Policy Committee

Monday, November 24, 2014 6:00 PM
Policy Committee, L.P. Wilson Community Center, Room 17, 601 Matianuck Avenue, Windsor, CT 06095

1. **Call to Order, Pledge of Allegiance, Moment of Silence**
2. **Audience to Visitors**
3. **Review Proposed New P/AR 6114.7 School Security and Safety Plan**
4. **Review Revised AR 1149 Sexual Offenders**
5. **Review Revised AR 4116.2 Smoking on School Premises By Employees**
6. **Review Revised P/AR 1212 School Volunteers**
7. **Review New AR 4120.5 Concussion Training for Athletic Coaches**
8. **Review Revised P/AR 5113 Student Attendance and Truancy**
9. **Miscellaneous**
10. **Adjournment**

Rational for Proposal:

P/AR 6114.7 SCHOOL SECURITY AND SAFETY PLAN [NEW]

Last year, the Connecticut General Assembly enacted legislation creating new requirements for boards of education relating to school security and safety. Each school within a school district must develop and implement a school security and safety plan based on school security and safety standards developed by the Division of Emergency Management and Homeland Security ("DEMHS") within the Connecticut Department of Emergency Services and Public Protection ("DESPP"), in consultation with the Connecticut Department of Education. DESPP/DEMHS has developed a school security and safety template based on these standards for boards of education to use in developing plans for each school. In addition, boards must establish a school security and safety committee for each school, provide certain trainings and conduct certain assessments. We anticipate that the specifics of these plans will be exempt from disclosure under the FOIA. The policy included as a recommendation here is designed to provide the policy framework for the drafting of the specific plans contemplated by the legislation. As per our earlier guidance in this area, these new school security and safety plans must be in place for the 2014-2015 school year.

SHIPMAN & GOODWIN LLP℠
COUNSELORS AT LAW

P 6114.7

SCHOOL SECURITY AND SAFETY

Each school operating under the jurisdiction of the Windsor Board of Education will create and implement an all-hazards school security and safety plan to bolster its existing emergency preparedness, response capability and school safety and security measures and to best meet all-hazards threats. This plan will adhere to the requirements of state law and will include procedures for managing various types of emergencies and crisis management procedures. Each individual school's plan should be kept securely and will only be provided to the Board of Education, school staff and administration, members of state and local law enforcement, first responders and local municipal officials. Pursuant to Connecticut General Statutes § 1-210 (b)(19), the plan will not be available to the public.

Legal References:

State Law:

Public Act 13-3, *An Act Concerning Gun Violence Prevention and Children's Safety*, Sections 86, 87, 88

Conn. Gen. Stat. § 1-210 (b)(19)

Conn. Gen. Stat. § 28-7

Conn. Gen. Stat. § 10-231

Connecticut Department of Emergency Services and Public Protection, *School Security and Safety Plan Standards*, December 30, 2013.

Federal Emergency Management Agency, *Guide for Developing High-Quality School Emergency Operations Plans*, June 2013

ADOPTED _____
REVISED _____

SCHOOL SECURITY AND SAFETY ADMINISTRATIVE REGULATIONS

I. Security and Safety Committee

In order to create a fully individualized safety plan for each district school, each school will establish a school security and safety committee.* The committee is responsible for assisting in the development of the school's plan and in administering the plan. The committee will meet at least annually to review and update the school's security and safety plan as necessary. In determining whether the security and safety plan requires updating, the committee will take into account the results of the security and vulnerability assessment of the school, as described in Section IV below. The security and safety committee shall also be notified of any instances of disturbing or threatening behavior that may not meet the definition of bullying and shall report such information, as necessary, to the district safe school climate coordinator. Any information provided under this regulation shall be provided in accordance with the confidentiality restrictions imposed under the Family Educational Rights and Privacy Act ("FERPA") and the district's Confidentiality and Access to Student Information policy and regulations.

The school security and safety committee shall include in its membership a local police officer, a local first responder, a teacher, a building administrator, a mental health professional, and a parent or guardian of a student at the school. Any parent/guardian serving as a member of the Committee shall not participate in any activities which may compromise the confidentiality of any student. Subject matter experts, including but not limited to the local public works director, food services director, the Superintendent of Schools, additional law enforcement members or first responders and representatives of the municipality or others shall be invited to participate as needed.

II. Security and Safety Plan

Each school's all-hazards school security and safety plan will be created using the format prescribed by the Connecticut State Department of Emergency Services and Public Protection/Division of Emergency Management and Homeland Security in conjunction with the Connecticut State Department of Education. The Board will submit the finalized school security and safety plan for each school to the Department of Emergency Services and Public Protection. Additionally, each plan will be filed as an annex to the municipality's Local Emergency Operations Plan, filed annually with DESPP/DEMHS pursuant to Conn. Gen. Stat. § 28-7. A reference kit that meets the requirements of DESPP/DEMHS will be created in conjunction with the security and safety plan, which will be available to first responders in the event of a safety or security emergency.

III. Training and Orientation for School Employees

Each school employee at the school shall receive an orientation on the school's security and safety plan. Additionally, each school employee at the school shall receive

violence prevention training in a manner described in the security and safety plan. The training will be conducted in cooperation with the school safety and security committee and shall include local law enforcement, fire, emergency management, and emergency medical services. The goal of the orientation and training is to provide the school community and municipal officials with an understanding of the need for unified planning, preparedness and response.

IV. Assessments

At least every two years, the Board shall conduct a security and vulnerability assessment for each school in the district. Each school's security and safety committee shall be advised of the results of the assessment for the committee's school and such results shall be considered by the committee in updating and revising the school's security and safety plan.

Local law enforcement and other public safety officials including the local emergency management director, fire marshal, building inspector and emergency medical services representative shall evaluate, score and provide feedback on fire drills and crisis response drills at each school in the district. By July 1st of each year, the Board shall submit a report to the Department of Emergency Management Homeland Security Regional Coordinator regarding types, frequency and feedback related to the fire drills and crisis response drills.

Legal References:

State Law:

Public Act 13-3, *An Act concerning Gun Violence Prevention and Children's Safety*

Conn. Gen. Stat. § 1-210 (b)(19) Conn. Gen. Stat. § 28-7

Conn. Gen. Stat. § 10-231

Connecticut Department of Emergency Services and Public Protection, *School Security and Safety Plan Standards*, December 30, 2013.

Federal Emergency Management Agency, *Guide for Developing High-Quality School Emergency Operations Plans*, June 2013

ADOPTED: _____

REVISED: _____

4.25.14

SHIPMAN & GOODWIN LLP
COUNSELORS AT LAW

Rational for Revision:

AR 1149 SEXUAL OFFENDERS

Public Act 14-213 expands the requirement in General Statutes § 54-258 that the Department of Emergency Services and Public Protection ("DESPP") notify the superintendent of schools for the school district into which a registered sexual offender will be released, and to provide the superintendent with the information from the sexual offender registry that is generally available to the public. Now such notification must be provided whenever a registrant changes addresses. The model policy has been revised to reflect this change.

Section:	**Community Relations**
Subject:	**SEXUAL OFFENDERS** **AR-1149**

ADMINISTRATIVE REGULATION
WINDSOR PUBLIC SCHOOLS
WINDSOR, CT

Pursuant to state law, the Connecticut Department of Public Safety is obligated to notify school superintendents whenever a sexual offender is released into the community or **whenever a registered sexual offender changes his or her address.**

In order to provide information from the Connecticut Department of Public Safety to interested persons in the Windsor Public Schools' community, a link to the Connecticut Department of Public Safety's sexual offender registry has been placed on the school district's website.

When the Superintendent of Schools receives a specific notification from the Connecticut Department of Public Safety that a registered sexual offender is being released into the Windsor community, the Superintendent or his/her designee will post the notification from the Connecticut Department of Public Safety on the district's website within a reasonable period of time.

In addition, school district personnel shall cross-reference the Connecticut Department of Public Safety's sexual offender registry prior to hiring any new employee and prior to permitting a volunteer to work with students in any capacity. Registration as a sexual offender constitutes grounds for denial of employment and/or volunteer opportunities in the Windsor Public Schools.

The Superintendent or his/her designee shall provide training to appropriate staff members regarding the methods for accessing the sexual offender registry information posted on the Connecticut Department of Public Safety and the provisions of these regulations.

Legal Reference:

Conn. Gen. Stat. §54-258

Public Act 14-213, "An Act Concerning Notice To The Superintendent of Schools Or Chief Executive Officer Of A Municipality Upon Release Or Relocation Of A Registered Sexual Offender Into The School District or Municipality"

Regulation Approved:

Section:	**Personnel - Certified/Non-Certified**
Subject:	**SMOKING ON SCHOOL PREMISES BY EMPLOYEES** **AR-4116.2**

ADMINISTRATIVE REGULATION
WINDSOR PUBLIC SCHOOLS
WINDSOR, CT

1. Smoking, **including smoking using an electronic nicotine delivery system (e.g. e-cigarettes),** is not permitted in any of the buildings of the Windsor Board of Education.

   a. Smoking is not permitted in any of the buildings or on the grounds of the Windsor Board of Education. This includes all schools, playgrounds, athletic facilities, locker rooms, or the press box at the athletic field.

   b. Employees of the Board of Education at L. P. Wilson may not use any of the building or grounds for smoking.

Administrative Regulation approved:



SHIPMAN & GOODWIN LLP℠

COUNSELORS AT LAW

Rational for Revision—Replaces Current P/AR 1212 School Volunteers:

P/AR 1212 SCHOOL VOLUNTEERS, STUDENT INTERNS AND OTHER NON-EMPLOYEES

In response to ongoing discussions with school districts regarding the need for enhanced security and safety within the school setting, we drafted this model policy to provide school districts with sample protocols with respect to access to schools by volunteers and other individuals not employed by the schools.

SHIPMAN & GOODWIN LLP
COUNSELORS AT LAW

P 1212

SCHOOL VOLUNTEERS, STUDENT INTERNS AND OTHER NON-EMPLOYEES

The Board of Education recognizes the importance of school volunteers at all levels of schooling. Volunteers can enhance collaboration between the school and community, broaden the school's educational environment and ultimately enrich students' school experience. The Board further acknowledges that it may, from time to time, be asked to provide learning experiences for student interns within the school environments. In recognition of the benefit of having volunteers, interns and other such non-employees providing services within the schools, the Board supports the involvement of these individuals in accordance with suitable regulations and safeguards to be developed by the Administration.

Volunteers, interns and other such non-employees working within the schools ("volunteers") must work under the supervision of _____ Public Schools staff. Volunteers are held to the same standards of conduct as school staff and must observe all Board of Education policies, including applicable policies on the confidentiality of student information.

Volunteers may be required to submit to state and federal criminal record checks and a record check of the Department of Children and Families ("DCF") Child Abuse and Neglect Registry. No person who is required to register as a sex offender under state or federal law, or whose name is currently listed on the DCF registry, may volunteer in the _____Public Schools.

Persons interested in volunteering their services should contact the school principal.

Legal References:

Connecticut General Statutes § 10-4g
Connecticut General Statutes § 10-220
Connecticut General Statutes § 10-235
Connecticut General Statutes § 54-250 et seq.

ADOPTED: _____
REVISED: _____

AR 1212

ADMINISTRATIVE REGULATIONS REGARDING SCHOOL VOLUNTEERS, INTERNS AND OTHER NON-EMPLOYEES

Screening Procedure

The following procedure has been established for screening volunteers, interns and other non-employees ("volunteers") within the _____ Public Schools. For the purpose of this procedure, volunteers are defined as those individuals who volunteer their time to assist in schools for the benefit of the student body with the express knowledge, consent and direction of a _____ Public Schools employee. Student interns are defined as individuals currently enrolled in a post-secondary program for which an authorized internship is required or for which the student may be granted credit as part of an approved course of study. As with other volunteers, all student interns must be approved in advance by the building administrator or his/her designee and must be under the direction of a Board employee.

This procedure identifies those situations in which an individual may be required to submit to state and federal criminal record checks and a record check of the Department of Children and Families ("DCF") Child Abuse and Neglect Registry within 10 days of application and/or request to volunteer within the _____ Public Schools. All results must be received by the **[Human Resources Office]** before the volunteer may commence his or her services. No person who is a required to register as a sex offender under state or federal law, or whose name is currently listed on the DCF registry, may volunteer in the _____ Public Schools.

Screening Procedure Definitions

The District has identified two classifications of volunteers: Group I and Group II.

Group I

Volunteers will be classified in Group I when they assist school staff members with school activities in the presence of a _____ Public Schools employee. Background checks, other than the sex offender registry check, will not be required of Group I volunteers. Group I volunteers are those who assist school staff members with school activities such as those listed below:

a. assisting in a classroom, cafeteria, or library when a staff member is present; or
b. accompanying a class on a field trip during the school day with a staff member; or
c. helping in the school office during regular school hours; or
d. assisting in the cafeteria or library during regular school hours; or
e. assisting during extracurricular events, i.e., dances, fairs, open house, sporting events, etc.

Group II

Volunteers will be classified in Group II when they provide services to students when not in the direct presence of a _____ Public Schools employee. Group II volunteers will be required to complete a consent form regarding the release of information concerning any prior or pending criminal offenses, and such volunteers will be required to submit to a record check of the Department of Children and Families (DCF) Abuse and Neglect Registry. Group II volunteers are those who engage in activities such as those listed below:

a. accompanying a class on a field trip in which the plans include that students be divided into small groups supervised solely by the volunteer chaperone for any length of time; or
b. chaperoning an overnight field trip; or
c. working in direct contact with students without the direct presence of a _____ Public Schools employee;
d. working as a student intern; or
e. coaching.

Upon receipt of DCF Abuse and Neglect Registry results indicating that the volunteer is involved in an abuse or neglect investigation or that the volunteer is listed as a perpetrator of abuse or neglect on the Registry, the Superintendent or his or her designee will notify the volunteer of the results of the Registry check and will provide an opportunity for the volunteer to respond to the results of the Registry check. No person who is a required to register as a sex offender under state or federal law, or whose name is currently listed on the DCF registry, may be approved to volunteer within the _____ Public Schools.

When a criminal record check of a volunteer reveals a criminal conviction, whether disclosed or undisclosed on the volunteer's consent form, the Superintendent will make a case-by-case determination as to whether to allow the individual to volunteer in the _____ Public Schools. Prior to any such decision by the Superintendent or designee, the Superintendent or designee shall inform the volunteer and shall provide an opportunity for the volunteer to respond. Notwithstanding the foregoing, the falsification or omission of any information on a volunteer consent form, including, but not limited to, information concerning criminal convictions or pending criminal charges, may be grounds for the Superintendent or designee to prohibit the individual from becoming a volunteer.

Prior Approval Required

All school volunteers (including student interns or other non-employee working in the schools) must be approved in advance by the building principal or other administrative designee. The school district, acting through the appropriate building administrator or his/her designee, reserves the right to discontinue or disallow the services of any volunteer at any time at the discretion of the administration.

Sign-in Procedure

All volunteers must report to the school office upon arrival provide identification and sign in and must report to the office prior to departure to sign out. A sign-in/sign-out log will be maintained in each school office. Volunteers must indicate the purpose of their visit and include any other information (i.e. destination; provide proof of identification etc.) as may be required by the log. Additionally, volunteers will be provided with identification badges, which must be displayed during each visit.

Legal Reference:

Connecticut General Statutes § 10-4g
Connecticut General Statutes § 10-220
Connecticut General Statutes § 10-235
Connecticut General Statutes § 54-250 et seq.

ADOPTED: _____
REVISED: _____

Section:	**Community Relations**
Subject:	**SCHOOL VOLUNTEERS** **P-1212**

BOARD OF EDUCATION POLICY
WINDSOR PUBLIC SCHOOLS
WINDSOR, CT

The Board of Education recognizes that volunteers can make valuable contributions to our schools. The Board of Education encourages the use of volunteers to: (1) increase students' educational attainment, (2) provide enrichment experiences for students, (3) increase the effective utilization of staff time and skills, (4) give more individual attention to students, and (5) promote greater community involvement.

The Board, acting through the Superintendent, shall approve activities in which volunteers are authorized and establish procedures for securing and screening resource persons and volunteers.
Legal Reference:

Connecticut General Statutes 10-4g Programs to encourage participation in the educational process
Connecticut General Statutes 10-235 Indemnification of teachers, board members, employees and certain volunteers and students in damage suits; expenses of litigation.
P.A. 97-290 An Act Enhancing Educational Choices and Opportunities
P.A. 98-111 An Act Concerning The Registration of Sexual Offenders

Policy Adopted: July 13, 2005

Section:	**Community Relations**
Subject:	**SCHOOL VOLUNTEERS** **AR-1212**

ADMINISTRATIVE REGULATION
WINDSOR PUBLIC SCHOOLS
WINDSOR, CT

The Building Principal or his/her designee directs the use of volunteers within the school. Specifically, the Principal or designee directs volunteer recruitment, screening, placement, and training within the following perimeters:

1. **Qualifications**. Volunteers may come from all backgrounds and all age groups. The main qualification for a volunteer is that he or she has a desire to give his or her time and talent in order to enrich student learning opportunities and the school community generally.

2. **Persons Not Allowed to Serve as Volunteers**. No person who is a "registered sex offender" may serve as a volunteer.

3. **Role**. Volunteers serve only in an auxiliary capacity under the direction and supervision of a certified staff member; they are not a substitute for a member of the school staff. Volunteers do not have access to confidential student school records.

4. **Selection, Placement, and Supervision**. Volunteer selection and placement shall be on the basis of the volunteer's qualifications and availability and the school's needs. A volunteer will be assigned to a staff member only with the staff member's consent. The relationship between a volunteer and staff member should be one of mutual respect and confidence.

   A request to volunteer or to continue volunteering will be denied if the volunteer behaves in any manner that demonstrates he or she is not a good role model or is otherwise detrimental to the school environment. Examples of such behavior include: swearing, failing to be dependable, failing to follow the supervisor's instructions, committing any criminal act, touching a student in a rude or overly forceful manner, failing to dress in an appropriate manner, or violating any school rule.

5. **Training**. Each academic year, when a person first completes the volunteer registration form, the Principal or designee should give the person a copy of this administrative regulation along with other pertinent information. The staff member to whom the volunteer is assigned is responsible for explaining his or her

expectations of the volunteer. The Principal or designee should arrange appropriate training opportunities for those volunteer activities requiring a skill or knowledge base, e.g., working in the computer lab.

Regulation Approved: July 13, 2009

Elizabeth E. Feser, Ed.D.
Superintendent of Schools

Rational for New AR:

AR 4120.5 CONCUSSION TRAINING FOR ATHLETIC COACHES

Public Act 14-66 makes significant changes to the statutes relating to student concussions, some of which became effective July 1, 2014, necessitating policy changes at this time. Certain elements of this public act will become effective with the 2015-2016 school year.

For the changes effective with this school year, General Statutes § 10-149b now describes concussions as "a type of brain injury." The law now also requires notification to parents when a child is removed from play due to suspected concussion. Specifically, effective July 1, 2014, whenever a coach removes a student athlete from participating in any intramural or interscholastic athletic activity because of signs, symptoms or behaviors consistent with a concussion following an observed or suspected blow to the head or body or a diagnosis of a concussion, a "qualified school employee" as defined in the law, principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by a school district, coach or school paraprofessional, must notify the student athlete's parent or legal guardian. This notification must be provided not later than 24 hours after the removal, but the school employee should make a reasonable effort to provide immediate notification to the parent or legal guardian.

Our model policy has been amended to reflect these new requirements.

AR 4120.5

CONCUSSION TRAINING FOR ATHLETIC COACHES

For purposes of these administrative regulations concerning training regarding concussions and head injuries, the term "**coach**" means any person who holds or is issued a coaching permit by the Connecticut State Department of Education and who is hired by the [_____] Board of Education to coach intramural or interscholastic athletics.

Mandatory Training Concerning Concussions

1. Any coach of intramural or interscholastic athletics, who holds or is issued a coaching permit, must, before commencing his/her coaching assignment for the season, complete an initial training course concerning concussions, which are a type of brain injury. This training course must be approved by the State Department of Education.

2. Coaches must provide proof of initial course completion to the Athletic Director or his/her designee prior to commencing their coaching assignments for the season in which they coach.

3. One year after receiving an initial training, and every year thereafter, coaches must review current and relevant information regarding concussions prior to commencing their coaching assignments for the season. This current and relevant information shall be that approved by the State Department of Education. Coaches need not review this information in the year they are required to take a refresher course, as discussed below.

4. Coaches must complete a refresher course concerning concussions and head injuries not later than five (5) years after receiving their initial training course, and once every five (5) years thereafter. Coaches must provide proof of refresher course completion to the Athletic Director or his/her designee prior to commencing their coaching assignments for the season in which they coach.

5. The Board shall consider a coach as having successfully completed the initial training course regarding concussions and head injuries if such coach completes a course that is offered by the governing authority for intramural and interscholastic athletics and is substantially similar, as determined by the Department of Education, to the training course required by subsection 1 of these administrative regulations, provided such substantially similar course is completed on or after

January 1, 2010, but prior to the date the State Board of Education approves the training course discussed in subsection 1 of these administrative regulations.

Concussion Management

1. Any coach of any intramural or interscholastic athletics shall immediately remove a student athlete from participating in any intramural or interscholastic athletic activity who:

   a. is observed to exhibit signs, symptoms or behaviors consistent with a concussion following an observed or suspected blow to the head or body; or

   b. is diagnosed with a concussion, regardless of when such concussion may have occurred.

2. Upon removal from participation, a school principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by a school district, or coach shall notify the student athlete's parent or legal guardian that the student athlete has exhibited such, signs, symptoms or behaviors consistent with a concussion or has been diagnosed with a concussion. Such principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by a school district, or coach shall provide such notification not later than twenty-four (24) hours after such removal and shall make a reasonable effort to provide such notification immediately after such removal.

3. The coach shall not permit such student athlete to participate in any supervised team activities involving physical exertion, including, but not limited to, practices, games or competitions, until such student athlete receives written clearance to participate in such supervised team activities involving physical exertion from a licensed health care professional trained in the evaluation and management of concussions.

4. Following receipt of clearance, the coach shall not permit such student athlete to participate in any full, unrestricted supervised team activities without limitations on contact or physical exertion, including, but not limited to, practices, games or competitions, until such student athlete:

   a. no longer exhibits signs, symptoms or behaviors consistent with a concussion at rest or with exertion; and

   b. receives written clearance to participate in such full, unrestricted supervised team activities from a licensed health care professional trained in the evaluation and management of concussions.

Reporting Requirements

1. The school principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by a school district, or coach who informs a student athlete's parent or guardian of the possible occurrence of a concussion shall also report such incident to the nurse supervisor, or designee.

2. The nurse supervisor, or designee, shall follow-up on the incident with the student and/or the student's parent or guardian and maintain a record of all incidents of diagnosed concussions. Such record shall include, if know:

   a. The nature and extent of the concussion; and

   b. The circumstances in which the student sustained the concussion.

3. The nurse supervisor, or designee, shall annually provide such record to the State Board of Education.

Miscellaneous

1. For purposes of these administrative regulations, "licensed health care professional" means a physician licensed pursuant to Chapter 370 of the Connecticut General Statutes, a physician assistant licensed pursuant to Chapter 370 of the Connecticut General Statutes, an advanced practice registered nurse licensed pursuant to Chapter 378 of the Connecticut General Statutes, or an athletic trainer licensed pursuant to Chapter 375a of the Connecticut General Statutes.

2. Should a coach fail to adhere to the requirements of these administrative regulations, the coach may be subject to discipline up to and including termination, as well as permit revocation by the State Board of Education.

Legal References

Conn. Gen. Stat. § 10-149b. Training courses for coaches re concussions and head injuries.

Conn. Gen. Stat. § 10-149c. Student athletes and concussions. Removal from athletic activities.

Public Act 14-66, "An Act Concerning Youth Athletics And Concussions"

ADOPTED: _____
REVISED: _____

8/3/14

SHIPMAN & GOODWIN LLP
COUNSELORS AT LAW

Rational for Revision:

P/AR 5113 ATTENDANCE AND TRUANCY

Public Act 14-198 provides that, effective with the 2014-2015 school year, a child age five to eighteen, enrolled in a public or private school, and whose parent or legal guardian is an active duty member of the armed forces (1) who has been called for duty, or (2) who is on leave from or has immediately returned from deployment, must be granted ten (10) days of excused absences in any school year to visit with such child's parent or legal guardian. The law grants boards of education discretion to grant additional excused absences in connection with such visits. However, under the new law, the student and parent (or legal guardian) remain responsible for obtaining the student's assignments prior to any excused absence, and for ensuring that such assignments are completed by the student before his or her return to school.

In addition, under current law, school officials must provide a notification of rights to parents regarding kindergarten enrollment when a child is identified as eligible for special education. This notice is to be provided at the PPT. Public Act 14-39 now requires that this notification of rights must now inform parents of their right to withhold from enrolling such child in kindergarten, in accordance with state law.

We have revised our model policy to incorporate changes necessitated by these two new public acts, and have included a model notice for use at PPTs to inform parents of their right to opt out of kindergarten enrollment.

Students

STUDENT ATTENDANCE AND TRUANCY

Regular and punctual student attendance in school is essential to the educational process. Connecticut state law places responsibility for assuring that students attend school with the parent or other person having control of the child. To assist parents and other persons in meeting this responsibility, the Board of Education, through its Superintendent, will adopt and maintain procedures to implement this policy.

Legal References:

Connecticut General Statutes §10-220

Connecticut General Statutes §10-184

Connecticut General Statutes §10-186

Connecticut General Statutes §10-198a

Guidelines for Reporting Student Attendance in the Public School Information System (Connecticut State Department of Education, January 2008)

Connecticut State Department of Education Circular Letter C-2, *Utilizing Local Support Resources Prior to Referral of Students for Family with Service Needs* (August 4, 2009)

Connecticut State Board of Education Memorandum, *Definitions of Excused and Unexcused Absences* (June 27, 2012)

Connecticut State Department of Education, *Guidelines for Implementation of the Definitions of Excused and Unexcused Absences and Best Practices for Absence Prevention and Intervention* (April 2013)

Public Act 14-198, An Act Concerning Excused Absences from School for Children of Service Members

ADOPTED: March 18, 2008
REVISED: June 18, 2013

Students

ADMINISTRATIVE REGULATIONS REGARDING STUDENT ATTENDANCE AND TRUANCY

A. Definitions:

1. "Absence" - any day during which a student is not considered "in attendance" at his/her assigned school, or on a school sponsored activity (e.g. field trip), for at least one half of the school day.

2. **"Disciplinary absence"- Any absence as a result of school or district disciplinary action. Any student serving an out-of-school suspension or expulsion should be considered absent. Such absence is not considered excused or unexcused.**

3. "Educational evaluation" - for purposes of this policy, an educational evaluation is an assessment of a student's educational development, which, based upon the student's presenting characteristics, would assess (as appropriate) the following areas: health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities.

4. **"Excused absence" - a student is considered excused from school if the school has received written documentation describing the reason for the absence within ten (10) school days of the student's return to school, or if the child has been excluded from school in accordance with section 10-210 of the Connecticut General Statutes (regarding communicable diseases), and the following criteria are met:**

    A. Any absence before the student's tenth absence, is considered excused when the student's parent/guardian approves such absence and submits appropriate written documentation **in accordance with this regulation.**

    B. For the student's tenth absence and all absences thereafter, a student's absences from school are, **with appropriate documentation in accordance with this regulation,** considered excused only for the following reasons:

        a. student illness (verified by an appropriately licensed medical professional);

        b. religious holidays;

        c. mandated court appearances (documentation required);

d. funeral or death in the family, or other emergency beyond the control of the student's family;

e. extraordinary educational opportunities pre-approved by the district administrators and in accordance with Connecticut State Department of Education guidance **and this regulation**;

f. lack of transportation that is normally provided by a district other than the one the student attends.

C. A student, age five to eighteen, whose parent or legal guardian is an active duty member of the armed forces who has been called for duty, is on leave from or has immediately returned from deployment to a combat zone or combat support posting, shall be granted ten (10) days of excused absences in any school year, and, in the discretion of the administration, additional excused absences to visit such student's parent or legal guardian with respect to the parent's leave or deployment. In the case of such excused absences, the student and parent or legal guardian are responsible for obtaining assignments from the student's teacher prior to any period of excused absence, and for ensuring that such assignments are completed by the student prior to his or her return to school.

4 **5**."In Attendance" - any day during which a student is not considered to be absent from his/her assigned school, or from an activity sponsored by the school (e.g. field trip), for at least one half of the school day.

~~5~~ **6**."Student" - a student enrolled in the Windsor Public Schools

~~6~~ **7**."Truant" - any student five (5) to eighteen (18) years of age, inclusive, who has four (4) unexcused absences from school in any one month or ten (10) unexcused absences from school in any school year.

~~7~~ **8.**"Unexcused absence" - any absence from a regularly scheduled school day for at least one half of the school day, unless the absence an excused absence as defined above or the absence is a disciplinary absence.

The determination of whether an absence is excused will be made by the building principal or his/her designee. Parents or other persons having control of the child may appeal that decision to the Superintendent or his/her designee, whose decision shall be final.

8. ~~"Written Documentation" - includes a signed note from the student's parent/guardian, a signed note from a school official that spoke in person with the~~

~~parent/guardian regarding the absence, or a note confirming the absence by the school nurse or by a licensed medical professional, as appropriate, that explains the nature of and the reason for the absence as well as the length of the absence.~~

B. **Written Documentation Requirements for Absences**

1. **Written documentation must be submitted for each incidence of absence within ten (10) school days of the student's return to school. An incidence of absence is considered consecutive days of absence.**

2. **The first nine (9) days of absence will be excused upon receipt of a signed note from the student's parent/guardian, a signed note from a school official that spoke in person with the parent/guardian regarding the absence, or a note confirming the absence by the school nurse or by a licensed medical professional, as appropriate.**

3. **For the student's 10th absence, and all absences thereafter, documentation of the absence must be submitted in accordance with paragraphs 1 and 2 above, and must also include the reason for the absence and the following additional information:**

   a. **student illness:**

      (1) **signed note from a medical professional, who may be the school nurse, who has evaluated the student confirming the absence and giving an expected return date; or**

      (2) **signed note from school nurse who has spoken with the student's medical professional and confirmed the absence, including the date and location of the consultation.**

   b. **religious holidays: none.**

   c. **mandated court appearances:**

      (1) **a police summons;**

      (2) **a subpoena;**

      (3) **a notice to appear;**

      (4) **a signed note from a court official; or**

(5) other official, written documentation of the legal requirement to appear in court.

d. funeral or death in the family, or other emergency beyond the control of the student's family: written document must explain the nature of the emergency.

e. extraordinary educational opportunity pre-approved by the district administrators and in accordance with Connecticut State Department of Education guidance and this policy: written pre-approval from the administration, in accordance with this regulation.

f. lack of transportation that is normally provided by a district other than the one the student attends: none.

4. Neither e-mail nor text message shall serve to satisfy the requirement of written documentation. In rare and extraordinary circumstances, a building administrator may, in his/her own discretion, accept the delivery of written documentation through a scanned copy sent by e-mail.

5. The _____ Public Schools reserves the right to randomly audit written documentation received, through telephone and other methods of communication, to determine its authenticity.

6. Any absence that is not documented in accordance with this regulation within ten (10) school days after the incidence of absence will be recorded as unexcused. If documentation is provided within ten (10) school days, but is incomplete, the building principal may, at his/her own discretion, grant up to a five (5) school day extension for provision of the completed documentation.

C. Extraordinary Educational Opportunities

1. To qualify as an extraordinary educational opportunity, the opportunity must:

a. be educational in nature and must have a learning objective related to the student's course work or plan of study;

b. be an opportunity not ordinarily available for this exemption;

c. be grade and developmentally appropriate; and

d. include content that is highly relevant to the student; while some opportunities will be relevant to all students, others will contain very specific content that would limit their relevance to a smaller group of students.

2. Family vacations do not qualify as extraordinary educational opportunities.

3. All requests for approval of extraordinary educational opportunities must:

   a. be submitted to the building principal in writing prior to the opportunity, but no later than ten (10) school days prior to the opportunity except in exceptional circumstances at the discretion of the building administrator;

   b. contain the signatures of both the parent/guardian and the student;

   c. include an outline of the learning objective of the opportunity and include detail as to how the objective is linked to the student's coursework or plan of study; and

   d. include additional documentation, where available, about the opportunity.

4. The building principal shall provide a response in writing and include the following:

   a. either approval or denial of the request;

   b. brief reason for any denial;

   c. any requirements placed upon the student as a condition of approval;

   d. the specific days approved as excused absences for the opportunity;

   e. the understanding that the building administrator may withdraw its approval if the opportunity is canceled or the student fails to meet the agreed-upon requirements of the approval.

5. All decisions of the building principal relating to extraordinary educational opportunities shall be final.

6. **Students who are granted excusal from school to participate in extraordinary educational opportunities are expected to share their experiences with other students and/or school staff when they return.**

7. **Approval for an extraordinary educational opportunity is determined on a case-by-case basis and the analysis of individualized factors. An opportunity approved for one student may not be approved for another.**

~~B~~ **D.** Truancy Exceptions:

1. A student five (5) or six (6) years of age shall not be considered truant if the parent or person having control over such student has appeared personally at the school district office and exercised the option of not sending the child to school at five (5) or six (6) years of age.

2. A student seventeen (17) years of age shall not be considered truant if the parent or person having control over such student consents to such student's withdrawal from school. Such parent or person shall personally appear at the school district office and sign a withdrawal form indicating such consent. Such withdrawal form must include an attestation from a guidance counselor or school administrator from the school that the district provided the parent (or person having control of the child) with information on the educational options available in the school system and community.

3. If a parent or guardian of an expelled student chooses not to enroll the student in an alternative program, the student shall not be considered to be "truant."

~~C~~ **E.** Readmission to School Following Voluntary Withdrawal

1. Except as noted in paragraph 2 below, if a student voluntarily withdraws from school (in accordance with Section ~~B~~ **D**.2, above) and subsequently seeks readmission, the Board may deny school accommodations to the student for up to ninety (90) school days from the date of the student's withdrawal from school.

2. If a student who has voluntarily withdrawn from school (in accordance with Section ~~B~~ **D**.2, above) seeks readmission within ten (10) school days of his/her withdrawal, the Board shall provide school accommodations to the student not later than three (3) school days after the student requests readmission.

~~D~~ **F.** Determinations of Whether a Student is "In Attendance":

1. A student serving an out of school suspension or expulsion shall be reported as absent unless he or she receives an alternative educational program for at least one half of the regular school day. **In any event, the absence is considered a disciplinary absence, and will not be designated as excused or unexcused.**

2. On early dismissal days and days shortened due to inclement weather, the regular school day for attendance purposes is considered to be the amount of instructional time offered to students on that day. For example, if school is open for four hours on a shortened day scheduled, a student must be present for a minimum of two hours in order to be considered "in attendance."

3. Students placed on homebound instruction due to illness or injury in accordance with applicable regulations and requirements are counted as being "in attendance" for every day that they receive instruction from an appropriately certified teacher for an amount of time deemed adequate by the administration so as to ensure that the student is able to successfully return to the regular classroom setting.

~~E~~ **G.** Procedures for students in grades K-8*

1. Notification

   a. Annually at the beginning of the school year and upon the enrollment of any child during the school year, the administration shall notify the parent or other person having control of the student enrolled in grades K - 8 in writing of the obligations pursuant to Conn. Gen. Stat. §10-184 to assure that such a student attends school regularly or to show that the child is elsewhere receiving equivalent instruction in the studies taught in the Windsor Public Schools.

   b. Annually at the beginning of the school year and upon the enrollment of any child during the school year, the administration shall obtain from the parent or other person having control of the student in grades K-8 a telephone number or other means of contacting such parent or other person during the school day.

2. Monitoring

   Each school shall implement a system of monitoring individual unexcused absences of students in grades K-8. Whenever such a student fails to report to school on a regularly scheduled school day, school personnel under the direction of the building principal **[or his/her designee]** shall make a reasonable effort to notify the parent or other person having control of such student by telephone and by mail of the student's absence, unless school personnel have received an indication that the parent or other person is aware of the student's absence. **[Reasonable efforts shall include two (2) attempts to reach the parent or other person at the telephone number provided by the parent or other**

person. Such attempts shall be recorded on a form provided by the Superintendent.] Mailed notice of the student's absence shall include a warning that two unexcused absences from school in a month or five unexcused absences in a school year may result in a complaint filed with the Superior Court pursuant to section 46b-149 alleging the belief that the acts or omissions of the child are such that the child's family is a family with service needs. Any person who, in good faith, gives or fails to give such notice shall be immune from liability, civil or criminal, which might otherwise be incurred or imposed and shall have the same immunity with respect to any judicial proceeding which results from such notice or failure to give notice.

[*Note: State law mandates notification and monitoring only with regard to students in grades K-8. Boards of Education are free, however, to extend the application of monitoring and intervention procedures to students at all grade levels.]

~~F~~ **H.** Procedures applicable to students ages five (5) to eighteen (18)

1. Intervention

   a. When a student is truant, the building principal or his/her designee shall schedule a meeting with the parent (or other person having control of such student) and appropriate school personnel to review and evaluate the reasons for the student's truancy. This meeting shall be held no later than ten (10) days after the student becomes truant. The district shall document the meeting, and if parent or other person declines to attend the meeting, or is otherwise is non responsive, that fact shall also be documented and the meeting shall proceed with school personnel in attendance.

   b. When a student is truant, the Superintendent or his/her designee shall coordinate services with and referrals of students to community agencies providing child and family services, as appropriate. The district shall document efforts to contact and include families and to provide early intervention in truancy matters.

   c. If the parent or other person having control of a student who is truant fails to attend the meeting held pursuant to subsection a., above, or otherwise fails to cooperate with the school in attempting to solve the truancy problem, the Superintendent shall file, within fifteen calendar days of such failure to attend the meeting or other failure to cooperate with the school in attempting to solve the truancy problem, for such truant a written complaint with the Superior Court pursuant to Conn. Gen. Stat. § 46b - 149 alleging the belief that the acts or omissions of the truant are such that his/her family is a family with service needs.

d. In addition to the procedures specified in subsections a through c above, a regular education student who is experiencing attendance problems should be referred to the building Child Study Team **[or other appropriate school based team]** to consider the need for additional interventions and/or assistance. The Team will also consider whether the student should be referred to a planning and placement team ("PPT") meeting to review the student's need and eligibility for special education. A special education student who is experiencing attendance problems should be referred to a PPT meeting for program review.

e. If a FWSN petition is filed and the court orders an educational evaluation of the student, the district shall conduct an appropriate educational evaluation if no such evaluation has been performed within the preceding year.

i) For a regular education student, the educational evaluation will be conducted or arranged for by appropriate school personnel and coordinated through the Child Study Team **[or other appropriate school based team].** Upon completion of the evaluation of a regular education student, the Child Study Team **[or other appropriate school based team]** shall review the evaluations and make appropriate recommendations for alternative procedures, programs or interventions. Such recommendations may include a referral of the student for further evaluation and/or consideration for special education eligibility.

ii) In the case of a student who requires or may require special education and related services, the district shall convene a PPT to determine what evaluations may be appropriate to assess any specific areas of concern. The PPT shall reconvene to review the evaluations and make appropriate recommendations regarding the student's need for special education services and the need, if any, to write and/or revise the student's individualized education program ("IEP").

~~G~~ **I.** Reports to the State Regarding Truancy Data:

Annually, each local and regional board of education shall include information regarding truancy in the strategic school profile report for each school under its jurisdiction and for the school district as a whole submitted to the Commissioner of Education. Measures of truancy include the type of data that is required to be collected by the Department of Education regarding attendance and unexcused absences in order for the department to

comply with federal reporting requirements and the actions taken by the board of education to reduce truancy in the school district.

J. Attendance Records

All attendance records developed by the Board shall include the individual student's state-assigned student identifier (SASID).

Regulation Approved: June 18, 2013

[Note: Public Act 14-39 requires boards of education to notify parents of a child identified for special education of their right under Conn. Gen. Stat. 10-184 not to enroll their child in kindergarten. To comply with this requirement, we recommend that this form be provided to parents at a PPT along with procedural safeguards and restraint/seclusion notifications if/when a student has been identified as a child in need of special education and such child is five or six years of age.]

[Board of Education/School Letterhead]

[ ] PUBLIC SCHOOLS
NOTICE OF PARENT RIGHTS REGARDING ENROLLMENT IN KINDERGARTEN

Pursuant to Public Act 14-39, the **[insert name]** Public Schools are required to notify parents of a child identified for special education of their right under Section 10-184 of the Connecticut General Statutes not to enroll their child in kindergarten. Specifically, Section 10-184 of the Connecticut General Statutes states: "The parent or person having control of a child five years of age shall have the option of not sending the child to school until the child is six years of age and the parent or person having control of a child six years of age shall have the option of not sending the child to school until the child is seven years of age. The parent or person shall exercise such option by personally appearing at the school district office and signing an option form. The school district shall provide the parent or person with information on the educational opportunities available in the school system."

Please contact **[insert district contact]** if you have any questions regarding this notification. You may also contact the Connecticut State Department of Education at (860) 713-6910.

9.3.14

© 2014 Shipman & Goodwin LLP. All Rights Reserved.

MODEL FORM

[Board of Education/School Letterhead]

SCHOOL ATTENDANCE/KINDERGARTEN OPTION FORM

(CHILDREN AGE 5 OR 6)

Name of Child:_____ Date of Birth:_____

Address of Child: _____

Name of Parent(s):_____

Address of Parent(s) (if different from child):_____

_____

In accordance with Connecticut General Statutes Section 10-184, the parent or person having control of a child five (5) years of age or older and under age eighteen (18) is required to ensure that such child attends school. Section 10-184 further provides that a parent or person having control of a child age five (5) shall have the option of not sending the child to school until age six (6), and a parent or person having control of a child age six (6) shall have the option of not sending the child to school until age seven (7). A parent or person having control of such child who is seeking to elect this option must appear in person at the school district offices and sign this option form.

I, _____, am the parent or person having control of, _____,
Name of parent or person Name of child
a child who is age five/six (circle appropriate age), and I elect not to send my child to school until the age of six/seven (circle appropriate age). I understand that this option is effective for only one (1) school year. By signing, I understand that, if my child is currently age five (5), and I wish to elect next school year not to send my child to school, I must reappear at the school next year to elect this option. I further understand that, if my child is currently age six (6), I am required by Section 10-184 to send my child to the public school, or demonstrate that the child is "elsewhere receiving equivalent instruction in the studies taught in the public schools," when the child turns seven (7).

Signature:_____ Date:_____

School Personnel Use Only

☐ Parent/person in control of child appeared in person and has been provided with information on the educational opportunities in the school system.

School Personnel Signature:_____

Date:_____

© 2014 Shipman & Goodwin LLP. All Rights Reserved.