CANCELLED--Policy Committee

Monday, January 26, 2015 6:00 PM
CANCELLED--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 4600 Reports of Suspected Abuse or Neglect of Adults with an Intellectual Disability or Autism Spectrum Disorder**
4. **Review Revised P 5141.4 Reports of Suspected Abuse or Neglect of Children**
5. **Review Revised P/AR 4311.2 Family and Medical Leave**
6. **Continue Discussion on Revised P/AR 5113 Student Attendance and Truancy**
7. **Continue Discussion on Revised P/AR 5123 Promotion and Retention**
8. **Review P/AR 1250 Visits to School**
9. **Discuss P 1110.1 Parent Involvement**
10. **Discuss BL 9323 Construction of Agenda and Posting of Agenda**
11. **Miscellaneous**
12. **Adjournment**



SHIPMAN & GOODWIN LLP

COUNSELORS AT LAW

Rational for New Policy:

P 4600 REPORTS OF SUSPECTED ABUSE OR NEGLECTI OF ADULTS WITH AN INTELLECTUAL DISABILITY OR AUTISM SPECTRUM DISORDER

Connecticut law current requires certain mandated reporters to notify the Office of Protection and Advocacy for Persons with Disabilities ("OPAPD") of any instance in which the reporter has reasonable cause to suspect or believe that a person between eighteen and sixty years of age with an intellectual disability has been abused or neglected. Public Act 14-65 expands this current requirement to include reports of suspected abuse of any person who receives funding or services from the Department of Developmental Services' ("DDS) Division of Autism Spectrum Disorders. The requirements continue to apply only to persons between eighteen and sixty years of age and thus do not apply to children under the age of eighteen, even if the child has a disability. This new law goes into effect October 1, 2014. We have therefore revised our model policy to comply with these new requirements.

REPORTS OF SUSPECTED ABUSE OR NEGLECT OF ADULTS WITH AN INTELLECTUAL DISABILITY OR AUTISM SPECTRUM DISORDER

Section 46a-11b of the Connecticut General Statutes requires that certain school personnel report any suspected abuse or neglect of persons between eighteen (18) and sixty (60) years of age who: 1) have an intellectual disability or 2) receive funding or services from the Department of Developmental Services' ("DDS") Division of Autism Spectrum Disorder Services. In furtherance of this statute and its purpose, it is the policy of the Board of Education to require ALL EMPLOYEES of the Board of Education to comply with the following procedures in the event that, in the ordinary course of their employment or profession, they have reasonable cause to suspect that a person with an intellectual disability or an individual receiving funding or services from DDS' Division of Autism Spectrum Disorders Services between eighteen (18) and sixty (60) years of age has been abused or neglected.

1. Scope of Policy

   This policy applies not only to employees who are required by law to report suspected abuse and/or neglect of adults with intellectual disabilities, but also to ALL EMPLOYEES of the Board of Education.

2. Definitions

   For the purposes of this policy:

   "Abuse" means the willful infliction of physical pain or injury or the willful deprivation by a caretaker of services which are necessary to the person's health or safety.

   "Neglect" means a situation where a person with an intellectual disability either is living alone and is not able to provide for himself or herself the services which are necessary to maintain his or her physical and mental health, or is not receiving such necessary services from the caretaker.

   "Statutory Mandated Reporter" means an individual required by Conn. Gen. Stat. Section 46a-11b to report suspected abuse and/or neglect of adults with intellectual disabilities. In the public school context, the term "statutory mandated reporter" includes teachers, school administrators, school guidance counselors, paraprofessionals, registered or licensed practical nurses, psychologists, social workers, licensed or certified substance abuse counselors, mental health professionals, physical therapists, occupational therapists, dental hygienists, speech pathologists and licensed professional counselors.

3. Reporting Procedures for Statutory Mandated Reporters

If a statutory mandated reporter has reasonable cause to suspect that any person with an intellectual disability, or any individual who receives funding or services from DDS' Division of Autism Spectrum Disorder Services, between eighteen (18) and sixty (60) years of age has been abused or neglected, the mandated reporter shall, as soon as practicable, but not later than seventy-two (72) hours after having reasonable cause to suspect abuse or neglect, make an oral report to the Director of the Office of Protection and Advocacy for Persons with Disabilities. The statutory mandated reporter shall also immediately notify the Superintendent.

Such initial oral report shall be followed by a written report to the Director of the Office of Protection and Advocacy for Persons with Disabilities not later than five calendar days after the initial oral report was made, and a copy of any written report shall be given to the Superintendent.

4. Reporting Procedures for Non-Statutory Mandated Reporters

The following procedures apply only to employees who are not statutory mandated reporters, as set forth above.

a) If an employee who is not a statutory mandated reporter has reasonable cause to suspect that any person with an intellectual disability, or any individual who receives funding or services from the Department of Developmental Services' Division of Autism Spectrum Disorder Services, between eighteen (18) and sixty (60) years of age has been abused or neglected, the following steps shall be taken.

(1) The employee shall as soon as practicable, but not later than seventy-two (72) hours after having reasonable cause to suspect abuse or neglect, make an oral report by telephone or in person to the Superintendent of Schools or his/her designee, to be followed by an immediate written report to the Superintendent or his/her designee.

(2) If the Superintendent or his/her designee determines that there is reasonable cause to suspect or believe that any person with an intellectual disability, or any individual who receives funding or services from the Department of Developmental Services' Division of Autism Spectrum Disorder Services, between eighteen (18) and sixty (60) years has been abused or neglected, the Superintendent or designee shall cause reports to be made in accordance with the procedures set forth for statutory mandated reporters, set forth above.

b) Nothing in this policy shall be construed to preclude an employee from reporting suspected abuse and/or neglect of adults with intellectual disabilities, or any individual who receives funding or services from the Department of Developmental Services' Division of Autism Spectrum Disorder Services, directly to the Office of Protection and Advocacy for Persons with Disabilities.

5. Contents of Report

Any oral or written report made pursuant to this policy shall contain the following information, if known:

a) the name and address of the allegedly abused or neglected person;

b) a statement from the reporter indicating a belief that the person is intellectually disabled or receives funding or services from the Department of Developmental Services' Division of Autism Spectrum Disorder Services, together with information indicating that the person is unable to protect himself or herself from abuse or neglect;

c) information concerning the nature and extent of the abuse or neglect; and,

d) any additional information that the reporter believes would be helpful in investigating the report or in protecting the person with an intellectual disability or who receives funding or services from the Department of Developmental Services' Division of Autism Spectrum Disorder Services.

6. Investigation of the Report

If the suspected abuser is a school employee, the Superintendent shall thoroughly investigate the report, and shall, to the extent feasible, endeavor to coordinate any such investigation with the investigation conducted by the Office of Protection and Advocacy for Persons with Disabilities.

The Superintendent's investigation shall include an opportunity for the suspected abuser to be heard with respect to the allegations contained within the report. During the course of an investigation of suspected abuse by a school employee, the Superintendent may suspend the employee with pay or may place the employee on administrative leave with pay, pending the outcome of the investigation.

If the investigation by the Superintendent and/or the Office of Protection and Advocacy produces evidence that a person with an intellectual disability, or any individual who receives funding or services from the Department of Developmental Services' Division of Autism Spectrum Disorder Services, has been abused by a school employee, the Superintendent and/or the Board, as

appropriate, may take disciplinary action, up to and including termination of employment.

7. Delegation of Authority by Superintendent

The Superintendent may appoint a designee for the purposes of receiving and making reports, notifying and receiving notification, or investigating reports pursuant to this policy.

8. Disciplinary Action for Failure to Follow Policy

Any employee who fails to comply with the requirements of this policy shall be subject to discipline, up to and including termination of employment.

9. Non-discrimination Policy

The Board of Education shall not discharge or in any manner discriminate or retaliate against any employee who, in good faith, makes a report pursuant to this policy, or testifies or is about to testify in any proceeding involving abuse or neglect.

Legal References:
Connecticut General Statutes:
Section 46a-11a
Section 46a-11b et seq.
Public Act 14-165, "An Act Concerning Mandatory Reporting Of Abuse And Neglect Of Individuals With Autism Spectrum Disorder, The Definition Of Abuse, And The Department Of Developmental Services Abuse And Neglect Registry"

ADOPTED: _____
REVISED: _____



SHIPMAN & GOODWIN LLP

COUNSELORS AT LAW

Rational for Revised Policy:

P 5141.4 REPORTS OF SUSPECTED ABUSE OR NEGLECT OF CHILDREN

Public Act 14-186 makes several changes to the existing child welfare statutes, which changes become effective October 1, 2014. Specifically, Public Act 14-186 expands the list of mandated reporters set forth in Section 17a-101(b) to include a number of additional reporters, including any person eighteen years of age or older who: 1) holds or is issued a coaching permit by the State Board of Education and is a coach of intramural or interscholastic athletics; or 2) is employed either as a coach or director of youth athletics or a coach or director of a youth sports organization, league or team. The law previously included only coaches who were employed by a local or regional board of education.

In addition, the amendments to the law require that DCF notify the superintendent of a local or regional board of education of the results of its investigation of alleged abuse or neglect by a school employee not later than five working days after DCF completes its investigation of alleged abuse or neglect of a child by a school employee. Prior to the amendments, such notice was only required when DCF had reasonable cause to believe that a child had been abused or neglected by a school employee who had been entrusted with the care of a child and held an SDE-issued certification, permit or authorization, or when DCF recommended that the employee be placed on the DCF child abuse and neglect registry. Moreover, the requirement that a superintendent must suspend employees against whom abuse or neglect is substantiated is now limited to situations when the Commissioner of Children and Families recommends such school employee be placed on the child abuse and neglect registry.

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

REPORTS OF SUSPECTED ABUSE OR NEGLECT OF CHILDREN

Connecticut General Statute § 17a-101 et seq. requires school employees who have reasonable cause to suspect or believe that a child has been abused or neglected, or placed at imminent risk of serious harm to report such suspicions to the appropriate authority.

In furtherance of this statute and its purpose, it is the policy of the Windsor Board of Education to require ALL EMPLOYEES of the Windsor Board of Education to report suspected abuse and/or neglect, or imminent risk of serious harm, in accordance with the procedures set forth below.

1. Scope of Policy

   This policy applies not only to school employees who are required by law to report suspected child abuse and/or neglect, but to ALL EMPLOYEES of the Windsor Board of Education.

2. Definitions

   For the purposes of this policy:

   "Abused" means that a child (a) has had physical injury or injuries inflicted upon him or her other than by accidental means, or (b) has injuries which are at variance with the history given of them, or (c) is in a condition which is the result of maltreatment, such as, but not limited to, malnutrition, sexual molestation or exploitation, deprivation of necessities, emotional maltreatment or cruel punishment.

   "Neglected" means that a child (a) has been abandoned, or (b) is being denied proper care and attention, physically, educationally, emotionally or morally, or (c) is being permitted to live under conditions, circumstances or associations injurious to his well-being, or (d) has been abused.

   "School employee" (A) A teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by the Board or who is working in a Board elementary, middle or high school; or (B) any other person who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in the Windsor Public Schools, pursuant to a contract with the Board.

"Statutory mandated reporter" means an individual required by Conn. Gen. Stat. Section 17a-101 to report suspected abuse and/or neglect of children. The term "statutory mandated reporter" includes all school employees**, as defined above, and any person who holds or is issued a coaching permit by the State Board of Educaiton, is a coach of intramural or interscholastic athletics and is eighteen years of age or older.**

3. What Must Be Reported

A report must be made when any employee of the Board of Education in the ordinary course of such person's employment or profession has reasonable cause to suspect or believe that a child:

a) has been abused or neglected;

b) has had nonaccidental physical injury, or injury which is at variance with the history given for such injury, inflicted upon him/her; or

c) is placed at imminent risk of serious harm.

4. Reporting Procedures for Statutory Mandated Reporters

The following procedures apply only to statutory mandated reporters, as defined above.

When an employee of the Windsor Board of Education who is a statutory mandated reporter and who, in the ordinary course of the person's employment, has reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm, the following steps shall be taken.

(1) The employee shall make an oral report as soon as practicable, but not later than twelve hours after having reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm. Such oral report shall be made by telephone or in person to the Commissioner of Children and Families or the local law enforcement agency. The Department of ~~children~~ **Children** and Families has established a 24 hour Child Abuse and Neglect Hotline at 1-800-842-2288 for the purpose of making such oral reports.

(2) The employee shall also make an oral report as soon as practicable to the Building Principal or his/her designee, and/or the Superintendent or his or her designee. If the Building Principal is the alleged perpetrator of the abuse/neglect then the employee shall notify the Superintendent or the Superintendent's designee directly.

(3) In cases involving suspected or believed abuse or neglect by a school employee, the Superintendent or his/her designee shall immediately notify the child's parent or guardian that such a report has been made.

(4) Not later than forty-eight hours after making an oral report, the employee shall submit a written report to the Commissioner of Children and Families or the Commissioner's designee containing all of the required information. The written report should be submitted on the DCF-136 form or any other form designated for that purpose.

(5) The employee shall immediately submit a copy of the written report to the Building Principal or his/her designee and to the Superintendent or the Superintendent's designee.

(6) If the report concerns suspected abuse or neglect by a school employee holding a certificate, authorization or permit issued by the State Department of Education, the Commissioner of Children and Families (or his/her designee) shall submit a copy of the written report to the Commissioner of Education (or his/her designee).

5. Reporting Procedures for Employees Other Than Statutory Mandated Reporters

The following procedures apply only to employees who are not statutory mandated reporters, as defined above.

a) When an employee who is not a statutory mandated reporter and who, in the ordinary course of the person's employment or profession, has reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm, the following steps shall be taken.

(1) The employee shall make an oral report as soon as practicable, but not later than twelve hours after the employee has reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm. Such oral report shall be made by telephone or in person to the Superintendent of Schools or his/her designee, to be followed by an immediate written report to the Superintendent or his/her designee.

(2) If the Superintendent or his/her designee determines that there is reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm, he/she shall cause reports to be made in accordance with the procedures set forth for statutory mandated reporters.

b) Nothing in this policy shall be construed to preclude an employee reporting suspected child abuse and/or neglect from reporting the same directly to the Commissioner of Children and Families.

6. Contents of Reports

Any oral or written report made pursuant to this policy shall contain the following information, if known:

a) The names and addresses of the child and his/her parents or other person responsible for his/her care;

b) the age of the child;

c) the gender of the child;

d) the nature and extent of the child's injury or injuries, maltreatment or neglect;

e) the approximate date and time the injury or injuries, maltreatment or neglect occurred;

f) information concerning any previous injury or injuries to, or maltreatment or neglect of the child or his/her siblings;

g) the circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter;

h) the name of the person or persons suspected to be responsible for causing such injury or injuries, maltreatment or neglect;

i) the reasons such person or persons are suspected of causing such injury or injuries, maltreatment or neglect;

j) any information concerning any prior cases in which such person or persons have been suspected of causing an injury, maltreatment or neglect of a child; and

k) whatever action, if any, was taken to treat, provide shelter or otherwise assist the child.

7. Investigation of the Report

a) The Superintendent or his/her designee shall thoroughly investigate reports of suspected abuse and neglect if/when such report involves an employee of the Board of Education or other individual under the control of the Board, provided such investigation does not impede an investigation

by the Department of Children and Families ("DCF"). In all other cases, ~~the Department of Children and Families ("DCF")~~ **DCF** shall be responsible for conducting the investigation with the cooperation and collaboration of the Board, as appropriate.

b) Recognizing that DCF is the lead agency for the investigation of child abuse and neglect reports, the Superintendent's investigation shall permit and give priority to any investigation conducted by the Commissioner of Children and Families or the appropriate local law enforcement agency. The Superintendent shall conduct the district's investigation and take any disciplinary action, consistent with state law, upon notice from the Commissioner of Children and Families or the appropriate local law enforcement agency that the district's investigation will not interfere with the investigation of the Commissioner of Children and Families or the local law enforcement agency.

c) The Superintendent shall coordinate investigatory activities in order to minimize the number of interviews of any child and share information with other persons authorized to conduct an investigation of child abuse or neglect, as appropriate.

d) Any person reporting child abuse or neglect, or having any information relevant to alleged abuse or neglect, shall provide the Superintendent with all information related to the investigation that is in the possession or control of such person, except as expressly prohibited by state or federal law.

e) When the school district is conducting an investigation involving suspected abuse or neglect by an employee of the Board or other individual under the control of the Board, the Superintendent's investigation shall include an opportunity for the individual suspected of abuse or neglect to be heard with respect to the allegations contained within the report. During the course of such investigation, the Superintendent may suspend a Board employee with pay or may place the employee on administrative leave with pay, pending the outcome of the investigation. If the individual is one who provides services to or on behalf of students enrolled in the Windsor Public Schools, pursuant to a contract with the Board of Education, the Superintendent may suspend the provision of such services, and direct the individual to refrain from any contact with students enrolled in the Windsor Public Schools, pending the outcome of the investigation.

8. Evidence of Abuse or Neglect by a School Employee ~~Holding a Certificate, Authorization or Permit Issued by the State Department of Education~~

a) If, upon completion of the investigation by the Commissioner of Children and Families ("Commissioner"), the Superintendent has received a report

from the Commissioner that he or she has reasonable cause to believe that a child has been abused or neglected by a school employee, as defined above, ~~who has been entrusted with the care of a child and who holds a certificate, permit or authorization issued by the State Board of Education; or~~ **and** has recommended that such employee be placed on the Department of Children and Families child abuse and neglect registry, the Superintendent shall request (and the law provides) that DCF notify the Superintendent not later than five (5) working days after such finding, and provide the Superintendent with records, whether or not created by DCF, concerning such investigation. The Superintendent shall suspend such school employee. Such suspension shall be with pay and shall not result in the diminution or termination of benefits to such employee.

b) Not later than seventy-two (72) hours after such suspension, the Superintendent shall notify the Board of Education and the Commissioner of Education, or the Commissioner of Education's representative, of the reasons for and conditions of the suspension. The Superintendent shall disclose such records to the Commissioner of Education and the Board of Education or its attorney for purposes of review of employment status or the status of such employee's certificate, permit or authorization**, if any**.

c) The suspension of a school employee employed in a position requiring a certificate shall remain in effect until the Superintendent and/or Board of Education acts pursuant to the provisions of Conn. Gen. Stat. §10-151. If the contract of employment of such certified school employee is terminated, or such certified school employee resigns such employment, the Superintendent shall notify the Commissioner of Education, or the Commissioner of Education's representative, within seventy-two hours after such termination or resignation.

d) The suspension of a school employee employed in a position requiring an authorization or permit shall remain in effect until the Superintendent and/or Board of Education acts pursuant to any applicable termination provisions. If the contract of employment of a school employee holding an authorization or permit from the State Department of Education is terminated, or such school employee resigns such employment, the Superintendent shall notify the Commissioner of Education, or the Commissioner of Education's representative, within seventy-two hours after such termination or resignation.

e) Regardless of the outcome of any investigation by the Commissioner of Children and Families and/or the police, the Superintendent and/or the Board, as appropriate, may take disciplinary action, up to and including termination of employment, in accordance with the provisions of any applicable statute, if the Superintendent's investigation produces evidence that a child has been abused or neglected by a school employee.

9. Evidence of Abuse or Neglect by ~~Any Other Employee or~~ **An** Independent Contractor of the Board of Education

~~a)~~ If the investigation by the Superintendent and/or the Commissioner of Children and Families produces evidence that a child has been abused or neglected by any ~~school employee, as defined above, or any other employee of the Board of Education or individual under the control of the Board, the Superintendent and/or the Board, as appropriate, may take disciplinary action, up to and including termination of employment.~~

~~b)~~ ~~If the individual is one~~ **individual** who provides services to or on behalf of students enrolled in the Windsor Public Schools, pursuant to a contract with the Board of Education, the Superintendent shall permanently suspend the provision of such services, and direct the individual to refrain from any contact with students enrolled in the Windsor Public Schools.

~~c)~~ ~~Regardless of the outcome of any investigation by the Commissioner of Children and Families and/or the local law enforcement agency, the Superintendent and/or the Board, as appropriate, may take disciplinary action, up to and including termination of employment, in accordance with the provisions of any applicable statute, if the Superintendent's investigation produces evidence that a child has been abused or neglected by any employee of the Board of Education.~~

10. Delegation of Authority by Superintendent

The Superintendent may appoint a designee for the purposes of receiving and making reports, notifying and receiving notification, or investigating reports pursuant to this policy.

11. Disciplinary Action for Failure to Follow Policy

Except as provided in Section 12 below, any employee who fails to comply with the requirements of this policy shall be subject to discipline, up to and including termination of employment.

12. Non-discrimination Policy/Prohibition Against Retaliation

The Board of Education expressly prohibits retaliation against individuals reporting child abuse or neglect and shall not discharge or in any manner discriminate or retaliate against any employee who, in good faith makes, or in good faith does not make, a report pursuant to this policy, or testifies or is about to testify in any proceeding involving abuse or neglect. **The Board of Education also prohibits any employee from hindering or preventing or attempting to hinder or prevent any employee from making a report pursuant to this policy**

or state law concerning suspected child abuse or neglect or testifying in any proceeding involving child abuse or neglect.

13. Distribution of Policy

This policy shall be distributed annually to all school employees employed by the Board. The Board shall document that all such school employees have received this written policy and completed the training and refresher training programs required by in Section 14, below.

14. Training

a) All school employees, as defined above~~, hired by the Board on or after July 1, 2011,~~ shall be required to complete an educational training program for the accurate and prompt identification and reporting of child abuse and neglect. Such training program shall be developed and approved by the Commissioner of Children and Families.

b) ~~On or before July 1, 2012, all school employees, as defined above, hired by the Board before July 1, 2011, shall complete the refresher training program developed and approved by the Commissioner of Children.~~

~~c)~~**b)** All school employees, as defined above, shall retake a refresher training course developed and approved by the Commissioner of Children and Families **at least once every three years.**

15. Records

a) The Board shall maintain in a central location all records of allegations, investigations and reports that a child has been abused or neglected by a school employee, as defined above, employed by the Board, and conducted in accordance with this policy. Such records shall include any reports made to the Department of Children and Families. The State Department of Education shall have access to such records upon request.

b) Notwithstanding the provisions of Conn. Gen. Stat. §10-151c, the Board shall provide the Commissioner of Children and Families, upon request and for the purposes of an investigation by the Commissioner of Children and Families of suspected child abuse or neglect by a teacher employed by the Board, any records maintained or kept on file by the Board. Such records shall include, but not be limited to, supervisory records, reports of competence, personal character and efficiency maintained in such teacher's personnel file with reference to evaluation of performance as a professional employee of the Board, and records of the personal misconduct of such teacher. For purposes of this section, "teacher" includes each certified professional employee below the rank of

superintendent employed by the Board in a position requiring a certificate issued by the State Board of Education.

Legal References:

Connecticut General Statutes:

Section 10-151

Section 17a-101 et seq.

Section 17a-103

Section 53a-65

~~Public Act 11-93, *An Act Concerning the Response of School Districts and the Departments of Children and Families to Reports of Child Abuse and Neglect and the Identification of Foster Children within a District*~~

Public Act 14-186 "An Act Concerning The Department of Children and Families And The Protection of Children"

Policy adopted: June 19, 2012

SHIPMAN & GOODWIN LLP
COUNSELORS AT LAW

Rational for Revised Policy:

P/AR 4311.2 FAMILY AND MEDICAL LEAVE (FMLA)

This policy has been revised to reflect the new legislative requirement that paraprofessionals be offered FMLA coverage (those working 950 hours or more). In addition, the policy has been amended to incorporate provisions from the release of the 2013 federal regulations regarding military caregiver leave.

Section:	**Personnel – Certified/Non-Certified**	
Subject:	**FAMILY AND MEDICAL LEAVE**	**P-4311.2**

BOARD OF EDUCATION POLICY
WINDSOR PUBLIC SCHOOLS
WINDSOR, CT

1. The Windsor Board of Education recognizes its responsibility to provide leave to employees in situations of personal and family illness and in certain circumstances for child care. It provides for this need in its negotiated agreements with the various unions representing employees and in its policies relating to unaffiliated employees conditions of employment.

2. The Family and Medical Leave Act of 1993 (FMLA) addresses these concerns. It is the Board of Education policy to comply with the letter and spirit of Federal and State statutes.

3. The Board directs the Superintendent to develop an Administrative Regulation in order to implement appropriate family and medical leave provisions for all employees.

Legal Reference:

~~FMLA of 1993~~

Connecticut General Statutes:

Conn. Gen. Stat. §31-51rr

Regs. Conn. State Agencies 31-51rr-1, et seq.

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

United States Code:

Family and Medical Leave Act of 1993, 29 U.S.C. Section 2601 et seq., as amended

29 CFR Part 825.100 et seq.

Title II of the Genetic Information Nondiscrimination Act of 2008, Pub.L.110 233, 42 USC 2000ff; 34 CFR 1635

Policy Adopted: January 18, 2006

FAMILY AND MEDICAL LEAVE

PURPOSE

The purpose of these regulations is to establish guidelines for leaves taken by employees of the Board under the Federal Family and Medical Leave Act of ~~1993~~ **1993 ("FMLA").**

ELIGIBILITY

Employees who have worked for the Board for at least fifty-two (52) weeks during the seven years preceding the start of a leave, and who have worked at least 1,250 actual work hours, **or, in the case of school paraprofessionals in an educational setting, who have worked at least 950 actual hours or work,** during the twelve (12) months immediately preceding the start of a leave, are eligible for unpaid leave under the FMLA.

Full-time teachers are deemed to meet the 1,250 service hour requirement. *Teacher* (or employee employed in an instructional capacity, or instructional employee) means an employee employed principally in an instructional capacity by an educational agency or school whose principal function is to teach and instruct students in a class, a small group, or an individual setting, and includes athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. The term does not include teacher assistants or aides who do not have as their principal function actual teaching or instructing, nor auxiliary personnel such as counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers, bus drivers, or other primarily non-instructional employees.

REASONS FOR LEAVE

Leaves under the FMLA may be taken for the following reasons:

- For incapacity due to pregnancy, prenatal care, or child birth;
- To care for the employee's child after birth, or placement of a child with the employee by adoption or foster care (leave must be taken within 12 months after birth or placement);
- To care for the employee's spouse, **including same sex marriages,** child ~~son or daughter,~~ or parent, who has a serious health condition;
- For the employee's own serious health condition that makes the employee unable to perform one or more essential functions of his or her current position.
- Because of a qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is on (or has been notified of an impending call to) covered active duty in the Armed Forces (including a member of the National Guard or Reserves). Qualifying exigencies may include:

(a) Short-notice deployment activities (if a member receives seven or fewer calendar days notice prior to the date of deployment);
(b) Military events and related activities;
(c) Childcare and school activities;
(d) Financial and legal arrangements;
(e) Counseling activities;
(f) Rest and recuperation activities;
(g) Post-deployment activities; and/or
(h) Parental care leave for military member's parent who is incapable of self-care and care is necessitated by the member's covered active duty;
(i) Additional activities **that arise out of the active duty or call to active duty status of a covered military member, provided that the Board and the employee agree that such leave qualifies as an exigency, and agree to both the timing and duration of such leave.**

- To care for the employee's spouse, parent, son or daughter, or next of kin who is a covered service member with a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform the duties of his or her office, grade, rank or rating. A covered service member includes (1) a member of the Armed Forces (including a member of the National Guard or Reserves) (a) who is undergoing medical treatment, recuperation, or therapy; (b) is in outpatient status; or (c) is on the temporary disability retired list for a serious injury or illness, and (2) a veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness who was a member of the Armed Forces at any time during the five years preceding the date on which the veteran undergoes medical treatment, recuperation, or therapy.

LENGTH OF LEAVE

General Entitlement

Except in the case of leave to care for a covered service member with a serious injury or illness, an eligible employee is entitled to take up to a maximum of twelve (12) workweeks of FMLA leave during any 12-month entitlement period. The 12-month entitlement period for family or medical leave is July 1 through June 30 of year.

An eligible employee is entitled to up to 26 workweeks of leave to care for a covered service member with a serious injury or illness during a single 12-month period. Leave for that purpose is measured forward from the date an employee begins leave to care for the covered service member.

More Than One Qualifying Reason

If leave is taken for more than one of the qualifying reasons listed above, the employee is entitled to a combined total of 12 workweeks of leave during any 12-month entitlement period unless one of the reasons is to care for a covered service member with a serious injury or illness. If one of the reasons is to care for a covered service member with a serious injury or illness, then the employee is entitled to a combined total of 26 workweeks of leave during the single 12-month period, but is still limited to a combined maximum of 12 workweeks for leave taken for any reason other than to care for a covered service member with a serious injury or illness.

Both Spouses Working for the School District

If both spouses are employees of the Board and request leave for the birth, placement of a child by adoption or for foster care, or to care for a seriously ill parent, they only will be entitled to a maximum combined total leave equal to twelve (12) weeks in any 12-month entitlement period. If either spouse (or both) uses a portion of the total 12-week entitlement for one of the purposes in the preceding sentence, each is entitled to the difference between the amount he or she has taken individually and the 12 weeks for FMLA leave for their own or their spouse's serious health condition in the 12-month entitlement periods.

TYPES OF LEAVE AND CONDITIONS

Block of Time, Intermittent And Reduced Schedule Leave

An employee may take FMLA leave in a block of time, on an intermittent basis, or on a reduced schedule basis, as explained below.

1. "Block" FMLA leave is leave for a continuous period of time. Such leave may be taken for any of the reasons permitted by the FMLA.
2. "Intermittent" leave means leave taken in separate periods of time rather than for one continuous period of time. Examples of intermittent leave include leave taken one day per week over a period of a few months or leave taken on an occasional/as needed basis for other than routine medical appointments. Non-exempt employees may take intermittent leave in increments of one-quarter hour.
3. "Reduced Schedule" leave is leave that reduces the employee's usual number of work hours per day for some period of time. For example, an employee may request to work part-time for a number of weeks so the employee can assist in the care of a parent with a serious health condition.

Intermittent or reduced schedule leave can only be taken when medically necessary for an employee's or covered family member's serious health condition, or because of a covered service member's serious illness or injury, and the medical need can best be accommodated through an intermittent or reduced schedule leave. Such leave may be taken:

1. When necessary for planned or unanticipated medical treatment, or for treatment that is required by a health care provider periodically (e.g., leave taken for chemotherapy or for prenatal examinations);
2. For recovery from a serious health condition or a covered service member's serious injury or illness;
3. To provide care or psychological comfort to a covered family member or a covered service member;
4. Where the employee or covered family member is incapacitated from performing the essential functions of the position because of a chronic serious health condition, or because of a serious injury or illness of a covered service member; or
5. Due to a qualifying exigency.

Temporary Transfer

If foreseeable intermittent or reduced schedule leave is medically required based upon planned medical treatment of the employee or a family member, including during a period of recovery from a serious health condition, or if the School District agrees to permit intermittent or reduced schedule leave for the birth of a child or for placement of a child for adoption or foster care, the School District may temporarily transfer the employee to another job with equivalent pay and benefits that better accommodates the type of leave requested.

Also, special arrangements may be required of any instructional employee who needs to take intermittent or reduced-schedule leave which will involve absence for more than twenty (20) percent of the work days in the period over which the leave will extend (for example, more than five days over a five-week period).

Scheduling Planned Medical Treatment

When planning medical treatment for foreseeable FMLA leave, an employee must consult with his or her supervisor and make a reasonable effort to schedule the treatment so as not to disrupt unduly the School District's operations, subject to the approval of the health care provider. Ordinarily, the employee should consult with the supervisor prior to scheduling the treatment in order to work out treatment schedule which best suits the needs of the School District and the employee. The School District may, for justifiable cause, require an employee to attempt to reschedule treatment, subject to the approval of the health care provider as to any modification of the treatment schedule.

Leave Taken by Instructional Employees Near the End of an Academic Term

1. If a leave taken by an instructional employee for any reason begins more than five (5) weeks before the end of an academic term, the Board may require that employee to continue the leave until the end of the term if the leave will last at least three (3) weeks and the employee would return to work during the three-week period before the end of the term.

2. If the employee begins a leave during the five-week period preceding the end of an academic term for a reason other than the employee's own serious health condition, the Board may require the employee to continue taking leave until the end of the term if the leave will last more than two (2) weeks and the employee would return to work during the two-week period before the end of the term.

3. If the employee begins a leave during the three-week period preceding the end of an academic term for a reason other than the employee's own serious health condition, the Board may require the employee to continue taking leave until the end of the term if the leave will last more than five (5) working days.

REQUESTS FOR LEAVE

Initial Request

An employee must inform his or her supervisor of the need for a family or medical leave at least thirty (30) days before the leave is to begin if the need for the leave is foreseeable based upon an expected birth, placement for adoption for foster care, planned medical treatment for the employee's or family member's serious health condition, or the planned medical treatment for a serious injury or illness of a covered service member. If 30 days notice is not practicable, then the employee must provide notice as soon as practicable under the circumstances, usually the same day or the next business day after the employee becomes aware of the need for FMLA leave. An employee must provide notice as soon as practicable if the foreseeable leave is for a qualifying exigency. When the approximate timing of the need for leave is not foreseeable, an employee must inform his or her supervisor as soon as practicable under the circumstances.

The employee should follow the School District's normal procedures for providing notice of the need for leave. The employee must provide sufficient information to make his or her supervisor aware that the employee needs FMLA-qualifying leave, and must inform the supervisor of the anticipated timing and duration of the leave.

Subsequent Requests

If the requested leave is for a reason for which leave was previously designated as FMLA leave by the School District, the employee must specifically reference the reason for the leave or the need for "FMLA" leave. In addition, an employee must inform his or her supervisor as soon as practicable if date(s) of scheduled leave change or are extended, or if the date(s) were initially unknown.

Supervisor Notice Obligations

The supervisor must promptly (the same day) notify the School District's Human Resources Department/FMLA Administrator that an employee has requested leave that may qualify under FMLA. Human Resources will coordinate the processing of all FMLA leave paperwork.

CERTIFICATIONS REQUIRED

For leaves taken for any FMLA-qualifying reason, an employee may be required to submit a completed certification form supporting the need for leave. The appropriate form will be provided to the employee within five business days after the employee gives notice of the need for leave. The employee must submit the completed form within fifteen (15) calendar days of receiving the request for the completed certification. If it is not practicable for the employee to provide the completed form within 15 calendar days despite the employee's diligent, good faith efforts, the employee must inform Human Resources/the FMLA Administrator of the reason for delay. FMLA-protected leave may be delayed or denied if the employee does not provide a complete and sufficient certification as required.

USE OF PAID LEAVE

Accrued paid personal leave and accrued paid vacation will be substituted (in that order) for any unpaid portions of family or medical leave taken for any reason. However, where the leave is for the employee's own serious health condition, accrued paid sick leave shall be substituted for unpaid portions of family or medical leave prior to the substitution of accrued

paid personal and accrued paid vacation leave. The amount of unpaid family or medical leave entitlement is reduced by the amount of paid leave that is substituted.

MEDICAL INSURANCE AND OTHER BENEFITS

During approved family or medical leaves of absence, the Board will continue to pay its portion of medical insurance premiums for the period of unpaid family or medical leave. The employee must continue to pay his/her share of the premium, and failure to do so may result in loss of coverage. If the employee does not return to work after expiration of the leave, the employee will be required to reimburse the Board for payment of medical insurance premiums during the family or medical leave, unless the employee does not return because of a serious heath condition or circumstances beyond the employee's control.

During an FMLA leave, an employee will continue to accrue benefits such as seniority and paid leave. Unused employment benefits accrued by the employee up to the day on which the leave begins will not be lost upon return to work. Leave taken under this policy does not constitute an absence under Board's attendance guidelines.

RETURN TO WORK/REINSTATEMENT

Except for circumstances unrelated to the taking of a family or medical leave, an employee who returns to work following the expiration of a family or medical leave is entitled to return to the job held prior to the leave or to an equivalent position with equivalent pay and benefits. If an employee takes leave to care for his or her own serious health condition, prior to returning to work, the employee must provide medical certification that the health condition which created the need for the leave no longer renders the employee unable to perform the functions of the job. This certification must be submitted to the Human Resources Department.

ADDITIONAL INFORMATION

Questions regarding family or medical leave may be directed to Human Resources.

Legal References:
Connecticut General Statutes:
~~(Not applicable)~~
Conn. Gen. Stat. §31-51rr

Regs. Conn. State Agencies 31-51rr-1, et seq.

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

United States Code:

Family and Medical Leave Act of 1993, 29 U.S.C. Section 2601 et seq., as amended

29 CFR Part 825.100 ~~U.S.C. Section 2601~~ **et seq.**

~~Federal Regulations, 29 C.F.R. Part 825~~

Title II of the Genetic Information Nondiscrimination Act of 2008, Pub.L.110 233, 42 USC 2000ff; 34 CFR 1635

Administrative Regulation revised:
Administrative Regulation approved: January 6, 2014

Craig Cooke, Ph.D.
~~Interim~~ Superintendent of Schools

Windsor Public Schools
Windsor, CT 06095

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

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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:_____

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Series 6000
Instruction

PROMOTION AND RETENTION

Student promotion shall be determined by academic performance and social and emotional maturity. The Administration and faculty shall apply these criteria when determining whether to promote or retain a student. Retention is an extraordinary measure that should be the result of the combined professional judgment of the school principal, teachers, guidance counselor and/or other support personnel.

The Superintendent or his/her designee shall be responsible for developing procedures, in furtherance of this policy, that are designed to foster student achievement and reduce the incidence of social promotion. Such procedures shall:

1) include objective criteria for the promotion and graduation of students,

2) provide for the measuring of the progress of students against such criteria and the reporting of such information to parents and students,

3) include alternatives to promotion such as transition programs, and

4) provide for supplemental services.

Such procedures may require students who have substantial academic deficiencies that jeopardize their eligibility for promotion or graduation to attend after school programs, summer school or other programs that are designed to assist students in remedying such deficiencies.

Legal Reference:

Connecticut General Statutes §10-221(b)
Connecticut General Statutes § 10-223a

ADOPTED:_____
REVISED:_____

5/2/02
1/28/05
238950 v.05 S1

P5123

Students

Promotion/Retention

The Board of Education is dedicated to the best total and continuous development of each student enrolled in its schools. Therefore, the District will establish and maintain the highest standards required for each grade and monitor student performance in a continuous and systematic manner. The administration and faculty shall establish a system of grading and reporting academic achievement to students and their parents and guardians. The system shall also determine when promotion and graduation requirements are met. The decision to promote a student to the next grade level shall be based on successful completion of the curriculum, attendance, personal and social maturity, performance on objective tests, and student demonstration of mastery of the Goals for Windsor Students (P 0200) at each level.

To graduate from the Windsor Public Schools a student must demonstrate competency in specific basic skills. Assessment of the level of competency in the specified basic skills includes the results from the Connecticut Academic Performance Test (CAPT). Administration will identify a course of study to assist a student who has not successfully completed the assessments.

Legal Reference:

P.A. 99-288
10-221 (a)
P.A. 01-166
10-223

Policy Adopted: September 18, 2007

AR5123

Students

Promotion/Retention

1. The Windsor Public Schools are committed to ensuring that every graduate is a lifelong learner, productive worker, responsible citizen and thoughtful participant in our diverse communities. It is the goal of this school system that every graduate will achieve the Goals for Windsor Students, adopted by the Board of Education as Policy 0200.

2. These expectations shall frame the teaching, learning and assessment processes of the Windsor schools. Such expectations are viewed as crucial to lifelong learning and essential to gaining student's commitment to the learning process.

3. The Administration will maintain rigorous grade-by-grade standards and a curriculum and assessment system to support such standards. A high priority must be placed on ensuring a student's ability to read on grade level. These standards are based on Windsor's goals and aligned with Connecticut's statewide assessment system, CMT's, CAPT, Common Core of

Learning and Curriculum Frameworks. They are translated into local curriculum frameworks to guide instruction based upon high expectations for student achievement.

4. Social promotion is not acceptable.

5. Student promotion and graduation shall be based on demonstrated and/or assessed mastery of the content and skills standards. *(especially in the core subjects of English/language arts, mathematics, science and social science)* Students should earn the right to move from grade to grade through demonstration of the mastery of the knowledge and skills required of them.

A. Students are expected to progress through each grade usually within one school year. To accomplish this, instruction should accommodate the varying interests and growth patterns of individual students and include strategies for addressing academic deficiencies when needed. Students shall progress through the grade levels by demonstrating growth in learning and meeting grade-level standards of expected student achievement. The student's readiness for work at the next grade level shall be required before he/she is promoted.

The District shall utilize multiple measures of academic performance indicators as determinants in promotion/retention decisions. Student assessment of performance shall be based upon and aligned with the adopted standards. Student evaluation shall be fair, consistent and appropriate to program goals. The assessment program shall include, but not be limited to, the use of standardized and teacher made tests, projects, portfolios, and other student demonstrations of mastery, teacher observation, and student performance on objective tests.

B. Schools shall identify students at risk, modify instruction, and offer additional support to prevent retention. Prior to deciding on retention for a student not mastering the appropriate skills, the district shall provide and may require the student to attend one or more alternatives for remedial assistance.

C. Academic achievement, attitude, effort, work habits, behavior, attendance, and other significant learning related factors shall be regularly evaluated and communicated to students and their parents/guardians.

D. Parents/guardians shall also be included in the planning of intervention strategies and the ongoing monitoring of the student's progress. Parent/guardians are to be fully involved and informed throughout the promotion/retention decision-making process. Parents will be notified as early as possible of prevention and intervention strategies, and following unsuccessful attempts to bring the student to mastery, that retention is being considered. The Principal shall be responsible for making the final promotion/retention decision.

6. The District may provide alternatives to promotion for students not successfully completing academic requirements for promotion. Such programs could include, but not be limited to, transitional programs and alternative schools/programs within the District or in cooperation with other school districts.

Legal Reference:

P-0200 – Goals for Students
P-6146.1 – Reporting to Parents
AR-6146.1 – Reporting to Parents, Marking System

P.A. 99-288 An Act Concerning Education Accountability
10-221(a) Board of Education to prescribe rules.

Regulation Approved: September 18, 2007

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Section: Community Relations

Subject: VISITS TO THE SCHOOLS P-1250

BOARD OF EDUCATION POLICY
WINDSOR PUBLIC SCHOOLS
WINDSOR, CT

The Board of Education and staff of the school district welcome and strongly encourage members of the community and other interested persons to visit the schools.

The Superintendent shall establish regulations which:

1. Encourage school visitations;

2. Provide for appropriate hospitality for visitors;

3. Channel expressions of approval and constructive criticism to the Board of Education;

4. Ensure that public visits will not hinder the educational program; and

5. Require all visitors to register in the principal's office upon arrival at the school.

Upon arrival, all visitors must ~~report directly to and sign~~ **comply with any and all applicable building security procedures, including but not limited to utilizing security buzzers for access, complying with requests for photo identification, reporting directly to and signing** in and out at the visitors' reception area of the school office, **prominently displaying visitors' badges or other identification required for visitors to the school buildings, limiting access to those areas of the buildings and grounds for which the visitors have authorized access, and complying with directives of school officials at all times.**

Although Board of Education members are encouraged to visit schools independently, they have no more authority than any other citizen.

Policy Adopted: July 13, 2005

ADOPTED: _____
REVISED: _____

~~December 2009~~ **July 2013**

Section: Community Relations

Subject: VISITS TO THE SCHOOLS **AR-1250**

ADMINISTRATIVE REGULATION
WINDSOR PUBLIC SCHOOLS
WINDSOR, CT

Unauthorized Personnel in School Building

It is required that all school personnel politely question any unknown person seen in school buildings and direct them to the office to register and receive a visitor badge.

All visitors shall be directed to the principal's office.

Definitions

1. **Visitor** - Anyone who wishes to frequent a school on school-related business.

2. **Guest** - Someone who is invited to attend a school for one day.

Visitor Regulations

1. Upon arrival all visitors must report directly to the main office.

2. Visitors must complete a visitor's request form at the main office.

3. An administrator must approve the visitor's request.

4. A visitor's badge will be issued by an administrator or his/her designee.

5. The visitor must comply with all school rules and regulations.

6. Before leaving the building, the visitor must return the visitor's badge to the main office and check out of the building.

The administration reserves the right to limit the number of visitors to the building and to limit the number and durations of visits by parents to classrooms as appropriate, given the potential that such visits will distract students or teachers or otherwise disrupt the educational program.

Section: Community Relations

Subject: VISITS TO THE SCHOOLS **AR-1250**

ADMINISTRATIVE REGULATION
WINDSOR PUBLIC SCHOOLS
WINDSOR, CT

Guest Regulations

1. A student's request to have a guest must be presented at least one full day in advance of arrival.

2. Written permission from: (a)sponsor's parent/guardian, (b)guest's parent/ guardian, (c)guest's principal (if applicable), must be received prior to approval.

Regulation Approved: July 13, 2005

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

P1110.1

Community Relations

Parent Involvements

The Board of Education believes that the education of children is a cooperative effort among parents, school and community. In this policy the word "parent" also includes guardians and other family members involved in supervising the child's schooling.

Increased parent and community involvement improves student achievement. Parent and community involvement initiatives in the school system will be flexible and creative, promote effective two-way communication, and offer opportunities for all parents to participate. The implementation of this policy is the responsibility of all district staff.

Further, the Board of Education believes that the administration must take whatever steps are necessary to facilitate a broad variety of opportunities for parents to connect frequently with the schools in which their children are enrolled and with the overall system.

Each school should:

A. Encourage strong home-based partnerships;

B. Provide for consistent and effective communication between parents and school officials;

C. Offer parents ways to assist and encourage their children to do their best;

D. Offer ways parents can support classroom learning activities;

E. Provide opportunities for parents to have a voice in planning and decision-making at both the school and district level; and

F. Include a parent and student/feedback mechanism.

Legal References: Connecticut General Statutes

10-221 Boards of Education to prescribe rule(s), policies, and procedures as amended by PA 97-290

Policy Adopted: July 13, 2005

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B9323

Bylaws

CONSTRUCTION OF AGENDA AND POSTING OF AGENDA

The Superintendent in cooperation with the President of the Board of Education shall prepare an agenda for each meeting. Any member of the Board of Education may contact the President of the Board of Education or the Superintendent and request that an item to be placed on the agenda prior to the legally required public posting of the agenda. If three or more Board of Education members request an item to be on the agenda, then the item shall be placed on the agenda.

Posting of Agenda

At least twenty-four (24) hours prior to the time of the regular or special meeting, an agenda will be posted by the Superintendent of Schools for the Board of Education.

An agenda will be posted at Town Hall and the Administrative Offices of the Board of Education. Agendas will also be posted on the Board's web site and be placed in each school in a place readily available to parents and teachers, as well as in the Public Libraries. Copies of the agenda will be sent to the newspapers serving the Town of Windsor.

Legal Reference: Connecticut General Statutes

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

ADOPTED: 1/19/05

REVISED: 3/18/14

Windsor Public Schools

Windsor, CT

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