kept as follows:

A. Category "A" Records

1. Category A includes official administrative records that constitute the minimum personal data necessary for the operation of the educational system.
2. Category A records shall be maintained for at least fifty (50) years after the student leaves the school district or graduates.
3. Notice of a student's suspension or expulsion shall be expunged from the student's cumulative education record if the student graduates from high school, except for notice of an expulsion based upon possession of a firearm or deadly weapon.
4. *In cases where a student is suspended or expelled for the first time, and the Administration or the Board, respectively, has shortened or waived the period of suspension or expulsion in accordance with the Board's disciplinary policy relating to first time offenses, the Administration or the Board, respectively, may choose to expunge such notice of suspension or expulsion from the student's cumulative record at the time the student completes the specified program and any other conditions imposed by the Administration/Board, rather than upon graduation. Should the notice be expunged in accordance with this provision, a record of the fact that the student had been suspended or expelled shall be maintained apart from the student's cumulative record, for the limited purpose of determining whether any subsequent offenses by the student would constitute the student's first suspension or expulsion.
5. Category A records shall include, at a minimum, the following:

RECORD	LOCATION
a. Basic biographical information	Cumulative/Health File
b. Academic achievement (grade/transcripts)	Cumulative File
c. Date of high school graduation or equivalent	Cumulative File
d. Records of immunizations	Cumulative/Health/Pupil Personnel File
e. Attendance records (days absent/present/tardy)	Cumulative File
f. *Notice of Expulsion for Firearm or Deadly Weapon (C.G.S. 10-233c(e), 10-233d(f))	Cumulative File

Students

Confidentiality and Access to Student Records

Classification of Student Records (continued)

B. Category "B" Records

1. This includes verified information for the formulation of education programs for all students, but not absolutely necessary over an indefinite period of time.
2. Data in Category B must be accurate, clearly understood, and verified before becoming part of any continuing record. There should be no anonymous entries in a student's school record.
3. Category B records may be maintained for at least six (6) years after the student leaves the school district or graduates from high school.
4. Notice of a student's suspension or expulsion shall be expunged from the student's cumulative educational record if the student graduates from high school, except for notice of an expulsion based upon possession of a firearm or deadly weapon.
5. In cases where a student is suspended or expelled for the first time, and the Administration or the Board, respectively, has shortened or waived the period of suspension or expulsion in accordance with the Board's disciplinary policy relating to first time offenses, the Administration or the Board, respectively, may choose to expunge such notice of suspension or expulsion from the student's cumulative record at the time the student completes the specified program and any other conditions imposed by the Administration/Board, rather than upon graduation. Should the notice be expunged in accordance with this provision, a record of the fact that the student had been suspended or expelled shall be maintained apart from the student's cumulative record, for the limited purpose of determining whether any subsequent offenses by the student would constitute the student's first suspension or expulsion.
6. Records containing information pertaining to child abuse/neglect referrals or reports; or containing confidential HIV-related information should be kept separate from the student's cumulative folder, in confidential files.
7. Confidential HIV-related information contained in the confidential file should only be disclosed pursuant to district policy.
8. Information contained in documents related to any Department of Children and Families ("DCF") child abuse and/or neglect investigation, or any such investigation conducted by local law enforcement officials, shall be kept confidential. Such records shall only be disclosed in accordance with the Board's policy regarding Confidentiality and Access to Education Records.

Students

Confidentiality and Access to Student Records

Classification of Student Records (continued)

9. Category B records shall include the following (if applicable):

RECORD	LOCATION
a. Child-Study Team Records / Student Assistance Team Records	Cumulative/Pupil Personnel File
b. Standardized group test scores (CAPT, CMT, etc.)	Cumulative/Pupil Personnel File
c. Diagnostic reading/math test results (not special education)	Cumulative File
d. Educational and/or vocational interest	Cumulative File
e. Speech/language and hearing evaluations (not special education)	Cumulative/Health File
f. Comprehensive health records	Cumulative/Health/Pupil Personnel File
g. Correspondence relating to the student	Cumulative/Health/Pupil Personnel File
h. Suspensions/expulsions	Cumulative File*
i. Parent/eligible student's signed release forms	Cumulative/Health/Pupil Personnel File
j. Truancy Records (including record of parent conferences and referrals)	Cumulative File
k. Child Abuse/Neglect Forms	CONFIDENTIAL FILE
l. Reports Containing Confidential HIV-Related Information	CONFIDENTIAL FILE
m. Awards	Cumulative File
n. Diagnostic test results (non special education)	Cumulative File/Pupil Personnel
o. Extracurricular Activities	Cumulative File
p. Letters of Recommendation	Cumulative File
q. Parent's/Eligible Student's signed release forms (permitting disclosure of records)	Cumulative/Health/Pupil Personnel File
r. Diploma (if not picked up by student)	Cumulative File
s. Accident Reports	Cumulative File
t. Basic school entrance health histories	Cumulative/Health File
u. Cumulative Health Record (CHR-1, original or copy)	Health File (*copy remains with district/original follows student)
v. Individualized Health Care Plans/Emergency Care Plans	Cumulative/Health/Pupil Personnel File

Students

Confidentiality and Access to Student Records

Classification of Student Records

B. Category "B" Records (continued)

RECORD	LOCATION
w. Health Assessment Records (HAR-3)	Health File
x. Incident Reports	Cumulative File
y. Medication administration records (*6 yrs. or until superseded by yearly summary on file)	Health File
z. Parent authorization for medications/ treatments	Health File
aa. Physician's orders for medications/ treatments	Health File
bb. Referral forms for services based on results of mandated screenings	Health/Pupil Personnel File
cc. Sports histories and physical-examination reports	Health File
dd. Nursing Records (Health assessment data; Nursing process notes; 3 rd party health records)	Health File

C. Category "C" Records — Special Education

1. Category C includes verified information necessary for the formulation of prescriptive educational plans designed to meet the unique needs of selected students.
2. Category C information should be kept separate from the student's cumulative folder, in the Pupil Personnel File.
3. Category C records must be maintained for at least six (6) years after the student leaves the school district or graduates from high school.
4. Prior to the destruction of Category C information, notification to parents and/or eligible students via media will be made and opportunity provided to copy said records.

Students

Confidentiality and Access to Student Records

Classification of Student Records (continued)

Category C shall include (where applicable)

RECORD	LOCATION
a. PPT referral form	Pupil Personnel File
b. School counselor case records	Cumulative/Pupil Personnel File
c. School psychologists case records	Cumulative/Pupil Personnel File
d. School social-work case records	Cumulative/Pupil Personnel File
e. School speech/language pathology case records	Cumulative/Pupil Personnel File
f. Section 504 Records	Cumulative/Pupil Personnel File
g. Special Education assessment/evaluation reports	Pupil Personnel File
h. Due process records (including complaints, mediations, and hearings)	Pupil Personnel File
i. Individual Transition Plan	Pupil Personnel File
j. Individualized Education Program ("IEP") Records	Pupil Personnel File
k. Planning and Placement Team ("PPT") records (including notices, meetings, consent forms)	Pupil Personnel File
l. Individualized Family Service Plans ("IFSPs")	Pupil Personnel File

Students

Confidentiality and Access to Student Records

Classification of Student Records (continued)

D. Category "D" Records

1. Category D records must be maintained for minimum retention period specified below.

RECORD	MINIMUM RETENTION REQUIRED	LOCATION
a. Sports Contract/Student Contract (including signature sheet for student handbook)	End of school year in which signed	Cumulative File
b. Permission slips/waivers	3 years	Cumulative File
c. Free/reduced meal application and documentation	3 years	Cumulative File
d. Annual Notification to Parents (Student Behavior and Discipline, Bus Conduct, Electronic Communications Systems, and the National School Lunch Program)	1 year	Cumulative File
e. Adult Education Registration Records	3 years or until audited, whichever comes first	Cumulative File
f. After school program registration records	1 year	Cumulative File
g. Pesticide application notification registration form	5 years	Cumulative File
h. School registration records including residency documentation	3 years or until audited, whichever comes later	Cumulative File
i. Student portfolio work (student produced work for grading assessment)	End of year in which student received grade	May be Maintained by Individual Teachers
j. Tardy slips from parents/guardians	End of school year	Cumulative File
k. Physician's Standing Orders	Permanent; revise as required. Keep old copy separately.	Health File

Students

Confidentiality and Access to Student Records

Classification of Student Records

D. Category "D" Records (continued)

1. Category D records must be maintained for minimum retention period specified below.

RECORD	MINIMUM RETENTION REQUIRED	LOCATION
l. Student's emergency information	Until superseded or student leaves school district	Cumulative/Health File
m. Test Protocols	Discretion of district	Cumulative/Pupil Personnel File
n. Surveillance videotapes made on school bus (*if maintained by district)	2 weeks	N/A
o. Log of access to education records	Maintained for same retention period as required for the record	Cumulative/Health/Pupil Personnel

E. Duration of Student Records

1. Records shall be destroyed in accordance with district policy and the Records Retention Schedule of the Public Records Administrator.
2. Records may be maintained for longer periods of time whenever valid cause for the retention of records is shown to the custodian of records.
3. Notwithstanding the applicable retention schedule, the school district, the school district shall not destroy any education record if a parent or eligible student has an outstanding request to inspect and review the education record.

F. Responsibility For Maintenance of Student Records

1. The Director of Pupil Personnel [or Special Education] is the Custodian of Records.
2. In addition, the following personnel are designated as the guardians of records for each of the schools:
 - a. Categories A, B and D: Principal at each school.
 - b. Category C: Case Manager at each school.
 - c. With respect to confidential HIV-related information, if the Principal is a recipient of an HIV-related disclosure, the Principal shall be the guardian of records. If not, whoever was the recipient of the HIV-related disclosure shall be the guardian of the records. With respect to child abuse and neglect investigation material, the Case Manager at each school shall be the guardian of the records.

Students

Confidentiality and Access to Student Records

Classification of Student Records

F. Responsibility For Maintenance of Student Records (continued)

3. The chief custodian of records will annually list for public inspection the names and positions of the custodians of records in each of the schools.
4. Each of the custodians of records shall supply parents, on request, a list of the types and locations of education records collected, maintained, or used within the _____ Public Schools.

Regulation approved:

_____ PUBLIC SCHOOLS
_____, Connecticut

RELEASE OF CONFIDENTIAL HIV-RELATED INFORMATION

I hereby authorize _____ to release
[name of individual who holds the information]
confidential HIV-related information, as defined in Connecticut General Statute §19a-581,
concerning _____ to the following personnel:
[name of protected individual]

1. School Nurse
2. School Administrator(s)
 - a. _____
 - b. _____
3. Student's Teacher(s)
 - a. _____
 - b. _____
4. Paraprofessional(s)
5. Director of Pupil Personnel Services
6. Other(s)
 - a. _____
 - b. _____

This authorization shall be valid for:

1. The student's stay at _____ School
2. The current school year
3. Other _____ (specify period)

I provide this information based on my responsibility to consent for the health care of
_____. I understand that such information shall be
held confidential by the persons authorized here to receive such information, except as otherwise
provided by law.

Name

Relationship to Student

Date

_____ PUBLIC SCHOOLS

_____ Connecticut

Model Notification of Rights Under FERPA for Elementary and Secondary Institutions

[Note: Under the procedures outlined in the policy, the following information will be disclosed on an annual basis to parents of students currently in attendance, or eligible students currently in attendance.]

The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g. et. seq., affords parents and eligible students (i.e., students over 18, emancipated minors, and those attending post- secondary educational institutions) certain rights with respect to the student's education records. They are:

1. The right to inspect and review the student's education records within forty-five (45) calendar days of the day the District receives a request for access.

Parents or eligible students should submit to the school principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The principal [or appropriate school official] will make arrangements for access and notify the parents or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parents or eligible student believe are inaccurate or misleading, or otherwise violates the student's privacy rights.

Parents or eligible students may ask the District to amend a record that they believe is inaccurate, misleading, or otherwise violates the student's privacy rights. Parents or an eligible student should write the school principal [or appropriate school official], clearly identifying the part of the record the parents or eligible student want changed, and specify why it is inaccurate or misleading, or otherwise violates the student's privacy rights.

If the District decides not to amend the record as requested by the parents or eligible student, the District will notify the parents or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parents or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's educational records, except to the extent that FERPA authorizes disclosure without consent.

Model Notification of Rights Under FERPA for Elementary and Secondary Institutions
(continued)

One exception that permits disclosure without consent is disclosure to a school official with legitimate interests. A school official is a person employed by the District as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board of Education; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the District will disclose a student's education record without consent to officials of another public school, including other public schools, charter schools, and post-secondary institutions in which the student seeks or intends to enroll.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

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

[Note: In addition, a school district may want to include a directory information public notice, as required by the regulation, 34 CFR §99.37, with its annual notification of rights under FERPA. The following two paragraphs are recommended for inclusion and must be included in the annual notification if the school district wants to be able to disclose "Directory Information" under II.B of the Student Records Policy.]

Unless notified in writing by a parent or eligible student to the contrary within two weeks of the date of this notice, the school district will be permitted to disclose "Directory Information" concerning a student without the consent of a parent or eligible student. Directory Information includes information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to, the parent's name and/or e-mail address, the student's name, address, telephone number, e-mail address, photographic, computer, and/or video images, date and place of birth, major field(s) or study, grade level, enrollment status (full-time; part-time), participation in school-sponsored activities or athletics, weight and height (if the student is a member of an athletic team), dates of attendance, degrees, honors and awards received, and the most recent school(s) attended.

Model Notification of Rights Under FERPA for Elementary and Secondary Institutions
(continued)

Directory information does not include a student's social security number, student identification number or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems unless the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN or password.

The school district may disclose directory information about students after they are no longer in enrollment in the school district. Notwithstanding the foregoing, the district will continue to honor any valid objection to the disclosure of directory information made while a student was in attendance unless the student rescinds the objection.

An objection to the disclosure of directory information shall not prevent the school district from disclosing or requiring a student to disclose the student's name, identified or institutional email address in a class in which the student is enrolled.

The written objection to the disclosure of directory information shall be good for only one school year. School districts are legally obligated to provide military recruiters and institutions of higher learning, upon request, with the names, addresses and telephone numbers of secondary school students, unless the secondary student or the parent of the student objects to such disclosure in writing. Such objection shall be in writing and shall be effective for one school year. In all other circumstances, information designated as directory information will not be released when requested by a third party unless the release of such information is determined by the administration to be in the educational interest of the school district and is consistent with the District's obligations under both state and federal law.

TRANSFER OF CONFIDENTIAL STUDENT INFORMATION

Date: _____

Pursuant to the Family Educational Rights and Privacy Act ("FERPA"), I hereby authorize the _____ Public Schools to release and/or obtain the following confidential records regarding my child:

Name of Child: _____
Address: _____
Date of Birth: _____
Parent(s)/ _____
Guardian(s): _____
School: _____

Please check all that apply:

	Obtain	Release
All Records	<input type="checkbox"/>	<input type="checkbox"/>
Cumulative File	<input type="checkbox"/>	<input type="checkbox"/>
Pupil Personnel/Special Education	<input type="checkbox"/>	<input type="checkbox"/>
Disciplinary	<input type="checkbox"/>	<input type="checkbox"/>
Health/Medical*	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>

To/From: _____
Name

Address: _____
Street Town State/Zip Code

Telephone: (____) _____ Fax: (____) _____

I understand that the information to be disclosed is protected as an "education record" under FERPA, and that such information shall not be redisclosed unless permitted under FERPA. I further understand that the officers, employees, and agents of any party that receives protected information under FERPA may use such information only for purposes for which the disclosure is made.

Signature of Parent/Guardian

Date

Print Name of Parent/Guardian

***If this authorization is being used to obtain Protected Health Information from a child's physician or other covered entity under HIPAA, the following section must also be completed:**

I, the undersigned, specifically authorize _____ to disclose my child's
Name of Physician
medical information, as specified above, to my child's school, _____
Name of School

at the above address for the purposes described below (i.e., health assessment for school entry, special education evaluation, etc.):

By signing below, I agree that a photocopy of this authorization will be valid as the original. This authorization will be valid for a period of one year from the date below. I understand that I may revoke this authorization at any time by notifying the physician's office in writing, but if I do, it will not have any effect on actions taken by the physician prior to receiving such revocation.

I understand that under applicable law, the information disclosed under this authorization may be subject to further disclosure by the recipient and thus, may no longer be protected by federal privacy regulations.

I understand that my child's treatment or continued treatment with any health care provider or enrollment or eligibility for benefits with any health plan may not be conditioned upon whether or not I sign this authorization and that I may refuse to sign it.

Any information received by the school pursuant to this authorization is subject to all applicable state and federal confidentiality laws governing use and disclosure of such information.

Signature of Parent/Guardian

Date

Print Name of Parent/Guardian

An optional sample policy to consider pertaining to HIPAA.

Students

Health/Medical Records

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

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

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

(cf. 3231 – Medical Reimbursement for Special Education Students)

(cf. 5125 – Student Records; Confidentiality)

Legal Reference:

Connecticut General Statutes

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

10-15b Access of parent or guardians to student's records.

10-154a Professional communications between teacher or nurse & student.

10-209 Records not to be public

46b-56 (e) Access to Records of Minors.

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

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

Students

Health/Medical Records

Legal References: (continued)

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

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

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

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

65 Fed. Reg. 50312-50372

65 Fed. Reg. 92462-82829

63 Fed. Reg. 43242-43280

67 Fed. Reg. 53182-53273

Policy adopted:

A sample policy to consider

Students

Awards for Achievement

The Board of Education believes that student achievement should be recognized at all levels in a manner appropriate to the student's accomplishment. A variety of programs may be implemented to recognize excellence such as honor rolls, honor societies and citizenship and leadership awards. The Board encourages school recognition ceremonies and community recognition ceremonies to honor scholarship and distinguished character and leadership abilities.

The Board directs the Superintendent or his/her designee to develop criteria and procedures for presenting suitable awards to students for scholarship, outstanding accomplishments in the arts, athletics and citizenship, and distinguished service in any school activity. In all cases, the relationship between the award and the relevant goal or goals of the schools should be pointed out. The procedures may include certificates, assemblies or other special marks of recognition.

The Superintendent shall review and advise the Board on the acceptance of proposed trophies, prizes, scholarships or other awards from non-school donors. Any such proposed award shall be free from bias as outlined in the district's non discrimination policy.

Criteria regarding eligibility shall be disseminated to all students and parent/guardians.

Academic Recognition

The Board directs the Superintendent or his/her designee to establish criteria and procedures for placing students in grades _____ through _____ on academic honor rolls. Grades, effort and conduct shall be among the criteria established. The Superintendent may implement uniform publication of honor rolls in the schools for any or all time periods for which formal grade reporting is done. Such publication will conform to the District's policy pertaining to directory information.

Athletic Participation

The Board believes that interscholastic sports are an integral part of the school program. Sports are tools by which school becomes relevant to many students either through direct participation or school identification.

The Board wishes to recognize the achievement of students who give many hours of their time to represent the school in interscholastic athletics. Requirements for awards in each sport shall be decided by a committee composed of coaches, athletic director and principal. The requirements shall be printed in the student/parent handbook and otherwise made known to participants.

Service Participation

School service groups shall be recognized for participation in order to emphasize the importance of good citizenship in school life as outlined in the course of study.

Students

Awards for Achievement

Board of Education Recognition Program

The Board promotes excellence in all areas of the educational program. Desiring to recognize outstanding performance, the Board shall reserve time at the beginning of regular meetings to honor achievement in academic, athletic and co-curricular school sponsored activities. Such distinguished achievements bring honor and acclaim not only to the student and the student's family, but to the entire community. The outstanding achievement shall be recognized by resolution, certificate and/or plaque. School principals shall submit names of students and staff eligible to receive such recognition.

- (cf. 0521 - Nondiscrimination)
- (cf. 5121 - Examination/Grading/Rating)
- (cf. 5121.1 - Class Rank)
- (cf. 5121.2 - Honor Rolls)
- (cf. 5124 - Reporting to Parents)
- (cf. 5125 - Student Records/Confidentiality)
- (cf. 5145.15 - Directory Information)
- (cf. 5126 - Awards for Achievement)
- (cf. 6121 - Nondiscrimination)
- (cf. 6145.51 - National Honor Society)
- (cf. 6146.1 - Grading/Assessment Systems)
- (cf. 6146.11 - Grade Weighting/Class Ranking)

Policy adopted:

cps 11/00

rev 6/05

Existing policy, number 5131 adopted 8/20/01, appropriate as written except for addition of legal reference.

Students

Conduct and Discipline

The vision and mission of the Woodbridge School District of “inspiring children to become responsible citizens” is the basis of a Code of Student Conduct. The Code of Conduct seeks to provide students and parents with a guideline of expectations regarding student behavior and conduct. This common set of standards is supported by the Woodbridge District Strategic Plan establishing a Character Education Program.

The foundation of good citizenship and commitment of the Woodbridge School District to encourage all to teach and model the basic principles of Integrity, Compassion, Action, Responsibility and Excellence is a manifestation of district beliefs related to the establishment of a truly effective learning community.

Areas of Responsibility

1. Board of Education

The Board directs the personnel to be responsible for the proper conduct and control of students while legally under the supervision and jurisdiction of the school.

2. Principal

The Principal will implement necessary procedures, rules and regulations to render effective the policies of the Board of Education relating to standards of student behavior. The Principal shall involve representatives of school personnel, students, parents, and citizens of the community in developing and/or revising these procedures, rules and regulations. On an annual basis, parents shall be advised by the Principal of the standards for student behavior, in all areas in regard to student relationships, bus policy, behavior on school grounds and in the building, and appropriate dress.

3. Teachers

Teachers shall be responsible for the instruction of student about the rules and regulations of proper conduct, as well as be responsible for proper and adequate control of students. The responsibility and authority of any teacher extends to all students of the school district under the assigned supervision of the teacher and to other students so situated with respect to the teacher as to be subject to the teacher's control.

4. Parents

Parents shall be expected to cooperate with school authorities regarding the behavior of their children. Parents shall be held responsible for the willful misbehavior of their children.

Students

Conduct and Discipline (continued)

5. Student Behavior

Students, teachers, and administrators have the right to expect mutual courtesy, and fair and equitable treatment and to be informed of their rights and responsibilities. The goals of the school system are to assist students in developing the ability for self-direction and self-discipline and to provide opportunities for decision-making.

However, in the pursuit of these goals, those students who infringe on the rights of others, or who violate school policies and regulations, will be subject to corrective action. In all cases the constitutional rights of students shall be preserved and protected.

The conduct of students in school has an important effect on school achievement. While ultimate responsibility for student behavior rests with the parents and the students themselves, the school has an obligation to provide leadership in this respect and to insure that appropriate standards are maintained when students are under school supervision.

Specific rules and regulations and the procedures for enforcement shall be established by the Principal in consultation with the faculty and may be subject to the review of the Board of Education. The administration of the school shall inform parents in writing of these expectations and rules.

Legal Reference: Connecticut General Statutes
 4-177-4-180 Contested cases. Notice. Record, as amended.
 10-233a through 10-233f Suspension, removal and expulsion of students, as amended by PA 95-304, PA 96-244, PA 98-139, PA 07-66, PA 07-122, PA 08-160, PA 09-82, PA 09-6 (September Special Session) and PA 10-111.
 10-233f In-school suspension of students.
Packer v. Board of Educ. Of the Town of Thomaston, 246 Conn.89 (1998). Public Act 98-139.
Honig v Doe, (United States Supreme Court 1988).
 Individuals with Disabilities Act, 20 U.S.C. 1400 et seq. as amended by the Individuals with Disabilities Education Act Amendments of 1997 (P.L. 105-17). Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §794(a). 20 U.S.C. Section 7114 No child Left Behind Act.
 P.L. 108-446 Individuals with Disabilities Education Improvement Act of 2004.
State v. Hardy, 896 A.2d 755, 278 Conn. 113 (2206).

Policy adopted:

WOODBIDGE PUBLIC SCHOOLS
 Woodbridge, Connecticut

A policy to consider. This is a recommended "good practice" policy to have.

Students

Bus Conduct

School transportation privileges are extended to students conditional upon their satisfactory behavior on the bus.

Students will be advised that they may be suspended from transportation services for unsatisfactory conduct while awaiting or receiving transportation to and from school which endangers persons or property or violates a Board policy or administrative regulation.

(cf. 5114/5114.1 - Suspension/Expulsion; Due Process)

Legal Reference: Connecticut General Statutes

10-186 Duties of local and regional boards of education re school attendance.

10-220 Duties of boards of education

10-221 Boards of education to prescribe rules

10-233c Suspension of students

Policy adopted:

Sample regulation to consider.

Students

Bus Conduct

Students will be advised that they may be suspended from transportation services and subject to any other disciplinary action for unsatisfactory conduct while awaiting or receiving transportation to and from school which endangers persons or property or violates a Board policy or administrative regulation.

1. Students must take a seat when they enter the bus and remain seated at all times while the bus is in motion.
2. Indecent or profane language, smoking, rowdyism, loud talking, card playing, or unnecessary conversation with the driver are expressly prohibited.
3. Students must not throw any object in or out of the bus.
4. Students must not, at any time, extend their arms or heads out of the bus window.
5. Students must not open bus windows without permission from the driver.
6. Students shall enter and leave the bus only by the front door except in cases of emergency.
7. Students must be on time and at all times must cooperate in keeping the bus on schedule.
8. Students must not stand on the traveled portion of the highway while waiting for a bus.
9. Students must cross the highway, if necessary, only in front of the stopped bus, being careful to see that traffic is halted.
10. Students to keep the aisle clear of books, bags, instruments and other possessions.

Regulation approved:

An optional policy to consider.

Students

Conduct

Video Surveillance (Version 1)

The Board of Education recognizes the District's responsibility to maintain order and discipline on school property and in school vehicles. The Board also desires to afford students and staff privacy in respect to the records maintained by the District. The Board recognizes the value of electronic surveillance systems in monitoring activity on school property and in school vehicles in protecting the health, welfare and safety of its students and staff. The students and staff of the District recognize that their security and safety depends upon the capacity of the district to maintain discipline and that a certain amount of restraint upon the activities of students is assumed and expected.

The Board of Education having carefully weighed and balanced the rights of privacy of students and staff against the District's duty to maintain order and discipline, finds that it is appropriate to provide for the use of video camera surveillance in its transportation vehicles and on school grounds as follows:

1. The District shall notify its students, staff and the public that video surveillance may occur on any school property or on any transportation vehicle. The District shall incorporate said notice, in such places as, but not limited to, in the student handbook, District calendar, staff handbook and District website;
2. The use of video surveillance equipment on transportation vehicles shall be supervised by the District transportation supervisor. The use of video surveillance equipment on school grounds and on other District property shall be supervised and controlled by the building administrator or other responsible administrator;
3. The use of video recordings from surveillance equipment shall be subject to the other policies of the District including policies concerning the confidentiality of student and personnel records;
4. Video surveillance shall only be used to promote the order, safety and security of students, staff and property.

Version #2

The Board authorizes the use of video cameras on District property to ensure the health, welfare and safety of all staff, students and visitors to District property, and to safeguard District facilities and equipment. Video cameras may be used in locations as deemed appropriate by the Superintendent. (or: In consultation with the safety planning committee and relevant staff, the Superintendent or designee shall identify appropriate locations for the placement of surveillance cameras.)

Cameras shall not be placed in areas where students, staff and community members have a reasonable expectation of privacy.

Students

Conduct

Video Surveillance (Version 2) (continued)

The Superintendent or designee shall notify staff and students through student/parent and staff handbooks, District calendar, District website or by other means that video surveillance may occur on district property. A notice will also be posted at the main entrance of all District buildings.

Alternative language: Prior to the operation of the surveillance system, the Superintendent or designee shall ensure that signs are posted at conspicuous locations at affected buildings and grounds. These signs shall inform students, staff, and visitors that surveillance may occur and shall state whether the District's system is actively monitored by school personnel. The Superintendent or designee shall also provide prior written notice to students and parents/guardians about the District's surveillance system, including the locations where surveillance may occur, explaining that the recordings may be used in disciplinary proceedings, and that matters captured by camera may be referred to local law enforcement, as appropriate.

Students or staff in violation of Board policies, administrative regulations, building rules or law shall be subject to appropriate disciplinary action. Others may be referred to law enforcement agencies.

Video recordings may become a part of a student's educational record or a staff member's personnel record. The District shall comply with all applicable state and federal laws related to record maintenance and retention.

Alternate language: To the extent that any images from the District's surveillance system create a student or personnel record, the Superintendent or designee shall ensure that the images are accessed, retained, and disclosed in accordance with law, board policy, administrative regulation, and any applicable bargaining agreements.

Audio shall not be part of the video recordings made, reviewed or stored by the District.

(cf. 4112.6/4212.6 – Personnel Records)

(cf. 5125 – Student Records)

(cf. 5131.1 – Bus Conduct)

(cf. 5131.11 – Video Cameras on School Buses)

(cf. 5131.5 – Vandalism)

(cf. 5145.12 – Search and Seizure)

Legal Reference: Family Educational Rights and Privacy Act, sec. 438, 20 U.S.C. sec. 1232g (1988).

Policy adopted:

cps 4/99

rev 4/08

An administrative regulation to consider/modify.

Students

Conduct

Video Surveillance

Video Surveillance System Operation

1. The Board or its administrators may use video surveillance: 1) to monitor and protect District property; 2) to foster the safety and security of students, staff, and visitors while at work or participating in school functions; 3) in response to specific inquiries and proceedings relating to law enforcement; and 4) when warranted, for specific student discipline. Videotapes may not be used for any other purposes.
2. Video cameras will be utilized on school grounds and on buses as recommended by building administration and approved by the Superintendent. The District shall notify students, staff, and the public that video surveillance may occur on school property. Such notification will occur through incorporation in the school parent/student handbooks and through clearly written signs displayed near the main entrance of each school. Cameras may only be installed on buses with prior notice to drivers.
3. Video recording equipment will be installed prominently. Equipment should not monitor areas where the students, employees and public have a reasonable expectation of privacy, such as locker rooms and adult and student restrooms. Video recording equipment may be in operation 24 hours per day.
4. The use of video surveillance equipment on school grounds shall be supervised and controlled by the building Principal and/or School Resource Officer and on the school buses by the Superintendent or Transportation Supervisor. The building Principal operates the system and maintains the recordings. Any further delegation should be limited and should include only administrative staff.
5. Video recordings should only be reviewed where there is a need to do so, either because an incident has been reported or is suspected to have occurred. Examples of such include, but are not limited to: incidents of property damage, theft, trespassing, personal injury, or student, staff or visitor altercations, etc.
6. Administrative staff and School Resource Officer assigned to the video surveillance system will be required to review and apply these regulations in performing their duties and functions related to operation of the system. All staff and students shall be made aware of the Board's video surveillance policy. The regulations shall be incorporated into training and orientation programs. It shall be the responsibility of the Superintendent and school administration to review and update the regulations periodically.

Students

Conduct

Video Surveillance

Video Surveillance System Operation (continued)

7. Audio shall not be a part of the video recordings made, reviewed, or stored by District staff.
8. Staff and students are prohibited from unauthorized use, tampering with or otherwise interfering with video recordings and/or video camera equipment and will be subject to appropriate disciplinary action. Disciplinary action shall be consistent with District policies.
9. The District shall provide reasonable safeguards including, but not limited to, password protection, well managed firewalls and controlled physical access to protect the surveillance system from hackers, unauthorized users and unauthorized use.
10. Video monitors shall be located in administrative offices at the school. Video monitors shall not be located in an area that enables public viewing. Parental requests to inspect video surveillance must be made in writing.
11. Video surveillance equipment will be used in accordance with all Board of Education policies including the District's nondiscrimination policy.

Storage/Security

1. Video recordings will be stored for a minimum of five school days after initial recording, where upon if the Principal and/or designee know no reason for continued storage, such recordings will be released for erasure. The vehicle for storage will be dependent upon the type of system installed, which could vary from school to school and with the introduction of new technology.
2. Video recordings held for review of property or student incidents will be maintained in their original form pending resolution. Recordings will then be released for erasure, copied for authorized law enforcement agencies, or retained as necessary as part of the student's record in accordance with established procedures and applicable law.

Requests to View Video Surveillance

Requests to review video recordings shall comply with all applicable state and federal laws and with Board Policy. All requests for review of video recordings that are considered an educational record will be as follows:

Students

Conduct

Video Surveillance

Requests to View Video Surveillance (continued)

1. All viewing requests must be submitted in writing. Requests for viewing will be limited to those parents/guardians, students and/or District officials with a direct interest in the proceedings as authorized by the Principal and only the portion of the video recording concerning the related specific incident will be made available for viewing.
2. Written requests for viewing may be made to the Principal within five school days of the date of recording. (note: The number of days may need to be altered based upon the system used by the district.)
3. Approval/denial for viewing will be made within five school days of receipt of the request and so communicated to the requesting individual. (note: same as #2)
4. Video recordings will be made available for viewing within three school days of the request approval.
5. Actual viewing will be permitted only at school-related sites including the school buildings, or District office.
6. All viewing will include the building Principal or his/her designee.
7. A written log will be maintained of those viewing video recordings including the date of viewing, reasons for viewing, date the recording was made, location at school or central office, and signature of the viewer.
8. Video recordings will remain the property of the District and may be reproduced only in accordance with the law, including applicable Board policy and regulations.
9. Time lines may be altered for requests for viewing which arise at the end of a school year or prior to vacation periods.

Student Records

1. Video recordings may become a part of a student's educational record. The District shall comply with all applicable state and federal laws and District Board policies related to record maintenance and retention.
2. Parents/students and the public will not be specifically notified when a video camera is in use.

Regulation approved:

_____ PUBLIC SCHOOLS
_____, Connecticut

**NOTICE TO STUDENTS AND PARENTS REGARDING THE USE OF
VIDEO RECORDERS ON SCHOOL BUSES**

Video cameras will be in use on school buses to monitor school transportation and will be video recording bus routes at random during the upcoming school year. Students will not be notified when a recording device has been installed on their bus.

Recordings shall be reviewed on a routine basis by the principal and evidence of student misconduct will be documented. Students found to be in violation of the district's bus conduct rules, as contained in the student handbook, shall be notified and disciplinary action will be initiated under the guidelines contained in the district's discipline procedures for district-approved student transportation.

Video recordings shall be treated as protected student records under the Family Educational Rights and Privacy Act. The following guidelines shall apply:

1. Recordings shall remain in the custody of the school district;
2. Parents or students over the age of 18, who wish to view a video recording in response to disciplinary action taken against a student may request such access under the procedures set out in the Student Records Management policy of the district;
3. Persons unrelated to a disciplinary incident shall not be permitted to view bus videotapes.

ACKNOWLEDGEMENT

I understand and acknowledge the district's procedures concerning the use of video recorders on school buses. I also understand that my student _____, shall be held accountable for his/her conduct on district transportation and for the consequence outlined in the district's discipline procedures for district-approved student transportation.

Parent/Guardian

Date

Existing policy, number 5131.2, date of adoption unknown, appropriate as written.

Students

Conduct - Notification of Behavior Code

The Board of Education shall, at the time of registration of the first semester or quarter of the regular school term, notify the parent or guardian of minor students registered in the district of the availability of rules of the district pertaining to student discipline.

The Principal of each school shall take steps to insure that all rules pertaining to the discipline of students are communicated to continuing students at the beginning of each school year, and to transfer students at the time of their enrollment in the school.

(cf. 5114 - Suspension/Expulsion)

(cf. 5144- Discipline/Punishment)

Legal Reference: Connecticut General Statutes

52-572 Parental liability for torts of minors. Damage defined.

Policy adopted:

WOODBRIIDGE PUBLIC SCHOOLS
Woodbridge, Connecticut

Existing policy, number 5131.5 adopted 3/29/93, appropriate as written, except for update to legal reference.

Students

Vandalism by Minors

The parent or guardian of any minor/unemancipated child who willfully cuts, defaces or otherwise injures in any way any property, real or personal, belonging to the school district shall be held liable for all such damages up to the maximum amount allowed under state law.

The liability provided under Connecticut General Statutes 52-572 does not relieve the minor(s) of personal liability for such damage or injury. This liability of the parent for damages done by a minor child is in addition to any other liability which exists in law.

The parent or guardian of a minor child shall also be held liable for all property belonging to the school system lent to the pupil and not returned upon demand of the school system. The student may also be liable to disciplinary action.

Vandalism by an Adult Student

Any adult student shall be held personally liable for any damage done to any property, real or personal, belonging to the school district. The student may also be subject to disciplinary action.

(cf. 6161.2 - Guidelines Pertaining to Overdue, Damaged or Lost Instructional Materials)

Legal Reference: Connecticut General Statutes
 10-221(c). Board of Education to prescribe rules.(re: sanctions to be imposed by a Board against pupils who damage or fail to return textbooks, library materials or other educational materials).
 52-572. Parental liability for torts of minors. Damage defines.

Policy adopted:

WOODBRIIDGE PUBLIC SCHOOLS
 Woodbridge, Connecticut

Existing policy, number 5131.6 adopted 9/17/02, appropriate as written, except for update to legal reference. A sample follows for comparison and consideration.

Students

Drugs, Alcohol, and Tobacco

Drugs and Alcohol

The Board of Education prohibits student possession, use, and/or distribution of any drugs, alcohol or drug paraphernalia or being under the influence of any drug or alcohol. Any student found to be violating this student conduct policy will be dealt with in accordance with the regulations set by the school system. The consequences of such violations may result in the expulsion from school and/or criminal prosecution.

Recognizing the potential of each student and that drug or alcohol abuse and dependency can seriously impair a student's ability to learn, it is the policy of the Beecher School to take positive actions to prevent drug and alcohol abuse. These actions will be through education, early intervention, parental involvement, medical and/or assessment referral, and police referral in the handling of incidents in the schools involving the possession, sale, and/or use of behavior-affecting substances. These substances shall include but not be limited to marijuana, LSD, inhalants (which have behavior affecting ingredients), alcohol, and barbiturates.

School properties may be inspected by school authorities in the interest of maintenance, health and safety. Inspections for the location of drugs, narcotics, liquor, weapons, poisons and missing properties are matters relating to health and safety and may be regarded as reasonable purposes for inspection by school personnel.

Disciplinary procedures will be administered with the best interests of the student, school population and community in mind as the result of a team decision. Personal privacy rights of students shall be protected as provided by law.

Tobacco

Smoking is prohibited by law in the school building and grounds while classes are in session or student activities are occurring. Disciplinary actions will be in accordance with regulations provided by the administration.

Legal Reference: Connecticut General Statutes

1-21b Smoking prohibited in certain places

10-19 Teaching about alcohol, nicotine or tobacco, drugs and acquired immune deficiency syndrome. Training of personnel.

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

Students

Drugs, Alcohol, and Tobacco

Legal Reference: Connecticut General Statutes (continued)

10-220b Policy statement on drugs.

10-221(d) Board of Education to prescribe rules policies and procedures re sale or possession of alcohol or controlled drugs.

21a-240 Definitions of dependency producing drugs.

21a-240(8) Definitions "Controlled Drugs," dependency producing drugs.

21a-240(9) Definitions "controlled substance."

21a-243 Regulation re schedules of controlled substances.

53-198 Smoking in motor buses, railroad cars and school buses.

Federal Regulation 34 CFR Part *5 Drug-free Schools & Communities Act

20 U.S.C. Section 7181 et. Seq., No Child Left Behind Act.

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

Veronia School District 47J v. Acton, 515 U.S. 646

(1995) *Board of Education of Independent School District No. 92 of Pottawatomie Count y v. Earls* 01-3332 U.S. (2002).

Policy adopted:

WOODBRIIDGE PUBLIC SCHOOLS
Woodbridge, Connecticut

A recommended policy including sections pertaining to inhalant drugs and performance drugs.

Students

Alcohol Use, Drugs, and Tobacco (including Performance Enhancing Substances)

Pursuant to the goal of the Board of Education (Board) to maintain a drug, tobacco and alcohol-free school district, schools shall take positive action through education, counseling, parental involvement, and medical and police referral in handling incidents in the schools involving possession, sale, and/or use of behavior affecting substances. These substances shall include but not be limited to alcohol and controlled substances as defined in the Penal Code of the State of Connecticut.

Alcohol, tobacco, stimulants, street drugs, including but not limited to marijuana, heroin and cocaine; anabolic steroids, hormones and analogues, diuretics and other performance enhancing substances; including supplements and Creative, are addressed by this policy and accompanying administrative regulations.

Possessing, using, or transmitting any substance which is represented to be or looks like a narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, stimulant, depressant, or intoxicant of any kind, including such substances that contain chemicals which produce the same effect of illegal substances including but not limited to Spice and K2 and bath salts are addressed by this policy.

Definitions

Drugs are defined as any substance other than food or water that is intended to be taken or administered (ingested, injected, applied, implanted, inhaled, etc.) for the purpose of altering, sustaining, or controlling the recipient's physical, mental, or emotional state. Drugs may include, but not be limited to, alcoholic beverages; controlled substances such as marijuana, hallucinogens, cocaine, barbiturates, amphetamines, narcotics; and non-authorized prescription drugs.

Controlled substances, for purposes of this policy shall include all controlled substances prohibited by federal and state law, look-alike drugs, alcoholic beverages, anabolic steroids, drug paraphernalia, any volatile solvents or inhalants, such as but not limited to glue and aerosol products, and prescription or patent drugs, except those for which permission for use in school has been granted pursuant to Board policy.

Under the influence, for purposes of this policy shall include any consumption or ingestion of controlled substances by a student.

Students

Alcohol Use, Drugs, and Tobacco (continued)

Privacy Rights

Personal privacy rights of students shall be protected as provided by law. School properties may be inspected by school authorities to maintain health and safety. Searches to locate drugs, narcotics, liquor, weapons, poisons, and missing properties are matters relating to health and safety and may be regarded as reasonable grounds for searches by school personnel. Privileged communication between a certified or paraprofessional employee and a student concerning drug abuse shall remain confidential except in cases where the employee is obtaining physical evidence of a controlled substance, and/or where there is an immediate threat to, or where students' health, safety, and welfare may be jeopardized.

Illegal Activities

Use, possession, sale or distribution of drugs, including prescription drugs, drug paraphernalia and/or alcoholic beverages in violation of state law or Board of Education policy is prohibited at any time on school premises or at any school-sponsored activity. If a student is under the influence of a drug or alcohol, or engaged in the illegal activity of possessing or selling drugs and/or alcohol, the police will be notified, his/her parent(s)/guardian will be contacted, he/she will be suspended from school, referred to a Student Support Team, and considered for expulsion. In cases of the illegal activity of possessing or selling drugs or alcohol, students will be referred to the appropriate law enforcement authorities. If a student is arrested and is awaiting trial for possession of, or possession of with intent to sell drugs in or on school property or at a school-sponsored event, the student will not be allowed to attend school without the permission of the Superintendent, per the guidelines set forth in Policy #5114.

Notification of Policy

Annually, students will be notified through the student handbook, or through other means, of disciplinary sanctions for violation of this policy.

Principals shall include statements, appropriate to student maturity, in school handbooks and on District/school websites to the effect that:

1. the unlawful manufacture, distribution, sale, dispensing, possession or use of controlled substances, other illegal drugs, performance-enhancing substances, alcohol or tobacco is prohibited in school, on school grounds, on school transportation and at school sponsored activities;
2. compliance with the standards of conduct stated in the handbook is mandatory;
3. a violation of its provisions will subject students to disciplinary action up to and including expulsion and referral for prosecution;

Students

Alcohol Use, Drugs, and Tobacco

Notification of Policy (continued)

4. CIAC controlled activities at the high school and middle school levels sponsored by the District/school are included in this policy and accompanying administrative regulations; and
5. CIAC may impose sanctions beyond those applied by the District for the use of performance-enhancing substances, as defined in this policy, by athletes.

Disciplinary Action

Students who violate this policy will be subject to disciplinary action which includes, but is not limited to, suspension or expulsion, and/or a program recommended by the Student Support Team. Student athletes who violate this policy, participating in CIAC-controlled activities shall also be declared ineligible for such activities in accordance with CIAC policy and regulation. Any disciplinary actions imposed will ensure that similar violations will be treated consistently. The Superintendent shall propose and the Board of Education shall approve procedures and regulations to ensure that any student violating this policy is subjected to disciplinary action, and that any disciplinary actions imposed for similar violations are treated consistently.

The following guidelines for reporting alleged violations are to be followed:

1. If an employee suspects student possession, use, abuse, distribution or sale of controlled substances, other illegal drugs, performance-enhancing drugs, alcohol, or tobacco/tobacco products the employee shall refer the matter to the Principal or his/her designee. The Principal or designee will notify the student's parent/guardian, recommend a specific assessment, as appropriate, and contact law enforcement personnel as appropriate.
2. If an employee obtains physical evidence of a controlled substance, other illegal drug, drug paraphernalia, performance-enhancing drugs, alcohol, tobacco products or tobacco paraphernalia from a student in school, on school grounds, on school provided transportation or at a school sponsored event, the employee shall turn the student and the controlled substance over to the school principal or designee. The Principal will notify the student's parent/guardian, recommend a specified assessment as appropriate, notify law enforcement personnel and shall surrender possession of the controlled substance to the proper authorities within the time period required by state law.

Students

Alcohol Use, Drugs, and Tobacco (continued)

Drug-Free Awareness Program

The Superintendent shall assure that the school District provides a drug-free awareness program for students including the following topics:

- health and safety-related dangers of drug abuse;
- review of the Board of Education's policy of maintaining drug-free schools;
- notification of the availability of drug counseling and rehabilitation programs; and
- official penalties for drug abuse violations in schools.

Drugs and Alcohol

It is the policy of the Board to prevent and prohibit the use (except as duly authorized through the school nurse), possession, distribution or sale of any drug, drug paraphernalia, or alcohol by any student at any time on school property, at school-sponsored events or on school-provided transportation. The District provides (1) a supportive environment for recovering chemically dependent students during and/or after their involvement in a treatment program for chemical dependency; and will provide (2) assistance to those students who are affected by drug/alcohol possession or use by others. Any student in District schools found to be using, selling, distributing, in possession of or under the influence of intoxicants, mood altering drugs or substances, or look-alike drugs, or in possession of any related drug paraphernalia during a school session, on school premises, or anywhere at a school-sponsored activity or trip, on school-provided transportation, or otherwise off school grounds when such student's conduct violates the substance abuse policy and is seriously disruptive of the educational process shall be subject to consequences as stated in the student handbook.

A breath alcohol tester is approved for use at events/activities such as dances and proms at the middle school and high school levels where, in the judgment of the school administrator, there exists reasonable suspicion that a student has consumed an alcoholic beverage and then, only under the following circumstances:

- The student denies to an administrator that he/she has consumed alcoholic beverages and wishes to establish his/her innocence. Should the student register a positive reading on the breath alcohol tester, consequences will be administered as outlined in the discipline/behavior regulations in the Code of Conduct.
- The student denies to an administrator that he/she has consumed alcoholic beverages and elects not to utilize the breath alcohol tester to establish his/her innocence. The judgment of the administrator will then be utilized to determine if the student has consumed an alcoholic beverage. In this instance, consequences will be administered as outlined in the discipline/behavior regulations in the Code of Conduct.

Students

Alcohol Use, Drugs, and Tobacco (continued)

Inhalant Abuse

In addition to the prohibitions pertaining to alcohol, drugs and tobacco contained in this policy, no student shall inhale, ingest, apply, use or possess an abusable glue, aerosol paint or substance containing a volatile chemical with intent to inhale, ingest, apply or use any of these in a manner:

1. Contrary to directions for use, cautions or warnings appearing on a label of a container of the glue, paint aerosol or substance; and
2. Designed to affect the central nervous system, create or induce a condition of intoxication, hallucination or elation, or change, distort, or disturb the person's eyesight, thinking process, balance or coordination.

For purposes of this policy, inhalants are defined as follows, but not limited to:

Nitrous Oxide – Laughing Gas, Whippets, CO₂ Cartridge
 Amyl Nitrite – “Locker Room,” “Rush,” “Poppers,” “Snappers”
 Butyl Nitrite – “Bullet,” “Climax”
 Chlorohydrocarbons – Aerosol Paint Cans, Cleaning Fluids
 Hydrocarbons – Aerosol Propellants, Gasoline, Glue, Butane

Further, no student, 18 years of age or older, shall intentionally, knowingly or recklessly deliver or sell potentially abusable inhalant materials as listed above to a minor student.

No student shall intentionally use or possess with intent to use inhalant paraphernalia to inhale, ingest, or otherwise introduce into the body an abusable glue, aerosol paint or substance or other substance that contains a volatile chemical.

Any student in the District schools found to be in possession of, using, distributing, or selling potentially abusable inhalant materials shall be subject to disciplinary action as outlined in this policy, up to and including suspension and a recommendation for expulsion. Violators of this policy may also be required to complete an appropriate rehabilitation program. The Superintendent shall propose and the Board of Education shall approve procedures and regulations to ensure that any student violating this policy is subjected to disciplinary action, and that any disciplinary actions imposed for similar violations are treated consistently.

The Board of Education shall incorporate into the curriculum at all levels education pertaining to potential inhalant abuse which is appropriate for students given their age, maturity, and grade level. Inhalant abuse educational programs/information for parents/guardians will be offered in a manner convenient to parents/guardians.

Students

Alcohol Use, Drugs, and Tobacco (continued)

Performance-Enhancing Drugs (including food supplement)

In addition to the prohibition pertaining to alcohol, drugs, tobacco and inhalants, the Board of Education prohibits the use, possession, distribution or sale of performance-enhancing drugs, including anabolic steroids and food supplements, including Creatine, by students involved in school-related athletics or any co-curricular or extracurricular school activity/program, other than use for a valid medical purpose as documented by a physician. Bodybuilding and enhancement of athletic ability and performance are not considered valid medical purposes.

School personnel and coaches will not dispense any drugs, medication or food supplements except as in compliance with Connecticut State law, District policy and as prescribed by a student's physician, dentist, physician assistant or advanced practice registered nurse.

Students shall be made aware of the dangers of steroid abuse and that such abuse, unauthorized possession, purchase, or sale will subject them to disciplinary action and CIAC sanctions.

Students who violate this policy will be subject to disciplinary action. The Superintendent shall propose, and the Board of Education shall approve, procedures and regulations to ensure that any student violating this section is subjected to disciplinary action, and that any disciplinary actions imposed for similar violations are treated consistently.

It is the expectation of the Board that District schools, as members of the Connecticut Interscholastic Athletic Association (CIAC), require all athletes playing in CIAC-controlled sports to be chemical free.

Tobacco Use by Students

There shall be no smoking or any other unauthorized use or possession of tobacco, tobacco products, including chewing tobacco or tobacco paraphernalia by students in any school building or school vehicle at any time or on any school grounds during the school day, or at any time when the student is subject to the supervision of designated school personnel. Such as when the student is at any school function, extracurricular event, field trip, or school related activity such as a work-study program. An ongoing program of student support and counseling will be offered to provide support for students who wish to break the smoking habit.

Students who violate this policy will be subject to disciplinary action. The Superintendent shall propose and the Board of Education shall approve procedures and regulations to ensure that any student violating this policy is subjected to disciplinary action, and that any disciplinary actions imposed for similar actions are treated consistently.

Students

Alcohol Use, Drugs, and Tobacco (continued)

- (cf. 5114 – Suspension/Expulsion)
- (cf. 5131 – Conduct)
- (cf. 5131.61 – Inhalant Abuse)
- (cf. 5131.62 – Steroid Use)
- (cf. 5131.612 – Surrender of Physical Evidence Obtained from Students)
- (cf. 5131.8 – Out of School Grounds Misconduct)
- (cf. 5131.92 – Corporal Punishment)
- (cf. 5144 – Discipline/Punishment)
- (cf. 5145.12 – Search and Seizure)
- (cf. 5145.121 – Vehicle Searches on School Grounds)
- (cf. 5145.122 – Use of Dogs to Search School Property)
- (cf. 5145.124 – Breathalyzer Testing)
- (cf. 5145.125 – Drug Testing-Extracurricular Activities)
- (cf. 6164.11 – Drugs, Alcohol, Tobacco)

Legal Reference: Connecticut General Statutes

- 1-21b Smoking prohibited in certain places.
- 10-19 Teaching about alcohol, nicotine or tobacco, drugs and acquired immune deficiency syndrome. Training of personnel.
- 10-154a Professional communications between teacher or nurse and student. Surrender or physical evidence obtained from students.
- 10-220b Policy statement on drugs.
- 10-221(d) Boards of education to prescribe rules, policies and procedures re sale or possession of alcohol or controlled drugs.
- 21a-240 Definitions dependency producing drugs.
- 21a -240(8) Definitions “Controlled Drugs,” dependency producing drugs
- 21a-240(9) Definitions “controlled substance.”
- 21a-243 Regulation re schedules of controlled substances.
- 53-198 Smoking in motor buses, railroad cars and school buses.
- P.A. 11-73 An Act Regulating the Sale and Possession of Synthetic Marijuana and Salvia Divinorum.
- Federal Regulation 34 CFR Part 85 Drug-free Schools & Communities Act.
- 20 U.S.C. Section 7181 et. seq., No Child Left Behind Act.
- New Jersey v. T.L.O.*, 469 U.S. 325 (1985).
- Veronia School District 47J v. Acton*, 515 U.S. 646. (1995)
- Board of Education of Independent School District No 92 of Pottawatomie County v. Earls* 01-332 U.S. (2002).

Policy adopted:

cps 1/07

cps 4/11

rev 1/12

A sample regulation to consider/modify to fit the local situation.

Students

Alcohol Use, Drugs, and Tobacco

The implementation of the Board of Education policy #5131.6, "Alcohol Use, Drugs and Tobacco" is subject to the following guidelines, including disciplinary consequences.

Definitions

Controlled Substances includes any alcohol or malt beverage, any drug listed as a controlled substance, chemical abuse substance or medication for which a prescription is required under the law, and/or any substance which is intended to alter mood. This includes controlled drugs as defined in C.G.S. 21a-240(8) and would not include any drug for which a student has a prescription. Examples of the above include, but are not limited to, cocaine, cocaine derivatives, "crack," "ice," beer, wine, liquor, marijuana, hashish, chemical solvents, glue, look-alike substances and ANY capsules or pills not registered with the school nurse, annotated within the student's health record and given in accordance with the District's policy for the administration of medication to students in school.

Performance-Enhancing Substances include any performance-enhancing drug, including anabolic agents or steroids, used for the intent of bodybuilding and muscle enhancement of physical ability and not for a valid medical purpose as defined by a physician; includes, but is not limited to, those performance-enhancing drugs/substances identified on the CIAC comprehensive list reflected below.

1. Pharmacological agents (prescription or nonprescription) taken in doses that exceed the recommended therapeutic dose or taken when the therapeutic indicators are not present;
2. Agents used for weight control, including stimulants, diet pills, diuretics, and laxatives, when the user is in a sport that has weight classifications or that rewards leanness;
3. Agents used for weight gain, including over-the-counter products advertised as promoting increased muscle mass;
4. Physiologic agents or other strategies used to enhance oxygen-carrying capacity, including erythropoietin and red blood cell transfusions (blood doping);
5. Any substance that is used for reasons other than to treat a documented disease state or deficiency;
6. Any substance that is known to mask adverse effects or detect ability of another performance-enhancing substance; and

Students

Alcohol Use, Drugs, and Tobacco

Definitions (continued)

7. Nutritional supplements, including Creatine, taken at “supraphysiologic” doses or at levels greater than required or to replace deficits created by a disease state, training program and/or participation in sports.

Distribution or Sale of Controlled Substances means to deliver, sell, pass, share or give any alcohol, drug or mood altering controlled substance, as defined by this regulation, from one person to another or to aid in its use.

Possession of Controlled Substances means to possess or hold, any alcohol, drug, or mood altering substance determined to be illegal, or as defined by this regulation, on one’s person, in one’s personal belongings, one’s locker, car, backpack, etc.

Drug paraphernalia includes any instrument, utensil or item, which in the school administrator’s judgment can be associated with the use of drugs, alcohol, or mood altering substances. Examples include, but are not limited to, roach clips, pipes, and bowls. Reference should be made to C.G.S. 21a-240.

Substance-Abuse Assessment is an evaluation conducted by a professional to determine the student’s overall health and condition in relation to use of a controlled substance or drug.

Student Support Team is a designated and specifically trained team of school staff members typically including, but not limited to, an administrator, school nurse, guidance counselor, school psychologist, social worker, and teacher(s).

Controlled Substances: Use or Possession (Drugs, Alcohol, Inhalants)

It is the policy of the Board of Education to prevent and prohibit the possession and/or use of any drug (except as duly authorized through the school nurse), or drug paraphernalia at any time on school property, at school-sponsored events or on school-provided transportation. Therefore, the District maintains a zero tolerance policy regarding controlled substances and alcohol possession and use on school grounds and at school-sponsored events. The school provides (1) a supportive environment for recovering chemically dependent students during and/or after their involvement in a treatment program for chemical dependency; and will provide (2) assistance to those students who are affected by drug/alcohol possession or use of others.

Students

Alcohol Use, Drugs, and Tobacco

Controlled Substances: Use or Possession (Drugs, Alcohol, and Inhalants) (continued)

Any student in District schools found to be using or in possession of or under the influence of intoxicants, mood altering drugs or substances, or look-alike drugs, or in possession of any related drug paraphernalia during a school session, on school premises, or anywhere at a school-sponsored activity or trip, on school-provided transportation, or otherwise off school grounds when such student's conduct violates the substance abuse policy and is seriously disruptive of the educational process shall be subject to consequences. These consequences apply to all students, including all student athletes, and those students involved in co-curricular and extra-curricular activities.

Pursuant to the goal of the Board of Education to maintain a drug and alcohol-free school district, the school shall take positive action through education, counseling, parental involvement, and medical and police referral in handling incidents in the schools involving possession or use of behavior affecting substances. These substances shall include, but not be limited to, alcohol and controlled substances as defined in the Penal Code of the State of Connecticut. School properties may be inspected by school authorities to maintain health and safety. Searches to locate drugs, alcohol, and drug paraphernalia are matters relating to health and safety and may be regarded as reasonable grounds for searches by school personnel.

The Board of Education has approved the use of a breath alcohol tester as an option for students at the middle school and the high school and for all high school dances, proms, and other such events/activities. The breath alcohol tester will be considered for use where, in the judgment of the school administrator, there exists reasonable suspicion that a student has consumed an alcoholic beverage and then, only under the following circumstances:

- The student denies to an administrator that he/she has consumed alcoholic beverages and wishes to establish his/her innocence. Should the student register a positive reading on the breath alcohol tester, consequences will be administered as outlined in the discipline/behavior regulations in the student handbook.
- The student denies to an administrator that he/she has consumed alcoholic beverages and elects not to utilize the breath alcohol tester to establish his/her innocence. The judgment of the administrator will then be utilized to determine if the student has consumed an alcoholic beverage. In this instance, consequences will be administered as outlined in the discipline/behavior regulations in the student handbook.

Students

Alcohol Use, Drugs, and Tobacco

Controlled Substances: Use or Possession (Drugs, Alcohol, and Inhalants) (continued)

Student found to be in possession of or use of controlled substances (drugs, alcohol, inhalants) shall be subject to the following disciplinary actions:

First Offense:

- 10 days out-of-school suspension under supervision of his/her parent or guardian
- parent or guardian notification
- Superintendent notification
- excluded from all co-curricular and extracurricular activities concurrent with suspension

Second and Subsequent Offenses:

- 10 days out-of-school suspension under the supervision of his/her parent or guardian, pending expulsion hearing
- parent or guardian notification
- Superintendent notification
- excluded from all co-curricular and extracurricular activities concurrent with suspension
- must successfully complete substance abuse education and assessment program prescribed by the administration
- recommended to the Board of Education for expulsion of 30-180 days
- must attend alternative education program per Board expulsion decision
- excluded from all co-curricular and extracurricular activities concurrent with expulsion
- must participate, along with parent/guardian, in school-approved substance abuse counseling/family education program(s) prior to reentry to school
- police referral

Controlled Substances: Use or Possession of Performance-Enhancing Drugs or Substances

Performance-enhancing substances used by young people is a concern to our society at large because of the potential adverse health consequences and the effects such practices have on moral development of the individual and on fair athletic competition for all. Therefore, the Board of Education bans and prohibits the possession or use of any performance-enhancing substance, including dietary supplements, prescription medications, and illicit drugs not otherwise prescribed by a student's physician for a legitimate health issue.

Students

Alcohol Use, Drugs, and Tobacco

Controlled Substances: Use or Possession of Performance-Enhancing Drugs or Substances (continued)

Any student in the District using or in possession of any kind of performance-enhancing drug or substance during a school session, on school premises, or anywhere at a school-sponsored activity or trip, on school-provided transportation, or otherwise off school grounds when such student's conduct violates this policy and is seriously disruptive of the educational process shall be subject to consequences. These consequences apply to all students, including all student athletes, and all students involved or not involved in co-curricular and extracurricular activities.

Student found to be in possession of or use of performance-enhancing drugs shall be subject to the following disciplinary actions:

First Offense:

- 10 days out-of-school suspension under the supervision of his/her parent or guardian
- parent or guardian notification
- Superintendent notification
- excluded from all co-curricular and extracurricular activities concurrent with suspension
- must successfully complete substance abuse education and assessment program prescribed by administration
- excluded from athletic programs for one hundred eighty (180) school days until the documented anniversary date of the first offense (Note: Reinstatement of the athlete may be requested by the school to the CIAC Board of Control for extenuating circumstances. Such consideration shall be determined in part, by a medically validated drug test which validates that the student-athlete is chemical free. Such test must have been completed within the last 30 days.)
- police referral

Second and Subsequent Offenses:

- 10 days out-of-school suspension under the supervision of his/her parent or guardian, pending expulsion hearing
- parent or guardian notification
- Superintendent notification
- excluded from all co-curricular and extracurricular activities concurrent with suspension

Students

Alcohol Use, Drugs, and Tobacco

Controlled Substances: Use or Possession of Performance-Enhancing Drugs or Substances (continued)

Second and Subsequent Offenses: (continued)

- recommended to Board of Education for expulsion of 30-180 school days
- excluded from all co-curricular and extracurricular activities concurrent with expulsion
- attend alternative education program(s) per Board policy and expulsion requirement
- excluded from athletic programs for one hundred eighty (180) school days until the documented anniversary date of the second or subsequent offense. (Note: Reinstatement of the athlete may be requested by the school to the CIAC Board of Control for extenuating circumstances. Such consideration shall be determined in part, by a medically validated drug test which validates that the student-athlete is chemical free. Such test must have been completed within the last 30 days.)
- must participate, along with parent or guardian, in school-approved substance abuse counseling/family education program(s) prior to re-entry to school
- police referral

Sale and Distribution: Sale or Distribution of Controlled Substances (Drugs, Alcohol, Inhalants, Performance-Enhancing Drugs)

It is the policy of the Board to prevent and prohibit the sale and/or distribution of any drug, alcohol, or controlled substance at any time on school property, at school-sponsored events or on school-provided transportation. Therefore, the Board of Education maintains a zero tolerance policy regarding controlled substances and alcohol sale or distribution on school grounds and at school-sponsored events.

Any student in District schools found to be selling or distributing any controlled substance, including drugs, alcohol, and performance-enhancing substances during a school session, on school premises, or anywhere at a school-sponsored activity or trip, on school-provided transportation, or otherwise off school grounds shall be subject to severe disciplinary consequences including mandatory expulsion from school and referral to law enforcement officials. These consequences apply to all students, including all student athletes, and those students involved or not involved in co-curricular and extracurricular activities.

School properties are allowed to be inspected by school authorities to preserve the health and safety of students. Searches to locate drugs, alcohol, and drug paraphernalia are matters relating to health and safety and may be regarded as reasonable grounds for searches by school personnel. Students who violate this policy will be subject to disciplinary consequences.

Students

Alcohol Use, Drugs, and Tobacco

Sale and Distribution: Sale or Distribution of Controlled Substances (Drugs, Alcohol, Inhalants, Performance-Enhancing Drugs) (continued)

Student found to be involved in the sale or distribution of controlled substances (drugs, alcohol, inhalants, and performance-enhancing drugs) shall be subject to the following disciplinary actions:

First and Subsequent Offenses:

- 10 days out-of-school suspension under the supervision of his/her parent or guardian
- parent or guardian notification
- Superintendent notification
- excluded from all co-curricular and extracurricular activities concurrent with suspension
- mandatory expulsion, with administrative recommendation to the Board of Education for 30-180 school days
- attend alternative educational program per Board policy and the expulsion requirement
- excluded from all co-curricular and extracurricular activities concurrent with the expulsion and may be further excluded from any or all co-curricular and extracurricular activities beyond the academic expulsion period per action of the Board of Education
- must participate, along with parent or guardian, in school-approved substance abuse counseling/family education program(s) prior to reentry to school
- police referral

In addition to the above, any student found to be selling or distributing performance enhancing substances who wants to participate in interscholastic athletics, after the period of suspension/expulsion imposed by the school district, if less than 180 school days, must submit a medically update drug test, approved by CIAC, which confirms the student to be chemical free. Such test must be completed within thirty days prior to a request for participation. All costs for testing will be incurred by the student, parent or guardian.

Possession of Tobacco, Smoking Paraphernalia

Student found to be in possession of tobacco or smoking paraphernalia shall be subject to the following disciplinary actions:

First Offense:

- Assigned 4 hours of detention by school administrator
- Parent or guardian notification
- Recommended cessation program

Students

Alcohol Use, Drugs, and Tobacco

Possession of Tobacco, Smoking Paraphernalia (continued)

Second Offense:

- 2 day in-school suspension
- parent or guardian notification
- recommended cessation program
- excluded from all co-curricular and extracurricular activities concurrent with suspension

Third and Subsequent Offenses:

- 4 day out-of-school suspension under the supervision of his/her parent/guardian
- excluded from all co-curricular and extracurricular activities concurrent with suspension
- required cessation program

Smoking, Chewing Tobacco or Using Tobacco Paraphernalia

Student found to be smoking, chewing tobacco or using tobacco paraphernalia shall be subject to the following disciplinary actions:

First Offense:

- 2 days in-school suspension
- parent or guardian notification
- excluded from all co-curricular and extracurricular activities concurrent with suspension

Second Offense:

- 4 days in-school suspension
- parent or guardian notification
- excluded from all co-curricular and extracurricular activities concurrent with suspension

Third and Subsequent Offenses:

- 5 days out-of-school suspension
- parent or guardian notification
- excluded from all co-curricular and extracurricular activities concurrent with suspension
- potential police referral

Students

Alcohol Use, Drugs, and Tobacco (continued)

- (cf. 5114 - Suspension/Expulsion)
- (cf. 5131 – Conduct)
- (cf. 5131.61 – Inhalant Abuse)
- (cf. 5131.62 – Steroid Use)
- (cf. 5131.612 – Surrender of Physical Evidence Obtained from Students)
- (cf. 5131.8 – Out of School Grounds Misconduct)
- (cf. 5131.92 – Corporal Punishment)
- (cf. 5144 – Discipline/Punishment)
- (cf. 5145.12 – Search and Seizure)
- (cf. 5145.121 – Vehicle Searches on School Grounds)
- (cf. 5145.122 – Use of Dogs to Search School Property)
- (cf. 5145.124 – Breathalyzer Testing)
- (cf. 5145.125 – Drug Testing-Extracurricular Activities)
- (cf. 6164.11 – Drugs, Alcohol, Tobacco)

- Legal Reference:
- Connecticut General Statutes
 - 1-21b Smoking prohibited in certain places
 - 10-19 Teaching about alcohol, nicotine or tobacco, drugs and acquired immune deficiency syndrome. Training of personnel.
 - 10-154a Professional communications between teacher or nurse and student. Surrender or physical evidence obtained from students.
 - 10-220b Policy statement on drugs
 - 10-221(d) Boards of education to prescribe rules, policies and procedures re use, sale or possession of alcohol or controlled drugs
 - 21a-240 Definitions dependency producing drugs.
 - 21a -240(8) Definitions “Controlled Drugs,” dependency producing drugs
 - 21a-240(9) Definitions “controlled substance”
 - 21a-243 Regulation re schedules of controlled substances.
 - 53-198 Smoking in motor buses, railroad cars and school buses
 - P.A. 11-73 An Act Regulating the Sale and Possession of Synthetic Marijuana and Salvia Divinorum
 - Federal Regulation 34 CFR Part 85 Drug-free Schools & Communities Act
 - 20 U.S.C. Section 7181 et. seq., No Child Left Behind Act
 - New Jersey v. T.L.O.*, 469 U.S. 325 (1985)
 - Veronia School District 47J v. Acton*, 515 U.S. (1995)
 - Board of Education of Independent School District No 92 of Pottawatomie County v. Earls* 01-332 U.S. (2002)

Regulation approved:

cps 1/07

rev 1/12

An optional policy to consider.

Students

Surrender of Physical Evidence Obtained From Students

The Board of Education recognizes the statutory right of professional employees to disclose, or not to disclose communications made to them privately and in confidence concerning drug or alcohol abuse or a drug or alcoholic problem. The Superintendent shall adopt a regulation concerning this right, and the obligation of professional employees to surrender physical evidence obtained in connection with such communications.

(cf. 5131.6 - Alcohol, Drugs and Tobacco)

Legal Reference: Connecticut General Statutes

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

Policy adopted:

Sample regulation to consider.

Students

Surrender of Physical Evidence Obtained from Students

The following Administrative Procedure is written in accordance with Section 10-154a "Professional communications between teacher or nurse and student." Surrender of physical evidence obtained from students.

Definitions:

A "**school**" means any elementary, middle school, or senior high school now a part of the District's schools. A "**professional employee**" means a person who holds state certification, or is a member of the faculty when certification is not required or is a registered nurse employed by the District Public Schools. A "**student**" is a person enrolled in the school. A "**professional communications**" is any communication made privately and in confidence by students to a professional employee of his/her school in the course of the later's employment.

Employee Responsibilities

A professional employee who is contacted by a student regarding his/her drug or alcohol problem may elect to keep that information confidential and not disclose it to any other persons. Other drug and alcohol-related information obtained by professional employees shall be shared with the appropriate building administrator and the parents/guardians shall be notified as judged appropriate, whether or not the student's agreement is obtained.

Any such professional employee who, in good faith, discloses or does not disclose, such professional communication, shall be immune from any liability, civil or criminal, which might otherwise be incurred or imposed, and shall have the same immunity with respect to any judicial proceeding which results from such disclosure.

When a professional employee obtains physical evidence from such student indicating that a crime has been or is being committed by such student, the employee shall be required to turn over such evidence to the administration or law enforcement agency within two school days after receipt of such physical evidence, provided if such evidence is obtained less than two days before a school vacation or the end of a school year, such evidence shall be turned over within two calendar days after receipt thereof excluding Saturdays, Sundays and holidays, and provided further in no such case shall such employee be required to disclose the name of the student from whom he obtained such evidence and such employee shall be immune from arrest and prosecution for the possession of such evidence obtained from such student.

Students

Surrender of Physical Evidence Obtained from Students (continued)

School Administration Responsibilities

A school administrator, once the physical evidence is surrendered to him/her by a professional employee, must turn over such evidence to the Commissioner of Consumer Protection or the appropriate law enforcement agency within three school days after receipt of such physical evidence, for its proper disposition, provided if such evidence is obtained less than three days before a school vacation or the end of a school year, such evidence shall be turned over within three calendar days from receipt thereof, excluding Saturdays, Sundays and holidays.

Regulation approved:

A sample policy to consider.

Students

Weapons and Dangerous Instruments

The Board of Education determines that possession and/or use of a weapon by a student is detrimental to the welfare and safety of the students and school personnel within the district. Possession and/or use of any dangerous or deadly weapon in any school building on school grounds, in any school vehicle, or at any school-sponsored activity is prohibited. Such weapons include but are not limited to any pistol, revolver, rifle, shotgun, air gun or spring gun; slingshot; bludgeon; brass knuckles or artificial knuckles of any kind; knives having a blade of greater than two inches, any knife the blades of which can be opened by a flick of a button or pressure on the handle, or any pocketknife where the blade is carried in a partially opened position; martial arts weapon; destructive device. Pursuant to federal law, the term firearm includes, but is not limited to, any weapon designed to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for such a weapon, or destructive device. A student who violates this policy will be reported to law enforcement authorities.

The possession or use of any such weapon will require that the proceedings for the suspension and/or expulsion of the student involved will be initiated immediately by the principal. If the student is found to have possessed a firearm or other dangerous weapon as defined in Connecticut General Statutes 53a-3 in violation of 29-35 or 53-206, in or on the real property of a school or at any school activity as defined in Connecticut General Statutes 10-233a, he/she must be expelled for one calendar year. The Board of Education or hearing board may modify the period of expulsion on a case by case basis. To comply with federal law, any finding of an exception shall be reduced to writing. All legal restrictions and requirements will be adhered to pertaining to special education students.

The Board shall consider a student's conduct off school grounds that is seriously disruptive of the educational process or is violative of publicized policies of the Board as grounds for expulsion.

(cf. 5114 - Suspension/Expulsion)

(cf. 5145.12 - Search and Seizure)

Legal Reference: Connecticut General Statutes
10-221 Boards of education to prescribe rules.
10-233a through 10-233f - Expulsion as amended by PA 95-304
53a-3 Definitions.
53a-217b - Possession of firearms and deadly weapons on school grounds
53-206 Carrying and sale of dangerous weapons.
PA 94-221 An Act Concerning School Discipline and Safety.
GOALS 2000: Educate America Act
18 U.S.C. 921 Definitions.
USCA 7151 – No Child Left Behind Act

Policy adopted:

rev 5/03

Students

Weapons and Dangerous Instruments

I. Regulations - Generally

1. Students shall not possess firearms, facsimiles of firearms, deadly or dangerous weapons, dangerous instruments, or martial arts weapons on school grounds or buildings, not on school buses, nor on any school-related or school-sponsored activity away from school facilities. Firearms, weapons, and dangerous instruments shall include those defined by law. (18 U.S.C. 921, C.G.S. 53a-3, 53-202 to 53-206, and 53-206c(a)(1).
2. Possession or use of such weapons or devices on school grounds or other areas under the control of the Board of Education may also be a violation of criminal law, and therefore any violation of this policy may be reported immediately to the local law enforcement agency, the Board of Education, and, if possible, the parent or guardian. Students who violate this policy shall be subject to appropriate disciplinary action as well as possible legal action, provided that a student found to possess a firearm, instrument or a weapon shall be expelled. Certain off school grounds violations shall also lead to expulsion.
3. Any dangerous device or weapon may be seized by an employee of the school system under the power granted to the Board of Education to maintain order and discipline in the schools, and to protect the safety of students, staff and the public.
4. Every employee seizing any weapon or dangerous instrument under the provisions of this policy shall report the incident to the building Principal immediately, and deliver the seized device to the Principal, together with the names of the persons involved, witnesses, location and circumstances of the seizure.
5. If an employee knows or has reason to suspect that a student has possession of such a device but has not been seized, the employee shall report the matter to the Principal immediately, and the Principal shall take such action as is appropriate. The Principal shall report all violations of this policy to the Superintendent or designee, and to the local law enforcement agency.
6. Whenever a student is expelled, notice of the expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such notice, except for notice of an expulsion based on possession of a firearm or deadly weapon, shall be expunged from the cumulative educational record by the Board of Education if a student graduates from high school.

Students

Weapons and Dangerous Instruments

Regulations - Generally (continued)

7. The Board of Education shall submit to the Commissioner of Education information on expulsions for the possession of weapons as required for purposes of the Gun-Free Schools Act of 1994, 20 U.S.C. 8921 ET SEQ.

II. Definition Of Terms

1. **Dangerous instrument** means any instrument, article or substance which, under the circumstances in which it is used or attempted or threatened to be used, is capable of causing death or serious physical injury, and includes a "vehicle". (C.G.S. Sec. 53a-3(7).)
2. **Dangerous weapon** means any sling shot, air rifle, BB gun, blackjack, sand bag, metal or brass knuckles, or any dirk knife, or any switch knife, or any knife having an automatic spring release device by which a blade is released from the handle, having a blade of over one and one-half inches in length, or stiletto, or any knife, the edged portion of the blade of which is four inches or over in length, or any martial arts weapon or electronic defense weapon, or any other dangerous or deadly weapon or instrument. (C.G.S. Sec. 53-206.)
3. **Deadly weapon** means any weapon, whether loaded or unloaded, from which a shot may be discharged or a switchblade knife, gravity knife, billy, blackjack, bludgeon, or metal knuckles. (C.G.S. Sec. 53a-3(6).)
4. **Electronic defense weapon** means a weapon which by electronic impulse or current is capable of immobilizing a person temporarily, but is not capable of inflicting death or serious physical injury. (C.G.S. Sec. 53a-3(20).)
5. **Expulsion** means an exclusion from school privileges for more than ten consecutive school days and shall be deemed to include, but not limited to, exclusion from the school to which such student was assigned as the time such disciplinary action was taken, provided such exclusion shall not extend beyond a period of one calendar year. (C.G.S. Sec. 233a(e), P.A. 95-304)
6. **Facsimile of a firearm** means (A) any nonfunctional imitation of an original firearm which was manufactured, designed and produced since 1898, or (B) any nonfunctional representation of a firearm other than an imitation of an original firearm, provided such representation could reasonably be perceived to be a real firearm. Such term does not include any look-a-like, non-firing, collector replica of an antique firearm developed prior to 1898, or traditional BB, or pellet-firing air gun that expels a metallic or paint-contained projectile through the force of air pressure. (C.G.S. Sec. 53-206c(a) (1).)

Students

Weapons and Dangerous Instruments

Definition of Terms (continued)

7. **Firearm** means any sawed-off shotgun, machine gun, rifle, shotgun, pistol, revolver or other weapon, whether loaded or unloaded from which a shot may be discharged. (C.G.S. Sec. 53a-3(19).)
8. **Martial arts weapon** means a nunchaku, kama, kasari-fundo, octagon sai, tonfa or chinese star. (C.G.S. Sec. 53a-3(21).)
9. **Physical injury** means impairment of physical condition or pain. (C.G.S. Sec. 53a-3(3).)
10. **Possess** means to have physical possession or otherwise to exercise dominion or control over tangible property. (C.G.S. Sec. 53a-3(2).)
11. **Serious physical injury** means physical injury which creates a substantial risk of death, or which causes serious disfigurement, serious impairment of health or serious loss or impairment of the function of any bodily organ. (C.G.S. Sec. 53a-3(4).)
12. **Vehicle** means a "motor vehicle" as defined in Section 14-1, a snowmobile, any aircraft, or any vessel equipped for propulsion by mechanical means or sail. (C.G.S. Sec. 53a-3(8).)

III. Disciplinary Procedures

Students in violation of this policy shall be subject to the following disciplinary measures:

1. Possessing, using, carrying, drawing, exhibiting or brandishing a facsimile of a firearm in a threatening manner so as to frighten, vex or harass another person.
 - a. Suspension of up to 10 school days.
 - b. Mandatory referral to law enforcement agency.
 - c. Consideration of expulsion hearing as appropriate.
2. Possession and/or use of any dangerous instrument in a threatening manner so as to inflict bodily harm, or to intimidate, or to terrorize, frighten, vex or harass another person.
 - a. 10 school days suspension.
 - b. Mandatory referral to law enforcement agency.
 - c. Recommendation of expulsion hearing.

Students**Weapons and Dangerous Instruments (continued)**

3. Use of any dangerous instrument to inflict physical injury, serious physical injury or death.
 - a. 10 school days suspension.
 - b. Mandatory referral to law enforcement agency.
 - c. Mandatory referral to expulsion proceedings.

4. Possession and/or use of a firearm, deadly weapon, dangerous instrument or martial arts weapons on or off school grounds or at a school sponsored activity.
 - a. 10 school days suspension.
 - b. Mandatory referral to law enforcement agency.
 - c. Mandatory referral to expulsion proceedings.

5. Possession of a firearm, or possession and use of a firearm, dangerous instrument, deadly weapon or martial arts weapon in the commission of a crime while off school grounds.
 - a. 10 school days suspension.
 - b. Mandatory referral to law enforcement agency.
 - c. Mandatory referral to expulsion proceedings.
 - (1) Such student shall be expelled for a period not to exceed one (1) calendar year if the Board of Education or impartial hearing board finds that the student did so possess a weapon as described in this section.

6. Possession and/or use of a dangerous weapon on or off school grounds or at a school sponsored activity.
 - a. Suspension of up to 10 school days.
 - b. Mandatory referral to law enforcement agency as appropriate.
 - c. Consideration of expulsion hearing as appropriate.

7. Possession and/or use of any other item, devise, instrument or weapon not specifically defined by law or conduct on school grounds or at a school sponsored activity is violative of a publicized policy of the Board of Education or is seriously disruptive of the educational process or endangers persons or property or whose conduct off school grounds is violative of such policy and is seriously disruptive of the educational process.
 - a. Suspension of up to 10 school days.
 - b. Mandatory referral to law enforcement agency as appropriate.
 - c. Consideration of expulsion hearing as appropriate.

Students

Weapons and Dangerous Instruments (continued)

Students and parents or guardians shall be notified of this policy annually.

(cf. 5114 - Suspension/ Expulsion; Due Process)

(cf. 5145.12 - Search and Seizure)

Legal Reference: Connecticut General Statutes
4- 176e through 4- 185 Uniform Administrative Procedure Act.
10-233a through 10-233f re in-school suspension, suspension, expulsion. (as amended by PA 98-139)
29-35 Carrying of pistol or revolver without permit prohibited.
29-38 Weapons in vehicles.
53a-3 Firearms and deadly weapons.
53-206 Carrying and sale of dangerous weapons.
53a-217b Possession of firearms and deadly weapons on school grounds.
PA 94-221 An Act Concerning School Safety.
18 U.S.C. 921 Definitions.
PL 103-382 Elementary and Secondary Education Act. (Sec. 14601 - Gun Free Requirements: Gun Free School Act of 1994)
PA 95-304 An Act Concerning School Safety.
PA 96-244 An Act Concerning Revisions to the Education Statutes.
Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education. (SC 15862

Regulation approved:

cps 3/00

Students

Off School Grounds Misconduct

Students are subject to discipline, up to and including suspension and expulsion for misconduct, which is seriously disruptive of the educational process and is a violation of a publicized Board policy, even if such misconduct occurs off-school property and during non-school time.

In compliance with judicial decisions, the Board considers conduct which is "severely disruptive of the educational process" to mean conduct that "markedly interrupts or severely impedes the day-to-day operations of a school" in addition to such conduct also being violative of publicized school policy. Such conduct includes, but is not limited to, phoning in a bomb threat, or making a threat, off school grounds, to kill or hurt a teacher or student.

In addition, in making the determination as to whether conduct is "seriously disruptive of the educational process," the administration may consider, but such consideration shall not be limited to (1) whether the incident occurred within close proximity of a school; (2) whether other students from the school were involved or whether there was any gang involvement; (3) whether the conduct involved violence, threats of violence or the unlawful use of a weapon, as defined in Section 29-38 and whether any injuries occurred; and (4) whether the conduct involved the use of alcohol. The conduct can also be the use of inappropriate electronic messages. The Board of Education or impartial hearing board, in matters of expulsion for out of school misconduct, in making a determination as to whether conduct is "seriously disruptive of the educational process," may consider, but consideration is not limited to the same items listed previously.

Such discipline may result whether: 1) the incident was initiated in the school or on school grounds, or 2) even if the incident occurred or was initiated off-school grounds and non-school time; if after the occurrence there was a reasonable likelihood that return of the student would contribute to a disruptive effect on the school education or its process, markedly interrupting or severely impeding the day-to day operation of a school, by threatening:

1. The school's orderly operations;
2. The safety of the school property;
3. The welfare of the persons who work or study there.

Examples of the type of such off-school misconduct that may result in such discipline include but are not limited to:

1. Use, possession, sale, or distribution of dangerous weapons; (as defined C.G.S. 53a-3, 53-206, and 29-35)
2. Use, possession, sale, or distribution of illegal drugs; or
3. Violent conduct,
4. Making of a bomb threat,
5. Threatening to harm or kill another student or member of the staff.

where any such activity has the reasonable likelihood of threatening the health, safety or welfare of school property, individuals thereon, and/or the educational process.

Students

Off School Grounds Misconduct (continued)

For example, if it is determined that a student's use, possession, or sale of drugs in the community has a strong likelihood of endangering the safety of students or employees because of the possibility of such sales in the school; or if violent conduct in the community presents a reasonable likelihood of repeating itself in the school environment; or if any similar type of misconduct in the community has a reasonable likelihood of being continued or repeated in school or of bringing retaliation or revenge into the school for such off-school misconduct, the Board may impose discipline up to and including suspension and/or expulsion. The rationale to be applied in considering disciplinary action is whether the off-school grounds conduct will markedly interrupt or severely impede the day-to-day operation of a school.

A student who possessed and used a firearm, deadly weapon, dangerous instrument or martial arts weapon in the commission of a crime off-campus shall be expelled for one calendar year unless said expulsion is modified on a case-by-case basis.

Legal Reference: Connecticut General Statutes
 4- 176e through 4- 185 Uniform Administrative Procedure Act.
 10-233a through 10-233f re in-school suspension, suspension, expulsion. (as amended by PA 98-139)
 29-35 Carrying of pistol or revolver without permit prohibited.
 29-38 Weapons in vehicles.
 53a-3 Firearms and deadly weapons.
 53-206 Carrying and sale of dangerous weapons.
 53a-217b Possession of firearms and deadly weapons on school grounds.
 PA 94-221 An Act Concerning School Safety.
 18 U.S.C. 921 Definitions.
 PL 103-382 Elementary and Secondary Education Act. (Sec. 14601 - Gun Free Requirements: Gun Free School Act of 1994)
 PA 95-304 An Act Concerning School Safety.
 PA 96-244 An Act Concerning Revisions to the Education Statutes.
Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education. (SC 15862
Wisniewski v. Bd. Of Educ., 494F.3d34 (2nd Cir. 2007)
Doninger v. Niehoff, 257F.3d (2nd Cir. 2008)

Policy adopted:

Rev. 5/98

Rev 7/98

Rev 4/02

Rev 12/09

Sexting

(Background information for Policy Committee)

When students take sexually revealing pictures of themselves and send them as text message attachments, it's called "sexting." Sexting also refers to sending sexually explicit text messages. Recently, the practice has been increasing exponentially. Young people use this practice to show off, to entice someone to show interest in someone, or to prove commitment. The problem is, the moment the relationship ends, someone is in possession of a highly compromising image that can be easily posted on a social networking site or sent around via email or text.

School administrators are becoming increasingly aware that students are forwarding sexually suggestive messages and/or nude pictures of classmates or other people from their wireless communication devices. These students do not realize that sending of a nude picture, even of oneself, of a child under the age of eighteen is considered "child pornography" and can lead to criminal consequences. Kathleen K. Menzo, in *Education Week* indicated that, "The recent emergence of 'sexting' by adolescents over their mobile phones caught many school administrators off guard, and the practice is prompting efforts around the country to craft policy responses."

Common Sense Media, a San Francisco-based nonprofit organization that provides free class materials and parent education programs to districts on curbing cyberbullying and sexting, reports that 22% of teen girls and 20% of teen boys have sent nude or semi-nude photos of themselves. Further, their research indicates that 22% of teens admit that technology makes them personally more forward and aggressive; 38% say exchanging sexy content makes dating or "hooking up" with others more likely. In another survey, conducted by the Washington-based National Campaign to Prevent Teen and Unplanned Pregnancy, the findings indicated that one in five teenagers and a third of young adults, have reported sending nude or semi-nude pictures or videos of themselves to others.

It is clear from the prevalence of sexting, that many young people do not grasp the seriousness of the practice. Due to the fact that technology, especially cell phones and texting, are such a part of daily life for many teens, the notion of legal consequences stemming from something so mundane is typically lost. They mistakenly believe that because the photos are of themselves, they cannot be pornography or that having the photo or sending it to a friend cannot be illegal.

This issue has moved to the forefront over the past year or so as the most sensational cases have garnered national headlines. There have been some high profile cases of sexting. A 15 year-old girl was arrested on child pornography charges for using her cell phone to send nude photos of herself to classmates. A young boy has been put on probation after sending an explicit photo of his genitals to a girl's cell phone. High school cheerleaders in another case receiving attention were suspended from the squad after nude photos of them were sent by cell phone to the school's football team.

In July, 2008, a Cincinnati teen committed suicide after a nude photo she had sent to a boyfriend was widely circulated around her high school, resulting in harassment from her classmates. Students in a number of states have been arrested and charged with a range of offenses related to sexting, including child pornography and other sex crimes.

Sexting

(continued)

(Background information for Policy Committee)

Therefore, there are major legal, policy and educational issues that need to be confronted. Various organizations, such as the American Association of School Administrators, are providing information and resources to combat this problem. In addition school districts need to review their policies pertaining to cell phone use. Schools also should provide information to students, teachers, and parents about the dangers of sexting, including the permanent digital record it creates. Technology is an integral part of the lives of today's teenagers; they need to know how to use it responsibly, in a safe, smart and ethical manner. It's essential that school officials learn about the issue and work with parents and law enforcement officials to impress upon teens that sexting can lead to trouble. Parents and educators must be involved in this task. Internet safety, with an emphasis on the legal, social, and psychological issues around sexting must be presented to today's youth. Any education provided on this topic can and should be aimed at the entire community when possible. This includes, in addition to students, board members and staff as well as parents and community members. There are a variety of informational websites and documents for use by students, parents and educators.

Legal experts have indicated that without policies and protocols for dealing with sexting incidents, educators themselves can get into trouble. An article in Education Week reported that several districts are fighting law suits filed by parents who say school officials did not respond adequately to address the harassment and bullying their children endured after nude photographs were shared electronically.

The dilemma for school officials is that the origin of the sexting in many cases takes place off of school grounds on student personal electronic devices. School officials must proceed carefully before disciplining a student for out-of-school conduct. A school's authority over off-campus expression is much more limited than expression on school grounds. However, school officials may generally (1) remove a student from extracurricular activities when the student code for participation requires students to conduct themselves at all times as good citizens and exemplars of the school; and (2) discipline a student when the student's expression causes substantial disruption to school operations. In short, disciplinary action by school officials can be taken if the sexting practice causes a disruption in the school environment.

If a school employee is made aware that a student or students in the school district are circulating inappropriate pictures at school, caution is urged in the investigation of the incident. Do not forward that email to a school employee's email address as such transfer of information could be deemed to be a violation of child pornography laws. The district's school attorney should be contacted for guidance on how to proceed.

Caution is urged. Districts, via policy, should not promise to control off-campus behavior. It's not possible, so it shouldn't be promised. Boards would be making a serious mistake if they promise something they can't deliver. That can result in a credibility problem and a liability problem. Local policy can and should, however, control the use of district electronic devices. As previously stated, the district also has an educational role to play on this issue.

Sexting

(continued)

(Background information for Policy Committee)

Policy Implications: Apart from the educational role for districts concerning the teaching of responsible, moral, and ethical use of electronic devices, there are a number of ways through policy that this issue can be confronted.

If the district has a solid student conduct code, electronic communications policy and the standard harassment, bullying, and discrimination language, they have all the tools needed to address this issue from a policy standpoint. Again, keep in mind that if it creates a substantial disruption in school, school officials may be able to address it.

The following language, several options presented, could be added to the district's policy pertaining to student conduct and/or included in the students' handbook. (Policy #5114, 5131, or #5144)

Option #1:

The taking, disseminating, transferring or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, emailing or sexting, etc.) may constitute a crime under State and/or Federal law. Any person taking, disseminating or sharing obscene, pornographic, lewd or otherwise illegal images or photographs may be punished under this policy/code of conduct and will be reported to law enforcement and/or other appropriate state or federal agencies, which may result in arrest, criminal prosecution and lifetime inclusion on sexual offender registries.

Option #2:

Students may not possess or display, electronically or otherwise, sexually explicit, vulgar or violent material including, but not limited to, pornography or depictions of nudity, violence or explicit death or injury. This prohibition does not apply to curricular material that has been approved by District staff for its educational value. Students will not be punished for speech in situations where it is protected by law.

The following language can be added to the district's policy (policy #5131.81) pertaining to the use of cell phones and electronic devices:

The sending, sharing, viewing or possessing pictures, e-mails or other material of a sexual nature in electronic or any other form on a cell phone or other electronic device is prohibited in the school setting.

Existing policy, #5148 adopted 9/21/02 recodified as #5131.81, modified to cover issue of "sexting". A sample follows for comparison and consideration.

Students

Electronic Information/Technology/Media Policy

The Woodbridge School District maintains an electronic mail system. This system is provided to assist personnel in performing the work of the school system. All staff members use the system to improve professional communication. The rules, which govern the use of the system, follow.

1. The system is provided exclusively for school related use. The system may be used for personal communications only to a limited extent, which does not interfere with statues and/or other policies governing employment of the district.
2. All computers and the data stored on them are and remain at all times the property of the Woodbridge School District.
3. Posting, publishing or unsolicited transmission of an unlawful, threatening, abusive, libelous, defamatory, obscene, pornographic profane or otherwise objectionable information, including without limitation any transmission constituting or encouraging conduct that would constitute a criminal offense or violate any legal state, national law is strongly prohibited.
4. It is not the interest of this policy that users assign to the district their copyright in work developed on the system for courses taken as part of professional development for their role within the district.
5. All use must be consistent with other Woodbridge Board of Education policies such as Communications - 1002; Political Activities - 1311; Distribution of Information -1325; Community Relations - 1330 as well as all applicable laws.

Additionally, any use of school district computers or telecommunication systems for commercial purposes, financial gain, productive advertisement, political lobbying or attempt to disrupt the use of the service by others is prohibited.

The Board of Education has no control over the information on the Internet. Acknowledging that sites accessible (via the internet) may contain material that is illegal, defamatory or of a potentially offensive nature to some individuals, the Board encourages district employees to exercise caution in the use of the system to avoid exposure to inappropriate Web sites.

Standards Governing Use

Abide by generally accepted rules of network etiquette.

Students

Electronic Information/Technology/Media Policy

Standards Governing Use (continued)

Do not reveal your personal address or phone number or those of other colleagues, parents, students or others.

Notify the system administrator or administration if you believe that you have identified a possible security problem on the system.

Respect and abide by copyrighted protections related to messages transmitted over the system.

Software should not be installed on any computer by anyone except by a Technology Center Specialist or specifically authorized individual of the Board of Education.

Use discretion when forwarding mail group addresses or distribution lists. Be sure that everyone needs to read the information contained in the Email message.

Students may not possess or display, electronically or otherwise, sexually explicit, vulgar or violent material, including, but not limited to, pornography or depictions of nudity, violence or explicit death or injury. Any person taking, disseminating or sharing obscene, pornographic, lewd or otherwise illegal images or photographs may be punished under this policy and will be reported to the law enforcement agencies.

Electronic Mail

Electronic mail should not be considered truly confidential. The purpose of electronic mail is to create an effective and efficient means of communication. Each individual is responsible for checking his/her Email every work day and for addressing messages in a timely fashion.

Electronic mail should contain appropriate content and should be sent only to those who need the information.

While Email may accommodate the use of passwords, the reliability of security measures for maintaining confidentiality cannot be guaranteed. Users must assume that any and all messages may be read by someone other than the intended or designated recipient. Even when a message is erased, it is still possible to retrieve the message. Therefore, privacy of Email messages cannot be assured to anyone.

Students

Electronic Information/Technology/Media Policy

Standards Governing Use (continued)

Email communications must at all times be professional. Email messages should not contain offensive content that may create a hostile environment and/or be reasonably considered to be disruptive of the school environment or offensive to any employee, student, parent or anyone else associated with the district. Offensive content would include, but not be limited to, sexual comments or images, racial or ethnic slurs, gender specific comments, or, comments that would offend someone due to his/her age, sexual orientation, religious or political beliefs, national origin, or disability, or comments that personally demean or attack any individual.

All Email messages composed sent and received on the school computer system all remain the property of the school system. In order to ensure proper use of the system, the district reserves the right, with just cause, to retrieve and read any Email message composed, sent, received, or stored on the system.

Complaints of Problems or Misuse

Anyone who is aware of problems with or misuse of the system should report this to his/her supervisor.

Most important, the Board urges any employee who receives harassing, threatening, intimidating or other improper message through the system to report this immediately to his/her supervisor. It is the Board's policy that no employee should be required to tolerate such treatment, regardless of the identity of the sender of the message. Please report these events.

Privacy and Privilege in Use of Information Services

The Board of Education, or its agents, may monitor Email activity as well as other components of the system of any employee upon just cause, without the employee's consent. The just cause for monitoring, if necessary will be established prior to initiation of action of this nature. The Principal with the Superintendent will establish just cause.

Freedom of Information regulations is applicable to all Email records. Any Email is a record, and therefore, can be subpoenaed in court. Therefore, when using Email one must be careful with what the content of an Email message might be. When in doubt, do not use Email.

The use of the Internet and electronic mail system of the district is a privilege. The district may withhold, limit or regulate that privilege. Failure to adhere to the established guidelines may result in loss of access to the Email and Internet system and/or referral to legal authorities.

Students

Electronic Information/Technology/Media Policy

Privacy and Privilege in Use of Information Services (continued)

On an annual basis, the Principal shall review and, as needed, clarify procedures set forth to support this policy in an effort to ensure appropriate use of electronic media information systems. Administration shall present information related to the efficient use of the system to all staff on an annual basis.

All use of the Woodbridge School District information technology systems must be consistent with other Woodbridge Board of Education policies such as Communication-1002, Political Activity-1311, Distribution of Information 1325 and Community Relations 1330.

Legal Reference: Connecticut General Statutes

10-233j Student possession and use of telecommunications devices

Eisner v. Stamford Board of Education, 440 F. 2d 803 (2nd Cir 1971)

Trachtman v. Anker, 563 F. 2d 512 (2nd Cir. 1977) cert. denied, 435 U.S. 925 (1978)

Hazelwood School District v. Ruhlmeir, 484 U.S. 260, 108 S Ct 562 (1988)

Bethel School District v. Fraser, 478 US 675 (1986)

Tinker v. Des Moines Independent Community Dist., 393 US 503, (1969)

Policy adopted:

WOODBIDGE PUBLIC SCHOOLS
Woodbridge, Connecticut

A new version of this policy to consider.

Students

Electronic Devices

The Board adopts this policy in order to maintain/promote an educational environment that is safe and secure for district students and employees. The Board establishes that the acceptable use of electronic devices is to support instruction and as a means of communication under approved circumstances.

Electronic devices shall include all devices that can take photographs; record audio or video data; store, transmit or receive messages or images; or provide a wireless, filtered or unfiltered connection to the Internet. Examples of these electronic devices include, but shall not be limited to, radios, walkmans, CD players, iPods, MP3 players, DVD players, handheld game consoles, Personal Digital Assistants (PDAs), cellular or mobile telephones, BlackBerries, and laptop computers, as well as any new technology developed with similar capabilities.

The Board prohibits/limits the use of these and other electronic devices by students during the school day in District buildings; on District property; on District buses and vehicles; during the time students are under the supervision of the District (and in locker rooms, bathrooms, health suites and other changing areas at any time - if choose to prohibit, rather than limit.)

The Board prohibits possession of laser pointers and attachments and telephone paging devices/beepers by students in District buildings; on District property; on District buses and vehicles; and at school-sponsored activities. [*alternate language: The Board may limit other electronic devices as appropriate.*] The District shall not be liable for the loss, damage or misuse of any electronic device.

Electronic Images and Photographs

The Board prohibits the taking, storing, disseminating, transferring, viewing, or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or other means, including but not limited to texting and e-mailing. Such violations may constitute a crime under state and/or federal law. Therefore, the district may report such conduct to state and/or federal law enforcement agencies.

Such prohibited activity shall also apply to student conduct that occurs off school property if:

1. There is a nexus between the proximity or timing of the conduct in relation to the student's attendance at school or school-sponsored activities.
2. The student is a member of an extracurricular activity and has been notified that particular off-campus conduct could result in exclusion from such activities.
3. The conduct has a direct nexus to attendance at school or a school sponsored-activity, such as an agreement made on school property to complete a transaction outside of school that would violate the Code of Student Conduct.

Students

Electronic Devices (continued)

The Superintendent or designee shall annually notify students, parents/guardians and employees about the Board's electronic device policy. The Superintendent or designee shall develop administrative regulations to implement this policy.

Violations of this policy by a student shall result in disciplinary action and may/shall result in confiscation of the electronic device. The confiscated item shall not be returned until a conference has been held with a parent/guardian.

Exceptions

The building administrator may grant approval for possession and use of an electronic device by a student for the following reasons:

1. Health, safety or emergency reasons.
2. An individualized education program (IEP).
3. Classroom or instructional-related activities.
4. Other reasons determined appropriate by the building Principal.

The building administrator may grant approval for possession and use of a telephone paging device/beeper by a student for the following reasons:

1. Student is a member of a volunteer fire company, ambulance or rescue squad.
2. Student has a need due to the medical condition of an immediate family member.
3. Other reasons determined appropriate by the building Principal.

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

(cf. 5131 – Conduct)

(cf. 5131.8 – Off School Grounds Misconduct)

(cf. 5131.82 – Restrictions on Publications and Written or Electronic Material)

(cf. 5131.911 – Bullying)

(cf. 5131.913 – Cyberbullying)

(cf. 5144 – Discipline/Punishment)

(cf. 5145.5 – Sexual Harassment)

(cf. 5145.51 – Peer Sexual Harassment)

Students

Electronic Devices

Legal Reference: Connecticut General Statutes

10-233j Student possession and use of telecommunications devices

Eisner v. Stamford Board of Education, 440 F. 2d 803 (2nd Cir 1971)

Trachtman v. Anker, 563 F. 2d 512 (2nd Cir. 1977) cert. denied, 435 U.S. 925 (1978)

Hazelwood School District v. Ruhlmeir, 484 U.S. 260, 108 S Ct 562 (1988)

Bethel School District v. Fraser, 478 US 675 (1986)

Tinker v. Des Moines Independent Community Dist., 393 US 503, (1969)

Policy adopted:

WOODBRIIDGE PUBLIC SCHOOLS
Woodbridge, Connecticut

An optional policy to consider.

Students

Use of Electronic Devices

Restrictions on Publications and Written or Electronic Material

School-Sponsored Publications and Websites: School-sponsored publications, productions, and websites are part of the curriculum and are not a public forum for general student use. School authorities may edit or delete material that is inconsistent with the District's educational mission.

All school-sponsored communications shall comply with the ethics and rules of responsible journalism. Text that is libelous, obscene, vulgar, lewd, invades the privacy of others, conflicts with the basic educational mission of the school, is socially inappropriate, is inappropriate due to the maturity of the students, or is materially disruptive to the educational process will not be tolerated.

The author's name will accompany personal opinions and editorial statements. An opportunity for the expression of differing opinions from those published/produced will be provided within the same media.

Non-School Sponsored Publications and Web Sites Accessed or Distributed at School: Students are prohibited from accessing and/or distributing at school any written or electronic material, including material from the Internet that:

1. Will cause substantial disruption of the proper and orderly operation and discipline of the school or school activities;
2. Violates the rights of others, including but not limited to, material that is libelous, invades the privacy of others, or infringes on a copyright;
3. Is socially inappropriate or inappropriate due to the maturity level of the students, including but not limited to, material that is obscene, pornographic, or pervasively lewd and vulgar, or contains indecent or vulgar language; or
4. Is primarily intended for the immediate solicitation of funds.

The distribution of non-school sponsored written material shall occur at a time and place and in a manner that will not cause disruption, be coercive, or result in the perception that the distribution of the material is endorsed by the School District.

Accessing or distributing "at school" includes accessing or distributing on school property or at school-related activities. A student engages in gross disobedience and misconduct and may be disciplined for: (1) accessing or distributing forbidden material, or (2) for writing, creating, or publishing such material intending for it to be accessed or distributed at school.

Students

Use of Electronic Devices

Restrictions on Publications and Written or Electronic Material (continued)

Student-Created or Distributed Written or Electronic Material Including Blogs: A student engages in gross disobedience and misconduct and may be disciplined for creating and/or distributing written or electronic material, including Internet material and blogs, that causes substantial disruption to school operations or interferes with the rights of other students or staff members.

- (cf. 0521 – Nondiscrimination)
- (cf. 5114 – Suspension and Expulsion/Due Process)
- (cf. 5131 – Conduct)
- (cf. 5131.8 – Off School Grounds Misconduct)
- (cf. 5131.81 – Use of Electronic Devices)
- (cf. 5131.911 – Bullying)
- (cf. 5131.913 – Cyberbullying)
- (cf. 5144 – Discipline/Punishment)
- (cf. 5145.4 – Nondiscrimination)
- (cf. 5145.5 – Sexual Harassment)
- (cf. 5145.51 – Peer Sexual Harassment)
- (cf. 6145.3 – Publications)

- Legal Reference: *Eisner v. Stamford Board of Education*, 440 F. 2d 803 (2nd Cir 1971)
- Trachtman v. Anker*, 563 F. 2d 512 (2nd Cir. 1977) cert. denied, 435 U.S. 925 (1978)
- Hazelwood School District v. Ruhlmeir*, 484 U.S. 260, 108 S Ct 562 (1988)
- Bethel School District v. Fraser*, 478 US 675 (1986)
- Tinker v. Des Moines Independent Community Dist.*, 393 US 503, (1969)

Policy adopted: