

## **Agenda**

- I. **Call to Order / WebEx Login**  
<https://woodbridgeps.webex.com/woodbridgeps/j.php?MTID=mcb84c0ae86a223b0344e46417bd9ffac>  
**Meeting number (access code): 2494 519 5002**  
**Meeting password: mwRz9MGWC46**  
  
*This meeting is being conducted as a hybrid meeting consistent with Connecticut Public Act 22-3. The public may attend in person at the location indicated above, with social distancing required. The public may also attend electronically via WebEx. The link is provided above.*
- II. **Public Comment - The Board welcomes public participation. We ask that speakers please limit their comments to three minutes. Please be aware that the Board will not respond to any comments made during the public comment period, except to clarify issues, but we will take into consideration your comments, and when appropriate, district administration will follow-up with you at a later point in time.**
- III. **Policies for Review**
  - A. 4118/113 / 4218.113 Harassment (Staff)
  - B. 4118.238 / 5141.81 Travel and Self-Quarantine During the COVID-19 Pandemic
  - C. 9121 Chairperson / 9122 Vice Chairperson / 9123 Secretary
  - D. 9325.43 Attendance at Meetings via Electronic Communications
  - E. 6172.1 Gifted and Talented Students Program
  - F. 6171.1 Special Education
  - G. 6163.3 Live Animals in the Classroom
  - H. 5131.111 Video Surveillance
  - I. 5125 Student Records; Confidentiality
- IV. **Adjourn**



# WOODBIDGE SCHOOL DISTRICT

40 Beecher Road – South  
Woodbridge, Connecticut 06525

Jonathan S. Budd, Ph.D. – Superintendent

## MEMORANDUM

TO: Woodbridge Board of Education Policy Committee  
FROM: Jonathan S. Budd, Ph.D., Superintendent  
DATE: May 13, 2022  
RE: May 16 Special Meeting:  
Proposed Revision of Policy 4118.113/4218.113, "Harassment"

Tabled from the April 5 meeting of the Policy Committee, please find attached a proposed revision of Policy 4118.113/4218.113 to update this policy based on current recommendations of the Connecticut Association of Boards of Education (CABE). The policy revision, which is total, is represented in red. Current Policy 4117, which is duplicative of 4118.113/4218.113, would be rescinded with this policy revision.

## Personnel – Certified/Non-Certified Staff

### Harassment

The Woodbridge Board of Education strives to provide a safe, positive working and learning climate. Therefore, harassment, in any form, will not be tolerated in the Woodbridge School District. This policy applies to all students, staff members, Board members, parents, vendors, contracted individuals, volunteers, other employees, and other visitors -- who are on District grounds or property or on property within the jurisdiction of the District; on buses operated by or for the District; while attending or engaged in District activities; and while away from District grounds if the misconduct directly affects the good order, efficient management, and welfare of the District.

Employees, students, and others are expected to adhere to a standard of conduct that is respectful and courteous to all. The principle of freedom of expression that might otherwise protect the most offensive public speech does not protect or encompass a right to threaten the dignity and privacy of an individual. Such personally directed behavior will not be tolerated. It is contrary to academic values, debilitates its victims, compromises the offenders, and undermines the district's fundamental commitment to individual freedom and respect for all its members. Furthermore, acts of intolerance may destroy the very atmosphere in which freedom of expression is otherwise tolerated and cherished.

For purposes of this policy, harassment consists of verbal, written, graphic, or physical conduct relating to an individual's race, color, religion, sex, national origin/ethnicity, physical attributes or disability, parental or marital status, sexual orientation (including gender identity/expression), or age when such conduct/harassment:

1. is sufficiently severe, persistent, or pervasive that it affects an individual's ability to participate in or benefit from an educational program or activity or creates an intimidating, threatening or abusive education environment;
2. has the purpose or effect of substantially or unreasonably interfering with an individual's academic or work performance;
3. otherwise adversely affects an individual's learning or work opportunities;
4. is made either explicitly or implicitly a term or condition of an individual's education, employment, or participation in district programs or activities; and
5. exposure to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual; and

Harassment as set forth above may include, but is not limited to:

- verbal, physical, or written intimidation or abuse;
- repeated remarks of a demeaning or condescending nature;
- repeated demeaning jokes, stories, or activities directed at the individual.

For purposes of this policy, sexual harassment shall consist of unwelcome sexual advances; requests for sexual favors; and other inappropriate verbal, written, graphic or physical conduct of a sexual nature when:

1. acceptance of such conduct is made, either explicitly or implicitly, a term or condition of an individual's continued education employment; or participation in district programs or activities; and
2. submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual; and
3. such conduct is sufficiently severe, persistent, or pervasive that it has the purpose or effect of substantially interfering with the employee's job performance or creating an intimidating, hostile, or offensive working environment.

Examples of conduct that may constitute sexual harassment include, but are not limited to, sexual flirtations, advances, touching or propositions; verbal abuse of a sexual nature; graphic or suggestive comments about an individual's dress or body; sexually degrading words to describe an individual; jokes; pin-ups; calendars; objects;

graffiti; vulgar statements; abusive language; innuendos; references to sexual activities; overt sexual conduct; or any conduct that has the effect of unreasonably interfering with an employee's ability to work or creates an intimidating, hostile, or offensive working environment.

Each staff member shall be responsible to maintain an educational environment free from all forms of unlawful harassment. Each student shall be responsible to respect the rights of all students and to ensure an environment free from all forms of unlawful harassment.

Should harassment be alleged, it is the policy of this Board that it shall be thoroughly investigated, that there shall be no retaliation against the victim of the alleged harassment, and that the problem/concern shall be appropriately addressed.

In order to maintain a work environment that discourages and prohibits unlawful harassment, the Board designates the Director of Special Services as the District's Compliance Officer.

The Compliance Officer shall publish and disseminate this policy and the complaint procedure annually to students, parents, employees, independent contractors, vendors, and the public. The publication shall include the position, office address, and telephone number of the District's Compliance Officer.

The District shall annually inform students, staff, parents, independent contractors, and volunteers that unlawful harassment will not be tolerated with the school system.

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, 29CFR Sec. 1606.8 (a0 62 Fed. Reg. 12033 (March 13, 1997) and 66 Fed. Reg. 5512(1/19/01)

*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. 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:

## **Personnel – Certified/Non-Certified Staff**

### **Harassment**

#### **Harassment Complaint Procedure**

If a person 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.

If the offensive behavior is repeated following a request to the harasser that it cease, the person shall have the option of pursuing either an informal complaint procedure designed to educate the harasser and to eliminate the problem, or a formal complaint procedure that is defined below.

Any person who makes an informal oral complaint of harassment to the Director of Special Services will be provided a copy of these regulations and will be encouraged to pursue the formal procedure should the informal investigation and intervention, if required, prove unsuccessful in eliminating the objectionable behavior. However, it is not necessary for the person being harassed to wait until the offensive behavior is repeated before filing a complaint. Offensive behavior of an egregious nature would warrant an immediate and formal complaint be filed.

If, following requests to cease objectionable, harassing behavior, said behavior continues, and if the informal procedure has also proven unsatisfactory, or unacceptable, the person may pursue the formal complaint procedure, which involves submitting a written complaint to the Director of Special Services. The complaint should list the name of the complainant, the date of the complaint, the date of the alleged harassment, the name(s) of the harasser(s), where such harassment occurred, and a detailed statement of the circumstances constituting the alleged harassment.

All formal complaints and informal complaints involving staff are to be forwarded immediately to the Director of Special Services unless that individual is the subject of the complaint, in which case the complaint should be forwarded directly to the Superintendent.

Upon receiving a formal complaint, the Director of Special Services, will, as soon as possible, 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 complainant 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 discreetly, 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. 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.

If the 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, and 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 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 situations of harassment may include reprimand, reassignment, transfer, suspension, expulsion, disciplinary action, or discharge from employment.

The harasser and any other involved individuals, 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.

All employees and supervisors shall be provided copies of the Board of Education policy concerning harassment, and this policy will be reproduced in all employee and student handbooks.

Regulation approved:

## Personnel Policy

### Harassment – Staff

The Board of Education believes that all employees 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 employees have a right to work 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 employees by supervisors, fellow employees, students, agents of outside vendors, contracted services providers and community members.

Harassment of employees will not be tolerated. Any form of harassment related to an employee'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 employee relationship. It also includes unwelcome sexual advances and other forms of sexual harassment as addressed separately in Policy 4118 of the Woodbridge Board of Education.

If an employee feels that he/she is being harassed by a supervisor, any other employee, vendor, visitor, parent or other individual who has cause to be associated with the school district, the employee should, if possible, first let the harassing person know of their objections. If the employee 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 employee's direct supervisor. If the supervisor is the source of the harassment, the individual making a complaint shall report it to the Director of Special Services or the Superintendent.

To the extent practical, the employee's confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, the employee will be informed of the outcome of the investigation.

This policy prohibits retaliation against any employee 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, co-workers, and others who may have knowledge of the situation.

Retaliation against any employee who is the subject of harassing behavior or any witnesses is strictly forbidden and will result in disciplinary action.

Supervisors are required to investigate and report all incidents of harassment or suspected harassment brought to their attention. The failure to do so may be grounds for disciplinary action. Likewise, it is the obligation of non-supervisory employees to report any incidents of harassment or suspected harassment that may be brought to their attention to an appropriate supervisor.

The investigator will make every reasonable attempt to rationally and objectively resolve any questions of credibility between the complaining and the accused employee or 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.

**Adopted 11/17/03; Revised 2/23/04**

Reference: ——— Bullying Policy  
Sexual Harassment Policy

## Personnel Policy

### Harassment/Intimidation – Regulations

The Board of Education endeavors to provide all staff 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 employees 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 work environment. Examples of such behavior include unwanted touching, insulting or degrading comments and the display of explicitly 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. Employees should promptly report complaints of harassment to the appropriate supervising personnel 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 employee organization agreements, the law and Board policy, a substantiated charge of harassment against a staff member of the Board shall subject such staff member to appropriate corrective action, which may include discipline up to and including suspension or termination.

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 of this policy.

Legal References: Civil Rights Act of 1964, Title VII, 42 U.S.C. 2000-e2(a); Equal Employment Opportunity Commission Policy Guidance (N915.035) on Current Issues of Sexual Harassment, effective 3/19/90. Title IX of the Education Amendments of 1972, 34 CFR Section 106. Meritor Savings Bank, FSB vs. Vinson, 477 U.S. 57 (1986). Connecticut General Statutes: [46a-60](#) Discriminatory Employment Practices Prohibited; Constitution of the State of Connecticut, Article I, Section 20; EEOC Policy Guidance, N-915.035 and Family Educational Rights and Privacy Act 20 U.S.C. 1232g et. seq.

## Personnel Policy

### Harassment/Intimidation – Regulations

#### **PROCEDURE**

Any employee who believes that he or she has reason to complain about harassment should report the alleged misconduct immediately to a supervisor, Special Services Director, the building principal or the Superintendent. 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. 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 all appropriate confidentiality and in accordance with Complaint Levels 1, 2 and 3 as set forth below, consistent with applicable state and federal statutes and regulations.

## **REMEDIAL ACTION**

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**

If it is determined that a complaint of harassment was not made in good faith or was deliberately false, the complainant may be subject to appropriate corrective action, which may include suspension and/or termination, consistent with personnel 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 the 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.

## **LEVEL 1 COMPLAINT**

Employees 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 an alleged incident of harassment is articulated in the meeting, the 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 or corrective action up to and including discharge. The administrator will prepare a written report of the incident and submit a copy to the Superintendent of Schools for inclusion in the perpetrator's file, as appropriate. All other documents shall be maintained in a separate, secure investigatory file.

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 or 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 administrator originally consulted, who will then forward it to the Superintendent of Schools, as appropriate, for action.

The Level 2 Complaint will be made on appropriate forms and be accompanied by copies of any applicable supervisory reports. The appropriate forms will solicit the specifics of the complaint including the names of the complainants, name(s) of the alleged harasser(s), date(s) and place(s) of the incidents, description(s) of the speech

or behavior, names of any witness(es), any 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 *finally* 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. The appeal must include reference to the original complaint and a statement of the reason for the appeal. The Superintendent of Schools or the Board of Education will be provided copies of all relevant reports concerning the specific action being appealed along with the appeal document.

**WOODBIDGE SCHOOL DISTRICT  
HARASSMENT COMPLAINT REPORT**

**LEVEL 1**

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

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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.

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Finding and Action Taken: \_\_\_\_\_

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Signature of Administrator: \_\_\_\_\_

Date: \_\_\_\_\_

Reports of harassment shall be treated with all appropriate confidentiality.

**WOODBIDGE SCHOOL DISTRICT  
HARASSMENT COMPLAINT REPORT**

**LEVEL 2**

Name of Complainant: \_\_\_\_\_

Home Address: \_\_\_\_\_

Telephone (Home): \_\_\_\_\_

Date of Incident: \_\_\_\_\_ Time of Incident: \_\_\_\_\_ Date Reported: \_\_\_\_\_

Location of Incident: \_\_\_\_\_

Complaint Filed Against (Name/Position): \_\_\_\_\_

Witness: \_\_\_\_\_

\_\_\_\_\_ Name/Position \_\_\_\_\_ Address \_\_\_\_\_ Telephone \_\_\_\_\_

\_\_\_\_\_ Name/Position \_\_\_\_\_ Address \_\_\_\_\_ Telephone \_\_\_\_\_

\_\_\_\_\_ Name/Position \_\_\_\_\_ Address \_\_\_\_\_ Telephone \_\_\_\_\_

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

Recommended Action/Action Taken: \_\_\_\_\_

Signatures (Acknowledgments):

Complaint: \_\_\_\_\_ Date: \_\_\_\_\_

Subject of Investigation: \_\_\_\_\_ Date: \_\_\_\_\_

School Principal: \_\_\_\_\_ Date: \_\_\_\_\_

Superintendent of Schools: \_\_\_\_\_ Date: \_\_\_\_\_

Reports of harassment shall be treated with all appropriate confidentiality.

**WOODBRIIDGE SCHOOL DISTRICT  
HARASSMENT COMPLAINT APPEAL**

**LEVEL 3**

Name(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 of Schools \_\_\_\_\_ Board of Education \_\_\_\_\_

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

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

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~~Name of Appealing Party~~

~~Date~~

~~Reports of harassment shall be treated with all appropriate confidentiality~~

**Personnel—Certified/Non-Certified****Harassment—Staff**

The Board of Education believes that all employees 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 employees have a right to work 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 employees by supervisors, fellow employees, students, agents of outside vendors, contracted services providers and community members.

Harassment of employees will not be tolerated. Any form of harassment related to an employee'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 employee relationship. It also includes unwelcome sexual advances and other forms of sexual harassment as addressed separately in policies of the Woodbridge Board of Education.

If an employee feels that he/she is being harassed by a supervisor, any other employee, vendor, visitor, parent or other individual who has cause to be associated with the school district, the employee should, if possible, first let the harassing person know of their objections. If the employee 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 employee's direct supervisor. If the supervisor is the source of the harassment, the individual making a complaint shall report it to the Director of Special Services or the Superintendent.

To the extent practical, the employee's confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, the employee will be informed of the outcome of the investigation.

This policy prohibits retaliation against any employee 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, co-workers, and others who may have knowledge of the situation.

Retaliation against any employee who is the subject of harassing behavior or any witnesses is strictly forbidden and will result in disciplinary action.

Supervisors are required to investigate and report all incidents of harassment or suspected harassment brought to their attention. The failure to do so may be grounds for disciplinary action. Likewise, it is the obligation of non-supervisory employees to report any incidents of harassment or suspected harassment that may be brought to their attention to an appropriate supervisor.

The investigator will make every reasonable attempt to rationally and objectively resolve any questions of credibility between the complaining and the accused employee or 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.

(cf. [5131.911](#)—Bullying)

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.~~

~~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)~~

~~Connecticut General Statutes~~

~~[46a-60](#) Discriminatory employment practices prohibited.~~

~~[10-153](#) Discrimination on account of marital status.~~

~~[17a-101](#) Protection of children from abuse.~~

**~~Policy adopted: November 19, 2012~~**

**~~WOODBIDGE PUBLIC SCHOOLS~~**

**~~Woodbridge, Connecticut~~**

**4118.113**

**4218.113**

**~~Personnel – Certified/Non-Certified~~**

**~~Harassment/Intimidation~~**

~~The Board of Education endeavors to provide all staff 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 employees 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 work environment. Examples of such behavior include unwanted touching, insulting or degrading comments and the display of explicitly 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. Employees should promptly report complaints of harassment to the appropriate supervising personnel 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 employee organization agreements, the law and Board policy, a substantiated charge of harassment against a staff member of the Board shall subject such staff member to appropriate corrective action, which may include discipline up to and including suspension or termination.~~

~~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 of this policy.~~

**~~Procedure~~**

Any employee who believes that he or she has reason to complain about harassment should report the alleged misconduct immediately to a supervisor, Special Services Director, the building principal or the Superintendent. 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. 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 all appropriate confidentiality and in accordance with Complaint Levels 1, 2 and 3 as set forth below, consistent with applicable state and federal statutes and regulations.

### **Remedial Action**

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**

If it is determined that a complaint of harassment was not made in good faith or was deliberately false, the complainant may be subject to appropriate corrective action, which may include suspension and/or termination, consistent with personnel 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 Responsibilities**

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 the 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.

### **Level 1 Complaint**

Employees 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 an alleged incident of harassment is articulated in the meeting, the 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 or corrective action up to and including discharge. The administrator will prepare a written report of the incident and submit a copy to the Superintendent of Schools for inclusion in the perpetrator's file, as appropriate. All other documents shall be maintained in a separate, secure investigatory file.

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 or 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 administrator originally consulted, who will then forward it to the Superintendent of Schools, as appropriate, for action.

The Level 2 Complaint will be made on appropriate forms and be accompanied by copies of any applicable supervisory reports. The appropriate forms will solicit the specifics of the complaint including the names of the complainants, name(s) of the alleged harasser(s), date(s) and place(s) of the incidents, description(s) of the speech or behavior, names of any witness(es), any 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 finally 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. The appeal must include reference to the original complaint and a statement of the reason for the appeal. The Superintendent of Schools or the Board of Education will be provided copies of all relevant reports concerning the specific action being appealed along with the appeal document.

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

Equal Employment Opportunity Commission Policy Guidance (N915.035) on Current Issues of Sexual Harassment, effective 3/19/90.

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

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

Connecticut General Statutes:

[46a-60](#) Discriminatory Employment Practices Prohibited;

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

EEOC Policy Guidance, N-915.035

Family Educational Rights and Privacy Act 20 U.S.C. 1232g et. seq.

**Regulation approved: November 19, 2012**

WOODBIDGE PUBLIC SCHOOLS

Woodbridge, Connecticut



Date: \_\_\_\_\_

**Reports of harassment shall be treated with all appropriate confidentiality.**

**LEVEL 2**

Name of Complainant: \_\_\_\_\_

Home Address: \_\_\_\_\_

Telephone (Home) \_\_\_\_\_

Date of Incident: \_\_\_\_\_ Time of Incident: \_\_\_\_\_ Date Reported: \_\_\_\_\_

Location of Incident \_\_\_\_\_

Complaint Filed Against (Name/Position): \_\_\_\_\_

Witness: \_\_\_\_\_

\_\_\_\_\_ Name/Position \_\_\_\_\_ Address \_\_\_\_\_ Telephone \_\_\_\_\_

\_\_\_\_\_ Name/Position \_\_\_\_\_ Address \_\_\_\_\_ Telephone \_\_\_\_\_

\_\_\_\_\_ Name/Position \_\_\_\_\_ Address \_\_\_\_\_ Telephone \_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Recommended Action/Action Taken:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signatures (Acknowledgments):

Complainant \_\_\_\_\_ Date: \_\_\_\_\_

Subject of Investigation \_\_\_\_\_ Date: \_\_\_\_\_

School Principal: \_\_\_\_\_ Date: \_\_\_\_\_

Superintendent of Schools: \_\_\_\_\_ Date: \_\_\_\_\_

**Reports of harassment shall be treated with all appropriate confidentiality.**

**WOODBIDGE SCHOOL DISTRICT  
HARASSMENT COMPLAINT APPEAL**

**Level 3**

Name(s) and Position(s) of Appeal Initiator:

\_\_\_\_\_

Names(s) and Positions(s) of Original Complainant:

\_\_\_\_\_

Date of Original Complaint: \_\_\_\_\_

Date of Appeal: \_\_\_\_\_

This appeal is being submitted to the:

Superintendent of Schools       Board of Education

What is/are the decisions(s) and/or remedial actions(s) being appealed?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name of Appealing Party \_\_\_\_\_ Date \_\_\_\_\_

**Reports of harassment shall be treated with appropriate confidentiality.**



# WOODBIDGE SCHOOL DISTRICT

40 Beecher Road – South  
Woodbridge, Connecticut 06525

Jonathan S. Budd, Ph.D. – Superintendent

## MEMORANDUM

TO: Woodbridge Board of Education Policy Committee

FROM: Jonathan S. Budd, Ph.D., Superintendent

DATE: May 13, 2022

RE: May 16 Special Meeting:  
Proposed Revision of Policies 4118.238/4218.238 & 5141.81, “Travel and Self-Quarantine during the COVID-19 Pandemic”

Please find attached a proposed revision of Policies 4118.238/4218.238 & 5141.81. The sentence stricken in red is linked to a Memorandum of Agreement between the Board and the Woodbridge Education Association that will end at the conclusion of this school year.

## Personnel - Certified and Non-Certified

### Travel and Self-Quarantine During the COVID-19 Pandemic

The Board of Education will comply with requirements of the State of Connecticut related to travel outside the local community, including requirements related to self-quarantine. In addition, the Board of Education urges District students, faculty, staff, and visitors to comply with travel-related guidelines developed by CDC and the Connecticut Department of Public Health (DPH).

Updated requirements and guidelines are provided on [the State of Connecticut's "Travel Advisory for Connecticut During the COVID-19 Pandemic" website](#) and on [the CDC's "Travel during COVID-19" website](#), which will be linked on the [Woodbridge School District website](#).

~~Staff who are self-quarantining due to travel may be permitted to participate in remote work during their quarantine period in accordance with leave provisions established by the Superintendent.~~

The Superintendent will disseminate this policy to parents/guardians and staff. Parents/guardians with questions related to the requirements/guidelines and their particular circumstances should contact the District's Nursing Supervisor. Staff with questions related to the requirements/guidelines and their particular circumstances should contact their supervisor or the Superintendent.

The Policy Committee of the Board of Education will review this policy at least quarterly; if necessary, recommended revision or rescission of the policy will be brought to the Board of Education.

(cf. [6114](#) - Emergencies and Disaster Preparedness)

(cf. [6114.81](#) - Emergency Suspension of Policy During Pandemic)

Legal Reference: Connecticut General Statutes

[10-154a](#) Professional communications between teacher or nurse and student.

[10-207](#) Duties of medical advisors.

[10-221](#) Boards of education to prescribe rules.

[19a-221](#) Quarantine of certain persons.

~~Policy adopted: October 21, 2021~~

~~Policy revised: April 19, 2022~~

**WOODBRIIDGE PUBLIC SCHOOLS**

Woodbridge, Connecticut

## Students

### Travel and Self-Quarantine During the COVID-19 Pandemic

The Board of Education will comply with requirements of the State of Connecticut related to travel outside the local community, including requirements related to self-quarantine. In addition, the Board of Education urges District students, faculty, staff, and visitors to comply with travel-related guidelines developed by CDC and the Connecticut Department of Public Health (DPH).

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(cf. [6114](#) - Emergencies and Disaster Preparedness)

(cf. [6114.81](#) - Emergency Suspension of Policy During Pandemic)

Legal Reference: Connecticut General Statutes

[10-154a](#) Professional communications between teacher or nurse and student.

[10-207](#) Duties of medical advisors.

[10-221](#) Boards of education to prescribe rules.

[19a-221](#) Quarantine of certain persons.

~~Policy adopted: October 21, 2021~~

~~Policy revised: April 19, 2022~~

**WOODBRIIDGE PUBLIC SCHOOLS**

Woodbridge, Connecticut



# WOODBIDGE SCHOOL DISTRICT

40 Beecher Road – South  
Woodbridge, Connecticut 06525

Jonathan S. Budd, Ph.D. – Superintendent

## MEMORANDUM

TO: Woodbridge Board of Education Policy Committee

FROM: Jonathan S. Budd, Ph.D., Superintendent

DATE: May 13, 2022

RE: May 16 Special Meeting:  
Proposed Revisions of Policy 9121, “Chairperson,” Policy 9122, “Vice-Chairperson,” & Policy 9123,  
“Secretary”

On February 28, 2022, the Board of Education approved a revision of Policy 9110 based on Connecticut Public Act 21-2, which moved municipal elections to November rather than May. Please find attached proposed revisions of Policy 9121, Policy 9122, and Policy 9123; the proposed revisions will conform those policies to CT Public Act 21-2 as well. The proposed changes are represented in red.

**Bylaws of the Board**

**Chairperson**

A Chairperson of the Woodbridge Board of Education shall be elected by a majority of the members of the Board biannually at the **July** organizational meeting of the Board. There is no restriction on the number of terms a Board member may serve as Chairperson.

The Chairperson shall preside at all meetings of the Board, appoint committees, sign financial and other records of the Board, and perform such other duties as may be prescribed by law, State Department of Education regulations, or the action of the Board.

In carrying out these responsibilities, the Chairperson shall:

1. Sign the instruments, acts, and orders necessary to carry out state requirements and the will of the Board.
2. Consult with the Superintendent in the planning of the Board’s agendas.
3. Confer with the Superintendent on crucial matters which may occur between Board meetings.
4. Appoint members to committees in accordance with Bylaws 9132 and 9133.
5. Call special meetings of the Board as necessary.
6. Be public spokesperson for the Board at all times except as this responsibility is specifically delegated to others.
7. Be responsible for the orderly conduct of all Board meetings.

As presiding officer at all meetings of the Board, the Chairperson shall:

1. Call the meeting to order at the appointed time.
2. Announce the business to come before the Board in its proper order.
3. Enforce the Board’s policies relating to the order of business and the conduct of the meetings.
4. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference.
5. Explain what the effect of a motion would be if it is not clear to every member.
6. Restrict discussion to the question when a motion is before the Board.
7. Answer all parliamentary inquiries, referring questions of legality to the Board attorney.
8. Put motions to a vote, stating definitely and clearly the vote and result thereof.
9. Declare the meeting adjourned.

The Chairperson shall have the right, as other Board members have, to offer resolutions, discuss questions, and to vote.

The Chairperson of the Board may be removed as Chairperson by the affirmative vote of six (6) members taken at a duly constituted meeting for which the matter appeared as an agenda item.

- (cf. [9121](#) - Bylaws of the Board of Education Officers)
- (cf. [9132](#) – Standing Committees)
- (cf. [9133](#) – Special Committees)
- (cf. [9324](#) - Meeting Conduct and Parliamentary Procedure)

Legal Reference: Connecticut General Statutes

[10-218](#) Officers. Meetings.

[10-224](#) Duties of the Secretary.

[10-225](#) Salaries of Secretary and Attendance Officers.

Bylaw adopted by the Board: ~~October 17, 2011~~

**WOODBIDGE PUBLIC SCHOOLS**

Woodbridge, Connecticut

**Bylaws of the Board**

**Vice-Chairperson**

A Vice-Chairperson of the Woodbridge Board of Education shall be elected by a majority of the members of the Board bi-annually at the **July** organizational meeting of the Board. The Vice-Chairperson shall assume the duties of the Chairperson for the unexpired term in the event of a vacancy in that office and a new Vice-Chairperson shall be elected by a majority of all Board members to serve for the unexpired term.

In the absence or inability of the Chairperson, the Vice-Chairperson shall preside at Board meetings and shall perform such other duties of the Chairperson as necessary.

(cf. [9324](#) Meeting Conduct and Parliamentary Procedure)

(cf. [9121](#) Chairperson)

Legal Reference: Connecticut General Statutes

[10-218](#) Officers. Meetings.

[10-224](#) Duties of the Secretary.

[10-225](#) Salaries of Secretary and Attendance Officers.

Bylaw adopted by the Board: ~~October 17, 2011~~

**WOODBIDGE PUBLIC SCHOOLS**

Woodbridge, Connecticut

**Bylaws of the Board**

**Secretary of the Board**

A Secretary of the Board of Education shall be selected by a majority of the members of the Board bi-annually at the **July** organizational meeting of the Board.

In the absence of the Clerk of the Board, the Secretary shall record and maintain a record of all meetings and proceedings of the Board.

In the absence of the Chairperson and the Vice-Chairperson, the Secretary shall preside at Board meetings and perform such other duties as necessary.

(cf. [9324](#) - Meeting Conduct and Parliamentary Procedure)

(cf. [9121](#) - Bylaws of the Board of Education Officers)

Legal Reference: Connecticut General Statutes

[10-218](#) Officers. Meetings.

[10-224](#) Duties of the Secretary.

[10-225](#) Salaries of Secretary and Attendance Officers.

Bylaw adopted by the Board: ~~October 17, 2011~~

**WOODBRIIDGE PUBLIC SCHOOLS**

Woodbridge, Connecticut



# WOODBRIDGE SCHOOL DISTRICT

40 Beecher Road – South  
Woodbridge, Connecticut 06525

Jonathan S. Budd, Ph.D. – Superintendent

## MEMORANDUM

TO: Woodbridge Board of Education Policy Committee

FROM: Jonathan S. Budd, Ph.D., Superintendent

DATE: May 18, 2022

RE: May 16 Special Meeting:  
Proposed Revision of Policy 9325.43, “Attendance at Meetings via Electronic Communications”

Please find attached a proposed revision of Policy 9325.43 to conform with Connecticut Public Act 22-3, which requires the proposed changes represented in red.

## Bylaws of the Board

### Attendance at Meetings via Electronic Communications

~~Except as provided hereafter, the Board of Education shall not conduct any meeting wherein the public business is discussed or transacted through telephonic, video, electronic, or other communication means where the members are not physically assembled.~~

~~A Board member may participate in a meeting through electronic communication means, only from a remote location that is not open to the public.~~

~~Electronic participation may only occur if the member is prevented from physically attending by (1) personal illness or disability, (2) employment purposes, (3) a family emergency or (4) another emergency.~~

~~Such participation by a Board member shall be limited each fiscal calendar year to two meetings.~~

~~A Board member may participate in a meeting by electronic means only when the voice of the remote participant can be heard by all persons at the primary meeting location.~~

~~Consistent with Connecticut Public Act 22-3, the Board of Education may conduct its meetings solely or in part by means of electronic equipment.~~

~~Consistent with Connecticut Public Act 22-3, any member of the Board of Education may participate in any meeting by means of electronic equipment, except that the Board is not required to adjourn or postpone a meeting if the member loses the ability to participate because of an interruption, failure, or degradation of that member's connection by electronic equipment, unless the member's participation is necessary to form a quorum. This provision shall not apply to an executive session or special meeting unless the Board member has received advance permission from the Chairperson.~~

~~Minutes of all meetings shall specify if a member was physically present or present electronically. Lack of such a specification shall be deemed to indicate that the member in question was physically present.~~

~~When a member attends a meeting electronically, all votes shall be by roll call vote unless the vote is unanimous. A member who is attending electronically must identify himself/herself by name and be recognized by the Chairperson before speaking.~~

(cf. [9321](#) – Time, Place, Notification of Meetings)

(cf. [9322](#) – Public and Executive Sessions)

(cf. 9325.1 – Quorum)

(cf. [9325.4](#) – Voting Method)

(cf. 9326 – Minutes)

(cf. [9327](#) – Electronic Mail Communications)

Legal Reference: Connecticut General Statutes

[1-225](#) Meetings of government agencies, as amended by June 11 Special Session, PA 08-3  
 Connecticut Public Act 22-3 “An Act Concerning Remote Meetings under the Freedom of Information Act”

Bylaw adopted by the Board: ~~October 17, 2011~~



# WOODBIDGE SCHOOL DISTRICT

40 Beecher Road – South  
Woodbridge, Connecticut 06525

Jonathan S. Budd, Ph.D. – Superintendent

## MEMORANDUM

TO: Woodbridge Board of Education Policy Committee

FROM: Jonathan S. Budd, Ph.D., Superintendent

DATE: May 17, 2022

RE: May 16 Special Meeting:  
Proposed Revision of Policy 6172.1, “Gifted and Talented Students Program”

Please find attached a proposed revision of Policy 6172.1 based on Connecticut Public Acts 19-184 and 21-199, which regulate certain aspects of the processes for identifying students as gifted and talented. The policy revision is based on the current recommendations of the Connecticut Association of Boards of Education (CABE), and the proposed changes are represented in red.

## Instruction

### Gifted ~~Children~~ and Talented Students Program

~~Gifted students are those with outstanding learning abilities or outstanding talent in the creative arts.~~

~~The school district shall provide educational programs for the gifted and talented including a broad spectrum of learning experiences to:~~

- ~~1. Broaden and deepen knowledge and to develop skills necessary for the student to function successfully in society;~~
- ~~2. Encourage students to excel in areas of special competence and interest.~~

~~Though early identification of the gifted and talented is important, it is essential that the identification of these students be recognized as an initial step in a continuing educational process. Also, special abilities and skills appear at different times in children's lives.~~

The Woodbridge Board of Education recognizes its responsibility to identify gifted and talented students within the District.

For purposes of this policy, “gifted and talented students” means a child identified by the Planning and Placement Team (PPT) as: (a) possessing demonstrated or potential abilities that give evidence of very superior intellectual, creative or specific academic capability; and (b) needing differentiated instruction or services beyond those being provided in the general education program in order to realize the child’s intellectual, creative or specific academic potential. The term shall include children with extraordinary learning ability and children with outstanding talent in the creative arts. For purposes of this policy, “outstanding talent in the creative arts” means a child identified by the Planning and Placement Team as gifted and talented on the basis of demonstrated or potential achievement in music, the visual arts, or the performing arts.

The Superintendent or his/her designee will develop procedures for an ongoing equitable identification process for gifted and talented students that includes multiple measures of identification in compliance with guidance provided by the Connecticut State Department of Education.

Upon the identification of a student as gifted and talented, the District shall provide electronic notice of such identification to the parent/guardian of such student. Such notice shall include, but need not be limited to:

1. an explanation of how such student was identified as gifted and/or talented;
2. the contact information for the District’s employee in charge of the provision of services to gifted and talented students, or, if there is no such employee, the District’s employee in charge of the provision of special education and related services;
3. the employee at the State Department of Education who has been designated as responsible for providing information and assistance to Boards of Education and parents or guardians of students related to gifted and talented students, pursuant to section 10-3e of the Connecticut General Statutes; and
4. any associations in the State of Connecticut that provide support to gifted and talented students.

The District, should it decide to offer services to the gifted and talented, shall utilize the guidelines developed and promulgated by the Connecticut State Department of Education for providing services to those students.

**Legal Reference:** Connecticut General Statutes

10-76a-(e) Definitions.

10-76d(e) Duties and powers of boards of education to provide special education programs and services.

Public Act 19-184, “An Act Concerning the Provision of Special Education”

Public Act 21-199, “An Act Concerning Various Revisions and Additions to the Statutes Relating to Education and Workforce Development”

**Policy adopted: ~~May 20, 2014~~**

WOODBIDGE PUBLIC SCHOOLS

Woodbridge, Connecticut



# WOODBRIDGE SCHOOL DISTRICT

40 Beecher Road – South  
Woodbridge, Connecticut 06525

Jonathan S. Budd, Ph.D. – Superintendent

## MEMORANDUM

TO: Woodbridge Board of Education Policy Committee

FROM: Jonathan S. Budd, Ph.D., Superintendent

DATE: May 13, 2022

RE: May 16 Special Meeting:  
Proposed Revision of Policy 6171.1, "Special Education"

Please find attached a proposed revision of Policy 6171.1 based on updated guidance from the Connecticut Association of Boards of Education (CABE); the proposed changes are represented in red.

## Instruction

### Special Education

As required under the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act (ADA), the Woodbridge Board of Education shall provide a free appropriate public education and necessary related services to all children with disabilities residing within the District.

It is the intent of the District to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated, and provided with appropriate educational services. Students may be disabled within the meaning of Section 504 of the Rehabilitation Act even though they do not require services pursuant to the IDEA.

For students eligible for services under IDEA, the District shall follow procedures for identification, evaluation, placement, and delivery of services to children with disabilities provided in state and federal statutes which govern special education. For those students who are not eligible for services under IDEA, but, because of disability as defined by Section 504 of the Rehabilitation Act of 1973, need or are believed to need special instruction or related services, the District shall establish and implement a system of procedural safeguards. The safeguards shall cover students' identification, evaluation, and educational placement. This system shall include notice, an opportunity for the student's parent(s)/guardian(s)/surrogate parent to examine relevant records, an impartial hearing with opportunity for participation by the student's parent(s)/guardians(s), and representation by counsel, and a review procedure.

In fulfilling its legal duties and responsibilities for providing special education programs for its students, the District may be assisted through Regional Service Center and through cooperative associations with other school districts. If necessary, students may also be placed in private school education facilities as provided in state and federal statutes.

#### Legal Reference: Connecticut General Statutes

10-76a Definitions.

10-76b State supervision of special education programs and services. (as amended by PA 12-173)

10-76c Receipt and use of money and personal property.

10-76d Duties and powers of boards of education to provide special education programs and services. (as amended by PA 97-114, PA 0048, PA 06-18 and June Special Session PA 15-5, Section 277)

10-76e School construction grant for cooperative regional special education facilities.

10-76f Definition of terms used in formula for state aid for special education.

10-76g State aid for special education.

10-76h Special education hearing and review procedure. Mediation of disputes.

10-76i Advisory council for special education.

10-76j Five-year plan for special education.

10-76k Development of experimental educational programs.

10-76m Auditing claims for special education assistance.

10-76a-1 et seq. Definitions

10-76d-1 through 10-76d-19 Conditions of instruction

10-76h-1 through 10-76h-2 Due process

10-76l-1 Program Evaluation

10-145a-24 through 10-145a-31 Special Education (re teacher certification)

10-2641 Grants for the operation of interdistrict magnet school programs

34 C.F.R. 3000 Assistance to States for Education for Handicapped Children.

American with Disabilities Education Act, 20 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  
P.L. 108-446 The 2004 Reauthorization of the Individuals with Disabilities Act  
20 U.S.C. §6368 (3) The No Child Left Behind Act  
*Bd of Ed of the City School District of the City of New York v. Tom F.* 128S.Ct. 1, 76 U.S.L.W.  
3197 (2008)  
*Rowley v. Board of Education*, 485 U.S.-176 (1982)  
*Andrew F. v. Douglas County School District RE-1*, 15-827 U.S. (2017)  
*A.M. v. N.Y. City Department of Education*, 845F.3d 523, 541 (2d Cir.1997)  
*Mrs. B., v. Milford Board of Education* 103 F. 3d 1114, 1121 (2d Cir. 1997)  
*A.R. v. Connecticut State Board of Education*, 3:16-CV-01197 (CSH D. Conn. June 10, 2020)

## Instruction

### Special Education

The Board of Education recognizes its legal duties and responsibilities for providing special education programs for the students of this school district in accordance with State and Federal laws and regulations.

The Superintendent is directed to develop a comprehensive plan of compliance with all of the requirements of federal and state law for the education of students with exceptional needs for whom the school district has legal responsibility.

While addressing student needs appropriately, special education shall reflect district's financial ability, necessary for provision of special facilities, trained and certificated

Legal Reference: Connecticut General Statutes

~~10-76a~~ Definitions. (as amended by PA 00-48 and PA 06-18)

~~10-76b~~ State supervision of special education programs and services. (as amended by PA 12-173)

~~10-76c~~ Receipt and use of money and personal property.

~~10-76d~~ Duties and powers of boards of education to provide special education programs and services. (as amended by PA 97-114, PA 00-48 and PA 06-18)

~~10-76e~~ School construction grant for cooperative regional special education facilities.

~~10-76f~~ Definition of terms used in formula for state aid for special education.

~~10-76ff~~ Procedures for determining if a child requires special education (as amended by PA 06-18)

~~10-76g~~ State aid for special education.

~~10-76h~~ Special education hearing and review procedure. Mediation of disputes. (as amended by PA 00-48)

~~10-76i~~ Advisory council for special education.

~~10-76j~~ Five year plan for special education.

~~10-76k~~ Development of experimental educational programs.

PA 06-18 An Act Concerning Special Education

State Board of Education Regulations.

~~10-76m~~ Auditing claims for special education assistance.

~~10-76a-1~~ et seq. Definitions. (as amended by PA 00-48)

~~10-76b-1~~ through ~~10-76b-4~~ Supervision and administration.

~~10-76d-1~~ through ~~10-76d-19~~ Conditions of instruction.

~~10-76h-1~~ through ~~10-76h-2~~ Due process.

~~10-76l-1~~ Program Evaluation.

~~10-145a-24~~ through ~~10-145a-31~~ Special Education (re teacher certification).

~~10-264l~~ Grants for the operation of interdistrict magnet school programs.

P.A. 12-173, An Act Concerning Individualized Education Programs and Other Issues Relating to Special Education

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.~~

~~P.L. 108-446 The 2004 Reauthorization of the Individuals with Disabilities Act~~

~~20 U.S.C. §6368(3) The No Child Left Behind Act~~

~~Bd of Ed of the City School District of the City of New York v. Tom F. 128S.Ct. 1, 76 U.S.L.W. 3197 (2008)~~

**Policy adopted: May 20, 2014**

~~WOODBRIIDGE PUBLIC SCHOOLS~~

~~Woodbridge, Connecticut~~



# WOODBIDGE SCHOOL DISTRICT

40 Beecher Road – South  
Woodbridge, Connecticut 06525

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Jonathan S. Budd, Ph.D. – Superintendent

## MEMORANDUM

TO: Woodbridge Board of Education Policy Committee  
FROM: Jonathan S. Budd, Ph.D., Superintendent  
DATE: May 13, 2022  
RE: May 16 Special Meeting:  
Proposed Revision of Policy 6163.3, “Live Animals in the Classroom”

Please find attached a proposed revision of Policy 6163.3 based on state and federal requirements necessitating that our current policy include additional language permitting service animals on school premises and on school transportation. The proposed revision is based on current recommendations of the Connecticut Association of Boards of Education (CABE); the proposed changes are represented in red.

## Instruction

### Live Animals in the Classroom

#### Service Animals (Including Guide or Assistance Dogs)

The Board of Education does not permit discrimination against individuals with disabilities, including those who require the assistance of a service animal. The District will comply with state and federal law concerning the rights of persons with guide or assistance dogs, and will permit such animals on school premises and on school transportation.

#### Other Animals

The Board of Education recognizes that there are medical and physical dangers associated with animals, both wild and domesticated, in the classroom and/or on school property. The Board also recognizes that under proper conditions, animals can be an effective teaching aid. The following guidelines are adopted regarding all animals (mammals, birds, reptiles/amphibians, fish, and insects) in the classroom or on school property.

- All requests to have animals in the classroom or on school property must be submitted to the Principal in writing. Included in the request should be a description of the activity, type of animal, educational purpose/benefit, length of activity and a plan for the care of the animal. The Principal has the discretion to permit or deny the presence of animals.
- Parents/guardians must be notified in writing prior to any activity involving animals.
- Students and teachers with allergies must receive special consideration before animals are brought into school. Prior to any exposure to animals in school, the teacher should be aware of any condition such as allergies which could be exacerbated by exposure to animals. Appropriate and reasonable accommodations will be accorded to protect the health of such individuals.
- All requests to take field trips involving animals must be submitted to the Principal in writing. In determining whether to grant the request, the Principal shall be guided by the district policy on field trips and shall also take into consideration any known allergies among the students and the possible side effects of the planned exposure to animals.
- No domesticated animals, including dogs, cats, primates or livestock, shall be allowed in schools unless proof of appropriate and/or current rabies vaccination is provided. Any domesticated mammal that is too young to be immunized for rabies will not be handled by students.
- No wild animal (i.e.g., skunks, raccoons, bats, ground hogs, monkeys or fox) shall be allowed unless under the control of an individual trained in the care and management of the animals (i.e.g., zoo keepers, docents, veterinarians, etc.).
- All animals brought for exhibit must be restrained by the owner/handler.
- No poisonous animals are allowed unless brought in cages/containers that prevent contact with students and faculty.
- Each teacher is responsible for the proper supervision and control of students under his/her direction whenever there is an exhibit or activity involving animals in the school.
- Animals will be allowed to be housed in classrooms only for a specified and appropriate educational purpose of the time necessary to achieve the educational goal.
- It is the responsibility of the teacher to provide a plan for care for classroom-housed animals, including care on weekends and during emergency closure. No animals shall be housed at school unless the teacher involved is familiar with the appropriate care, feeding, and handling of the animals. All waste products must be cleaned from cages on a daily basis by an adult such as a teacher, assistant, volunteer, etc. Cages will not be cleaned by students, and students will not have direct contact with animal waste products.
- Each teacher is responsible for the proper control of animals brought to the classroom for instructional purposes, including the effective protection of students. This includes keeping the animals in appropriate cages or containers for the protection of the animal and individuals.
- No animals will be allowed free range in the facility.
- Supervised hand washing for a minimum of 20 seconds with soap and water will be conducted by students after handling animals. Hand washing will be conducted immediately after the activity has ended and prior

to any further school or classroom activity. Eating/drinking will not be allowed during the animal exhibition or during activities involving animals.

- The Principal and parent/guardian must be notified as soon as possible if an individual is bitten by an animal or any incident occurs which could have an adverse effect on physical or emotional health. The supervising teacher will complete a written report describing the incident.

**Legal References: Connecticut General Statutes**

10-221 Boards of education to prescribe rules, policies and procedures.

46a-42 Mobility impaired person

46a-44 through 46a-64 Public accommodations and transportation, admittance to. (Access of guide and assistance dogs to modes of public transportation and in places of public accommodation.

Section 504 and the Federal Vocational Rehabilitation Act of 1973, 20 U.S.C. 706(7)(b), 29 U.S.C. 705 (20), 794, 34 C.F.R. pt. 104; G.S. 130A-185, 168 article 1, 168A-3 through -7.

American Disability Act, U.S. C12101 *et seq.*, 28 C.F.R. pt. 35.

Individuals with Disabilities Act, 20 U.S.C. 1400 *et seq.*

28 C.F.R. Parts 35 & 36, "Nondiscrimination on the Basis of Disabilities in State and Local Government Services; Final Rules"

**Policy adopted: ~~May 20, 2014~~**

**WOODBRIIDGE PUBLIC SCHOOLS**

Woodbridge, Connecticut



# WOODBIDGE SCHOOL DISTRICT

40 Beecher Road – South  
Woodbridge, Connecticut 06525

Jonathan S. Budd, Ph.D. – Superintendent

## MEMORANDUM

TO: Woodbridge Board of Education Policy Committee

FROM: Jonathan S. Budd, Ph.D., Superintendent

DATE: May 13, 2022

RE: May 16 Special Meeting:  
Proposed Revision of Policy 5131.111, "Video Surveillance"

Please find attached a proposed revision of Policy 5131.111 to comply with current state and federal statutes.  
Proposed changes are represented in red.

## Students

### Conduct

#### Video Surveillance

The Board authorizes the use of video cameras on District property to ensure the health, welfare, security, 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 in consultation with the safety planning committee and relevant staff.

Cameras shall not be placed in areas where students, staff and community members have a reasonable expectation of privacy such as restrooms, locker rooms and lounges.

The Superintendent or designee shall notify staff and students through student/parent and staff handbooks, the District website or ~~by~~ other means that video surveillance may occur on District property and student transportation. Video surveillance shall be used for lawful purposes only, in accordance with applicable law and Board policy. A notice will also be posted at the main entrance of all District buildings. The Superintendent shall adopt regulations governing the use of video surveillance in the schools.

(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: Connecticut General Statutes

[31-48b](#) Use of electronic surveillance devices by employers limited. Prohibition on recording negotiations between employers and employees.

[31-48d](#) Employers engaged in electronic monitoring required to give prior notice to employees. Exceptions. Civil Penalty.

Family Educational Rights and Privacy Act, sec. 438, 20 U.S.C. sec. 1232g (1988).

Policy adopted: ~~June 21, 2013~~

Policy revised: ~~April 26, 2016~~

**WOODBRIIDGE PUBLIC SCHOOLS**

Woodbridge, Connecticut

## Students

### Conduct

#### Video Surveillance

##### Video Surveillance System Operation

1. 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, District and school websites, 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.
2. 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, and may be reviewed by local law enforcement personnel.
3. 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, as determined by the Superintendent or designee.
4. 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.
5. The District shall provide reasonable safeguards to protect the surveillance system from unauthorized access and use. Authorized use includes, but is not limited to, action related to security of persons and property.
6. Video surveillance equipment will be used in accordance with all Board of Education policies, including the District's nondiscrimination policy.
7. Except for "real time" monitoring in the event of an emergency, including possibly by police, generally the video cameras will not be monitored. Typically, the video will only be reviewed if an incident or possible incident is brought to the administration's attention.
8. Audio shall not be a part of the video recordings made, reviewed or stored by District staff.

#### Storage/Security

- ~~1. Video recordings will be retained for a minimum of one week after initial recording.~~
- ~~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.~~

Video recordings will be stored and secured in compliance with State and federal law.

#### Requests to View Video Surveillance

Requests to review video recordings, and responses to such requests, 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 responded to in accordance with applicable law and Board policy.~~ The following procedures will apply:

1. All viewing requests must be submitted in writing. ~~Requests for viewing will be limited to those parents/guardians, whose child is depicted in the video, local law enforcement and/or District officials with a direct interest in the incident depicted in the video as authorized by the Superintendent or designee 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 Superintendent and/or designee within seven days of the date of recording.~~
- ~~3. Approval/denial for viewing will be made within five school days of receipt of the request and so communicated to the requesting individual.~~
- ~~4. Video recordings will be made available for viewing within four 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 Superintendent 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.~~

Regulation approved: ~~June 21, 2013~~

Regulation reapproved: ~~April 26, 2016~~

## **WOODBIDGE PUBLIC SCHOOLS**

Woodbridge, Connecticut



# WOODBIDGE SCHOOL DISTRICT

40 Beecher Road – South  
Woodbridge, Connecticut 06525

Jonathan S. Budd, Ph.D. – Superintendent

## MEMORANDUM

TO: Woodbridge Board of Education Policy Committee  
FROM: Jonathan S. Budd, Ph.D., Superintendent  
DATE: May 13, 2022  
RE: May 16 Special Meeting:  
Proposed Revision of Policy 5125, "Student Records; Confidentiality"

Please find attached a proposed revision of Policy 5125 which conforms this mandatory policy to Connecticut Public Act 17-68 and also makes various technical edits. The proposed revision is based on current recommendations of the Connecticut Association of Boards of Education (CABE); the proposed changes are represented in red.

## Students

### Student Records; Confidentiality

#### 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.

#### 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, grade level, e-mail address, photographic, computer and/or video images.

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.

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, translate, or ~~other communication~~ otherwise communicate 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) 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
- d) 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.

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. 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. **A parent who is incarcerated is entitled to knowledge of and access to all educational, medical, or similar records maintained in the cumulative record of any minor student of such incarcerated parent, except that such incarcerated parent shall not be entitled to such records if (1) such information is considered privileged as defined in Connecticut General Statutes 10-154a, (2) such incarcerated parent has been convicted of sexual assault or aggravated sexual assault, or (3) such incarcerated parent is prohibited from knowledge of or access to such student's cumulative record pursuant to a court order.**

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 whom the school district reasonably believes knows the identity of the student to whom the education record relates.

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 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 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, or the ~~the~~ **district's** designee, will also notify parents and 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.

### **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 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. 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 of the date, time, and location where the records may be inspected and reviewed.

C. The parents 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.

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~~ general education students, the Board will make education records available for inspection and review by parents 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 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 retains the right to review and inspect such information and the Board of Education shall respond to reasonable requests from the parent for explanations and interpretations of the student's education record, which may include reviewing copyrighted testing instruments.

H. Aside from a parent, 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 ~~will maintain~~s a record of all parties that have requested access to education records, including access to education records found in computer memory banks.

### J. Noncustodial Parents:

A parent does not lose his or her right to access to education records upon divorce. Noncustodial 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 noncustodial parent's rights. School notices shall be mailed to the noncustodial parent/guardian requesting the notices at the same time that they are provided to the custodial parent/guardian. Any requests by the noncustodial 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'

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.

- 2) In addition to the provision above regarding special education students, if circumstances effectively prevent the parent from exercising the right to inspect and review the student's education records, the district shall:
  - a. provide the parent with a copy of the records requested, or
  - b. make other arrangements for the parent to inspect and review the requested records.

~~As noted above, a school district may charge a fee for all other copies of education records, provided that the imposition of a fee does not effectively prevent a parent 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 cumulative 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 individual(s) 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 or any individual, agency, or organization that requested or obtained access to the students' 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;
- 2) a party seeking directory information;
- 3) a party who has a signed and dated written consent from the parent;
- 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 student's record; or
- 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 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, except as indicated in Section VIII. 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; 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.
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 (c) 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 postsecondary 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 has given written consent for the disclosure.
5. 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, and (b) the information 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.
6. 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.
7. The disclosure is to accrediting organizations in order to carry out their accrediting functions.
8. 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.
9. 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 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.

10. 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.

11. If a parent 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.

12. 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.

13. The disclosure is to the parent of a student who is under 18 years of age or to the student.

14. 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) 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.

2. 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.

3. 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.

4. 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, or identified or institutional email address in a class in which the student is enrolled.

5. 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 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.

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 de-identified 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 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.
3. In accordance with state and federal law, ~~the district will facilitate~~ facilitating 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.

#### G. 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; and
2. the officers, employees, and agents of a party that receives such information may only use the information for the purposes for which disclosure was made.

B. Notwithstanding the provisions of Section A above, the school district may disclose personally identifiable information from an education record with the understanding that the information may be redisclosed by the recipient of the information as long as prior written consent for disclosure is not required, for one of the reasons listed in Article VII Section C above, and at least one of the following conditions is met:

1. The record of the original disclosure includes the names of the parties to whom redisclosure is being made and the legitimate interests each such party has in requesting or obtaining the information.
2. 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 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.

C. Section A above does not apply to information designated by the district as directory information. The school district may disclose personally identifiable information designated as directory information with the understanding that the information may be redisclosed by the recipient. For those students who have chosen not to disclose directory information by notifying the school in writing within the appropriate timeframe, such information will not be disclosed.

## **~~VIII. Redisclosure of Education Records~~**

D. 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, guardian, or 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, guardian, or eligible student.

B. If the school district decides to amend the records, the school district shall promptly take such steps as may be necessary to put the decision into effect with respect to the requested amendments, and shall inform the parent, guardian, 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, guardian, or eligible student and advise him/her of the right to a hearing pursuant to this policy.

## **X. Hearing Rights and Procedures**

### **A. Rights**

1. Upon written request of a parent 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 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 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. Rights**

- 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 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 requests a delay.
2. The parent shall be given notice of the date, place, and time of the hearing, within a reasonable time in advance of the hearing.
3. The hearing will be conducted by a person or persons appointed by the Superintendent 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 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 or 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.

## **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 or a person authorized to consent to health care for the individual and which is dated and specifies to whom disclosure is authorized, the purpose for such disclosure, and the time period during which the release is to be effective. A general authorization for the release of medical or other information is not a release of confidential HIV-related information, unless such authorization specifically indicates its dual purpose as a general authorization and an authorization for the release of confidential HIV-related information.

### **5. School Medical Personnel**

"School medical personnel" means an employee of the Board who is a school nurse or the school district medical ~~advisor~~ ~~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 HIV-related information;
- c. a federal, state, or local health law officer when such disclosure is mandated or authorized by federal or state law;
- d. a health care provider or health facility when knowledge of the HIV-related information is necessary to provide appropriate care or treatment to the protected individual or when confidential HIV-related information is already recorded in a medical chart or record and a health care provider has access to such record for the purpose of providing medical care to the protected individual;
- e. a medical examiner to assist in determining cause of death; or
- f. any person allowed access to such information by a court order.

#### D. Procedures

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

#### E. Disclosures Pursuant to a Release

1. Any disclosure pursuant to a release shall be accompanied by a notice in writing stating, "This information has been disclosed to you from records whose confidentiality is protected by state law. State law prohibits you from making any further disclosure of it without the specific written consent of the person to whom it pertains, or as otherwise permitted by said law. A general authorization for the release of medical or other information is NOT sufficient for this purpose."
2. Oral disclosures must be accompanied or followed by the above notice within ten (10) days.
3. Except for disclosures made to a federal, state, or local health officer when such disclosure is mandated or authorized by federal or state law, a notation of all disclosures shall be placed in the medical record or with any HIV-related test result of a protected individual, who shall be informed of such disclosures on request.

### **XIII. Child Abuse Reporting**

Nothing in this policy shall limit a mandated reporter's responsibility to report suspected child abuse or neglect under the Board's Child Abuse and Neglect Reporting Policy 5141.4.

### **XIV. Right to File a Complaint**

FERPA affords parents the right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the agency that administers FERPA is:

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

Legal 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.

[46b-56](#) (e) Access to Records of Minors.

Connecticut Public Records Administration Schedule V - Disposition of Education Records (Revised 1983).

Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C.1232g.).

Dept. of Educ. 34 C.F.R. Part 99 (May 9, 1980 45 FR 30802) regs. implementing FERPA enacted as part of 438 of General Educ. provisions act (20 U.S.C. 1232g)-parent and student privacy and other rights with respect to educational records, as amended 11/21/96 and Final Rule 34 CFR Part 99, December 9, 2008, December 2, 2011.

US 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 School District No. 1-011 v. Falvo, 534 U.S. 426 (2002)

[Connecticut Public Act 17-68 – An Act Concerning Various Revisions and Additions to the Education Statutes](#)

Policy adopted: ~~April 21, 2014~~

**WOODBRIAGE SCHOOL DISTRICT**  
Woodbridge, Connecticut